



Appeal Decision

Site visit made on 12 September 2023

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 November 2023

Appeal Ref: APP/F3545/W/23/3315709

Land Off Bull Lane, Pinford End, Hawstead, Suffolk IP29 5NU

- 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 Mrs Lorna Mayes against the decision of West Suffolk Council.
 - The application Ref DC/22/1224/FUL, dated 4 October 2022, was refused by notice dated 5 December 2022.
 - The development proposed is described as holiday let unit including change of use of agricultural land to holiday let use.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description and site location in my banner heading from the Council's Decision Notice and the Appeal form as this more accurately describes the site location and proposed development.
3. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) in September 2023, replacing the version published 20 July 2021. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issues

4. The main issues are:
 - i) whether the site would be an appropriate location for the proposed use having regard to local and national planning policies; and
 - ii) the effect of the proposal upon the character and appearance of the area.

Reasons

Appropriate location

5. The proposal comprises the change of use of the land and the erection of a single storey L-shaped wooden cabin for holiday-let purposes. The appeal site comprises a rectangular parcel of land which currently forms a wider field where an agricultural building is positioned to the southeast corner. The appeal site is set back from the highway and largely screened by substantial landscaping to the frontage boundary.

6. To its northern boundary the site lies adjacent to Pinford End House care home, enclosed by a timber post and rail fence. The surrounding land to the south is characterised by agricultural fields which are interspersed with tree lines and field boundaries. The appeal site lies adjacent to a cluster of dwellings known as Pinford End where properties are situated to the north and north-east of the appeal site, and on the opposite side of Bull Lane to the west of the site. However, the site is located outside of any defined settlement boundary and is therefore within the countryside for planning policy purposes.
7. The proposal is for holiday accommodation and would result in a building that has the facilities required for day-to-day private existence. Although the Council has questioned the use as a holiday-let, no evidence has been produced to cast doubt on the appellant's assertion. The appellant is agreeable to a condition limiting the occupation of the building to holiday use only.
8. Whilst the appellant does not seek permanent residential occupation, the purpose of holiday accommodation is for residential use which can be limited by planning condition. I have therefore assessed the proposal against the housing and tourism policies of the development plan.
9. Policies DM5, DM27 and DM34 of the West Suffolk Forest Heath and St Edmundsbury Local Plan: Joint Development Management Policies Document 2015 (JDMPD) establish the Council's approach to development in the countryside. For residential use Policy DM27 of the JDMPD requires that development is within a closely knit 'cluster' of 10 or more existing dwellings adjacent to or fronting an existing highway or consists of infilling a small undeveloped plot. Policy DM34 of the JDMPD sets out a number of criteria for new tourism facilities to comply with. Amongst others, proposals should be connected to, and associated with, existing facilities and be well related to defined settlements.
10. I acknowledge the cluster of dwellings nearby at Pinford End, however, the appeal site itself comprises an agricultural field which lies adjacent to this cluster, not within it. Nor does the proposal constitute infill development of a small gap. Furthermore, the proposed development would not be connected to, or associated with an existing facility. For these reasons the proposal conflicts with the above policy requirements.
11. The evidence before me suggests that the site is not well served by public transport. I understand that Sicklesmere, which has limited facilities, is accessible by cycle and foot and Bury St Edmunds, which provides access to a broad range of facilities and services, is accessible by cycle. I also understand that there are various public footpaths in the locality. However, future occupants of the holiday-let would be unlikely to walk to those services and facilities due to the distances involved and that access would be via narrow lanes with no footways or lighting. Accordingly, they would most likely be reliant on private vehicles to access shops, tourist attractions, café's etc. In this regard, Policy DM34 states that overnight visitor accommodation should relate *"well to the main urban areas and defined settlements in the area and can be made readily available to adequate public transport, cycling and walking links for the benefit of non-car users"*.
12. I therefore conclude that the proposed use would not be in an appropriate location having regard to local and national planning policies. Accordingly, I find conflict with Policies DM5, DM27 and DM34 of the JDMPD which amongst

others, requires development proposals to be well-related to the main urban areas and defined settlements and connected to, and associated with, existing facilities at a site.

Character and appearance

13. Policy DM34 of the JDMPD states that development in rural areas must not have a significant impact on the character and appearance of the landscape and countryside. Under this policy proposals must be connected to and associated with existing facilities, or else located at a site which relates well to the main urban areas.
14. The appeal site is an agricultural field. Despite the presence of landscaping, the encroachment into the field, beyond the established pattern of development, would appear discordant with the existing pattern of built form in the locality. Garden depths vary along Bull Lane; however, dwellings generally have deep plots set back from the highway with an active frontage. The appeal site comprises a shallow plot of modest size with no road frontage which would not reflect the pattern of existing development in the locality. The proposed development would urbanise the land, and would not sit comfortably within the established character. Accordingly, the proposed development would have an adverse impact upon the character and appearance of the countryside.
15. Although two-storey dwellings are predominant in the immediate vicinity of the appeal site, the properties vary in terms of their scale, design and external appearance. The appellant has drawn my attention to the built development within close proximity to the appeal site, however, this relates to agricultural development and is not comparable to the proposal before me. Although the proposed building would be simple in form and design, using contextually complementary external materials and colours, these factors would not be sufficient to mitigate its harmful effect as identified above.
16. For the reasons outlined above, I conclude that the proposed development would significantly harm the character and appearance of the area. Accordingly, I find conflict with Policies DM5 and DM34 of the JDMPD which amongst others require development to preserve the openness, appearance and character of the countryside. I also find conflict with Policies DM2, DM27 and CS3 of the JDMPD which collectively require development to conserve and where possible enhance the character and local distinctiveness of the area. I also find conflict with the Framework insofar as the proposed development would cause harm to the intrinsic character and beauty of the countryside.

Other Matters

17. Subject to the imposition of conditions, the proposal would satisfy elements of the development plan policies in respect of highway and biodiversity interests. However, a lack of harm in these respects are neutral factors in the determination of this appeal.
18. The appellant has drawn my attention to a tourism site under development to the southeast of the appeal site¹. At my site visit, I observed a bell tent, however, based on the limited evidence before me, the form of development differs, and I am unable to make any meaningful comparisons in terms of character and appearance. With regard to accessibility, that site was not

¹ DC/22/1349/FUL

required to be assessed against policies for new residential development in the countryside. In any case, I come to my own view on the appeal development based on the submitted evidence and my observations on site.

19. The proposed development would provide for a holiday-let, which would increase the availability, and choice, of holiday accommodation in the area. Furthermore, its construction and use would contribute to the local tourism industry and the local economy which is supported by the Framework. Nevertheless, given the limited size of the proposal, these benefits would be modest and not sufficient to outweigh the harm identified.

Conclusion

20. I have identified that the proposal would not be in an appropriate location and would harm the character and appearance of the surrounding area which would conflict with the policies of the development plan and the Framework. Although the proposal may comply with other policies, it would conflict with the development plan as a whole. There are no other considerations, including the Framework, that outweigh this conflict. For the reasons given above, I conclude that the appeal should be dismissed.

R. Gee

INSPECTOR