



Appeal Decision

Site visit made on 24 May 2023

by S M Holden BSc (Hons) MSc CEng MICE CTPP FCIHT MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 June 2023

Appeal Ref: APP/W3520/W/21/3287635

Land north of Hall Road, Hall Road, Thorndon, Eye IP23 7LU

- 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 Ms Nancie Hood and Mr William John Wallace against the decision of Mid Suffolk District Council.
 - The application Ref DC/21/03513, dated 20 June 2021, was refused by notice dated 17 August 2021.
 - The development proposed is an outline application for 2no. new sustainable dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice gave a single reason for refusing the scheme relating to its effects on the settings of two Grade II listed buildings. However, in March 2022, after the application was determined, the Council 'adopted' the Thorndon Neighbourhood Plan (TNP).
3. In view of the length of time since the appeal was submitted, the main parties were given an additional opportunity to comment on the relevance of the policies in the TNP to the appeal. The Council responded by indicating that it also objects to the principle of development on the site due to its conflict with policies in the TNP. I have taken this response into account in reaching my decision. No further response was received from the appellant.
4. The application was in outline with only access to be determined at this stage. An indicative plan showed how a bungalow and a 1.5 storey dwelling could be accommodated on the site; each served by a separate driveway. Other than the siting of the accesses, I have treated the plan as illustrative.

Main Issues

5. I therefore consider the main issues are whether:
 - a) the appeal site is an appropriate location for a residential development having regard to local and national planning policy for the location of housing;
 - b) the proposal would preserve or enhance the settings of Rose Cottage and Swan Hill Cottage, both of which are Grade II listed buildings.

Reasons

Location

6. The over-arching spatial policy for development within Thorndon is set out in Policy THN1 of the TNP. This states that the area will accommodate development commensurate with the village's designation as a Secondary Village in the adopted Core Strategy and emerging designation as a Hinterland Village in the Joint Local Plan. The focus for new development will be within the settlement boundary as defined by the TNP. Beyond the boundary development will only be permitted where it accords with national and strategic policies.
7. The appeal site is part of an open, undeveloped field immediately beyond the southernmost point of the settlement boundary of the village as defined in the TNP. It is therefore in the countryside for the purposes of planning policy and permitting two dwellings in this location would conflict with Policy THN1. Amongst other things, Policy THN15 d) iii) seeks to protect important views into, out of, and within the village which are shown on the proposals map. One such view is the outlook over the open countryside from Hall Road in the vicinity of the appeal site. By encroaching into the area beyond the settlement boundary the proposal would erode this view to a limited extent.
8. The National Planning Policy Framework (the Framework) sets out its approach to rural housing in paragraphs 78-80. This states that housing developments should reflect local needs and Policy THN2 of the TNP indicates how this will be achieved. It is proposed that around 100 additional dwellings will be provided through a combination of site allocations and support for small 'windfall' sites and infill plots within the settlement boundary.
9. Paragraph 80 of the Framework states that isolated homes in the countryside should be avoided unless a series of five specific circumstances applies. It is not suggested that any of those would be met in this case. The Framework does not specifically refer to settlement boundaries. However, neither does it suggest that a dwelling must be 'isolated' for restrictive policies to apply, nor that defining settlement boundaries is not a suitable policy for directing development towards more appropriate locations whilst protecting the countryside.
10. Paragraph 79 of the Framework encourages rural housing to be located where it would enhance or maintain the vitality of rural communities, especially where this would support local services. The village has a shop and pub which are more than a 15-minute walk away; the primary school is a little closer. However, reaching these facilities would involve walking along narrow, unlit roads which have no footways. This is likely to encourage dependence on the car and there is no guarantee that future occupants would make regular use of the shop or pub. Access to employment opportunities, health and leisure facilities would be further away and more conveniently reached by car, particularly as the nearest bus stops are 0.5 miles to the north of the site.
11. Taking all these factors into consideration I conclude that the proposal would not be a suitable location for a residential development. It would conflict with the TNP policies referred to above. Furthermore, there are no considerations in the Framework to indicate that the scheme would comply with its approach to the provision of housing in rural areas.

Effects on heritage assets

12. The village of Thordon includes a scattering of traditional timber framed buildings dating from medieval and Tudor times. Their significance is derived from their history and architectural interest arising from the buildings' fabric, and their distinguishing features of plastered and colour-washed exteriors under peg-tiled or thatched roofs. Swan Hill Cottage and Rose Cottage are examples of such dwellings dating from the 15th and 17th centuries. Both cottages would originally have been some distance from other buildings and surrounded by the open rural landscape.
13. The contribution Swan Hill Cottage's setting makes to its significance comes from its relationship with the immediate surroundings and location on Hall Road. It sits within its own plot which is well screened by mature vegetation. It now marks the end of development in the village on the eastern side of Hall Road. Its pitched and thatched roof is a prominent feature which can be seen on the approach from the south, especially in winter in the absence of leaf cover. The open land to the south therefore forms part of its setting and makes an important contribution to the entrance into the village. The construction of two dwellings to the south of Swan Hill Cottage would therefore significantly erode the contribution that its setting makes to the village.
14. The setting of Rose Cottage comprises its enclosed garden and the immediately surrounding rural area, which until recently was open and undeveloped. The cottage was previously distinctly separate from other development. It is highly probable historically that its occupants would have been engaged in agricultural work. Rose Cottage had therefore retained its rural surroundings in contrast to other similar buildings which have lost theirs over time as the village has been infilled. However, this gap has now been filled with three dwellings constructed between Rose Cottage and the southern end of the village. I appreciate that this adjacent development has been carefully sited in an attempt to retain Rose Cottage's sense of separation from the village when approaching from the south along Hall Road. Nevertheless, its rural setting has been eroded. Although the roadside boundary of Rose Cottage is mature and views over the fields to the east are limited, this open area contributes to the significance of the dwelling as a rural building with links to the surrounding land.
15. The proposal would introduce buildings and new boundary treatments, including one immediately opposite the existing hedge that separates Rose Cottage from the new development. These would be required to enclose the gardens of the proposed dwellings. Whilst the indicative siting shows an arrangement that would be visually permeable, views through, out of and into the site would be through gardens enclosed by boundary treatments, not yet specified. Even if these comprised hedging and native planting, the views would be completely different from those over open, undeveloped farmland. I consider the combined effects of the dwellings, boundaries and gardens with their associated domestic paraphernalia would further erode this currently open aspect of Rose Cottage's rural setting. This would adversely affect the sense of isolation which its setting currently contributes to its significance.
16. I therefore conclude that the proposal would fail to preserve the settings of Swan Hill Cottage and Rose Cottage, contrary to Policy CS5 of Mid Suffolk Core Strategy 2008, and Policy HB1 of the Mid Suffolk Local Plan, 1998 which seek to protect heritage assets, including their settings.

17. Although in terms of the National Planning Policy Framework (the Framework), this collective harm would be less than substantial, paragraph 202 of the Framework requires me to weigh this harm against the public benefits of the scheme. In this case there would be modest public benefits arising from the provision of two new homes, but this would not outweigh the identified harm, a matter to which I must attach considerable importance and weight in the balance.

Other Matters

18. Planning permission for the development adjacent to Rose Cottage was based on planning policy at the time and the site-specific circumstances of that scheme. Whilst the appeal scheme is close by, its precise relationship with its surroundings is different and planning policy has changed with the 'adoption' of the TNP. Notwithstanding, the appellants' criticisms of the Council's assessment of the current proposal, I have assessed it on its individual planning merits, having regard to the written evidence and current planning policy.

Conclusion

19. The proposal would conflict with the development plan. It would also fail to comply with the Framework's advice to conserve heritage assets in a manner appropriate to their significance. There are no other considerations which indicate that a decision should be taken other than in accordance with the development plan.

20. I therefore conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR