



Appeal Decision

Site visit made on 18 June 2019

by D. Szymanski, BSc (Hons) MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th August 2019

Appeal Ref: APP/W3520/W/19/3225061

Land North West of All Saints Road, Creeting St Mary, IP6 8PS

- 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 M Arnold against the decision of Mid Suffolk District Council.
 - The application Ref: DC/18/05349 dated 4 December 2018, was refused by notice dated 31 January 2019.
 - The development proposed is planning permission for the erection of a detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development upon the character and appearance of the area and landscape; and,
 - The effect of the proposed development upon the significance of St Mary's Church, as a development within its setting.

Preliminary Matters

3. The planning application is submitted in outline with all detailed matters reserved for subsequent reserved matters applications.

Reasons

Character and appearance

4. The appeal site forms a corner part of an extensive open grass field, set within an attractive rural landscape. Some frequently spaced small to medium sized trees and shrubs provide limited screening along All Saints Road, but the appeal site and a number of pleasant medium to long distance views across the field are visible. The plot is viewed against the backdrop of a mature hedgerow, trees and farm buildings which provide some screening to the north and west. Whilst sharing an access with a small group of farm buildings, and being across the road from two cottages, the plot appears largely detached from any built development.

5. The appeal site makes a positive contribution to the character and appearance of the area and landscape. Being close to All Saints Road it is noticeably visible from the public highway. The development would result in the encroachment of built development into the existing open countryside which would have an urbanising and enclosing effect through the provision of a building, hard surfacing and boundary treatment. The urbanising effect of the proposed built development would be prominently visible from parts of the surrounding area. Its presence would markedly interrupt and reduce the pleasant rural open and verdant views that currently exist, and it would also introduce a small amount of additional vehicle movements into the area. Therefore, the proposed development would result in harm to the open character and appearance of the area.
6. The siting of the dwelling as suggested by the appellant, the development being restricted to a single storey, and landscaping, could reduce views of the development from some locations in time. However, the proposal would still result in a sizeable building, hard surfacing and boundary treatment that would urbanise and enclose the appeal site. Therefore, the proposed mitigation measures put forward by the appellant, could not sufficiently mitigate the harm that would be caused by the proposed development.
7. In conclusion, the proposed development would be significantly harmful to the character and appearance of the area and the landscape. This would be contrary to Policy CS5 of the Mid Suffolk Core Strategy (2008) (the MSCS) and Policy H7 of the Mid Suffolk Local Plan (1998) (the MSLP). Amongst other things, these require that development protects and enhances the character and appearance of the countryside and the landscape.

Heritage assets

8. The Grade II* listed St Mary's Church was designed to be viewed within the wider rural landscape and therefore part of the way it is experienced is in middle and longer distance views over a rural landscape. The appeal site is around 500m from the church and the topography of the land results in the appeal site being within the wider rural setting of the church, and prominent in views from parts of All Saints Road up to the church.
9. The open countryside and agricultural landscape around the church is important to its wider setting and so the undeveloped, open and agricultural appearance of the appeal site makes a contribution to its setting. The suggested single storey height of the building with proposed landscaping, the distance to and location of the church at a greater topographical height, and the intervening hedgerows, trees, and farm buildings limits some of the visibility between the appeal site and the church. However, I consider that the proposed development would result in a small amount of harm to the setting of the church.
10. In the context of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework (the Framework) requires when considering the impact of a development upon a heritage asset, great weight should be given to its conservation, and the more important the asset the greater the weight. It also explains that harm to the significance of a designated heritage asset can also derive from development within its setting. In this instance the harm to the significance would be small and therefore amount to less than substantial harm, but as a Grade II* listed

asset, it attracts appreciable weight. Under paragraph 196 of the Framework such harm needs to be weighed against any public benefits of the proposal.

11. The proposed development would result in some small temporary economic benefits from construction and once built some minor sustained benefit to the economy. There would be a very modest benefit to the aims of supporting strong, vibrant and healthy communities through the supply of a single dwelling. The suggested habitat creation benefits from a reserved matters application are unlikely to be secured as a long-term benefit by planning conditions. There could be some small net benefits as a consequence of renewable energy generation. However, these minor benefits do not outweigh the harm to the setting of the heritage asset which attracts great weight in accordance with paragraph 193 of the Framework.

Other Matters

Other appeals

12. The appellant has included references and extracts of numerous appeal decisions in the local authority area and nearby authority areas over the past few years, setting out considerations the appellant feels is relevant to this development. I have not been supplied with and am not aware of the full circumstances surrounding each of the decisions referred to. However, from the information provided by the appellant one was a former cottage garden enclosed by mature landscaping, one was surrounded by other residential development, another two deemed not to be physically isolated from other dwellings. Therefore, it appears that the appeal decisions referenced by the appellant are not directly comparable to the appeal scheme before me. Whilst I note the points raised by each extract, I must consider the appeal proposal on its own merits and impacts.

Planning balance

13. At the time of determining the application the Council could not demonstrate a deliverable five-year housing land supply. Both parties reference appeal APP/W3520/W/18/3194926 where the Inspector opined that at that time the Council could only demonstrate a deliverable housing land supply of 3.4 years. The Council has subsequently advised that it believes it now has a deliverable housing land supply of over five years, although it has not provided evidence of this to this appeal. However, as I have found that the public benefits of the proposed development do not outweigh the harm to the setting of a Grade II* listed building, in accordance with paragraph 11d)i) of the Framework, there is no requirement for me to apply the titled balance under paragraph 11d)ii).

Conclusion

14. The proposed development would be contrary to the development plan and the National Planning Policy Framework and there are no other considerations, including the policies of the Framework, which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Dan Szymanski

INSPECTOR