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## Appeal Decision

Site visit made on 14 November 2017

**by David Troy BSc (Hons) MA MRTPI**

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

**Decision date: 4<sup>th</sup> December 2017**

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**Appeal Ref: APP/W3520/W/17/3178918**

**Land adjacent to Reeve & Co Ltd, Stonham Road, Mickfield, Stowmarket, Suffolk IP14 5LS**

- 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 Torben Reeve (Reeve & Co Ltd) against the decision of Mid Suffolk District Council.
  - The application Ref 4324/16, dated 17 October 2016, was refused by notice dated 9 March 2017.
  - The development proposed is extension to existing joinery workshop and addition of on-site managers residential unit and show room.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are (i) the effect of the proposed development on the character and appearance of the area and (ii) whether the proposal would represent a suitable site for proposed on-site managers dwelling, showroom and office having regard to principles of sustainable development.

### Reasons

#### *Character and appearance of the area*

3. The appeal site comprises of a parcel of land used for car parking serving the adjacent joinery business unit and workshop within an open countryside location outside the settlement boundary for the village of Mickfield. It is situated on the eastern side of Stonham Road behind a grass verge between a number of industrial and commercial units to the south and residential dwellings to the north and west of the site on the opposite side of the road. The appeal site is set in attractive countryside, defined by gently undulating fields punctuated by hedgerows and trees.
4. The proposal would entail the construction of an extension to the existing joinery workshop and the erection of a contemporary style two storey on-site managers dwelling, retail furniture show room and office associated with the adjacent joinery business. The residential unit would also involve the construction of a detached cart lodge garage building and associated access, parking and garden. The external finish of the dwelling and cart lodge would be predominantly built in cream painted render and red brick with natural

stained timber windows and doors and plain red clay pitched roofs. The Council have raised no objections to the extension to the existing joinery workshop and based on the evidence before me and my observations on my site visit, I have no reason to disagree.

5. In visual terms, given the relatively enclosed nature and the flat topography of the site and immediate surroundings, the appeal site would not be highly visible in the wider landscape. Nevertheless, given the scale, siting and layout of the on-site managers dwelling combined with the retail furniture show room and office, it would represent a significant shift of the built up development into the open landscape setting of the commercial site within which it is located. Whilst I recognise that the surrounding existing commercial and industrial buildings, dwellings, boundary trees and vegetation would provide some visual containment, the degree of visibility will vary according to the seasons. The appeal site, together with the adjoining fields, provides a contribution to the visual quality of and an important contribution to, the rural open landscape setting of the area.
6. These shortcomings would be exacerbated by the appeal site's prominent position and open road frontage where it would be visible from a number of public vantage points along Stonham Road. I therefore consider that the proposed development, by virtue its scale, siting and layout, would adversely harm rather than positively contribute to the open rural landscape of the area.
7. I have considered the appellant's statement that the site layout and the design of the proposal have been carefully considered in order to minimise any impacts on adjacent dwellings and the area. However, whilst the high quality design, use of traditional materials, fenestrations and the boundary treatment would assist in integrating the proposed development with the area, these aspects do not overcome the adverse effects outlined above.
8. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. The development conflicts with the overall design aims of the Saved Policies GP1, SB2 and H13 of the Mid Suffolk Local Plan 1998 (LP), Policy CS5 of the Mid Suffolk Core Strategy 2008 (CS) and Policy FC1.1 of the Core Strategy Focused Review 2012 (CSFR). These policies, amongst other things, seek to ensure that new development should achieve a high standard of design that respects the local distinctiveness and character of the site and its surroundings, conserves and enhances the overall landscape character of the district. It would not accord with the aims of the National Planning Policy Framework (the Framework) that development should seek to secure a high quality of design that takes account of the different roles and character of different areas and recognises the intrinsic character and beauty of the countryside (paragraph 17) and that good design is a key aspect of sustainable development (paragraph 56).

#### *Sustainable development*

9. The Council's Development Strategy is set out in CS Policies CS1 and CS2 which seek to direct most development to the district's larger settlements and lesser amounts to the villages that have settlement boundaries in the rural areas. The appeal site is located outside the defined settlement boundary for Mickfield and therefore is classed as being in the open countryside wherein Saved LP Policies H7 and H10 and CS Policy CS2 apply.

10. Saved LP Policy H10 and CS Policy CS2 require that development in the open countryside should include meeting an essential need for agriculture and forestry, rural exception for affordable housing, reuse and adaption of rural buildings and new-build employment generating proposals where there is a strategic, environmental or operational justification.
11. Whilst I note the appellant's desire to live on the site with his family close to the current business and to provide on-site security, little evidence has been provided to demonstrate what other measures have been taken to find an existing suitable dwelling in the locality and to address the security issues such as improved physical security or electronic surveillance. In addition, no substantive evidence has been provided to clearly demonstrate why the retail showroom and office cannot be accommodated within or adjacent to the existing joinery workshop. Based on the evidence provided, the appeal scheme would not meet the criteria set out in Saved LP Policy H10 and CS Policy CS2.
12. I have considered this proposal against Paragraph 55 of the Framework that seeks to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities and avoid new isolated homes in the countryside unless there are special circumstances. These include where the development would be of exceptional quality, or would be of a truly outstanding or innovative design, to help raise design standards more generally in rural areas. Whilst I note the appellant's arguments regarding the scheme's carbon neutral and local vernacular design, I do not consider that the proposal would achieve the standards of design the Framework seeks to promote in this case.
13. Given the surrounding residential and commercial uses, the proposal would not be physically isolated in this rural location. However, the village of Mickfield located to the north has very few services and facilities and the village of Stonham Aspal to the south has a limited range of local services and facilities including a primary school but lacks any medical or shopping facilities. This would, therefore, necessitate the need for the future occupiers to travel for day to day services and facilities to other towns and villages. These settlements are a reasonable distance away and, from the evidence provided and from my observations on my site visit, are not readily accessible by safe public footpaths.
14. The appellant has indicated that the appeal site is served by local bus services that run to and from the nearby settlements of Diss, Debenham, Stowmarket and Ipswich. However, no information has been provided about the frequency of these services. Therefore, whilst the appeal site would not be remote from the local services and facilities in nearby settlements, it would nevertheless mean that the future occupiers would still be likely to be reliant on the private motor car in this rural location. This would result in a modest negative environmental effect in terms of use of natural resources.
15. It therefore follows that the proposed development would not accord with CS Policies CS1 and CS2 and Saved LP Policies H7 and H10. However, the Council acknowledges it cannot identify a five year supply of deliverable sites. Paragraph 49 of the Framework states that housing developments should be considered in the context of the presumption in favour of sustainable development. It goes on to state that relevant policies for the supply of housing cannot be considered up to date if the local planning authority cannot

demonstrate such a five year supply. Consequently, the housing supply CS Policies CS1 and CS2 and Saved LP Policies H7 and H10 cannot be considered up to date.

16. Paragraph 14 of the Framework sets out the presumption in favour of sustainable development. For decision making this means that where the development plan is absent, silent or relevant policies are out of date, planning permission will be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or where specific policies in the Framework indicate that development should be restricted. Sustainable development is identified as having social, economic and environmental roles. CSFR Policies FC1 and FC1.1 in line with the Framework identify how decisions should be consistent with the principles of sustainable development.
17. The appellant considers that the proposal would form a sustainable form of development that would provide social and economic benefits. The proposal would be well connected to the limited range of services and facilities available in the nearby villages and so would not be isolated. The Framework promotes sustainable development in rural areas, and the additional housing would help to support the vitality of surrounding rural communities. The proposed dwelling, retail showroom and office would make a positive, albeit modest contribution to the supply of housing in the area and the rural economy by supporting a local business. This would support the economic and social dimensions of sustainable development that weigh in favour of the proposal.
18. While I note the appellant's view that the scheme's carbon neutral design with biodiversity enhancements utilising a previously developed parcel of land and the reduced carbon footprint arising from the lifestyle changes of the appellant and his family would amount to environmental benefits and, the negative environmental effect arising from use of the private motor car from the proposal is unlikely to generate a significant number of vehicle movements, I have found above that taken overall the development would harm the area's character and appearance.
19. This harm would conflict with the environmental dimension of sustainable development and, in my view, would be sufficient to significantly and demonstrably outweigh the schemes benefits when assessed against the policies in the Framework as a whole. The proposals would not therefore amount to sustainable development in the terms of the Framework.
20. Consequently, I conclude that the proposal would conflict with the requirements of CSFR Policies FC1 and FC1.1 as set out above and would not amount to sustainable development in the terms of paragraph 14 of the Framework.

### **Other matters**

21. I have noted the other developments in the area drawn to my attention by the appellant. However, the dwelling allowed on appeal at Crowfield<sup>1</sup> falls within the garden area of an existing dwelling within a village that was judged to have little negative effect on the character and appearance of the area and has different locational characteristics. The demolition of the derelict buildings and

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<sup>1</sup> APP/W3520/16/3164676

erection of a dwelling granted at Stonham Parva<sup>2</sup> has different development characteristics to the appeal scheme. On the basis of the limited evidence provided I am not convinced that the circumstances are compellingly similar to the appeal proposal. I therefore accord these limited weight as precedents in this case.

22. I have noted the support for the proposal from a local resident on the basis of the benefits arising from the proposal that would improve the appearance and tidy up the site and remove the potential uncertainty regarding the future of the site and the business. However, these matters are addressed above and there are other means of tidying up the site without the need to construct a dwelling on the site.
23. I have noted the objections from the Mickfield Parish Council, Stonham Aspal Parish Council and a local resident to the proposal. However, in light of my findings on the main issues above, my decision does not turn on these matters.

### **Conclusion**

24. In respect of the planning balance which the Framework requires, I give weight to the fact that, although the appeal site is in the open countryside, as the Council cannot demonstrate a five year supply, the relevant housing supply CS Policies CS1 and CS2 and Saved LP Policies H7 and H10 cannot be considered up to date. With regard to paragraph 14 of the Framework, the adverse impacts arising from the harm identified to the area's character and appearance, would conflict with the environmental dimension of sustainable development. Consequently, in my view, this would be sufficient to significantly and demonstrably outweigh the scheme's benefits when assessed against the policies in the Framework as a whole.
25. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

*David Troy*

INSPECTOR

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<sup>2</sup> 3172/16