



Appeal Decision

Site visit made on 7 November 2017

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 1st December 2017

Appeal Ref: APP/W3520/W/17/3180310

Redundant Barn, Little Choppins Stud, Spring Lane, Coddensham IP6 9TN

- 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 Mr & Mrs Forrest against the decision of Mid Suffolk District Council.
 - The application Ref 4326/16, dated 18 October 2016, was refused by notice dated 2 May 2017.
 - The development proposed is "conversion, renovation and change of use of barn to form a single dwelling and demolition of a second barn".
-

Decision

1. The appeal is allowed and planning permission is granted for conversion, renovation and change of use of barn to form a single dwelling and demolition of a second barn at Redundant Barn, Little Choppins Stud, Spring Lane, Coddensham IP6 9TN in accordance with the terms of the application, Ref 4326/16, dated 18 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3685-01, 3685-02, P-000, P-100, P-110, P-200, P-201, P-300 and P-301.
 - 3) No development shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction (and samples if requested) have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first occupation.
 - 4) No development shall be commenced above slab level until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837:2012 Trees in relation to design, demolition and construction.

- 5) All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 5 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.
- 6) The development hereby permitted shall be undertaken in complete accordance with the recommendations of the Ecological Survey Report, prepared by Mill House Ecology, dated April 2016.

Procedural Matter

2. During the appeal process, the appellants brought to my attention a High Court judgment¹ handed down on 15 November 2017 regarding paragraph 55 of the National Planning Policy Framework (NPPF) and new isolated homes in the countryside. The Council has been afforded the opportunity to comment on the relevance of the judgment and I have had regard to it in my decision.

Main Issue

3. The main issue is whether the proposed development would provide a suitable location for housing having regard to the character and appearance of the area and the accessibility of services and facilities.

Reasons

4. The appeal site is located on Spring Lane within Little Choppins Stud and contains two modern barns. Spring Lane leads towards the village of Coddensham to the south, and is sparsely developed in terms of buildings. Fields and paddocks lie either side of the lane and form the backdrop to the appeal site on its northern, eastern and southern sides. Immediately to the west of the site are a few residential properties either side of Spring Lane.
5. Coddensham is defined as a Secondary Village by Policy CS1 of the Mid Suffolk Core Strategy 2008 ('the Core Strategy'). Policies CS1 and CS2 of the Core Strategy restrict development in the countryside and countryside villages to defined categories outside of new market housing, which reflects Policies H7 and H10 of the Mid Suffolk Local Plan 1998 ('the Local Plan'). Policy CS2 states that the possible conversion of rural buildings may be permitted in countryside development, but only in relation to rural exception housing which does not apply in this case. The appellants argue that Policy H9 of the Local Plan is a relevant policy in favour of their case as it concerns the conversion of rural buildings to dwellings. I have not been provided with a copy of this policy by the Council and do not have their views on its relevance, so have not had regard to it in my decision.

¹ Braintree District Council v Secretary of State for Communities and Local Government & Ors [2017] EWHC 2743 (Admin)

6. The Council notes that the appeal site is beyond the settlement boundary for Coddendam and is therefore considered to lie within the countryside. Based on my site visit observations, the appeal site is physically separated from the edge of Coddendam by fields and narrow country lanes. Although the appeal site is within a group of dwellings, these dwellings do not form part of the village due to the extent of separation. Therefore, I agree that the appeal site and its surroundings are within the countryside rather than within a settlement.
7. The conversion of one of the barns to a dwelling would result in the provision of a new home in the countryside. However, in deciding whether that home would be isolated, the above High Court judgment considers that "isolated" should be given its ordinary objective meaning of "far away from other places, buildings or people; remote". Given the proximity of existing residential properties, the new dwelling would not be far away from other buildings or people, and so would not be isolated in terms of paragraph 55 of the NPPF.
8. However, there is still a need to consider whether the proposed development would provide a suitable location for housing having regard to relevant development plan policies in terms of the character and appearance of the area and the accessibility of services and facilities.
9. In terms of character and appearance, between the two modern barns and Spring Lane to the west is the Grade II listed building known as Little Choppins Farmhouse and associated stable buildings, and the Grade II listed building known as Spring Cottage. The special interest and significance of the two listed buildings is largely informed by their architectural and historic interest as buildings dating back several centuries with the survival of key features. The countryside surrounding the listed buildings forms a key part of their setting and contributes positively to their significance.
10. The two modern barns have a utilitarian appearance with little architectural merit. However, they are typical of an agricultural or equestrian use and in a rural context are not particularly out of keeping, sited some way to the rear of the listed buildings. As such, they have a broadly neutral effect on the character and appearance of the area and the setting of the listed buildings. The demolition of one barn would reduce the amount of modern structure in the vicinity of the listed buildings. The conversion of the other barn would introduce a more domestic and contemporary design, but would not greatly alter its scale or affect the overall layout of the land surrounding the listed farmhouse. Thus, the development would have a broadly neutral effect on both the character and appearance of the area and the setting of the listed buildings. The special interest and significance of these buildings would be preserved.
11. In terms of accessibility, Coddendam contains relatively few services and facilities, although does have a shop and post office as well as village hall and five buses a day to and from Ipswich. From the appeal site, these services and facilities are around a 15 to 20 minute walk along roads. Sections of these roads lack pavement and lighting and operate at national speed limit. Although the roads were quiet at the time of my mid-morning site visit, they would not be attractive to walk or cycle along for occupants of the proposed development especially at night or in poorer weather conditions.
12. The limited range of services and facilities within Coddendam means that occupants of the development would need to travel further afield to other

- settlements. The bus service is not particularly frequent and so there is likely to be an overall reliance on the private motor car. This would result in negative environmental effects in terms of the use of natural resources and negative social effects in terms of accessible local services.
13. The proposed development would thus not accord with Policies CS1 and CS2 of the Core Strategy, Policies FC1 and FC1.1 of the Core Strategy Focused Review 2012 (CSFR) and Policies H7 and H10 of the Local Plan insofar as these policies seek to ensure that the majority of new development is located within defined settlement boundaries. The development would also not meet the aims of the NPPF in terms of conserving natural resources and ensuring accessible services and facilities.
 14. However, it is argued by the appellants and not disputed by the Council that the Council is unable to demonstrate a five year supply of deliverable housing sites. From the evidence before me, I see no reason to disagree and note that the supply stands at 3.9 years in the Council's five year housing land supply assessment dated June 2017. As such, relevant policies for the supply of housing should not be considered up to date in line with paragraph 49 of the NPPF. Where relevant policies are out of date, paragraph 14 of the NPPF states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or specific policies of the NPPF indicate development should be restricted. Policies FC1 and FC1.1 of the CSFR follow the approach of paragraph 14.
 15. Considering the benefits of the proposed development first, there would be social and economic benefits from the provision of a single dwelling in terms of the boost to housing supply and the investment in construction and local services. As a single dwelling, such benefits would be modest but nevertheless tangible. The re-use of an existing structure on previously developed land, albeit with a number of alterations and new materials, would represent a moderate environmental benefit. The appellants also refer to the cessation of the commercial stud and reduction in vehicles using the site access and local road network with benefits to walkers and other road users. I have little evidence on the level of existing or previous vehicle movements, but a dwelling is unlikely to generate a similar or greater level of movements to a commercial stud. Thus, I can give this benefit some weight. Overall, the benefits of development can be afforded moderate weight.
 16. Turning to the adverse impacts, there would be conflict with the aforementioned development plan policies and there would be negative environmental and social effects arising from a reliance on the private motor car. However, a single dwelling is unlikely to generate a significant number of vehicle movements. The effects on the character and appearance of the area and the setting of the listed buildings would be broadly neutral. Thus, the amount of weight I can attribute to the adverse impacts and the conflict with policies is moderate.
 17. In the context of paragraph 14 of the NPPF and Policies FC1 and FC1.1 of the CSFR, the adverse impacts of the development would not significantly and demonstrably outweigh the benefits. Therefore, the presumption in favour of sustainable development applies which points towards the grant of planning permission.

18. In conclusion, while not fully in accordance with Policies CS1, CS2, H7 and H10, applying the approach of the NPPF as a material consideration indicates that the development would be acceptable and would represent sustainable development in this instance. Thus, the proposed development would provide a suitable location for housing having had regard to the accessibility of services and facilities and the character and appearance of the area.
19. The proposed development would meet the aims of paragraph 55 of the NPPF which seeks to maintain the vitality of rural communities and avoid new isolated homes in the countryside. It would also represent sustainable development as described by the NPPF and protect the intrinsic character and beauty of the countryside by reusing land that has been previously developed.

Conditions

20. Conditions 1 and 2 setting a time limit for the commencement of development and for it to be carried out in accordance with the approved plans are necessary for clarity and compliance. Conditions 3 to 5 relating to materials and landscaping are necessary to ensure that the appearance of the development is satisfactory. Condition 6 requiring compliance with the appellant's Ecological Survey Report is necessary in the interests of biodiversity.

Conclusion

21. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR