



Appeal Decision

Site visit made on 18 September 2020

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 25 September 2020

Appeal Ref: APP/W3520/W/20/3254390

Land on the southern side of Barrells Road, Thurston IP31 3SF

- 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 Dover Farm Developments Ltd against the decision of Mid Suffolk District Council.
 - The application Ref DC/20/01617, dated 22 April 2020, was refused by notice dated 15 June 2020.
 - The development proposed is the demolition of a barn and the erection of a detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application is submitted in outline with all detailed matters reserved excepting for access.

Main Issues

3. The main issues are(i) the effect of the proposal upon the character and appearance of the area and (ii) whether the proposal would lead to social cohesion.

Reasons

Location and policy background

4. Both the appeal site and the recently approved dwellings are outside the settlement boundary of Thurston as defined by the Mid Suffolk Local Plan 1998. (MSLP). Policy H7 of the MSLP states that there will be strict control over new housing in the countryside and that new housing will "*normally*" form part of existing settlements.
5. Policy 1 of the adopted Thurston Neighbourhood Plan 2019 (TNP) states that new development in Thurston parish shall be "*focused*" within the settlement boundary of Thurston village as defined on the Policies Maps. I do not read this policy as indicating that it would not be permissible, in principle, to allow some minor residential development outside of the settlement boundary as long as it were sustainable.

6. In considering the above matter further, it is of note that there is no dispute between the parties that the proposal would not result in an isolated home in the countryside with reference to paragraph 79 of the National Planning Policy Framework 2019 (the Framework). I do not disagree with this, given that the appeal site is close to other buildings and people and that Thurston is only about 1 mile away. However, this does not necessarily mean that the proposal is acceptable in terms of its effect upon the character and appearance of the area: I deal with such a matter as part of the main issue below.
7. The Framework does not impose a blanket restriction on housing development in countryside locations. I am satisfied that Policy H7 of the MSLP is consistent with the Framework in so far that it does not seem to prohibit all residential development in countryside locations. Furthermore, such a policy seeks to control residential development in the countryside from a character and appearance point of view. This is consistent with paragraph 170(b) of the Framework which states that decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
8. Whilst the Council has not referred to Policy CS2 of the Mid Suffolk District Core Strategy Development Plan Document 2008 (CS) in its refusal notice, it has done so in its delegated officer report. The proposal would conflict with this policy as the proposed new dwelling would not meet any of the restricted categories of development in this policy. However, this policy is not consistent with paragraph 79 of the Framework, which is less restrictive in terms of residential development in the countryside, and hence it is out of date. I therefore afford the conflict with Policy CS2 of the CS limited weight in the overall planning balance.
9. I consider that the most important development plan policies in terms of determining this appeal are those listed in the Council's refusal notice. None of these policies are inconsistent with the Framework and hence I do not consider that paragraph 11d of the Framework is engaged. Even if the most important basket of development plan policies were collectively considered to be out of date, and that paragraph 11d were engaged, it is clear from my reasoning below that the identified adverse impacts of the proposal would significantly and demonstrably outweigh the identified benefits of the proposal when assessed against the Framework taken as a whole.

Character and appearance

10. The appeal site is set back from Barrells Road on land where there is currently a barn. The barn has a very rural appearance and has open sides. Whilst planning permissions have been approved for housing development along the road frontage and close to the appeal site, the evidence is such that these are predominantly linear in form. Whilst the appeal site does include an existing building, this is very rural in character and appearance and is seen in the landscape as being visually separate and of a different appearance from the

existing and approved cluster of nearby residential development. Consequently, the appeal site is seen in the context of a more rural landscape which extends towards the railway line.

11. Whilst this is an outline application, I consider that in principle, the erection of a dwelling on the appeal site would have the effect of unacceptably extending residential development into the countryside, at odds with the prevailing more rural and open character of the site and land beyond. Whilst it may be possible in principle to erect a dwelling which is no larger in scale than the barn that exists on the site, I have not been persuaded that it would be possible to construct a house, coupled with a car parking area, outside amenity space and associated domestic paraphernalia, whilst ensuring that the rural character of the appeal site is maintained.
12. The existing building has a character which is visually appropriate in its countryside setting and there is no domestic paraphernalia around it. Therefore, its replacement with a dwelling would lead to a greater urbanisation of the site to the detriment of the character and appearance of this countryside location. The harm caused would be particularly apparent from a number of public vantage points along Barrells, given the fact that the site and immediate land is devoid of trees. Indeed, a dwelling on the appeal site would be prominent and conspicuous.
13. The parties to the appeal have a difference of view as to the lawful use of the barn and whether the site is previously developed land. Even if I were to take the view that the site was previously developed, this would not alter or outweigh the harm that I have identified above.
14. I therefore conclude that in principle the proposed development would have a significantly adverse impact upon the character and appearance of the area and would thus be contrary to the countryside protection and design requirements of Policies GP1, H7, H13, H15 of the MSLP and paragraph 170(b) of the Framework.

Social Cohesion

15. The Local Planning Authority (LPA) is concerned not with the distance to local services and amenities in Thurston, but with whether *'by reason of its location and connections to footway/road networks and any close built form, the proposed dwelling would not represent development that would be integrated to a community leading to poor social cohesion and failure to take opportunities to design for functional communities'*.
16. However, I have no specific evidence before me to substantiate this assertion and I cannot see why a house and its occupants should not integrate into the local community, particularly relating to those immediately around them in existing dwellings and in dwellings that are still to be constructed.

17. Furthermore, and in any event, Thurston village is only about 1 mile from the site. I accept that the route to the village is not fully lit and that it does not include a continuous pavement. Nevertheless, and acknowledging that my site visit was only a snapshot in time, the route to the village was quiet and there were very few vehicles using it. I am satisfied that it would be possible to reach the village safely and conveniently, either on bicycle, by foot or by private motor vehicle reasonably quickly. Therefore, there would be no significant barriers in place from the point of view of the occupiers of the proposed dwelling seeking to integrate into wider village life.
18. Given the above, I conclude that the proposal would be capable of integrating into a community. To this extent, there would be no conflict with the development plan for the area or with paragraph 91 of the Framework which states that decisions should *"aim to achieve healthy, inclusive and safe places which promote social interaction"*.

Other Matters

19. I recognise that Thurston is a sustainable location with a good range of services including a railway station with frequent services to towns in the area. I also appreciate that the proposed development would generate economic benefits by providing short term employment in its construction and as a result of the occupants of the dwelling supporting services and facilities in the nearby village.
20. In addition, I note that the proposal would boost the supply of housing in the area although there is no evidence before me to demonstrate that the local planning authority cannot demonstrate a deliverable supply of housing sites.
21. None of the other matters alter or outweigh my overall conclusion below.

Planning Balance and Conclusion

22. Whilst I have found that the proposal would be capable of ensuring social cohesion for occupiers of a dwelling on the appeal site, I have nevertheless concluded that significant harm would be caused to the character and appearance of this countryside location. This is a matter of overriding concern. Furthermore, I have found conflict with policy CS2 of the CS albeit that the conflict with this out of date policy is a matter to which I have afforded limited weight in the overall planning balance. Overall, I conclude that the proposal would not accord with the development plan for the area and, in addition, there would be unacceptable conflict with the Framework when considered as a whole. The proposal would not deliver a sustainable form of development and hence the appeal should be dismissed.

Steven Hartley

INSPECTOR