
Appeal Decision

Site visit made on 6 June 2017

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th June 2017

Appeal Ref: APP/E3525/W/17/3170646

Land adjacent to No. 1 Bury Road, Stanningfield, Bury St Edmunds, Suffolk IP29 4RS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr T Smith against the decision of St Edmundsbury Borough Council.
 - The application Ref DC/16/2784/OUT, dated 16 December 2016, was refused by notice dated 14 February 2017.
 - The development proposed is the erection of detached dwelling and garage.
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Decision

1. The appeal is dismissed

Preliminary Matter

2. The application was submitted for outline planning permission with access for consideration. Matters relating to layout, scale, appearance and landscaping are reserved for future consideration.

Main Issues

3. The main issues are:
 - Whether the proposal would comply with the aims of the Development Plan.
 - The effect of the development on the character and appearance of the area.
 - The effect of the development on highway safety.

Reasons

The Development Plan

4. The Development Plan for the area is the Joint Development Management Policies Document February 2015 (JDMPD) and the St Edmundsbury Core Strategy 2010 (the Core Strategy). The Development Plan is up-to-date and does not conflict with the objectives set out in the National Planning Policy Framework (the Framework).
5. Policy CS1 of the Core Strategy sets out the settlement hierarchy for the district whereby the appeal site is classified as being within the countryside where development is restricted. The purpose of Policy CS1 of the Core

Strategy and Policy DM5 of the JDMPD is to concentrate development within settlements and to restrict development outside settlements other than in specific circumstances, none of which apply here.

6. I acknowledge the appellant's argument that the proposal does not represent an isolated dwelling. However, this does not justify a deviation from Development Plan Policies. Moreover, the benefits relied upon (social, economic and environmental) would not only flow from a house in this location, they would apply equally to a new house within a settlement boundary and thus, are not related to this specific site or development. Consequently, the suggested benefits do not outweigh the harm to the aims of adopted policy which seek to restrict development to within identified settlements and conflicts with the aims of sustainable development in the Framework.
7. Therefore, on the first main issue I conclude that the proposal would conflict with Policy CS1 of the Core Strategy and Policy DM5 of the JDMPD which seek, among other things, to protect the countryside from unsustainable development.

Character and Appearance

8. I accept that the development does not represent an isolated dwelling as it would be sited adjacent to and opposite existing dwellings. Nevertheless the site forms the edge of the village and is part of the countryside and the proposed development would result in a material change of character from agriculture to an urban site occupied by a residential building.
9. The development would therefore encroach into the surrounding countryside and would urbanise the site. The domestic paraphernalia associated with the occupation of the dwelling would add to this urbanising effect, which would adversely affect the character and appearance of the area. Notwithstanding the presence of a hedge to the north of the site, this harm would be readily visible as one travels along Bury Road. Although layout and appearance are reserved matters and the dwelling could be designed to reflect the local vernacular, this would not overcome the urbanising effect that I have identified above.
10. On the second main issue, I conclude that the development would materially harm the character and appearance of the area. The development is therefore in conflict with Policy DM2 of the JDMPD which seeks, among other things, to ensure that development proposals produce designs that respect the character of the locality.

Highway Safety

11. DM5 of the JDMPD which seeks to ensure, among other things, that developments do not have a significant adverse impact on the local highway network. Suffolk County Council as local highway authority objected to the proposal as a result of the access failing to provide adequate visibility splays. The appellant has provided a drawing (appendix 1 to the appeal statement) which clearly shows the required visibility splay of 2.4 m x 90 m. I also viewed the access as part of my site visit and I consider it to have acceptable visibility splays. With regard to the ditch to the front, if I was minded to allow the appeal, the design of the access over the ditch could be secured by condition.

12. On the final main issue, I therefore conclude that the development could be served by a safe access. The proposal is therefore in compliance with Policy DM5 of the JDMPD which weighs in favour of the development.

Other matters

13. The proposed dwelling would comprise a self-build project for which there is Government support. The appellant is listed on the St Edmundsbury Borough Council self-build register. Planning Practice Guidance¹ makes it clear that the purpose of the register is to inform the Council about the demand for housing as part of their evidence base, in line with paragraph 50 of the Framework. But the fact that the development could be self-build would not make the proposal acceptable or overcome the harm I have identified above.

Conclusion

14. Whilst I found no harm to highway safety, the development is within an unsustainable location and I have identified harm to the character and appearance of the area. Therefore, having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Graham Wyatt

INSPECTOR

¹ Paragraph: 011 Reference ID:57-011-20160401