



Appeal Decision

Site visit made on 15 September 2020

by David Spencer BA(Hons) DipTP MRTPI

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

Decision date: 22 September 2020

Appeal Ref: APP/W3520/W/20/3250285

Land North of Willow Hall, Norwich Road, Thwaite, Suffolk IP23 7ED

- 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 Messrs M & O Passmore against the decision of Mid Suffolk District Council.
 - The application Ref DC/19/04429, dated 16 September 2019, was refused by notice dated 19 February 2020.
 - The development proposed is erection of detached dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application sought outline consent for a single detached dwelling with all matters of detail reserved for future consideration except for access. The Local Planning Authority (LPA) dealt with the proposal on this basis and so shall I. The submitted plans include an indicative layout and a principal proposed elevation. I have treated these plans as being for 'illustrative' purposes given layout and appearance would remain reserved matters.

Main Issues

3. The main issues in this appeal are as follows:
 - (i) Whether the appeal site would be a sustainable location for residential development; and
 - (ii) The effect of the proposal on the setting of Willow Hall, a grade II listed building.

Reasons

Sustainable Location

4. For the purposes of planning policy, the development plan identifies the appeal site as being in countryside and Thwaite is not identified as a rural settlement suitable for meeting general local housing needs. Accordingly, there is no settlement boundary in Thwaite as a planning policy mechanism to allow for additional dwellings and so housing is to be carefully managed to a number of specific circumstances. This is set out at Policies CS1 and CS2 of the Mid Suffolk Local Development Framework Core Strategy Development Plan Document 2008 and Policy H7 of the Mid Suffolk Local Plan 1998. As a starting point, by virtue of its location and the type of housing proposed, the proposal

would be contrary to development plan policies most important for determining the proposal.

5. There is presently a 5.66 year supply of deliverable housing land in the District. It is unclear, however, whether this supply position has occurred because of the Core Strategy spatial strategy in Policy CS1 or because of subsequent fundamental changes in national policy to significantly boost the supply of housing. Policies CS1, CS2 and H7 all pre-date the National Planning Policy Framework (NPPF) by some margin. Accordingly, I generally share the assessment of my colleague in the Woolpit decision¹ that both the settlement hierarchy in Policy CS1 and the prescriptive approach to housing in the countryside in Policy CS2 are, to some degree, contrary to paragraphs 77 and 78 of the NPPF on sustainable rural housing. As such these policies most important for determining the appeal are out-of-date, engaging the tilted balance at NPPF paragraph 11(d). I deal with this in my conclusions below and now turn to other material considerations on sustainable location.
6. The appellant refers to the court judgments in *Braintree District Council v. Greyread Limited et al.* which addressed “new isolated homes in the countryside” and determined that any social sustainability due to the proximity of other dwellings was a matter for decision-takers. Whilst the appeal site is not part of the main nucleus of settlement at Thwaite, it is situated at the northern end of a small linear scattering of dwellings and within walking distance of a public house. It would not be isolated or remote for the purposes of Core Strategy Policy CS2 or national policy at NPPF paragraph 79. It would have a limited degree of social sustainability on this basis.
7. In addition to the nearby public house, I also observed the Frogs Hall Farm Shop directly opposite site and the garage and shop at Brockford Street. All of these businesses appear to principally rely on their A140 location and as such I do not consider one additional dwelling in the locality would make a material positive difference to their economic sustainability.
8. I also note NPPF paragraph 78 identifies that development in one village may support services in a village nearby albeit as a matter for “planning policies” to determine through a plan-led approach rather than ad-hoc planning decisions. Nonetheless, the evidence before me focuses on the key service centre village of Mendlesham some 4.6 kilometres away (approximately 3 miles). Given the overall ruralness of Thwaite’s location and degree of separation from Mendlesham I am not persuaded that development at the appeal site would inherently economically support services in this village. In coming to this view, I find merit in the LPAs submission that the right hand turn from the A140 to Mendlesham is particularly unpleasant due to the limited safe refuge on a fast and busy main road. This may well deter such trips creating longer journeys to alternative destinations further afield for basic services.
9. In terms of environmental sustainability, as well as the pub, the site is within easy walking of bus stops on this part of the A140 which are served by a very small number of daily bus services (Monday-Saturday) to Ipswich, Diss and Eye. This does include a single bus at a time that would enabling commuting into Ipswich but such a limited frequency of service may not appeal and should be considered very much at the margins of providing modal choice. In terms of other facilities, there is a petrol garage and basic shop approximately 1.3

¹ APP/W3520/W/18/3194926, paragraphs 90 and 91 in particular

kilometres to the south at Brockford Street. This is beyond a reasonable walking distance, there is no connecting footway and the volume of traffic on the A140 would significantly deter cycling. Similar applies to accessing the facilities at the key service centre village of Mendlesham.

10. NPPF paragraph 103 states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Whilst the bus offers a degree of transport choice, the daily frequency of service is limited and there are no shelters at either bus stop further deterring use. Consequently, and notwithstanding the proximity of the public house, future occupants of the appeal site would be significantly dependent on the use of the car to access most services and facilities. Given some of the distances involved, including that to Mendlesham, the degree of car use would be extensive and harmful to wider environmental sustainability including mitigating climate change.
11. The appellant submits that the emerging Local Plan identifies settlement boundaries in Thwaite, including the existing small cluster of settlement on the A140. I have few details on this and the degree to which this is subject to unresolved objection or whether it has been examined. I therefore give negligible weight to the emerging Local Plan.
12. I therefore conclude that notwithstanding the datedness of the Core Strategy and Local Plan, the degree of social sustainability and other material considerations including the NPPF, the appeal location would result in a significant reliance on the use of car and so has limitations as a sustainable location for an additional dwelling. I return to this, as part of the tilted balance, in my overall conclusions below.

Heritage

13. The appeal site is situated a short distance to the north of Willow Hall, a grade II listed building. The building is recorded as a farmhouse, and at one time an inn, principally around a Fifteenth Century core albeit much added to and altered in the early Seventeenth Century. It is a sizeable structure restored from a derelict condition in the 1970s. The jettied elevation on the western façade, directly adjacent to the main A140 road is a particularly striking aspect which best reveals the age and quality of the building. In addition to the half-timbered elements, the building elsewhere is principally rendered with plain tiling on the roof. There is detailing, including on the openings, on the western jettied elevation further illuminating its status and quality. I therefore find the heritage significance of Willow Hall to be a long-established rural building of status, having had varying functions, with an intended strong presence to the adjacent highway.
14. It is notable that Willow Hall is the only building in this part of Thwaite which is situated directly adjacent to the A140, perhaps reflecting a former functional relationship. Other buildings on Norwich Road are generally set back, including traditional buildings, leaving the prominence of Willow Hall to be experienced in both directions from the main road. Whilst the layout of the appeal proposal remains a matter of detail for future consideration, the depth of the plot would enable the proposed dwelling to be set back from the A140 and so the prominence of Willow Hall would be retained.
15. The appeal site is enclosed by strong hedging, which together with other hedging along the A140 to the north, would further limit the presence and

visibility of the appeal proposal on approaching Thwaite from this direction. Overall, how Willow Hall would be experienced from the main highway, as a status building and the first principal building on entering Thwaite from countryside to the north would remain unaffected.

16. Later infilling to the south of Willow Hall comprises detached dwellings in relatively spacious plots. The nearest property to the south is 'Willow Farm' a modern chalet style dwelling. This is set back and spaciouly separated from Willow Hall including intervening vegetation. The appeal proposal would be separated from Willow Hall by a greater distance than 'Willow Farm' such that the listed building would not be experienced as part of some modern row or terraced pattern of development. It would continue to be experienced on its own as a status building.
17. Part of the heritage significance of Willow Hall is linked to its agrarian past. In terms of wider setting of the openness of farm fields, the situation at Willow Hall is mixed and generally applies only to the west, beyond the A140. Elsewhere, including immediately to the north, there are various buildings which because of their scale and pattern, interrupt the spatial connection and visual interrelationship between the Hall and the wider countryside in this direction. Consequently, Willow Hall in many perspectives, is now experienced within the context of surrounding built development that post-dates it.
18. This includes a range of ancillary buildings to the north, including a conspicuous building set gable end onto the A140. These buildings are situated within a large area of hardstanding which further reduces connection to open farmland. The appeal site itself is a small area of amenity land, enclosed by hedging which does not make any particular contribution to the setting of the listed building. Whilst the appeal proposal would moderately extend the footprint of built development to the north of the Hall it would be largely read and experienced as an enlargement of the group of ancillary buildings rather than an overt projection into the countryside that would harm the setting of the listed building.
19. I therefore conclude, for the reasons given above, that there would be no harm to the setting of Willow Hall, a Grade II listed building. The proposal would therefore accord with Local Plan Policies HB1, GP1 and H15 in that it would not harm the setting of the Listed Building or the character of this edge of settlement location and would be consistent with the pattern and form of development in the area.

Balancing and Conclusions

20. Given some policies most important for determining the proposal are out of date the balance is tilted to granting planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits. There would be no adverse impacts in respect of heritage and due to the enclosed nature of the site there would be no harmful impact on landscape character. The scheme would not result in an unacceptable impact on highway safety in this part of the A140 at Thwaite including with the nearby access for the farm shop opposite.
21. Turning to the benefits, the proposal would have social and economic benefits in terms of supporting the public house as a community facility. At one dwelling, this benefit would be no more than very modest. I am unconvinced

- this benefit extends more widely to other rural services and facilities given the distances and quality of connecting routes involved. There would also be a social benefit arising from the provision of an additional dwelling. Given there is a five-year supply of deliverable housing land across Mid-Suffolk, I give the benefit arising from one dwelling, very limited weight. As a single plot, the proposal would provide moderate economic benefits during its construction.
22. In respect of harms, the rural location of the appeal proposal would result in a reliance on the car including journeys of appreciable length to access basic services. The proximity of the public house and the limited bus services do not overcome or significantly reduce my concerns about the significant environmental harms stemming from such a degree of reliance on the car.
23. Whilst Core Strategy Policies CS1 and CS2 are out of date across the broader rural geography of Mid-Suffolk by pre-dating the latest national policy on rural housing, they are still part of the extant development plan and will have some weight depending on the particular circumstances. Indeed, in this case, given the notable degree of separation from both larger villages and higher order settlements and its overall limited sustainability credentials I do not consider the spatial treatment of Thwaite in the Core Strategy, in itself, to be markedly out of kilter with NPPF paragraphs 77 and 78 on rural housing. Consequently, the small satellite cluster of development in Thwaite where the appeal site is located, despite its limited social sustainability, is nonetheless a rural location where additional housing still needs to be carefully managed in order to secure an overall sustainable pattern of development. As such I give Core Strategy Policies CS1 and CS2 and the harm arising from the conflict with them moderate weight.
24. The proposal would be contrary to those strands of sustainable development identified at NPPF paragraph 8 which seek to lessen the effects of climate change and to locate housing where it is accessible to services as part of ensuring wider social and cultural well-being. In the context of national policy, taking the particular circumstances of the appeal location into account, the proposed dwelling would not amount to sustainable development. The adverse impacts arising from the unsustainable location of the appeal proposal would significantly and demonstrably outweigh the cumulative and generally limited benefits arising from a single dwelling and so planning permission should not be granted within the framework of paragraph 11(d) of the NPPF.
25. I have taken into consideration all other matters raised, but there is nothing that leads me other than to conclude that the appeal be dismissed.

David Spencer

Inspector.