## **Appeal Decision**

Site visit made on 11 June 2019

## by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th August 2019

# Appeal Ref: APP/W3520/W/19/3225219 Land at Poplar Farm Lane, Great Green, Thurston IP31 3SL

- 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 R Honeywood against the decision of Mid Suffolk District Council.
- The application Ref DC/18/03328, dated 9 July 2018, was refused by notice dated 4 December 2018.
- The development proposed is erection of two detached dwellings (resubmission).

#### **Decision**

1. The appeal is dismissed.

#### **Procedural Matters**

- 2. Outline planning permission is sought but with all matters reserved. I have determined the appeal on this basis, having regard to the site location plan.
- 3. The National Planning Policy Framework was revised in February 2019 (the Framework). I have taken the Framework into account as part of the determination of this appeal and the revisions do not alter the policies upon which this appeal turns.
- 4. I am aware that the Council published a new Joint Local Plan Consultation Document in August 2017. However, the document is not at an advanced stage of preparation and could therefore be subject to further amendments. Accordingly, the document would not be a determinative point in my consideration of this appeal.
- 5. Since the Council issued its decision the independent examination of the Thurston Neighbourhood Development Plan (NDP) has concluded and the final report had been issued by the Examiner. The main parties have had the opportunity to comment on any implications the NDP would have for this appeal.
- 6. Subsequent to my visit to the appeal site, the appellant provided details of the planning permission that had been granted by the Council for a site on the opposite side of Poplar Farm Lane, on land associated with Navarac<sup>1</sup>. The Council has confirmed that this followed an appeal decision for development proposed at Harveys Garden Plants<sup>2</sup>, situated a short distance away on Norton Road. Both decisions are comparable with the appeal before

<sup>&</sup>lt;sup>1</sup> Planning Application Ref DC/19/02224

<sup>&</sup>lt;sup>2</sup> Appeal Reference APP/W3520/W/18/3216944 in connection with Planning Application Ref DC/18/02662

me and are therefore material considerations in my determination of this appeal.

#### **Main Issue**

- 7. The main issues are: -
  - whether the site would be a suitable location for housing, having regard to the development plan;
  - whether the site is would be accessible to facilities and services; and
  - the effect of the proposed development on the character and appearance of the area.

#### Reasons

Location of the development

- 8. The appeal site is situated within Great Green, which is not classified as a settlement and is without a settlement boundary. It is therefore defined as countryside by Policy CS1 of the Mid Suffolk Local Development Framework Core Strategy Development Plan Document 2008 (the CS). This policy suggests that development is directed to towns and key service centres, in the immediate context this means Thurston. In the countryside, development is restricted to particular types of development to support the rural economy, meet affordable housing, community needs and provide renewable energy. The appeal scheme is not for any of these types of development.
- 9. Furthermore, the principal objective of Policies FC1 and FC1.1 of the Mid Suffolk Local Development Framework Core Strategy Focused Review (Adopted December 2012) (the CSFR) is to ensure that development proposals reflect the presumption in favour of sustainable development contained in the Framework, as interpreted and applied locally to the Mid Suffolk context through the policies and proposals of the CS and CSFR.
- 10. In light of the above, I conclude that the proposed development would be contrary to the spatial strategy in Policy CS1 of the CS, as it would encompass housing outside a defined settlement boundary. Being in conflict with Policy CS1 would also bring conflict with Policies FC1 and FC1.1 of the CSFR. The conflict with the development plan would therefore be an adverse impact of the proposed development.

## Accessibility of facilities and services

11. The appeal at Harveys Garden Plants is significant to the consideration of the location of development in Great Green, relative to services and facilities. In that decision the Inspector did not consider that site to be isolated in the context of Paragraph 79 of the Framework. This was due to the presence of existing built development and the range of services and facilities in Thurston. Furthermore, in the context of Paragraph 103 of the Framework, the Inspector accepted that travel by private vehicle was likely but acknowledged that travel by public transport was also a possibility given the availability of a bus service through Great Green. The Inspector concluded that private journeys to Thurston required to sustain everyday needs would not be long and the scale of the development would not significantly add to journeys that already occur from Great Green.

12. Given the proximity of the site at Harveys Garden Plants to the appeal site in Poplar Farm Lane and the similar nature of the two developments, the decisions is a material consideration of significant weight in my consideration of the appeal before me. Moreover, the location of the proposed development and the accessibility of facilities and services would be identical for the proposed development. Therefore, in the context of national planning policy, it would be unreasonably inconsistent for me to arrive at a different conclusion to the Inspector for the site at Harveys Garden Plants. For the reasons outlined above, I conclude that the appeal site would be accessible to facilities and services in accordance with the policies in the Framework.

## Character and appearance

- 13. The appeal site is situated within Great Green which comprises small clusters of buildings scattered within the countryside around the routes that converge near to the site. The routes tend to be enclosed on either side by consistent mature planting and buildings are within relatively close proximity of frontages. Where built form is already in place there is a comfortable balance with mature tree and hedge planting, which softens or fully intervenes in views of buildings and gives rise to a verdant character. Taken together these stated features create a clear and distinct pattern to development that makes a significantly positive contribution to the character and appearance of the area.
- 14. Even with approved developments at Navarac to the south, Ashdown and Poplar Farm to the west<sup>3</sup>, and other development to the east<sup>4</sup>, the independent clusters of buildings would remain separated by fields and the roads nearby. However, the proposed development would significantly and permanently change the character of the area, to the extent that it would combine the existing clusters of buildings to the north and south of Poplar Farm Lane. Moreover, the scattered and spacious arrangement of built development within the separate clusters would be eroded and a larger continuous built form would be created. The proposed development would therefore be a strident built incursion that would appear discordant when viewed against the established grain of development. Accordingly, there would be a significantly detrimental effect on the character of the area.
- 15. The southern boundary of the appeal site with the lane is formed of continuous mature hedge and tree planting that is substantial in height and depth. The introduction of access points onto the lane to serve the proposed dwellings would therefore fragment the planting and introduce development in the form of hard surfacing that would harm the uninterrupted green frontage. Furthermore, regardless of scale, appearance and layout, the proposed dwellings would be visible through the new access points or over the existing landscaping. The proposed development would therefore reduce the undeveloped qualities of the northern side of Poplar Farm Lane, which would have a significantly detrimental effect on the appearance of the area.
- 16. For the reasons outlined above, I conclude that the proposed development would have a significantly detrimental effect on the character and appearance of the area. The proposed development would not therefore accord with Policy FC1.1 of the CSFR, which requires that proposals for development must

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 $<sup>^3</sup>$  Planning Application Ref DC/17/04938 (Ashdown) and Appeal Reference APP/W3520/W/18/3193933 (Poplar Farm)

<sup>&</sup>lt;sup>4</sup> Planning Application Ref 2638/15 and Prior Approval Ref 4471/6

conserve and enhance the local character of the different parts of the district. Policy FC1.1 of the CSFR is broadly consistent with Paragraphs 127 and 170 of the Framework and therefore any conflict with it is a matter of significant weight.

#### Other matters

- 17. Whilst the Inspector for the appeal decision at Poplar Farm, also highlighted that there would be a neutral impact on traffic movements associated with that development and the Inspector found there to be benefits to character and appearance through the replacement of existing barns within the site. The Inspector considered these matters to outweigh the policy conflict with the development plan. Similarly, the Council's decision for Navarac was informed by the appeal at Harveys Garden Plants and the Council did not find harm to the character and appearance of the area. The appellant has also referred me to the planning permission for twelve industrial units at Elm Farm Park (Reference 2638/15). Given the nature of that development, I do not consider it to be comparable to the appeal scheme before me.
- 18. In the case of the appeal before me, I have considered the individual planning merits of the appeal scheme and I have found there to be harm to the character and appearance of the area. The abovementioned decisions do not therefore lead me to a different conclusion that the appeal should be determined other than in accordance with the development plan.
- 19. The NDP is not yet part of the adopted development plan, as a referendum is yet to be carried out. Nonetheless, based on the information provided by Thurston Parish Council regarding emerging policies, they do not significantly change the approach to the development of the appeal site. However, as I have already alluded to above, the decision at Harveys Garden Plants is significant to the consideration of the development of housing in Great Green.
- 20. Since the appeal was lodged, the Council has provided evidence that it has five years supply of deliverable housing land available. The appellant has disputed this position and I am referred to an appeal decision<sup>5</sup>. This stated that the Council was not able to demonstrate sufficient supply at that time. However, the Council's position is more recent and relevant to the appeal before me and the appellant has not provided a technical analysis to counter it.
- 21. Policy CS1 of the CS appears to be inconsistent with Paragraph 78 of the Framework in respect of its approach to the growth of villages. However, Policy CS1 is consistent with other aims in the Framework, such as promoting sustainable transport and recognising the intrinsic character and beauty of the countryside. Accordingly, this conflict would be afforded limited weight.

## **Planning Balance**

- 22. Paragraph 47 of the Framework states that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 23. There would be benefits through the construction and provision of two dwellings in a location accessible to facilities and services, as well as subsequent investment by occupants into the local community. Nevertheless,

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<sup>&</sup>lt;sup>5</sup> Appeal Reference APP/W3520/W/18/3194926.

- the scale of the development would determine that these benefits would not be significant in terms of their overall contribution to sustaining facilities and services or enhancing social cohesion.
- 24. The development would not comply with development plan policy in respect of its location and I have afforded the conflict of Policy CS1 of the CS with the Framework limited weight. Taken with the significantly detrimental effect on the character and appearance of the area, the conflict with the development plan outweighs the benefits of the proposed development outlined above.
- 25. Even if the Council did not have five years housing land supply, the adverse effects of the development identified above would significantly and demonstrably outweigh the benefits of the appeal scheme when assessed against the policies in the development plan and the Framework taken as a whole. This does not indicate the proposal should be determined other than in accordance with the development plan.

#### Conclusion

26. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Paul Thompson

**INSPECTOR**