



Appeal Decision

Site visit made on 19 June 2019

by I A Dyer BSc (Eng) MIHT

an Inspector appointed by the Secretary of State

Decision date: 19 July 2019

Appeal Ref: APP/E3525/W/19/3224235

Land adjacent The White Horse, Rede Road, Whepstead IP29 4SS

- 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 Stuart Hitchcock of SJ Hitchcock Ltd against the decision of St Edmundsbury Borough Council.
 - The application Ref DC/18/2200/FUL, dated 29 October 2018, was refused by notice dated 18 January 2019.
 - The development proposed is described as "the erection of a one and a half storey (re-submission of DC/18/0534/FUL)".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the Local Planning Authority issued their decision St Edmundsbury Borough Council and Forest Heath District Council have merged to form West Suffolk Council. West Suffolk Council is in the process of preparing a new Local Plan. However, this is at a very early stage and so I attach limited weight to this document.
3. Despite the description of development set out above, I consider the description found on the decision notice and the appellant's appeal form better reflect the scheme that is before me and that which the Council considered. My findings therefore relate to this description of development.

Main Issues

4. The main issues are: -
 - whether, or not, the appeal site is a suitable location for a new dwelling having regard to development plan policies, and:
 - the effect of the proposal on the character and appearance of the appeal site and its surroundings.

Reasons

5. The appeal site is a rectangular piece of open land, currently laid to grass. It fronts onto Rede Road and the front boundary is in the form of a mature hedge, pierced by a field access. There are hedges on the southern and western boundaries. The hedge on the southern boundary is a mature conifer hedge containing some mature trees, whilst that on the western boundary is a

mature hedge but of varying height. The northern boundary is in the form of a low fence and a sparse beech hedge. The site lies between two Grade II Listed Buildings. To the north lies The White Horse public house and, to the south, Leaf House which is listed as Black Horse Cottage. The appeal site is separated from The White Horse by a beer garden, and from Leaf House by a tennis court. The appeal site lies within a special landscape area.

Location

6. Whepstead is a small village with a mix of modern and older properties of varying size and scale. The appeal site lies adjacent to, but outside of, the defined settlement boundary as described in policies within the St Edmundsbury Core Strategy, December 2010 (the Core Strategy) and the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document, February 2015 (the DMPD) when heading south out of the village. To the south of The White Horse development becomes more sporadic along the road, with development in larger plots. The site is therefore in the countryside in terms of development plan policies where development will only be permitted subject to the exceptions set out in DMPD policies.
7. Policy DM5 of the DMPD seeks to restrain unsustainable development in the countryside but allows new buildings or extensions if they are in accordance with other policies within the DMPD, including Policy DM27.
8. Policy DM27 of the DMPD sets criteria to be satisfied for new dwellings in the countryside, including that the development must be within a closely knit 'cluster' of 10 or more existing dwellings adjacent to or fronting an existing highway and that the scale of development consists of infilling a small undeveloped plot by one dwelling or a pair of semi detached dwellings commensurate with the scale and character of existing dwellings within an otherwise continuous built up frontage. The policy defines a small undeveloped plot as one which could be filled by one detached or a pair of semi-detached dwellings where the plot sizes and spacing between dwellings is similar to adjacent properties and thereby respects the rural character and street scene of the locality. Policies DM5 and DM27 are broadly in accordance with the National Planning Policy Framework (the Framework) in as much as they seek to protect the countryside from encroachment by unsustainable development.
9. The plot is large compared to the footprint of the proposed dwelling and the built form would fill less than half of the frontage, leaving a significant gap between the proposed dwelling and built form of The White Horse. Furthermore, the location of the proposed dwelling would leave a very substantial gap between itself and the built form of Leaf House. Whilst the site is related spatially to the village, it lies on the edge of the denser development in the heart of the village and the presence of these gaps does not persuade me that the development lies within a cluster of buildings, but rather seeks to extend the closely-knit cluster outwards. Similarly, the development does not fill a gap in a continuous built up frontage.
10. Other than the public house adjacent to the site I have little information regarding the services within Whepstead or the nearby villages of Hawstead, Chedburgh and Horringer. The nature of the intervening roads, with their lack of footways and vehicular speeds would be likely to deter pedestrians and cyclists, particularly in adverse weather conditions and during the hours of darkness. Whilst there are bus stops outside the public house, served by bus

routes that would provide public transport links to the larger settlements of Bury St Edmunds and Haverhill, the service is not frequent and would be unlikely to provide a meaningful alternative to the private car. The appeal site is located within a small existing settlement and is not isolated but still there would not be any real choice of transport mode other than the private car to meet the day-to-day needs of future occupiers of the proposal.

11. The Framework, in Paragraph 103, recognises that sustainable transport solutions will vary between urban and rural areas and that rural housing development in smaller settlements can enhance or maintain the vitality of rural communities. However, there is no substantive evidence before me that the development, even if it would generate employment during its construction, would contribute meaningfully to the vitality of nearby villages.
12. The proposed development would provide benefits in the form of an additional dwelling to support local housing delivery, although I have little evidence before me to demonstrate a specific need for the proposed dwelling, and benefits to the local economy in terms of short term employment in the construction industry. However, in view of the scale of the development these benefits would be restricted in scale and would not outweigh the harm I have found.
13. I therefore conclude that the proposal would not be a suitable location for a dwelling having regard to development plan policies as the proposal would be contrary to the provisions of Policies DM5 and DM27 of the DMPD.

Character and appearance

14. The appeal site forms an open area of land between the denser development in the centre of the village and the increasingly sparse development spreading out along Rede Road from the village. Views into the site are restricted by the mature vegetation on either side of Rede Road and the alignment of the road itself. The gap formed by the site does not delineate the boundary of the village as an overall settlement but marks the point at which development begins to peter out into the surrounding countryside. Visually, from the public realm, the gap is framed by The White Horse and the end of the hedge.
15. The scale and form of the development is such that views of the proposed dwelling would be screened from the public realm by the hedge fronting the site, other than through the gap formed by the vehicular access, even though it would be elevated above the level of the road. Given the size and scale of the dwelling proposed, in tandem with boundary screening I am satisfied that, in this form, the development could be accommodated within the site without resultant harm to the rural or landscape character, retaining the visual gap between The White Horse and the hedge fronting the appeal site.
16. The proposed scale and massing of the dwelling is similar to the properties to the north of The White Horse. Whilst smaller than Leaf House the proposed dwelling is separated spatially and visually from Leaf House and does not present any incongruity with that building. With regards to The White Horse, the building is smaller than its combined massing. However, the frontage of The White Horse is of two different scales, breaking the overall form into two separate sub-frontages, each of a scale similar to that of the proposal.

17. The proposal would not, therefore, result in harm to the character and appearance of the appeal site and its surroundings. I conclude on this issue that the proposal would not conflict with Policies DM2, in as much as the development would maintain a sense of place and local character whilst not adversely affecting the urban form, including significant street patterns, individual or groups of buildings and open spaces, and DM13 of the DMPD, in as much as the proposal would not have an unacceptable adverse impact on the character of the landscape.
18. My attention has been drawn to a previous appeal on this site, Ref APP/E3525/W/17/3171861, (the 2017 Appeal). I note the view expressed by the Inspector in the 2017 Appeal that some form of built development could be accommodated within the site without harm to the rural or landscape character, but that there would be conflict between the development proposed in this scheme and Policies DM5 and DM27 of the DMPD. I note that this view is consistent with my conclusion.

Other Matters

19. The appeal site lies between two Grade II Listed Buildings. As such I have a statutory duty to pay special attention to the desirability of preserving the buildings or their setting. In addition, Paragraph 193 of the Framework requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
20. The significance of these buildings relates to their architectural and historic interest in regard to their age, architectural design, construction and character, which is representative of local vernacular and the fashion of the time. Whilst The White Horse is clearly visible when leaving the village due to its position in relation to the road, views of the proposed dwelling would be limited by the mature hedging on the site's boundary and on the inside of the bend. This, together with the physical separation of the buildings would mean that vistas of the proposed dwelling and The White Horse would be severely limited. Similarly, the frontage hedging and hedging on the boundary between the proposed dwelling and Leaf House and the distance between buildings would restrict the views containing both buildings.
21. The proposed dwelling is designed in a rustic style which would reflect the scale and materials of surrounding buildings. The design and separation distance from The White Horse lead me to conclude that the development would preserve the setting of The White Horse, whilst the intervening mature hedging leads me to a similar conclusion regarding Leaf House. I note that a similar conclusion was reached by the Council's Conservation Officer.
22. I note the amendments made by the appellant to their scheme following the previous iterations considered, but I have considered the appeal on its own planning merits.

Conclusion

23. Although I have found that the proposal would not result in harm to the character and appearance of the appeal site and its surroundings, I have found that it would undermine policies in the development plan seeking to protect the countryside from encroachment by unsustainable development. For the reasons given above, I conclude that the appeal should be dismissed.

I Dyer

INSPECTOR