



Appeal Decision

Site visit made on 8 October 2024

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 28th October 2024

Appeal Ref: APP/D3505/W/24/3337936

Land Rear of Foxgloves Fen Lane, Hitcham, Ipswich, Suffolk IP7 7NL

- 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 Mark Bridger against the decision of Babergh District Council.
 - The application Ref is DC/23/04629.
 - The development proposed is conversion and alteration of existing workshop building to form 1no residential dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- i) The effect of the proposal on the character and appearance of the area; and
- ii) Whether the proposal would provide an adequate standard of living conditions for future and nearby residential occupiers.

Reasons

Character and appearance

3. The appeal relates to a linear parcel of land, with single storey workshop building, to the side and rear of the Foxgloves. The Foxgloves is one of a few detached dwellings forming a short ribbon to the north of Fen Lane. Dwellings are set in large mature plots and separated from the narrow rural road by well vegetated boundaries including hedgerows and trees. The group is surrounded by undeveloped countryside and widely separated from the village of Hitcham. Access to the appeal site is via an existing vehicular access along the side boundary of the Foxgloves and that serves horse grazing land, stables and store building, and manege (planning permission ref DC/23/00562).
4. The workshop comprises a mix of blockwork and brick, with areas of render, and a variety of openings with some internally boarded while others have been fitted with modern uPVC windows and door. It is a utilitarian building without architectural merit. Alterations would include replacing the flat roof with a pitched roof and timber cladding to the elevations. There would be parking for 3 vehicles to the side of the dwelling, replacing a dilapidated open-fronted structure. The treatment of the building would enhance its appearance.
5. That being said, the appeal site is not an infill plot between dwellings. By virtue of its size and siting, the narrow linear plot would be out of scale and

out of keeping with the prevailing pattern of large residential plots with road frontages. The backland siting and layout of the dwelling would be out of keeping with neighbouring dwellings. The proposal would be poorly related to the surrounding residential built environment. Irrespective of its appearance and that the dwelling would not be unduly prominent from the road, the proposal would be a discordant form of development that would detract from local distinctiveness and sense of place.

6. My attention has been drawn to backland development in Hitcham. However, residential development in the more urban and densely developed context of the settlement is not directly comparable to the proposal and its rural surrounding context. Moreover, different planning policies would apply. Dwellings in Hitcham do not provide a justification for the proposal. Notwithstanding that converted rural buildings may be located where new residential development would otherwise be unacceptable or undesirable, each case must be considered on its individual merits.
7. Therefore, I conclude that the proposal would harm the character and appearance of the area. It would conflict with policies LP04 and LP24 of the Babergh and Mid Suffolk Joint Local Plan Adopted November 2023. These require, among other things, that proposals should respond positively to the surrounding context and character and appearance of the area. It would also conflict with the aims of the National Planning Policy Framework (the Framework) in relation to creating well-designed places that add to the overall quality of the area, being sympathetic to the surrounding built environment and landscape setting and maintaining a strong sense of place.

Living conditions

8. The dwelling and its garden would be located close to the side boundary with Long Acres. There is a large livestock shed and animal feed store on the neighbours' land in close proximity to the shared boundary and the proposed garden. To the other side, the garden would be bounded by the access to the land, workshops, stables, hardstanding and manege to the rear.
9. Future occupiers would be disturbed by noise, lighting and potentially livestock odour arising from the adjacent workshop and equestrian uses and activity. They would also be disturbed by vehicles travelling to and from the workshops and equestrian facilities and using the gated access close to the dwelling and private outdoor space, due to the stopping and starting of vehicles, the idling of engines and the slamming of vehicle doors. The adjacent uses would be detrimental to the living conditions of future occupiers. The neighbours' livestock shed would also likely be a source of noise and odour.
10. The access from Fen Lane is narrow and it runs the length of the side boundary to Foxgloves. There is apparently no restriction on the hours of use of, or associated vehicle movements with, the land and buildings to the rear of Foxgloves. In this regard, the neighbour representations indicate that the access is already used on a frequent and regular basis. The comings and goings of future residents, who would be heavily reliant on private vehicle journeys, together with their private and commercial visitors, would result in increased traffic along Fen Lane and the access. The additional traffic, noise and light disturbance, in close proximity to Foxgloves and its garden would result in cumulative adverse impacts on the neighbours.

11. The stables, workshops and manege to the rear are in the ownership of the appellant but they are not in the appeal site. There would be little guarantee that the dwelling would remain in the same ownership as the adjoining land and buildings in future. While the stables are in private rather than commercial use, that would not preclude adverse impacts on future occupiers, taking into account the proximity of the adjoining workshop and equestrian uses.
12. Therefore, I conclude that the proposal would not provide an adequate standard of living conditions and residential amenity for future occupiers and neighbouring residential occupiers. In this regard, it would conflict with the residential amenity aims of JLP policies LP04 and LP24. It would also conflict with the aims of the Framework in relation to creating places with a high standard of amenity for existing and future users.

Other Considerations

13. The Council can demonstrate a 5 year supply of deliverable housing sites. One small dwelling would make a negligible contribution in terms of the government's objective of significantly boosting the supply of homes. There would be limited economic benefits during construction and limited economic and social benefits during future occupation, taking into account the rural location and the distance to services and facilities. These matters carry little weight in favour of the scheme.
14. The application form indicates the proposal would be self-build and custom build housing. However, there is little evidence that it would meet an identified demand for such, for the purposes of the relevant legislation. Moreover, I am not aware of any robust mechanism, such as a planning obligation, to secure the proposal as self-build and custom build housing. This matter carries little weight in favour of the proposal.
15. The workshop was previously in hobby use by the appellant's father and it has only relatively recently been refurbished and weather-proofed. However, while the proposal might be the development of an under-utilised building, the workshop is of no architectural merit such as would warrant its conservation and the proposal would not help meet an identified need for housing where land supply is constrained. The redundant status of the workshop carries little weight in favour of housing development.

Conclusion

16. For the reasons set out above, I conclude the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
17. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR