



Appeal Decision

Site visit made on 22 August 2019

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 December 2019

Appeal Ref: APP/J3530/W/19/3227483

1 Wood Barn Place, Seckford Hall Road, Great Bealings

- 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 Viv Sharma against the decision of Suffolk Coastal District Council.
 - The application Ref DC/18/3002/FUL dated 19 July 2018, was refused by notice dated 29 October 2018.
 - The development proposed is described on the application form as "Demolition of Barn A, Erection of single dwelling (revised siting of 'Plot 2' approved under DC/13/3360/FUL) with garage/cart lodge in part conversion of Barn B incorporation of former Plot 2 site, into garden curtilage of Plot 1".
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

Appeal site context

3. The appeal site forms part of a remote former farmstead in the countryside which contains a newly constructed replacement dwelling together with 3 large mature agricultural barns of a functional character.
4. I found the appeal site to have a clear agricultural character, quite different to that part of the former farmstead containing the recently constructed replacement dwelling, which is of a significant scale and of prominent appearance. The barn to the north of the site also has an agricultural character (referred to in the evidence as Barn C), but this is likely to become more residential in nature as permission has been granted to convert this into a dwelling.
5. The immediate surrounding area is primarily characterised by the adjacent golf course and agricultural fields. My assessment of the character of the landscape accords with the appellant's Landscape Visual Impact Assessment (LVIA) which describes it as a tranquil and rural landscape of gently rolling hills and incised valleys, with a strong network of woodlands and hedgerows defining field boundaries.

Character and appearance

6. Criterion (a) of Policy DM3 of the Core Strategy¹ permits replacement dwellings on a one-to-one basis provided they are no more visually intrusive in the countryside than the building they are to replace.
7. The Council and appellant both consider the principle of development to be acceptable given the fallback position of the extant permission to erect a second replacement dwelling on the site immediately to the south of the recently constructed replacement dwelling.
8. Although the proposed dwelling would replace an existing large barn, and be of a smaller footprint, it would have a taller ridgeline and have a wholly different character and appearance. In this respect, whilst I recognise that the proposed dwelling has been designed to reflect the architectural style of a barn, it would in my view still be clearly residential in character with a large number of window openings, many of a domestic size and appearance, together with a large single storey flat roof outrig extension. Furthermore, the existing barns and the adjacent hardstandings have a clear functional character associated with their former agricultural use, quite different from the proposed residential use which would incorporate domestic gardens, associated paraphernalia and parked cars. As a consequence, while the general scale and bulk of the proposed dwelling would be less than that of the barn, its detailed design, increased height and corresponding use would draw attention to it and give it a much greater degree of prominence. Furthermore, the proposed dwelling would be positioned further away from the replacement dwelling recently constructed and its private garden would project further into the countryside, which would intensify the scheme's harmful impact on the rural character and appearance of the area.
9. The appellant's LVIA demonstrates that much of the surrounding landscape would not be harmed by the development and I see no reason to disagree with this assessment. However, it also refers to a 'major effect with a noticeable change in view' from viewpoints 11, 12 and 14, which would be harmful to the character and appearance of the area for the reasons outlined above. The absence of harm to the wider landscape does not remove the need for the development to be of a high quality or justify the harm identified in short-range views and the immediate area.
10. I note the Council's concerns about the reuse of part of Barn B for the parking of cars, but am satisfied this would not have a harmful impact on the wider character of the area.
11. The appellant states that the visual impact of the development would assimilate into its surroundings as a result of hedge and tree planting and that its associated domestic paraphernalia would not be visible. However, I do not consider the screening or softening of a development by landscaping to be a sound basis upon which to justify an otherwise harmful scheme as this could be repeated too easily and often for all forms of poor quality development.
12. The appellant has also referred to the application to replace the original 2 cottages and noted that the Council considered the visual impact of the 2 replacements to be acceptable despite their combined scale being considerably

¹ Suffolk Coastal District Local Plan, Core Strategy & Development Management Policies, Development Plan Document, July 2013, Suffolk Coastal District Council.

larger. Be that as it may, I consider the approved layout constitutes a relatively tight cluster, whereas the current scheme would create a larger gap, with the resulting garden area extending even further into the countryside and the dwelling being much more prominent.

13. My attention has been drawn by the appellant to other planning permissions and appeal decisions relating to schemes for other parts of the farmstead and a new dwelling elsewhere. However, none of these alter my view that the appeal site has an agricultural rural character which should be respected and neither does the appeal decision for a replacement dwelling elsewhere set a precedent as no two sites are the same and the impact of development will differ from case to case. I have in any event reached my own conclusions on the appeal proposal on the basis of the evidence before me.
14. In view of the above, I conclude that the development would be harmful to the rural character and appearance of the area. The proposal would therefore conflict with Policies DM3 and DM21 of the Core Strategy, and Policy BE1 of the Neighbourhood Plan², which collectively seek, amongst other things, to ensure that new development respects and enhances the character and appearance of the surrounding area and that replacement dwellings are no more visually intrusive in the countryside than the building to be replaced.
15. I also find that the scheme conflicts with Paragraphs 127 and 130 of the Framework which collectively seek, amongst other things; (a) development that is sympathetic to local character; (b) schemes that establish or maintain a strong sense of place using the established pattern of buildings, streets and spaces; and (c) the refusal of permission for poorly designed development that fails to take the opportunities available to improve the character and quality of an area.

Other matters

16. The appellant has submitted a draft unilateral undertaking to prevent construction of the replacement dwelling which still has an extant permission. However, given that I am dismissing the scheme for other reasons, it has not been necessary for me to assess whether this is reasonable, necessary and directly related to the development as it would not alter the outcome of the appeal.

Planning balance

17. Although the Core Strategy is over 5 years old, Paragraph 213 of the Framework states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework and that due weight should be given to them according to their degree of consistency with the Framework.
18. Policy DM21 the Core Strategy and Policy BE1 of the Neighbourhood Plan are generally compliant with the Framework insofar as they relate to the main issues of this case. However, Policy DM3 adopts a restrictive approach to development in the countryside which does not fully accord with the more balanced and open position of the Framework.

² Great Bealings Neighbourhood Plan 2016-2030, A Village in a Landscape, Made March 2017.

19. In view of the above, and despite me attaching only moderate weight to the scheme's conflict with Policy DM3 in this balancing exercise, I am nonetheless satisfied that the proposal conflicts with the development plan when taken as a whole.
20. The appellant asserts that Policy DM3 of the Core Strategy is out of date and that the Framework's presumption in favour of sustainable development therefore applies. However, even if this was the case, the environmental, economic and social benefits of the scheme, namely;- (a) further opportunities for biodiversity; (b) amenity benefits to future occupiers from a greater separation distance; (c) future occupiers contributing to local shops, services, clubs and community organisations; and (d) local employment during construction, would be of limited value and the adverse environmental impacts of the scheme identified above would significantly and demonstrably outweigh these benefits, when assessed against the policies in the Framework taken as a whole.
21. The appellant states that a further environmental benefit of the scheme would be the use of a disused site that would otherwise be left to degrade further, to the detriment of the character and appearance of the area. However, I do not consider this to be a sound basis upon which to justify an otherwise harmful scheme as this could be repeated too easily and often for all forms of poor quality development and might otherwise encourage other land/property owners to carry out insufficient routine maintenance. In any event, I consider the assimilation of redundant agricultural buildings into the landscape to form part of the countryside's overall character.

Conclusion

22. All representations have been taken into account, but no matters, including the benefits of the development and the scope of possible planning conditions, have been found to outweigh the identified harm and policy conflict. For the reasons above, the appeal should be dismissed.

Robert Fallon

INSPECTOR