
Appeal Decision

Site visit made on 12 June 2020

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 9th July 2020

Appeal Ref: APP/W3520/W/20/3244691
Batts Farm, Base Green, Wetherden IP14 3LS

- 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 & Mrs P Brooks against the decision of Mid Suffolk District Council.
 - The application Ref DC/19/02006, dated 23 April 2019, was refused by notice dated 23 July 2019.
 - The development proposed is described as, 'use of land for stationing holiday lodges'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would provide a suitable location for holiday lodges, with particular regard for the accessibility of services and facilities and the character and appearance of the area as well as local and national policies;
 - the effect of the proposal on highway safety; and
 - the effect of the proposed development on the setting of nearby listed buildings, Batts Farmhouse and Meadowcroft.

Reasons

Location

3. The site is located within open countryside and there appears to be no dispute between the main parties that the proposal would result in a reliance on the private vehicle for access to services and facilities. From the evidence before me I see no reason to disagree.
4. While the number of units is not stated in the description of development, the proposed plan indicates some 30 units and the application plan indicates 30 parking spaces which would result, in albeit as a worst-case scenario, a significant number of cars on the site at a time, with each likely to result in some trips for domestic necessities that would be likely to be required in self-catering accommodation.
5. While I acknowledge modern shopping habits, deliveries to the site would also be likely to result in a significant number of vehicular trips to and from the site.

Therefore, during periods of peak occupation, the proposal would be likely to result in significant adverse environmental effects. I acknowledge that sustainable transport solutions will vary between urban and rural areas, and that holiday makers may seek rural locations for holiday destinations. However, this does not override the significant environmental harm identified above.

6. The lodges would be located to the rear of Batts Farm on land that is currently open green fields. While the site is not within an area of special landscape designation, it is characterised by open countryside with sporadic development such that the area has an attractive, rural and spacious character and appearance.
7. The proposal would not only involve the stationing of holiday lodges, but would also be likely to include significant areas of new hardstanding to accommodate vehicles and the introduction of domestic paraphernalia that would substantially alter the landscape character of the site. Regardless of the position of the lodges as shown on the layout plan, given the significant number of buildings on a largely undeveloped site, they would nevertheless have an urbanising effect thereby detrimentally affecting the open rural character of the area.
8. While the landscaping surrounding the site and proposed landscaping could largely screen views of the proposal from outside the site, there can be no guarantee even with good management that they would remain for the life time of the development such that they would continue to screen the site. While a condition relating to landscaping could be imposed, since there is no evidence such as detailed landscaping plans before me, there is no certainty that it would mitigate the harm identified.
9. Furthermore, during periods of peak occupation, there would be likely to be a significant number of vehicles parked on the site. Therefore, for all of the foregoing reasons, the proposal would have a discordant effect on the rural character and appearance of the area.
10. Policy RT19 of the Mid Suffolk Local Plan Adopted September 1998 (LP) states among other things that holiday chalets will only be permitted where there are no adverse effects on the character and appearance of the landscape and where essential services can be provided. Given the reliance on the private vehicle to access services and facilities and the harm to the character and appearance of the area, the proposal would conflict with this Policy. It would also conflict with paragraph 127 of the Framework in this particular regard.
11. LP Policy H11 states that planning permission will not normally be granted for residential caravans or mobile homes on sites which would not receive planning permission for permanent residential development. Since the Policy permits residential caravans where a genuine short-term need has been identified provided that there is no adverse effect on the character, appearance and amenity of its surroundings, it is relevant to the proposal. However, given the harm to character and appearance, the proposal would conflict with this Policy.
12. Policies CS1 and CS2 of the Core Strategy Development Plan Document Adopted September 2008 (CS) direct development towards settlement boundaries but permit development within the category of tourism in the countryside. As such, the proposal would not conflict with these Policies.

13. I acknowledge the case at Four Oaks Park¹ which sought to alter the use of the site to enable the holiday units to be permanently occupied for residential use. As such, LP Policy H7 was relevant to that case. Since this proposal is for new holiday lodges with temporary occupation rather than for housing, LP Policy H7 is not relevant to this case. While I note the caravans stationed on land opposite the appeal site, no further information is before me to facilitate a comparison between the two schemes. In any event, each case must be determined on its individual merits.
14. While I acknowledge the Framework's support for sustainable rural tourism and leisure developments which respect the character of the countryside, given the harm to the character and appearance of the area, this point has not altered my findings on this main issue.
15. CS Policy CS3 states that all non-residential development proposals over 1,000 square metres will be required to integrate renewable energy technology in order to provide at least 10% of their predicted energy requirements. Since there is no renewable energy strategy before me, the proposal would conflict with this Policy.
16. I also acknowledge the evidence regarding lighting. However, I see no reason why this issue may not be dealt with by condition.
17. Consequently, the proposal would not provide a suitable location for holiday lodges, with particular regard for the accessibility of services and facilities and the character and appearance of the area as well as local and national policies. Therefore, the proposal would conflict with LP Policy RT19 which relates to static caravans and holiday chalets and LP Policy H11 which relates to residential caravans and other mobile homes. It would also conflict with the Framework in this regard.

Highway Safety

18. The access to the site lies on the bend of a rural country lane. Given the rural location and lack of speed limit signs, it is likely that vehicles would be travelling at high speeds along the road. In addition, given the significant number of vehicles that would be using the access, the proposal would result in a substantial intensification of the access.
19. The visibility from the access in both directions is restricted to bends in the road such that vehicles travelling at high speed would be unlikely to be able to react to vehicles exiting the access in a timely manner. Therefore, the risk of collision would be increased by the proposal. I note the existing use of the access for equestrian purposes and that there have not been any accidents in recent years. However, given the significant number of vehicles that would use the access as result of the proposal, and since there is little substantive evidence before me to demonstrate that a departure from the recommended visibility splays would be justified, these points have not altered my finding on this main issue.
20. Consequently, the proposed development would result in an unacceptable impact on highway safety. Therefore, it would conflict with LP Policy T10 which among other things seeks the provision of safe access to and egress from the site. It would also conflict with paragraph 109 of the Framework.

¹ Appeal ref: APP/W3520/W/18/3211466

Listed buildings

21. Batts Farmhouse and Meadow Croft are dwellings that are Grade II Listed Buildings, the significance of which lie the evidence of historic rural vernacular architecture. The site lies to the rear of Batts Farmhouse. While views of the appeal site from the building are largely restricted by trees and vegetation, given its open undeveloped nature, it nevertheless provides an attractive rural setting to the listed building which contributes positively to its significance.
22. Meadow Croft is sited adjacent to the Batts Farmhouse site. While it lies a greater distance from the appeal site than Batts Farmhouse and views of the site from Meadow Croft are limited, given its open rural nature, the appeal site contributes to its setting.
23. The proposal would include a significant number of buildings, along with vehicles and domestic paraphernalia which would substantially alter its landscape character and appearance. As such, the rural open setting of Batts Farmhouse and Meadow Croft would be diminished by the proposal.
24. Consequently, the proposal would harm the setting of nearby listed buildings, Batts Farmhouse and Meadowcroft. Therefore, it would conflict with LP Policy HB1 which seeks to protect the setting of listed building.

Planning Balance

25. The identified harm to the setting of the listed buildings would be less than substantial and in accordance with paragraph 196 of the Framework, that harm should be weighed against any public benefits of the proposal, including securing its optimal viable use. Bearing in mind the statutory duty² to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, the identified harm carries substantial weight against the proposed development.
26. I acknowledge the public benefits of the proposal in the terms of the appellant. However, there is little substantive evidence before me to demonstrate that tourist accommodation in this location would provide a significant contribution to the local economy. Since there are no detailed landscaping proposals before me, there is little evidence to demonstrate that there would be biodiversity improvements. Therefore, given the substantial weight attached to the harm to the setting of the listed buildings, the public benefits would not outweigh the harm identified.

Other Matters

27. I acknowledge local concerns regarding wildlife and the public footpath. However, given the harm identified, these have not altered my overall decision.

Conclusion

28. For the reasons given above, the appeal is dismissed.

R Sabu INSPECTOR

² S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990