



Appeal Decision

Site visit made on 13 December 2022

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2022

Appeal Ref: APP/F3545/W/21/3278466

Dovecote Farm, Hepworth Road, Thelnetham, Suffolk IP22 1JH

- 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 Ms V Woodward against the decision of West Suffolk Council.
 - The application Ref DC/20/1752/FUL, dated 9 October 2020, was refused by notice dated 7 January 2021.
 - The development proposed is change of use to a single dwellinghouse with associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - Whether the proposed development is in a suitable location for housing, having regard to the local development strategy for the area;
 - The effects of the proposed development upon the character and appearance of the area; and
 - Whether the proposed development would provide adequate living conditions for future occupants, with particular regard to external amenity space.

Reasons

Local development strategy

3. The appeal site includes a pair of vacant agricultural buildings, adjoining an existing working farm and situated within a flat, open agricultural landscape. The site is distant from any settlement and is outside any of the development plan's settlement boundaries. The appeal site is therefore located within the countryside, as classified by Policy DM5 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 (JDMPD).
4. Policy DM5 protects areas designated as countryside from unsustainable development. The policy sets out the types of development considered suitable in the countryside which generally relate to a range of rural activities and enterprises. The proposal would involve the conversion of the two barns into a single dwelling, a development type not expressly supported by Policy DM5.

5. JDMPD Policy DM28 allows for the conversion of redundant or disused buildings in the countryside to residential use once the site's suitability for certain non-residential uses has been fully explored and discounted. I understand the supporting text to JDMPD Policy DM28 indicates that proposals for conversion to market housing must include appropriate evidence of the efforts made to secure the preferred alternative uses over a period of at least 12 months.
6. The appellant has supplied a local Chartered Surveyor's assessment of the site's suitability and economic viability which provides a professional judgement of the likely market demand for the site. This indicates the surveyor's firm is unwilling to market the site based on the assessment's conclusions that commercial uses would not be economically viable and would carry a very low level of demand.
7. The submitted assessment does not therefore include evidence of active attempts to secure alternative use of the site, such as marketing over a set timeframe. Whilst I am sympathetic to the appellant's position that procuring the services of other agents will incur additional cost, I am unconvinced by the evidence before me that the appellant has adequately explored the opportunities to secure a re-use of the site for alternative uses to the extent that such uses can be discounted, as required by Policy DM28. Although the appellant refers to another case where they state permission was granted without marketing evidence, no details of this are provided and so has no bearing on my considerations.
8. Consequently, in the absence of evidence that demonstrates that alternative uses have been fully explored, including through marketing the site for a period of not less than 12 months, the proposal would not satisfy the requirements of JDMPD Policy DM28. The proposal would not therefore meet the requirements of JDMPD Policy DM33 which supports the re-use of buildings in the countryside for housing where the requirements of Policy DM28 are met. For these reasons, the proposal would also conflict with JDMPD Policy DM5 which protects areas designated as countryside from unsustainable development.

Character and appearance

9. The appeal site is set back from the public highway towards the rear of the adjoining working farmyard. The appeal site barns are situated near the site boundaries and are in close proximity of agricultural buildings at the neighbouring farm. Whilst I understand the sites to be in different land ownerships, the close relationship between the sites and agricultural appearance of the barns gives the appearance that the appeal site forms a part of the farm.
10. The appeal site barns are modern buildings constructed from blockwork with corrugated sheet metal roofs and timber doors. The neighbouring farm includes numerous agricultural buildings, including a large, steel framed barn adjacent to the appeal site boundary. A fence has been erected along sections of the appeal site boundary which serves to provide some separation between the appeal site and farmyard. However, the farm buildings and related stored materials are clearly visible above the height of the fence.
11. Whilst a traditional farmhouse is located toward the front of the farm site, the appearance of the area is dominated by the presence of modern farm buildings and the extensive storage of machinery and materials. Although the proposal

would result in a modest visual improvement of vacant buildings, the proposed residential use of the site would appear out of context with the functional, utilitarian character of the working farm site. The proposal would therefore conflict with JDMPD Policy DM2 and JDMPD Policy DM22 which together require development proposals to maintain or create a sense of place or local character.

External amenity space

12. The site plan shows broadly triangular shaped parcels of undeveloped land at each end of the proposed dwelling but does not illustrate how such areas would be laid out to function as external amenity space. The building has a large footprint, and the proposed dwelling would provide five bedrooms. In the context of its size and likely occupancy rate, the extent of the land surrounding the proposed dwelling appears modest.
13. The appellant's statement suggests that the area to the east of the proposed dwelling exceeds 100sqm. However, part of this land appears to be located behind an existing timber fence. The proposal does not suggest the fence will be removed to provide access to this land, and therefore the accessible external amenity space would be markedly smaller than suggested by the appellant's statement. Although there is potential for the garden space to be enlarged, based on the proposal before me, I therefore consider the available area of external amenity space proportionately inadequate to meet needs of future occupants of this substantial dwelling.
14. In the absence of adequate external amenity space, the proposal would provide poor living conditions for future occupants and would therefore conflict with JDMPD Policy DM22 which requires proposals to not adversely affect residential amenity. In addition, the proposal would not comply with paragraph 130.f) of the National Planning Policy Framework (2021) which requires planning decisions to ensure developments create places with a high standard of amenity for future users.

Other Matters

15. The appellant's statement suggests that central government's introduction of permitted development rights for the conversion of agricultural buildings to dwellings implies that redundant agricultural buildings can contribute to the supply of housing. Whilst the proposal would make a modest contribution to area's housing supply through the addition of one dwelling, this does not outweigh the harm I have identified in respect of the local development strategy, the character and appearance of the area and living conditions, as set out above.

Conclusion

16. For the reasons given above, having assessed the case against the development plan as a whole and having had regard to all other relevant material considerations, I conclude that the appeal should be dismissed.

E Dade

INSPECTOR