
Appeal Decision

Site visit made on 10 February 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 April 2020

Appeal Ref: APP/X3540/W/19/3239063

Old Nurseries, Hall Road, Burgh, Ipswich IP13 6JN

- 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. Peter Brown against the decision of East Suffolk Council.
 - The application Ref DC/19/2414/FUL, dated 16 June 2019, was refused by notice dated 23 August 2019.
 - The development proposed is change of use of land for the siting of 5 no. cabins for use as holiday lets.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed development on:
 - the countryside, particularly whether the proposal would provide a suitable site for a holiday let having regard to character and appearance of the area and proximity of services;
 - road safety and highways;
 - biodiversity, particularly European protected sites.

Reasons

Character and appearance and proximity to services

3. The appeal site is in a rural setting, within the countryside, located north of the village of Hasketon and to the northeast of the village of Burgh. The site is surrounded by mature vegetation and the area has a very rural and isolated feel. There is a county wildlife site to the north of the site and, to the south, a site where a residential dwelling has been permitted but has not been built.
4. The site is a triangular parcel of land accessed off a fairly secluded and quiet stretch of single track road which serves a limited number of properties. Along this road there is a small cluster of properties in fairly close to each other. The appeal site is located a little bit closer to Hasketon Road, away from this existing cluster.
5. Although there are some urban developments along the road, the character of the area remains very rural and very isolated, which is one of its key features.
6. The appeal site is visible from the road, and therefore any form of development within the appeal site would also be. There are some mature trees and hedges along the site barrier that offer some visual protection and screening from the

road, nevertheless the proposed development would still be visible and therefore affect the character of the area and contribute to further domesticate the rural nature of the location.

7. The site is not close to, or in the vicinity of, an urban area. Therefore, it would be expected that future occupiers and users of the holiday lets would be heavily reliant on car travel to access support facilities or day to day provisions. Although there are bridleways adjacent or in close proximity to the site, considering the site's remote and isolated location and the distance to either the village of Hasketon or Burgh, it is likely that any users of the holiday lets would still be heavily reliant on car travel, increasing demand for travel by private car.
8. It is accepted, as stated by the appellant, that part of the attraction of the site is its remote and secluded location in a countryside setting. Nevertheless, this characteristic also highlights the issues that the site faces in terms of being a sustainable location for holiday lets, as it is fairly distant from a significant urban cluster and heavily reliant on private transport.
9. There is, close to the site, another scheme operating as holiday lets referred to by both parties in the evidence as Secret Meadows Glamping. The main difference between these two schemes is that Secret Meadows Glamping is located nearby to a small cluster of properties on either side of the road, therefore better integrated with other forms of development.
10. In any event, I am not bound by other decisions and I must determine the proposal before me on its own merits and for the reasons stated, and I consider the proposed development to be harmful.
11. The proposal would therefore fail to provide a suitable site for a holiday let in regard to character and appearance of the area and proximity of services. For the reasons above, on this issue, I conclude the proposal is in conflict with Policies SP1 which aims to maximise opportunities for sustainable development, DM18 on static holiday caravans, cabins and chalets and DM21 which tries to ensure that design of development does not detract from the character of its surroundings, of the Suffolk Coastal District Local Plan Core Strategy and Development Management Policies (CSDMP) (2013).

Road safety and highways

12. The access to the appeal site is approximately 12 metres wide across its frontage where it joins the road. There is a gated entrance into the old nurseries some 16 metres from the edge of the road and the access road is 4 metres wide at this point.
13. The appellant has provided, via the Transport Statement, evidence stating that visibility of 77 metres was achievable to the North of the access and 72 metres to the South. These findings have been disputed by the Council stating that visibility to the North is 50 metres.
14. Although the Council's finding has not been disputed by the appellant in their Final Comments Statement, it must be looked at in the context of the area and the usage of the access road.
15. Evidence provided by the appellant also demonstrates that the average speed of vehicles on the road is fairly low. As such, road users would be able to see the bonnet of a vehicle exiting from the access road to the appeal site. Furthermore, the conditions are such that drivers would face the road and join it in direct angles, which would improve visibility.

16. Concerns have been raised that signs erected next to the entrance of the site, both ways along the road, would reduce visibility and therefore negatively impact traffic in the area. I find that these matters could be appropriately conditioned by the Council, were I minded to allow this appeal.
17. Therefore, the visibility splays achieved, considering the speed and volume of traffic along the site's access road, would ensure safe access to the site and facilitate the proposed intensification of highway users that the development proposal would generate. Furthermore, evidence presented suggests that there have not been any injury accidents in the area between 2010 and 2018.
18. For the reasons above, in this regard, I conclude that the proposed development would be unlikely to pose a risk to highway and pedestrian safety. As such, in respect of this issue, it would accord with policy DM18 of the CSDMP (2013).

Biodiversity

19. The development falls within the 13 km zone of influence over the European Protected sites Sandlings Special Protection Area (SPA), Stour and Orwell Estuaries SPA/Ramsar and the Deben Estuary SPA and Ramsar site. A Preliminary Ecological Appraisal (PEA) has been submitted for this application, the East Suffolk Ecology Officer has confirmed the findings are acceptable.
20. New developments in this area have the potential to have a significant effect upon the previously mentioned designated sites, when considered in combination, through increasing recreational pressure and usage on protected sites. An increase in recreational pressure is likely to occur due to potential relative increase in the use of the site for recreational purpose by virtue of the proposed development.
21. Therefore, by virtue of its protected status, an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 (CHSR) would be required were I minded to allow the appeal. Nevertheless, considering that the appeal is to be dismissed on other issues mentioned in this decision, no further consideration is required on this matter as there is no prospect of planning permission being granted.

Conclusion

22. In conclusion, I have found that the proposed development would not have a significant detrimental impact on road safety and highways. However, this is outweighed by the proposal's likely adverse impact on the countryside, particularly in regard to character and appearance and distance to services. As the appeal is dismissed on the issue above and there is no prospect of planning permission being granted, I have not carried out an Appropriate Assessment on the impact of the development proposal on protected sites.
23. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

Andre Pinto

INSPECTOR