



Appeal Decision

Site visit made on 14 December 2021

by Jonathan Price BA(Hons) DipTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 21 December 2021

Appeal Ref: APP/W3520/W/21/3274184

Land west of Broad Road, Bacton, Suffolk IP14 4HP

- 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 C Hull against the decision of Mid Suffolk District Council.
 - The application Ref DC/21/00998, dated 17 February 2021, was refused by notice dated 16 April 2021.
 - The development proposed is erection of up to 8 dwellings with garages.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline, with all detailed matters reserved apart from access. I have dealt with the appeal on the same basis, treating the layout plan provided as indicative of how the development might proceed.

Main Issues

3. The main issues in the appeal are whether the housing would be appropriate in this location with regard to
 - having convenient accessibility to services through sustainable modes,
 - its effect on the character and appearance of the area, including whether this would preserve the setting of the nearby grade II listed Brickwall Farmhouse, and
 - providing safe and suitable means of access.

Reasons

Accessibility to services through sustainable modes

4. Bacton is designated as a Key Service Centre by the Council's Core Strategy¹ (CS). The appeal site occupies part of an arable field adjacent to the B1113, from which access would be gained to the development. One side of the field lies adjacent to the built-up edge of the settlement and the boundary to this defined in the 1998 Mid Suffolk Local Plan² (LP).
5. The main focus for development in Mid Suffolk is within the District's towns. These contain the widest ranges of facilities. Key Service Centres are then the

¹ Mid Suffolk Local Development Framework Core Strategy Development Plan Document adopted September 2008.

² Mid Suffolk Local Plan adopted September 1998.

main focus for development outside of these. This status is reflected by the size of Bacton and its range of services, which include a primary school and pre-school, village hall, doctors' surgery, public house and shop/post office. There is a footpath running from the appeal site which crosses the railway line and joins the main settlement at Prettyman Avenue. An alternative route would be alongside the main roads, but this would initially involve walking along a section that is unlit and without a separate footway. In both cases the various services remain quite a long walking distance from the site, which would be neither particularly safe nor convenient. This would be the case particularly during the hours of darkness or in wet weather. Access to these services would be more convenient by bicycle or involve short journeys by private car. The appeal site is not far from a bus stop, meaning that places containing additional facilities can be quite conveniently reached using public transport.

6. Despite the village facilities in reasonably close proximity, I do not consider that occupiers of the housing proposed would have particularly good access to services. Like in many such rural localities, they would be mainly dependent upon journeys by private car to meet regularly required needs. However, given the site is adjacent to the village settlement boundary, the degree of harm for this reason is moderate.

Character and appearance, including the setting of the listed Brickwall Farmhouse

7. The well vegetated side boundary to the site provides a clear demarcation of where the built-up village ends and open countryside begins. The impacts of the development would depend on the eventual design, scale and layout of dwellings proposed. However, the fact this is an outline scheme does not avoid the need to reach some conclusion over the potential effects. Extending beyond the clearly defined settlement edge would mean that any further housing would here comprise a stark incursion into the rural landscape. Although any development brings about change and an alteration to the existing surroundings, any harm has to be weighed in an overall balance. In this case, there would be significant harm to the character and appearance of the countryside. Such harm would give rise to conflict with Policy CS5 and LP policies GP1 and H7, insofar as these relate to this issue.
8. The proposal would bring the extent of development within the village closer to the listed Brickwall Farmhouse. From the listing description, the significance of this building arises from factors including its age, architecture and methods of construction. However, the open agrarian landscape surrounding this building relates both spatially and functionally to its historic role as a farmhouse. This also forms an element of its significance as a designated heritage asset.
9. The proposal would erode a significant part of this surrounding open farmland, bringing the built-up area of the village closer to the listed building. Notwithstanding any intervening vegetation, this changed relationship between the listed building and other development would be viewed both statically and kinetically from the public realm. Development occupying part of this open setting would alter how the special interest of this nationally important building is both understood, experienced and appreciated.
10. The proposal would fail to preserve the setting of the listed Brickwall Farmhouse. There would be harm to its special interest as a designated heritage asset as a consequence of this. This would bring the proposal into conflict with LP Policy HB1. I find the harm to be less than substantial and,

dependant on full details of the proposal, at the medium to lower end of such a scale.

Access

11. The means of access to the site is included in the application and would be onto a section of the B1113 where vehicle speeds are restricted to 40mph. In these circumstances, the Design Manual for Roads and Bridges specifies visibility splays of 2.4m x 120m in either direction. I am satisfied that the required visibility splays could be provided on land that is within the appellant's control and this could be secured through a planning condition. Therefore, I am content that the scheme can be provided a safe and suitable means of access.

Other Matters

12. There would be benefits from this proposal. The National Planning Policy Framework (the Framework) refers to the Government's objective of significantly boosting the supply of homes. Up to eight dwellings would provide modest social benefits in this regard. The Council can demonstrate a five-year housing land supply and so there is no failure on this account that might otherwise lend further weight to such benefits.
13. Located on the edge of the village, the proposal would help enhance the vitality of Bacton as a rural community, in regard to supporting its various clubs and groups. I attached moderate weight to this as a further social benefit. I give a same degree of weight to the local economic benefits deriving from the construction of these dwellings and from the additional support to local services provided by the extra household expenditure.
14. The appellant has provided evidence of the other sites around the village where quite large housing schemes have been allowed outside the development boundary. These are more substantial and, in the main, comparatively better related to where the facilities are located, so lend this proposal limited weight.

Planning Balance and Conclusion

15. The development plan comprises the LP, the CS and the 2012 CS Focused Review³. The latter introduces the presumption in favour of sustainable development to reflect that then recently introduced by the Framework.
16. Because the proposal lies outside the settlement boundary, it is in the countryside for development plan purposes. Therefore, there is conflict with policies CS1 and 2, where housing is restricted to that supporting the rural economy, meeting affordable needs or other defined categories not applicable here. It also conflicts with LP Policy H7, which imposes strict control over proposals for new housing outside settlement boundaries in the interests of protecting the existing character and appearance of the countryside.
17. The proposal does not comply with development plan policy in terms of its location. Whilst the site lies adjacent to the boundary of a Key Service Centre, the various facilities are somewhat distant and not particularly convenient to access by sustainable modes. I have found harm for this reason. There would be conflict with a spatial strategy to focus development to within defined

³ Mid Suffolk Local Development Framework Core Strategy Focused Review adopted December 2021.

centres and to restrict this elsewhere to protect the countryside, where I have found harm to its character and appearance.

18. The policies I have quoted are those most important for determining this appeal and, on this basis, I consider the proposal to conflict with the development plan when taken as a whole. These policies adhere broadly to the Framework's objectives to achieve sustainable development in the location of housing, through recognising the intrinsic character and beauty of the countryside and by conserving the historic environment.
19. However, those policies governing the location of housing in Mid Suffolk apply a rather blanket approach to development outside settlement boundaries. This is not entirely consistent with the more flexible and balanced approach to rural housing subsequently found in the Framework. As policies most important for determining the appeal they are considered out of date. This factor engages the presumption in favour of sustainable development as set out in paragraph 11 d) of the Framework.
20. The heritage balance in Framework paragraph 202 must first be applied. This states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, as in this case, this should be weighed against the public benefits of the proposal. Paragraph 199 preceding this states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
21. Set against this, the public benefits of the scheme are moderate. It is well established that considerable importance and weight is to be given to the desirability of preserving the settings of listed buildings when undertaking any balancing exercise. Even at a medium to lower end of a scale of less than substantial harm, this would still outweigh the public benefits of this proposal. Therefore, paragraph 11 d i) is engaged, as the application of Framework policies that protect designated heritage assets would in this case provide a clear reason for refusing the development.
22. The presumption in favour of sustainable development provided by the Framework would thus not indicate that this appeal be decided other than in accordance with the development plan, where I find there to be conflict when considered as a whole. I therefore conclude that the appeal should be dismissed.

Jonathan Price

Inspector