



Appeal Decision

Site visit made on 14 August 2017

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 30 August 2017

Appeal Ref: APP/J3530/W/17/3174132

The Grange Studio, Hasketon Grange, Grundisburgh Road, Hasketon, Suffolk IP13 6HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Professor Sir Barry Ife against the decision of Suffolk Coastal District Council.
 - The application Ref DC/17/0607/FUL, dated 14 February 2017, was refused by notice dated 24 March 2017.
 - The development proposed is the use of existing residential annexe building as separate and independent dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the use of the existing residential annexe building as a separate and independent dwelling at The Grange Studio, Hasketon Grange, Grundisburgh Road, Hasketon, Suffolk IP13 6HN, in accordance with the terms of the application, Ref: DC/17/0607/FUL, dated 14 February 2017, subject to the conditions in the attached schedule.

Main Issues

2. The main issues in this appeal are: 1) Whether the appeal site is an appropriate location for a new dwelling with particular reference to planning policies relating to rural housing; and 2) Whether any conflict with the development plan is outweighed by other material considerations.

Reasons

Whether the appeal site is an appropriate location for a new dwelling with particular reference to planning policies relating to rural housing

3. The appeal site encompasses a domestic annex located within the garden of Hasketon Grange. The building is not located within the defined physical limits of any settlement and is therefore located in the countryside. To protect the countryside, Policies SP19 and SP29 of the CSDMP¹ direct residential development through a settlement hierarchy. They also restrict new development outside the physical limits of defined settlements to that which needs to be located there and where it would accord with other relevant policies of the CSDMP.
4. Policy DM3 of the CSDMP sets out six circumstances within which housing in the countryside may be approved. The appeal scheme is not a replacement dwelling

¹ Suffolk Coastal District Local Plan Core Strategy and Development Management Policies July 2013 (CSDMP)

or affordable housing and the appellant has not advanced a case that the proposal would be minor infilling within a cluster (subject to Policy DM4 of the CSDMP). The proposal would be the subdivision of a larger dwelling but it has not been demonstrated this would be for a local need. The building has already been converted to an annex, which is occasionally used to house students and guest and as a venue for small concerts. As such it is not a redundant building in the countryside and therefore a case has not been made by the appellant that the proposal would glean support from Policy DM13 of the CSDMP.

5. The appellant has attempted to make a case that the proposal would adhere to the last criteria in Policy DM4 in that it would amount to a special circumstance listed in Paragraph 55 of the National Planning Policy Framework. In particular, the proposal would result in the optimal viable use of a heritage asset as it would provide the building with a long term future. I am not convinced by this argument. Hasketon Grange is a large property with an extensive garden. Although not essential, an annex could be, and is, a useful adjunct to the main accommodation. The building was being used by guests during my site visit and it was in very good condition. This suggests it has a functioning viable use already and because of this its condition is unlikely to deteriorate.
6. I therefore conclude that the subdivision of the annex from the main dwelling would be contrary to Policies SP19, SP29 and DM3 of the CSDMP².

Whether any conflict with the development plan is outweighed by other material considerations

7. I have established in the preceding paragraphs that the proposal would be contrary to the development plan. A planning application should be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary to examine a number of material considerations referred to by the appellant.
8. The limitations placed by the development plan on residential development in the countryside are intended to protect its intrinsic character and beauty. They are also in force to promote 'sustainable' patterns of travel by locating new dwellings where services are close by and can be accessed by various modes of transport so the need to travel, particularly by private motorised transport, is reduced and local services can be conveniently used, thereby better supporting the vitality of rural communities.
9. The building is already in situ and has been converted very sensitively³. Other than the planting of new hedges to define the curtilage of the appeal site, no further works would be required. As such, there would be no additional urbanisation of, or harm arising to, the countryside from the appeal scheme.
10. More significantly, the appeal site is located alongside a complex of converted agricultural buildings. The buildings have been converted to shops and a café and are a notable commercial hub. One of the shops is a farm shop and is akin to a small supermarket given the range of products on offer. It is not inconceivable that any future occupants of the appeal scheme could purchase many of their weekly provisions from this shop. Thus, the appeal site is better served by

² The appeal site is not in an 'other village' so Policy SP28 of the CSDMP is not relevant

³ Evidence of this is that it won a designed award.

everyday facilities than many rural settlements within which the principle of housing is permitted, including Hasketon⁴, which is a Local Service Centre.

11. I accept that the appeal site would not be located close to a range of employment and recreational options but the presence of a notable array of services in very close proximity to the appeal site goes a long way to off-setting the inaccessibility of the appeal site in this respect. Thus, the harm arising from the broader inaccessibility of services would be limited as would any conflict with Policy SP1 of the CSDMP. This is especially so as dwellings in rural areas are unlikely to have the same accessibility to a range of services as those in urban areas. If travel by car is needed then Hasketon, Woodbridge and Grundisburgh are very short car journeys from the appeal site. But notwithstanding this, the future occupants of the appeal scheme would not be wholly car dependent given the proximity of the Grange Farm Shop complex.
12. The appeal building already has all of the facilities needed for occupation independent of Hasketon Grange. However, Condition 7 imposed on the planning permission that granted the use of the barn as an annex⁵ limits occupation for purposes incidental to the use of Hasketon Grange or for occupation by a relative, employee or parent of the householder or his/her spouse.
13. I share the appellant's view that Condition 7 would permit a reasonably intense occupation of the annex as it states the occupation should be for incidental purposes *or* by a relative or employee. Occupation by the latter could be tantamount to a separate household given the wording of the condition and the level of accommodation available. Moreover, there is nothing to suggest the use of an annex for such purposes would be temporary. Thus, the extent of occupation that could occur at present is a matter of weight in favour of the appeal scheme.
14. The proposal would also provide a smaller dwelling in the countryside⁶ with flexible accommodation, as there is a bedroom on the ground floor. The occupation of the dwelling would also enable future occupants to support the facilities available at Grange Farm Barns. The proposal could also result in Hasketon Grange being freed up for occupation by a family⁷. These are beneficial matters in favour of the appeal scheme.
15. Taking the above points together, the proposal would be contrary to the relevant policies within the development plan but there would be very little conflict with the objectives underpinning them. This is because the countryside would be preserved, the appeal site is relatively well connected to everyday services and facilities at Grange Farm Barns and a reasonably intensive occupation of the annex is already permitted. Any very limited harm arising from the conflict with the development plan is outweighed by the benefits of the proposal. This is a material consideration that in this instance indicates planning permission should be forthcoming.

⁴ The services in Hasketon could be less frequently used being a church, village hall and public houses

⁵ Planning permission CO8/1041

⁶ Table 3.6 of the CSDMP identifies a need for two bedroom properties and Policy SP3 of the CSDMP seeks to meet the needs of an ageing population.

⁷ As encouraged by the housing white paper - Fixing Our Broken Housing Market 2017

Other Matters

16. Having regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 I am satisfied the proposal would preserve the special interest and setting of nearby listed buildings.
17. The Council are concerned that the appeal scheme would set an undesirable precedent. However, my consideration of the appeal scheme has been based on the specific circumstances highlighted to me and therefore it does not follow that a generalised precedent would be set by this decision.

Conclusion and Conditions

18. The appeal scheme would be contrary to the development plan taken as a whole but in this instance material considerations indicate planning permission should be forthcoming in spite of this. Accordingly, for the reasons given above, and having regard to all other matters raised, I conclude the appeal should be allowed.
19. In allowing the appeal it is necessary to impose planning conditions. In determining this I have had regard to the advice in the PPG and the Council's list of suggested conditions. In the interests of safeguarding the character and appearance of the area and the building as a heritage asset it is necessary to ensure the development is implemented in accordance with the approved drawings and details. For similar reasons it is necessary, exceptionally, to remove some permitted development rights. In the interests of highway safety it is necessary to ensure off street parking is laid out and retained in accordance with the approved drawings. However, as the access already exists, and is in use, it is unnecessary to impose the fourth condition suggested by the Council.

Graham Chamberlain
INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall commence within a period of three years beginning with the date of this permission.
2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with the plans and particulars submitted with application reference DC/17/0607/FUL for which permission is hereby granted or any which are subsequently submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the plans are:
 - Site location plan undated at a scale of 1:1250 and drawings P0615-01 SK1, P0615-01 SK2, P0615-05A, P0615-06A, P0615-07A
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations), B (changes to the roof) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning

application and the granting of planning permission by the Local Planning Authority.

4. The use shall not commence until the area within the site shown on Dwg No P0615-01 SK2 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.