
Appeal Decision

Site visit made on 17 March 2020

by S Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 1st April 2020

Appeal Ref: APP/F3545/W/19/3242719

Site adjacent to Fairholme, North Common/The Street, Hepworth, Bury St Edmunds IP22 2PR

- 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 Amos, Matt and Lewis Webb against the decision of West Suffolk Council.
 - The application Ref DC/19/0046/FUL, dated 28 December 2018, was refused by notice dated 5 June 2019.
 - The development proposed is erection of detached bungalow together with access road from North Common.
-

Procedural Matter

1. Prior to 1 April 2019, the appeal site was within the administrative boundaries of St Edmundsbury District. However, on 1 April 2019, Forest Heath District Council and St Edmundsbury Borough Council were replaced by the single West Suffolk Council. I am advised that the development plans for the previous local planning authorities were carried forward to the new Council by Regulation. Earlier plans set out policies for defined geographical areas within the new Council the exception being the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 (the DMPD), which had been adopted by both Councils. As such, the appeal scheme falls to be determined with reference to policies set out in the plans adopted by the now dissolved St Edmundsbury District Council.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is whether the site is a suitable location for the erection of a bungalow taking into account national and local planning policies having particular regard to the spatial strategy and the character/appearance of the area.

Reasons

4. There are two main parts to Hepworth village. The southern part includes dwellings on Church Lane and the cul-de-sac of Church Close as well as facing The Street. The northern part, which is separated from the southern part by land near Wood Lane, is predominantly linear in form. Both parts are otherwise largely surrounded by countryside.

5. Policies CS1, CS4 and CS13 of the St Edmundsbury Borough Council, Core Strategy 2010 (the CS) and Policies RV1 and RV2 of the Rural Vision 2014 (the RV) seek to direct development to the two main towns of Bury St Edmunds and Haverhill and those villages which have a range of services and facilities to meet local needs, as being the most sustainable locations, and to strictly control development outside the defined settlements.
6. Hepworth is identified as an Infill Village, a lower order settlement. These are ones that only have a limited range of services, and which are suitable for infill development comprising single dwellings or small groups of five homes or less within the designated housing settlement boundary, depending on other environmental and infrastructure constraints. The appeal site lies outside, although adjacent to, the settlement boundary as shown on the Hepworth Inset Plan of the St Edmundsbury Borough Council Local Plan Policies Map 2015 and is in the countryside for planning policy purposes. The proposed development would therefore conflict with the overall spatial strategy for housing supply set out in the development plan.
7. At the time of my visit the appeal land appeared to have been cleared of vegetation. Although the planning application form describes the site as vacant residential land it does not appear to be closely associated with any other residential curtilage, though it may have been associated with the now demolished Fairholme property. It is part of the open countryside setting of Hepworth.
8. Policy DM5 of the DMPD seeks to protect the countryside from unsustainable development with some exceptions. One such exception is that of small scale residential development of a small undeveloped plot that meets the requirements of Policy DM27, that is one to two dwellings in the countryside within a closely knit 'cluster' of ten or more existing dwellings adjacent to or fronting an existing highway infilling a small undeveloped plot subject to criteria. The proposal would amount to small scale residential development on undeveloped land, although due to its overall size it would not amount to a small plot.
9. The proposed dwelling would not front a highway: it would be setback some considerable distance from both The Street and North Common. Nor, in my view, would it amount to infill as it would be behind the dwellings facing towards The Street, and the associated garage court, with predominantly open land adjoining the other sides, and not within an otherwise continuous built-up frontage. Accordingly the proposal does not gain support from Policy DM27.
10. There are limited facilities in Hepworth. These are largely concentrated in the southern part of the village, including the Church and the Hepworth Pavilion and Recreation Ground. The appeal site is at almost the furthestmost point of the village from the limited facilities available especially as there is no proposed direct access to The Street and future occupiers would have to go northwards towards North Common before turning south to The Street. On this basis the appeal site is not in a particularly accessible location for access by means other than the private car.
11. The northern part of Hepworth is predominantly linear in form and the nearby settlement boundary is drawn closely around the linear dwellings and their relatively modest curtilages. Most of the dwellings are roughly parallel to, and directly fronting onto, The Street with a few fronting onto North Common. The

exception to this is a small cluster of houses and bungalows, which are at an angle to The Street, and which face it across an area of grass with some trees and a small garage/substation block. The appeal site is set further back than these and the front of the proposed bungalow would face towards North Common, which is some considerable distance away, rather than towards The Street. On this basis the proposal would be out of character with the surrounding development and would encroach into the countryside. Notwithstanding a similar building envelope, the proposal would be distinctly separate from, and out of character with, the bungalows within the settlement boundary.

12. The proposed bungalow would be positioned largely behind the row of three bungalows at Nos 9-13 (odds) The Street. It would partially extend over the gap between Nos 13 and 15. The gap between these two properties is not particularly evident when viewed from The Street, as the land is well set back, and because of the intervening trees and the small garage/substation block. However, a bungalow as proposed, with a ridge height of some 6.7m above ground level, and with the associated domestic paraphernalia, would harm openness in the immediate vicinity to some extent, although it would not be particularly prominent or visually intrusive from The Street.
13. Access would be from North Common via a relatively long access drive. This would be largely hidden from view from The Street by the bungalows under construction on the former site of Fairholme and the existing bungalows and associated garage court. Although it would be evident from the junction with North Common this would not be dissimilar to access roads of properties elsewhere on North Common.
14. I conclude that the proposed development would not be well related to the settlement, would encroach into the countryside and would not be in a particularly accessible location. It would have a harmful, albeit limited, effect on the openness of the area. For these reasons I conclude it would not be an appropriate location for a dwelling. On this basis I find conflict with those parts of Policies DM2 and DM13 of the DMPD and Policy CS4 of the CS that seek sustainable development that protects the countryside and maintains the character and appearance of the settlement and local distinctiveness.

Planning Balance and Conclusion

15. I have found that the appeal proposal, due to the site location; harm to the character and appearance of the area, as well as limited harm to the openness of the countryside, would not be a suitable location for development. I give these matters considerable weight.
16. The proposal would be energy efficient; would be an accessible building; would not harm the living of occupiers of adjacent properties conditions; there are no highway objections and the site is in a low risk flood area. However, these are matters which are to be expected from any development and do not add specific weight in favour of the proposal.
17. The proposal would add a dwelling to the housing stock. The evidence indicates West Suffolk Council has a 6.3 year housing supply and I see no reason to doubt this. I am mindful of the Government's intention to significantly boost the supply of housing. Furthermore, there would be some employment generated during the construction of the building; future occupiers would

contribute to the local economy and use would be made of land that appears to be unused at present. I give some weight to these benefits albeit they are limited by the scale of the proposal.

18. Overall these benefits, even when taken together, would not be sufficient in my view to outweigh the harm that I have identified to the conflict with the spatial strategy for housing supply and the protection of the countryside set out in the development plan. The Framework is a material consideration and it is clear from Paragraph 9 that the objectives of achieving sustainable development should be delivered through the preparation and implementation of plans. I find insufficient material considerations in this case to indicate the proposal should be determined other than in accordance with the development plan.
19. In failing to comply with Policies CS1, CS4 and CS13 of the CS; Policies DM2, DM5, DM13 and DM27 of the DMPD and Policies RV1 and RV2 of the RV the proposal cannot be said to comply with the development plan taken as a whole. For the reasons set out above, and having regard to all other matters raised, including the support of the Parish Council, I conclude on balance that the appeal should be dismissed.

S Harley

INSPECTOR