



Appeal Decision

Site visit made on 24 January 2022

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2022

Appeal Ref: APP/X3540/W/21/3281862

Archway Piggeries, Butts Road, Playford, Ipswich IP6 9DP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Dormer against the decision of East Suffolk Council.
 - The application Ref DC/21/2171/FUL, dated 30 April 2021, was refused by notice dated 11 August 2021.
 - The development proposed is erection of a detached dwelling.
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Decision

1. The appeal is dismissed.

Background

2. The site includes a former piggery building and two other former agricultural buildings. The former piggery building was subject to prior approval¹ under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 for conversion to two dwellings. Following this, planning permission² was granted on 26 August 2020 for conversion and extension of that building to form one dwelling. The proposal is to erect a new dwelling instead of the previously approved conversion. The piggery building would be partly demolished, and part would be retained as a garage, workshop and store. A further barn would be retained as stables.

Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. There is an extant planning permission for the conversion of the piggery building to a single dwelling. The appellant states that the conditions have been discharged and that the permission has been implemented. This forms a fall-back position which I shall compare to the proposed development.
5. The site lies outside the small settlement of Playford and is within the open countryside for planning policy purposes. Policy SCLP3.2 of the Local Plan³ sets out the settlement hierarchy, in which Playford is designated as countryside. Policy SCLP3.3 restricts new residential development in the countryside. Policy

¹ Ref. DC/19/4256/PN3

² Ref. DC/20/1732/FUL

³ East Suffolk Council Suffolk Coastal Local Plan (2020)

SCLP5.3 limits the residential development that can take place in the countryside to specified categories, which include the conversion of existing buildings and provision of replacement dwellings.

6. The proposal fundamentally differs from the approved scheme in that it would be a new building rather than a conversion of an existing building. In this respect it would clearly not accord with policy SCLP5.3.
7. Although the approved dwelling conversion may have been implemented the appellant does not claim that it has been carried out such that there is an existing dwelling on the site. Because there is no existing dwelling, the proposal would clearly not be a replacement dwelling.
8. For these reasons, the proposal would not accord with Policy SCLP5.3 of the Local Plan. Neither would it accord with Policy SCLP3.3. Those policies are up to date and consistent with the National Planning Policy Framework (the Framework).
9. Historic mapping shows that there were previously a number of agricultural buildings on both sides of the access track. The proposed dwelling would be sited significantly beyond the extents of both the existing buildings and the previous buildings. It would occupy an open area which is at the top of a wooded slope that falls towards a public footpath along the western boundary of the site. The development would be particularly prominent and intrusive in the open landscape when seen from that footpath as it would be at a high level relative to that path. The tree canopies are high and would not screen the development from view. The former piggery building is further away from the footpath and much less prominent than the proposal would be.
10. The proposal also differs from the approved scheme in that its garden would occupy the whole of the site, which is about 0.9 ha in area, whereas the approved development would have a much smaller garden area. Permitted development rights for outbuildings and means of enclosure can be restricted through the imposition of a condition, subject to the tests set out in the Framework. However, this does not alter the position that the change of use of open rural land such as this to a residential garden would significantly change its character.
11. Policy SCLP10.4 of the Local Plan requires development proposals to be informed by, and sympathetic to the special qualities and features as described in the Suffolk Coastal Landscape Character Assessment (2018). Proposals are expected to protect and enhance those special qualities and features and the landscape settings around settlements.
12. The site is within the landscape character type described in the assessment as Rolling Farmlands and Furze. Its varied topography and trees contribute positively to the landscape character. Because the proposed dwelling would be prominent and intrusive in the landscape and because the character of the site would be changed, the proposal would not accord with the requirements of Policy SCLP10.4.
13. The size and height of the proposed dwelling would be similar to those of the existing building. Its architecture would be of contemporary design and materials and would consist of separate linked elements with mono-pitch roofs of standing seam zinc with timber boarding to the elevations. The quality of

the design is not in dispute and in this respect the proposed dwelling may be preferable to the approved conversion. This does not, however outweigh my concerns regarding its visually intrusive siting and the change in the character of the site.

14. For the reasons given the proposed development would not accord with the development plan as a whole. It would have a significantly greater impact on the character and appearance of the area than the approved development. I conclude on the main issue that the proposal would unacceptably harm the character and appearance of the area.
15. I turn now to the benefits of the proposal as put forward by the appellant. A publicly accessible wildlife garden would be provided in the north-western part of the site adjacent to the footpath. A wildlife pond is proposed to be provided within the western part of the site. Tree and hedge planting would also take place. These measures could provide biodiversity benefit however it has not been demonstrated that the value of any such benefit would be such as to outweigh the harm and policy conflict that I have found.
16. The public access element would be of benefit but there is little evidence before me to demonstrate that this should be accorded weight sufficient to outweigh the conflict with planning policy.
17. The proposed dwelling would be positioned away from the boundary of the site with a neighbouring dwelling to the south. While this may provide betterment in comparison to the approved scheme, that scheme was found by the Council to be acceptable in terms of its relationship with the adjacent dwelling. Accordingly, I can only give limited weight to this benefit.
18. It is proposed to incorporate energy efficiency and renewable energy measures into the proposed dwelling, but I am not convinced that these measures would represent a benefit in comparison to the approved scheme as similar measures could be incorporated into that scheme.
19. The proposal would be of economic benefit in terms of provision of employment and expenditure both during construction and by its future occupants. The provision of a new dwelling would be of social benefit. However, these benefits are unlikely to be any different from those that would arise from the approved fall-back position.
20. For the reasons given, the identified benefits of the proposal carry limited weight which is not sufficient to outweigh the conflict with the development plan and the identified harm. Neither is that weight sufficient to indicate that the proposed scheme should be preferred over the approved scheme.

Conclusion

21. For the reasons given I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR