



Appeal Decision

Site visit made on 18 January 2022

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 February 2022

Appeal Ref: APP/X3540/W/21/3282178

Homeleigh Cottage, The Street, Little Bealings IP13 6LT

- 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 and Mrs A Davies against the decision of East Suffolk Council.
 - The application Ref DC/20/4457/FUL, dated 5 November 2020, was refused by notice dated 19 March 2021.
 - The development proposed is the erection of 1 no. two storey dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is within the recreational disturbance zone of influence of a number of European Designated Site. The Conservation of Species and Habitats Regulations 2017 (as amended) requires the decision maker to consider whether or not the proposal could adversely affect the integrity of such site.

Main Issues

3. The main issues are (i) whether the appeal site is suitable for new housing; and, (ii) the effect of the proposal on the character and appearance of the surrounding area.

Reasons

Whether Suitable Location

4. Policy SCLP3.2 of the Suffolk Coastal Local Plan (the LP, September 2020) sets out the development plan's settlement hierarchy with Little Bealings being a small village where some development within the boundary is supported. Policy SCLP 3.3 sets out, along side the Policies Map, the settlement boundary for Little Bealings. Although adjoining the settlement boundary, it is clear that the appeal site is outside of it and is therefore considered to be within the open countryside. Policy SCLP5.3 sets out a number of exceptions for when residential development in the countryside would be supported, including where the proposal is limited infilling development within an existing cluster.
5. For the purposes of LP Policies SCLP5.3 and SCLP5.4 a cluster is five or more dwellings within the countryside that are either in a continuous line or close group adjacent to a highway. The appellant accepts that those dwellings closest to the appeal site are within the settlement boundary of Little Bealings and therefore are not considered a cluster. Therefore, on a reasonable

interpretation of the above policies, the proposal before me would conflict with the locational strategy and exceptions of the development plan.

6. Whilst I acknowledge that the appeal site would be within a reasonable walking distance of some services in the village, and may be better related to them than some existing dwellings, I find that these services would not be sufficient to meet all the daily needs of a future occupier. Notably, my attention has only been drawn to a church and school within the village. As such, occupiers would need to regularly travel further afield to reach services and facilities such as shops and employment. Therefore, I find that any benefit to the vitality of this rural community, from the proposal, would be very limited.
7. The development plan has a well-founded spatial strategy and settlement hierarchy supported by clear settlement boundaries and it is not within the remit of this appeal to consider altering these. The limited benefit above would not be sufficient to outweigh the locational harm of a dwelling outside of the settlement boundary, contrary to the development plan. Although such harm may be considered acceptable in some locations, this is where the Council's development plan directs development through exceptions.
8. The policies relevant to this appeal reflect the aims of the National Planning Policy Framework (the Framework) with regard to promoting sustainable development and locating housing where it would enhance or maintain the vitality of rural communities. Therefore, as the development plan is up-to-date and consistent with the Framework, I find that there is no reason to depart from it.
9. Having regard to the above, I find that the proposal would be contrary to the locational strategy set out in Policies SCLP3.2, SCLP3.3, SCLP5.3 and SCLP5.4 of the LP. It would also be in conflict with the housing strategy set out under Section 5 and Paragraph 79 of the Framework.

Character and Appearance

10. The appeal site is a small paddock located at the edge of Little Bealings between three dwellings, a bowls green and a wooded area. Whilst two of the existing dwellings appear to front on to The Street, all three surround a track which provides vehicular access to these properties. Given its location, the appeal site is somewhat screened from public views and is cut off from the wider countryside.
11. The proposed dwelling, which is suggestive of a converted barn, would be of an appropriate style for its location at the edge of the settlement where agricultural buildings are more typically found. Moreover, given the proposal's siting near existing dwellings and backed by a wooded area, it would not be an intrusive feature within the wider countryside or the village and would relate well to the nearby dwellings.
12. Therefore, in light of the above, I find that the design and siting of the proposed dwelling would not harm the character and appearance of the surrounding area. It would therefore comply with Policies SCLP5.7, SCLP10.4 and SCLP11.1 of the LP which require that, amongst other matters, development would not harm the character and appearance of the street scene or surrounding landscape.

Other Matters

13. I have found harm to result from the proposed development. As such, the appeal must fail and any potential harm to the European Designated Sites would not occur, it is not therefore necessary for me to consider this matter further.
14. Biodiversity improvements, such as log piles and native planting, have been suggested by the appellant. However, the details on these are scant and without further information I cannot be certain that they would be effective in the maintenance or enhancement of biodiversity on the site.
15. The appellant has also raised that the appeal site is not within a conservation area and is within flood zone 1 where the risk of flooding is lowest. They further suggest that the proposal would be built to high energy efficiency standards and benefit from renewable energy sources. However, these matters are not benefits of the proposal and therefore afford neutral weight.

Planning Balance

16. The Government's objective is to significantly boost the supply of housing and the proposal would provide one new dwelling. The scheme would also lead to a small and time-limited economic benefit during the construction phase, as well as potentially some very limited social and economic benefits resulting from future occupiers. Given the small scale of the proposal, these benefits attract modest weight. As the lack of harm to character and appearance is not a benefit it attracts only neutral weight.
17. Conversely, the location of the proposal outside of both a settlement and cluster would undermine the Council's plan-led approach to the delivery of housing. This matter attracts significant weight and outweighs the benefits associated with the proposed development.
18. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.

Conclusion

19. For the reasons outlined above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR