



Appeal Decision

Site visit made on 1 May 2024

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 June 2024

Appeal Ref: APP/X3540/W/23/3329954

Former Dairy Unit, Grove Road, Hollesley IP12 3BF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs B Crick against the decision of East Suffolk Council.
 - The application Ref is DC/23/2523/FUL.
 - The development proposed is conversion of agricultural building to a dwelling and removal of silage clamp.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In December 2023, a revised version of the National Planning Policy Framework (the Framework) was published. I have had regard to the revised Framework insofar as it is relevant to this appeal.

Main Issue

3. The main issue is whether the proposal would constitute an appropriate building conversion within the countryside.

Reasons

4. The site is located outside of a settlement and within the countryside with coastline located nearby. The site is also within the Suffolk and Essex Coast and Heaths National Landscape (NL) which was formerly known as an Area of Outstanding Natural Beauty.
5. Policy SCLP5.3 of the Suffolk Coastal Local Plan (LP) sets out the particular forms of housing development that are acceptable within the countryside. Relevant to the conversion proposed is criterion (e) which supports the conversion of an existing building for housing where in accordance with policy SCLP5.5. Policy SCLP5.5 sets out that such conversions will be permitted where a suite of criteria are met. This includes criterion (b) which requires that the building sought for conversion makes a positive contribution to the landscape.
6. The Council's Historic Environment Supplementary Planning Document provides further guidance on criterion (b). It states that an assessment should be made of the importance of the building in relation to the landscape and how much the building adds to the landscape's visual attraction.
7. As a whole, the NL is a gently rolling landscape which encompasses coastline, estuaries, marshes and lowland heath. Much of it is farmland interspersed with villages and small seaside towns.

8. Important components of the local landscape character are derived from the presence of coastal marshes which provide for an expansive landscape with a strong sense of openness and solitude. However, and reflective of the NL as a whole, it is also a farmed landscape with its dispersed pattern of farmsteads reflecting this land-use.
9. The building proposed for conversion is redundant. It previously housed bulls. It is single storey, quite modestly sized and is simply designed. As an agricultural building its form and appearance follows its intended function, and it is, therefore, quite utilitarian in appearance.
10. The building is part of a wider building group which includes two houses to the north and a number of former agricultural buildings to the east which, in recent years, have been the subject of conversion for business purposes. Given their former and present functions, the buildings to the east also have a quite utilitarian character. There are existing trees and hedgerows on the edges of the building group which partly screen and filter views of it from surrounding land.
11. As an agricultural building, the former bull house is reflective of the area and, thereby, not out of place. However, given its scale and appearance, the presence of larger neighbouring buildings within the building group beside it and existing planting, I find that the former bull house sits very quietly in the landscape. Consequently, it does not add to the visual attraction of the landscape nor does it have an important or beneficial role in breaking up the mass of the building group as a whole. The building's effects upon the landscape are neutral, not positive.
12. Conversion of the existing building would bring with it associated repairs and alterations. A further functional structure, the northern silage clamp, would be demolished with landscaping proposed in its place. I accept that these works would tidy up the building and site to a degree. However, given the site is unobtrusive in the area and landscape, the enhancing effects to the setting of the area would be very modest and very localised.
13. I acknowledge that the host building provides evidence of the former prison farm. However, it has not been shown to me that it is of any particular historical significance within the landscape. Furthermore, although I am dismissing the appeal for the proposed conversion, it does not follow that the building need be lost. Although it is put to me that the building could not practically be re-used for business purposes, the evidence supporting this is not compelling.
14. For the above reasons, I find that the former bull house does not make a positive contribution to the landscape. As a result, the proposal conflicts with policies SCLP5.3 and SCLP5.5 of the LP which, together, permit the conversion of buildings in the countryside for housing where certain criteria are met, including that the building makes a positive contribution to the landscape. The proposal also conflicts with LP policies SCLP3.2 and SCLP3.3 which set out that windfall development in the countryside should come forward where in accordance with other development plan policies, which would not be the case here. Consequently, the proposal would not constitute an appropriate building conversion within the countryside.

15. In coming to this view, I am mindful of the duties imposed upon me to seek to further the purposes of the NL designation, which includes conserving and enhancing its natural beauty. Great weight is placed upon the conservation and enhancement of national landscapes within the Framework as well. Given my conclusions on the host building's contribution to the landscape and the effects of the development works, in dismissing the appeal, the NL would be conserved and enhancement of it would not be prevented.

Other Matters

16. The development would make a contribution to housing supply and provide a choice of new homes in the area. As a small site, it is likely that the development would be delivered quite quickly too. However, in providing only a single dwelling, the contribution to supply would be very modest. The evidence before me indicates to me that ecological habitats and biodiversity would be protected and, indeed, some enhancement achieved. These are each benefits of the proposal, however, they are insufficient to outweigh the harm which would result from the development plan policy conflicts I have identified in the main issue.
17. Potentially, the adjacent business units could provide convenient employment opportunities for the prospective occupiers of the proposed dwelling. However, the site is divorced from Hollesley and even further removed from Woodbridge. The road from which the site is accessed is a winding country lane and it is not served by footpaths. This would be likely to deter some pedestrians. I have no substantive evidence before me which indicates to me that the site is conveniently served by buses.
18. Therefore, in order to access the typical range of services that the future occupiers of the proposed development would be likely to require frequently, I expect trips to various settlements in the area would be necessary and this would involve the future occupiers travelling quite far. Future occupiers would be likely to be heavily reliant on the use of a private motor vehicle. These accessibility credentials do not weigh in favour of the proposal. The vehicular access arrangements proposed may themselves be safe and acceptable, but this is a neutral factor in my determination, and also does not weigh in the proposal's favour.
19. The appellant draws to my attention some past appeal decisions at Dotterell Farm Barns and at Manor Farm Barns. In those cases, Inspectors concluded that those proposals were acceptable despite the future occupiers of those developments being likely to be heavily reliant on private motor vehicles. However, the full details of those schemes are not before me. Therefore, I cannot be certain the circumstances are very comparable to the appeal before me, and I must consider the appeal proposal on its own merits. As such, the weight I afford to the cited cases in my decision is very limited.
20. The appellant refers to the permitted development rights afforded by Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which relates to the change of use of agricultural buildings to dwellings. The statutory requirements relating to the lighter touch prior approval procedure are, deliberately, much less prescriptive than those relating to planning applications.

21. However, the permitted development right cannot be exercised in this case. As such, the right afforded by Class Q does not represent a real alternative prospect to deliver the development proposed. Accordingly, it also does not provide a fallback position of any meaningful weight. In this case, planning permission has been applied for, and the lighter touch prior approval procedure does not apply. Amongst other matters, it is appropriate to consider whether the proposal would constitute an acceptable building conversion within the countryside having regard to relevant development plan policies.
22. The Council partly refused the planning application on the basis that the development would be likely to result in additional recreational pressure which could adversely affect the integrity of nearby Habitats Sites. In doing so, amongst other matters, the Council referenced LP policy SCLP10.1.
23. To avoid such adverse effects, both appeal parties refer to a financial contribution having being made towards forms of recreational disturbance avoidance and mitigation. If I were minded to allow the appeal, I would need to be satisfied that the proposal would have no adverse effects on the integrity of the Habitats Sites. As I am dismissing the appeal, there is no requirement for me to undertake this assessment. Even if I were to conclude that no such adverse effects would be caused by the development it would, at most, be a neutral factor in this appeal.

Conclusion

24. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

H Jones

INSPECTOR