



Appeal Decision

Site visit made on 19 April 2023

by A. J. Boughton MA (IPSD) Dip.Arch. Dip. (Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 06 June 2023

Appeal Ref: APP/W3520/W/22/3305532

Land South of Forest Road, Onehouse, IP14 3HQ

- 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 Harris Strategic Land against the decision of Mid Suffolk District Council.
- The application Ref: DC/21/05063 dated 13 September 2021 was refused by notice dated 20 May 2022.
- The development proposed is Outline planning application for 20 new dwellings (including 7 affordable dwellings, and bungalows); open space; sustainable urban drainage systems; and associated infrastructure, with detailed consent sought for: new access; scale; and layout.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is, having regard to the requirements of local and national policy and the effect of the proposal upon the character and appearance of the Countryside, whether the appeal site is a suitable location for a housing development of the scale and layout proposed.

Reasons

3. The proposed development for 20 dwellings reserves appearance and landscaping for later determination and would occupy the northern part of a large agricultural field adjoining Forest Road, which is the principal route through Onehouse, with a broadly west-east orientation. The proposed site boundaries on the southern edge of the appeal site do not follow any existing features and the proposed developed area would be inset from the western and eastern field boundaries for reasons set out in the submitted plans¹. The development site would therefore be open to views from the south and from the public footpath which runs through the field on its eastern edge but partly screened from Forest Road by a substantial existing hedge, except where the frontage is open where proposed site access and public open space would be located.

¹ Landscape strategy and illustrative masterplan

Policy Context

4. The Council have indicated they consider that the basket of policies referred to in the refusal reason being CS1 and CS2 of the Mid Suffolk Core Strategy Development Plan Document 2008 (CS) and Policy H7 of the Mid Suffolk Local Plan (MSLP) are out-of-date. However, the Framework makes clear that policies should not be considered out-of-date simply because of the date of adoption² and that decision-takers should have regard to the consistency of such policies with the Framework and, in relation to applications for the supply of housing, to the requirements for housing land supply and the housing delivery test³.
5. Policies CS1 and CS2 of the CS, which seek to limit housing in the countryside to defined categories, do so according to a settlement hierarchy that defines Onehouse as a 'secondary village' which is 'unsuitable for growth but capable of accepting infill and local needs...'. These are inconsistent with the broader approach to the location of housing taken in the Framework. However, I have nothing before me that disputes the assertion of the Council as to housing land supply (or housing delivery test) being significantly in excess⁴ of the minima defined by national policy. Consequently, notwithstanding the government objective of 'significantly boosting' the supply of housing, where the circumstances set out in Footnote 8 are not found, as is the case here, I find that the 'tilted balance' described in Paragraph 11(d) of the Framework would not be engaged and the proposal falls to be determined within the ordinary planning balance⁵ but having regard to the limited weight which such inconsistencies attract.
6. Policy H7 of the MSLP seeks to protect 'the existing character and appearance of the Countryside' by strict control over proposals for new housing, stating that new housing will 'normally form part of existing settlements. Whilst the policy is linked to the housing strategy of a development plan framed for past needs I consider the underlying objectives of this policy have a significant degree of consistency with the Framework⁶ which seeks that decisions 'contribute to and enhance the natural environment by.....recognising the intrinsic character and beauty of the countryside' and, thereby, should attract full weight.

Location of proposed development

7. Stowmarket has recently expanded on its western side in the direction of Onehouse, significantly reducing the distance between these settlements. The intervening open space (including the appeal site) does not benefit from the landscape protection or 'gap' designations, however my observations indicate that the appeal site is nevertheless comprised in the rural setting⁷ of Onehouse which contributes to its identity as a separate settlement and to the spatial context of Stowmarket as a 'Town' with discrete smaller settlements in its orbit such as Onehouse.

² Paragraph 219;

³ Footnote 8 in the Framework

⁴ 9 years approximately

⁵ Set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004.

⁶ Paragraph 174

⁷ and out with the settlement boundary

8. A key point of the appellant's submission is that the proposal would not reduce⁸ the space between Onehouse and Stowmarket, with various references to the gap between the Chilton Leys development on the western edge of Stowmarket and the effect of the appeal site upon that. In summary the appellant explains the proposal would 'round off' the settlement rather than extend it in an easterly direction by reference to the existing development found along the north side of Forest Road. The appellant points to a separation distance of around 200m between Onehouse and Stowmarket being unchanged by the proposal. To my mind this approach takes an inappropriately narrow view of the impact of the proposal which denies the nature of the existing development along Forest Road, the scale and appearance of which changes beyond the junction with Northfield Road. What is currently found in the frontage opposite the appeal site is consistently low rise and lower density with a lesser visual or landscape impact than found elsewhere in the village.
9. I note the appellant's submission with respect to landscape which suggests that the impact on the wider landscape would be relatively limited. However, the application does not, in its description of development proposed, set out the proportion of the 20 dwellings which would be bungalows⁹ and I also note the illustrative plan key¹⁰ suggests a significant proportion of enclosures within the layout would be 1.8m high brick walls, as commonly found in the denser configuration of more recently built housing. Although the plan is illustrative, the layout sought to be approved has the characteristic of relatively dense suburban housing due to the much smaller plots than those found nearby. As a single development of likely consistent appearance¹¹, the proposal would be visually incompatible with the informal low-rise character of Forest Road in the area of the appeal site which is suggestive of modest incremental expansion over time rather than a block development of 20 houses. Overall the proposed development would appear as an alien addition, attached to, but not visually integrated with, the existing settlement. This sense of separation would be increased by the frontage screening but also prominent at the wide gap point of access from Forest Road. The dense character of the development would be visually intrusive in the context of any southerly views of open countryside from Forest Road but, more importantly, in views from the south and from the public footpath which runs past the eastern edge of the site.
10. The appellant points to a well-considered draft landscape scheme, but to my mind the visual effects of the proposal would nonetheless be harmful and would not be mitigated by landscaping particularly given the absence of existing screening along its southern perimeter. The proposal would therefore significantly harm the appearance of the area and conflict with Policy H7 of the LP, which seeks to protect the existing character and appearance of the countryside, the proposal therefore would not accord with the development plan as a whole or the relevant parts of National Policy.

Other Matters

11. The appellant disputes the relevance of an appeal decision¹² which was, at the time of the appellant final comments, yet to be determined. That Inquiry

⁸ Or more correctly 'further reduce' as the distance between Onehouse and Stowmarket has been significantly reduced by the latter's westward expansion at Chilton Leys

⁹ The illustrative master plan identifies 2

¹⁰ The symbol used on the plan would intuitively be read as a hedge, but this is contradicted by notes

¹¹ Notwithstanding variety in materials or design which a developer will likely introduce

¹² APP W3520/W/22/3308189 dated 31 March 2023

addressed a number of issues which are not relevant to the matter before me, but my reasoning is consistent with the parts of that decision which are material here.

12. The appellant refers to the benefit of completing the bridleway/pathway into Stowmarket. Whilst this would be a sustainability benefit of the scheme the distance involved is reported at 20m; a minor contribution which would be unlikely to impede the wider purpose of the link and so would not outweigh the harms identified to the character and appearance of the countryside arising from the development which would deliver that benefit.

Conclusion

13. Of the basket of policies identified by the parties, I have concluded that any inconsistency with the Framework found in policies CS1 and CS2 is not determinative of this matter due to the Council's positive housing land supply position. However, I have also concluded that the proposal would cause significant harm to the character and appearance of the Countryside, and this would conflict to a significant degree with Policy H7 of the MSLP which should attract full weight in the circumstances described. Notwithstanding the sustainability of the location proposed for development and other matters presented, given the undisputed evidence of the Council in relation to Housing Land Supply, the social and economic benefits of an additional 20 dwellings would attract limited weight, insufficient to outweigh the harm to the character and appearance of the Countryside I have identified, and consequently, for the reasons given, the appeal cannot succeed.

Andrew Boughton

INSPECTOR