



Appeal Decision

Site visit made on 4 August 2020

by David Spencer BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28/08/2020

Appeal Ref: APP/F3545/W/20/3249003

Land to west of Lakelin, Barningham Road, Stanton, Bury St Edmunds IP31 2DU

- 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 Brian Pawsey against the decision of West Suffolk Council.
 - The application Ref DC/19/1280/OUT, dated 14 June 2019, was refused by notice dated 8 October 2019.
 - The development proposed is erection of two single storey dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline with all matters reserved. The proposal is described as "two single storey dwellings" with matters of layout and design reserved for future determination. The Local Planning Authority (LPA) dealt with it on that basis and so shall I.

Main Issues

3. The main issues in this appeal are whether the appeal site would represent a sustainable location for housing and the effect of the proposed development on the character and appearance of the locality.

Reasons

Sustainable Location

4. The appeal site is at the northern edge of the large village of Stanton, a key service centre settlement with a good range of services and facilities. Whilst the appeal site is beyond the settlement boundary for Stanton and so for planning policy purposes is in the countryside, the proposed houses would adjoin two existing houses immediately to the east. They would also be a short distance from other houses and commercial premises in this part of Stanton. The proposed dwellings would not be isolated.
5. In terms of access to most services and facilities in Stanton, the site would be just within the margins of a reasonable walking distance, including in most part on a good footpath, with occasional streetlights, directly along the B1111. The site also would be within easy cycling distance of village facilities. The Hillcrest site is directly opposite Lakelin, which contains amongst other things, a farm shop/deli and coffee shop. Overall, future occupants of the appeal proposal would not be reliant on the private car to access basic day-to-day services and

facilities. Accordingly, the proposal would accord with the National Planning Policy Framework 2019 (NPPF) at paragraph 79¹ (avoiding isolated homes in the countryside). The dwellings would also help to maintain the vitality of Stanton as a service centre village. There would also be no conflict with Policy CS4 of the Core Strategy Development Plan Document 2010 on managing impacts on climate change.

6. However, just because a proposal would not be isolated does not disengage the wider development plan framework which seeks to reasonably distinguish between settlements and countryside in terms of securing an overarching sustainable pattern of development that strikes an appropriate balance between maintaining a countryside resource and identifying opportunities for villages to grow and thrive. This is set out at Policy DM5 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 (the JDMPD) and further articulated at Policy DM27 of the same document. This is consistent with national policy, especially at NPPF paragraph 78. This policy framework is also providing for a 5 year supply of deliverable housing land and therefore carries substantial weight.
7. The appellant submits that the appeal site, given its former market garden and nursery use, should be considered to be previously-developed land and part of the settlement fringe of Stanton. From my observations, other than a modest steel workshop/barn to the east and an area of tarmac in front of the building any traces of a market garden use on the appeal site itself have gone and it is an area simply laid out to grass. There is a reasonable delineation of the immediate garden area around Lakelin House such that the appeal site better relates to, and blends into the countryside. Accordingly, I do not consider the appeal site to be previously-developed land within the definition in the NPPF and it is appropriately defined as countryside for the purposes of planning policy.
8. The countryside designation around Stanton in the development plan provides reasonable certainty to the local community and others that as a matter of principle, development here would be carefully managed irrespective of whether they are isolated or not. The development plan at Policy DM27, does however, positively allow for new dwellings in the countryside where there is a closely knit cluster of 10 more dwellings adjacent to or fronting the highway. The immediate site context and development group comprises the two adjacent dwellings to the east of the site. The appellant invites a wider definition of the cluster to include commercial and residential development on the opposite side of Barningham Road. This would be too widely drawn and encompass a rather disjointed pattern of development. The appeal site is not part of a closely knit cluster being surrounded by open land on three sides. Consequently, it would not represent a consolidation or infilling of existing development. Nor would the appeal site be adjacent to or front the highway.
9. I therefore conclude that the appeal proposal would not be isolated and would be sustainably located in terms of access to services and facilities. It would accord with NPPF at paragraph 79. These are important material considerations which weigh moderately in favour of the appeal proposal. However, the overarching and up-to-date development plan strategy is to carefully manage

¹ References are made in the evidence to Paragraph 55 of the 2012 NPPF but this has now been transposed into paragraphs 78 and 79 of the 2019 NPPF which was extant at the time of the LPAs decision and the submission of the appeal.

development in the countryside including an allowance for modest infill development at JDMPD Policy DM27. For the reasons set out above, the appeal proposal, by virtue of its established countryside location and character, would not be consistent with the over-arching policy framework as set out at JDMPD Policies DM5 and DM27. Importantly, this policy framework is not inhibiting housing needs from being met, is consistent with NPPF paragraphs 67 and 78 and so the conflict with these policies carries substantial weight. I address this further in the planning balance below.

Character and Appearance

10. The appeal site is situated to the rear of Lakelin House at the northern fringes of Stanton as the countryside character opens up into a wide arable landscape. As described above, although the site had a past market garden/nursery use, the appeal better relates to, and now blends into, an intimate fabric of smaller grassland fields and paddocks between Barningham Road and Dale Road to the west. This area provides a distinctively verdant, tranquil and rural setting to this part of Stanton, separating the scattering of development on Barningham Road from the string of houses along Dale Road to the west. The openness and rural qualities of this area, including the appeal site, can be particularly appreciated from the public highway in Dale Road and readily perceived in numerous gaps in both Barningham Road and Chare Road.
11. There is no development at equivalent depth into this undisturbed wedge of countryside to which the proposed housing could assimilate. The green steel barn/workshop building to the rear of Lakelin is the principal exception, but it is a characteristically rural building to be expected in the countryside. Consequently, it does not set an appropriate pattern for residential development at this rural edge of Stanton. As described above, houses extend out into the countryside a short distance to the west of the appeal site along Dale Road. These are however, separated from the appeal site by intervening land and they do not undermine the rural qualities of this backland area.
12. Despite existing hedgerows and occasional trees the proposed dwellings would be widely experienced as an incongruous encroachment at this rural, peripheral location. This would include from the immediate perspectives identified above but also in longer range views as the B1111 approaches from the north. Here there is a general absence of intervening vegetation and the appeal site is located on a gentle but prominent rise in the open landscape. Whilst there is a short length of hedge along part of the northern boundary of the site it is otherwise open through wire fencing. The appeal proposal, notwithstanding its single storey scale, would be widely seen as discordant and uncharacteristic tandem development eroding the green gap between Barningham Road and Dale Road. Furthermore, because the proposed dwellings would be poorly integrated into the surrounding pattern of development and nor would they readily replicate, or form a coherent pattern of development with, the modest terrace of houses a short distance to the east adjacent to the Hillcrest site.
13. I therefore conclude that the appeal proposal would result in significant harm to the character and appearance of the locality. It would be contrary to JDMPD Policies DM2 and DM22 which require, amongst other things, that all development maintains local character and sense of place and takes account of the continuity of built form and development pattern. It would also fail to

accord with the NPPF at paragraph 127 for all development to add to the overall quality of the area and be sympathetic to local character.

Other Matters

14. The appellant has drawn my attention to two relatively recent planning appeals in Stanton (3147831 and 3175909). These appeals considered sites outside the settlement boundary in Stanton and whilst they found conflict with the development plan in terms of countryside policies they nonetheless found particular material considerations outweighed the conflict with the countryside location for the purposes of development plan policy. Having read those decisions, I note there are material differences in terms of the location and character of those appeal sites in contrast to the more rural fringe location of the appeal site. I also note that appreciable weight was given to the benefit of affordable housing in the Rose and Crown appeal which does not apply here. As such I do not consider these appeal decisions provide comparable circumstances to set a precedent for the appeal proposal.
15. Furthermore, both appeal decisions pre-date the 2019 NPPF which at paragraph 78 identifies that it is the development plan (planning policies) to identify opportunities for villages to grow. This is materially different to the previous 2012 NPPF paragraph 55 and so further limits the little weight I give these earlier appeal decisions as material considerations.

Planning Balance and Conclusions

16. In accordance with NPPF paragraph 79 the appeal proposal would not be isolated. It would be reasonably located to services and facilities, reducing any reliance on the private car. This environmental benefit carries moderate weight in favour of the appeal proposal and reduces by a small degree the development plan policy conflict with the principle of being located in the countryside. As housing need is being met, I give very limited weight to the social benefits arising from just two additional homes. The construction of the dwellings and the future support from occupants to local services from two dwellings would give rise to moderately weighted economic benefits.
17. On the other hand, the proposal, in contrast to the other recent appeal proposals provided, would result in significant environmental harm by constituting poorly related and intrusive housing development in the countryside. The backland location of the dwellings would not be sympathetic to the locality or complement the established pattern of development. The environmental harm and conflict with up-to-date development plan policies on carefully managing new housing in the countryside must carry substantial weight. Therefore, on balance, the moderate benefits identified, including its sustainable location, would not outweigh this harm. Moreover, the proposal would conflict with the relevant development plan policies which are most important in this appeal. The material considerations identified, would not outweigh this conflict, and so permission should not be granted.
18. For the reasons set above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

David Spencer

Inspector.