
Appeal Decision

Site visit made on 1 September 2020

by I A Dyer BSc (Eng) MIHT

an Inspector appointed by the Secretary of State

Decision date: 7 September 2020

Appeal Ref: APP/W3520/W/20/3251982

Cranley Mill, Cranley Road, Eye IP23 7NX

- 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 & Mrs Shekleton against the decision of Mid Suffolk District Council.
 - The application Ref DC/19/05073, dated 28 October 2019, was refused by notice dated 21 January 2020.
 - The development proposed is new 'in-fill' 4 bedroom detached dwelling with integral garage and extension of existing driveway within garden of existing dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the determination of the application the Council has decided that the Eye Neighbourhood Plan 2018-2036 ((the ENP) should proceed to referendum. In response to the coronavirus (Covid 19) pandemic the government has determined that where the local planning authority has issued a decision statement detailing its intention to send a neighbourhood plan to referendum, a post-examination neighbourhood plan can be given significant weight in decision-making, so far as the plan is material to the application.

Main Issues

3. The main issues are: -
 - whether the proposal is a suitable location for a new dwelling, having regard to local policy for the delivery of housing and accessibility to everyday local facilities and services by a range of modes of transport; and: -
 - the effect of the proposal on the character and appearance of the site and the surrounding area, with particular reference to the setting of Old Post Mill, which is a non-designated heritage asset.

Reasons

Suitability of the location for a dwelling

4. The appeal site lies to the south of Cranley Road, behind a pair of semi-detached dwellings and The Old Post Mill, which has been converted to a dwelling. To the north-west lies Cranley Mill, and the site forms part of the garden of this dwelling.

5. The site is bounded to the south-west and east by mature hedges and beyond these lie open countryside. The boundary between the site and the Old Post Mill is formed by a fence approximately 1.8 metres high.
6. In the vicinity of the site Cranley Road is a single carriageway road without footway provision or street lighting and is subject to a 60 MPH speed limit.
7. Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review -2012- (the Focused Review) commit the Council to a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework -2019- (the Framework).
8. There is no disagreement between the parties that the proposal lies outside any of the settlements identified within Policy CS1 of the Mid Suffolk District Core Strategy -2008- (the Core Strategy) as being preferred locations for development with access to services and more sustainable modes of transport. Outside of the identified settlements the land is classified as countryside. The appeal site therefore falls within designated countryside. Policy CS1 of the Core Strategy sets out the Council's Spatial Strategy and is broadly consistent with the aims of the Framework of promoting sustainable development in rural areas by requiring housing to be located where it will enhance or maintain the vitality of rural communities as set out in Paragraph 78 of the Framework.
9. Policy EYE1 of the ENP identifies sites to provide for housing growth, including an allowance for small windfall sites within the settlement boundary. The site is not one of those identified within the listed housing allocation nor does it satisfy the requirements for a windfall site within the ENP within Policy EYE1 of the ENP.
10. To protect the countryside for its own sake, Policy CS2 of the Core Strategy restricts development in the countryside to defined categories. The proposed development is not one of the defined categories. However, the policy is more restrictive in its approach to rural housing than that currently taken within the Framework. Policy H7 of the Mid Suffolk Local Plan -1998- (the Local Plan) states that "In the interests of protecting the existing character and appearance of the countryside, outside settlement boundaries there will be strict control over proposals for new housing. The provision of new housing will normally form part of existing settlements". Policy EYE15 of the ENP seeks to restrict development outside the settlement boundary of Eye in a similar way to Policy H7.
11. The aims of these policies are broadly consistent with the aims of the Framework, including Section 9: Promoting sustainable transport and Section 15: Conserving and enhancing the natural environment.
12. The Framework does not impose a blanket restriction on development outside defined settlements, nor does it explicitly prevent the use of such boundaries. The appeal site is located in close proximity to existing dwellings and is not isolated and so the countryside location does not conflict with paragraph 79 of the Framework. Paragraph 78 supports new housing where it will enhance or maintain the vitality of rural communities and so, whilst the site is outside the settlement boundary, this in itself does not persuade me that the site is in an unsustainable location.

13. The site is located a significant distance from Eye, the nearest centre that would provide a range of services for the day-to-day needs of residents. The appellant identified the distance to the nearest footway as being some 1 km away. Similarly it is identified that the Heart of Suffolk Cycling Route can be joined some 1 km away from the site and the nearest rail station, giving access to mainline services to Norwich and London, is in Diss, some 9 km away.
14. The unlit nature of the intervening roads, with their lack of footways and vehicular speeds would be likely to deter pedestrians and cyclists, particularly after dark, with children or during inclement weather. The nearest bus service is in Eye. However, this would be reached via the same roads and I have little information before me regarding frequency to demonstrate that this would provide a realistic alternative to the use of the private car. Thus residents of the site would almost certainly rely very heavily on the private car to meet their day-to-day needs.
15. The Framework recognises that sustainable transport solutions will vary between urban and rural areas and that rural housing development in smaller settlements can enhance or maintain the vitality of rural communities. The appeal site lies in an area of only sporadic development, where dwellings form small loose groups or hamlets with no services within them requiring, in all likelihood, a trip into the local town to satisfy their day-to-day needs. Thus it could not be said that the development would contribute meaningfully to the vitality of villages outside the town.
16. Further, there is no meaningful alternative to using the private car to satisfy these needs. With, for such a limited scale of development, no real scope to improve connexions for walking, cycling or public transport, dependency upon private motor vehicles would be almost total.
17. I conclude that the appeal site would not be a suitable location for a dwelling, having regard to accessibility to shops and services. The development is therefore contrary to the provisions of Policies CS2 and CS5 of the Core Strategy, Policy H7 of the Local Plan, Policies EYE1 And EYE15 of the ENP and the aims of those parts of the Framework that promote sustainable transport and conserving and enhancing the natural environment.
18. Given that the proposal would be contrary to the aims of those parts of the Framework, the proposal would be contrary to Policies FC1 and FC1.1 of the Focused Review.

Character and appearance

19. The proposal would introduce a new 1½ storey building to the area to the south of the Old Post Mill, a non-designated heritage asset. The significance of the Old Post Mill relates to its former use, in association with the Mill Cottages and Mill House, as an example of a rural industry and the use of vernacular materials and retained architectural features.
20. The top of the mill and its sails have been removed, and the building extended, as a result of previous development. The circular building form, associated with its former use, remains.
21. Whilst the removal of the upper parts and later additions have reduced the visual link of the building to its former use the linkage to rural industry in open

countryside of the group of the vestigial part of the mill building and buildings remains.

22. The new building would interpose itself between the buildings and the countryside, eroding this linkage. Notwithstanding the screening provided by the buildings and existing planting the separation of the mill from the countryside would be apparent to passers-by on Cranley Road and from the surrounding countryside and so, in this instance, would constitute harm to the setting of the non-designated heritage asset. The harm would, however, be less than substantial as the proposal would retain the existing buildings without alteration and the group has already been subject to modification. In proposals that directly or indirectly affect non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset and I will return to this later.
23. I therefore conclude that the proposal would result in harm to the character and appearance of the site and the surrounding area and would be contrary to policies CS5 of the Core Strategy and Policy GP1 of the Local Plan in as much as these seek to maintain and enhance the environment, protecting and conserving qualities of the landscape as a whole and maintain the character and appearance of the surroundings of development. The proposal would, therefore, also be contrary to the aims of those parts of the Framework that promote well-designed places and, as a consequence would be contrary to Policies FC1 and FC1.1 of the Focused Review.

Other Matters

24. Two Grade II Listed Buildings, Town Farmhouse and Crawley Manor, lie on Cranley Road. However, these are some distance from the appeal site, with substantial intervening planting. Views encompassing the proposal site and the Listed Buildings are limited. Thus the proposal would not result in harm to either the Listed Buildings or their settings. I note that this conclusion was also reached by the Council's officers.
25. It has been brought to my attention that a similar development proposal has been submitted, and subsequently refused by the Council, on the site. However, I have determined the application before me based upon its own merits.

Planning Balance

26. The appellant disputes that the Council is able to demonstrate an effective five year housing land supply, particularly in view of potential disruption to the delivery of housing resultant from the Coronavirus pandemic. Even were I to agree with the appellant's assessment of the five year housing land supply, both parties are in agreement that the Local Plan is not up to date in terms of the Framework. However, the policies in the Core Strategy and Local Plan relating to housing land supply and design are broadly consistent with the aims and policies set out in the Framework and so moderate weight can be applied to them.
27. The development would provide benefits in terms of delivering an additional home to boost housing supply albeit that, irrespective of any shortfall in supply, a single home would only have a limited benefit. Small sized sites are often built-out relatively quickly; the site could be built-out immediately. There

would be minor benefits to the local economy in terms of short term employment in the construction industry and longer term support to shops and businesses. The long term support to shops and businesses would be mainly felt elsewhere, rather than supporting rural villages. Taken together these benefits carry limited weight.

28. I have found that the proposal would result in harm to the character and appearance of the site and the surrounding area. However, this harm relates to the less than significant harm in regard to the setting of a non-designated heritage asset that I have identified above. This harm would be mitigated, to a degree, by the limited views from the surrounding public realm and the degree of less than significant harm would be at the lower end of the range of less than substantial harm. I therefore allocate this harm limited weight.
29. However, given the location of the site and the lack of access to safe walking and cycling routes or public transport to provide for day-to-day needs it is likely that future occupants of the development would be heavily reliant on private motor vehicles to access local shops and services and this is a significant factor weighing against the scheme.
30. In conclusion the identified harm would significantly and demonstrably outweigh the limited benefits provided by the scheme when considered against development plan policies and the Framework when read as a whole.

Conclusion

31. For the reasons given above the appeal is dismissed.

I Dyer

INSPECTOR