



Appeal Decision

Site visit made on 4 August 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 August 2025

Appeal Ref: APP/F3545/W/25/3363650

Pheasant House, Mill Road, Great Barton, Suffolk IP31 2QQ

- 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 Stapleton against the decision of West Suffolk Council.
 - The application Ref is DC/24/0638/FUL.
 - The development proposed is described as replacement dwelling. Demolish existing dwelling and form new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the appeal the West Suffolk Local Plan 2025 (LP) was adopted by the Council. The Council has subsequently provided details of those relevant development plan policies, and the appellant has had an opportunity to comment on them and so has not been prejudiced. I will duly refer to the new policies in the determination of this appeal.

Main Issues

3. The main issues are:
 - whether the proposal would accord with the relevant development plan policies concerning housing in the countryside, having regard to its effect on the character and appearance of the area;
 - the effect of the proposal on the potential heritage status of Pheasant House;
 - the effect of the proposal on protected species, with particular regard to bats.

Reasons

Housing in the countryside

4. The site is not located within a settlement boundary, and it lies within the countryside for the purposes of planning policy. LP Policy SP21 requires that replacement dwellings in the countryside respect the scale and floor area of the existing dwelling.
5. The appeal site is a large parcel of land which is accessed via a long and narrow track off Mill Road. The surrounding area has a distinct rural character, with agricultural fields, blocks of woodland, as well as paddocks. In the vicinity of the

- site, there is limited development along Mill Road, and the road generally has an open aspect since it is bordered by limited vegetation.
6. The appeal site comprises a one and a half storey detached dwelling. It is a wide building with limited depth, with a traditional appearance and externally finished in render, red brick and stone to the walls, red clay plain tiles to the pitched roofs and brick chimney stacks. The siting of the dwelling set back from Mill Road, in combination with its modest scale, height, and relatively low profile, limits its presence in long distance views from Mill Road.
 7. The plans show that the existing dwelling, has a simple footprint with a single room layout arranged in a linear shape. The internal floorspace, albeit split across two levels, does not appear substantial. The Council advances that the existing dwelling has an internal floorspace of approximately 180m². While this does not align with the figure provided within the Design and Access Statement (DAS), it is not clear from the DAS what is the floorspace of the existing house. As such, in this instance, I have taken the floorspace figure provided by the Council.
 8. By contrast, the DAS advises that the proposal would have an internal floorspace of some 448m². While this differs from the Council's figure, which is some 525m² including the attached garage, the proposal would in any case result in a significant increase in terms of floorspace. As such, while LP Policy SP21 does not refer to any limits in terms of increased floorspace, the proposal would be sizeable and therefore fail to respect the floorspace of the existing dwelling.
 9. The proposed replacement dwelling would appear grand in design, with front and rear projecting gables, as well as a linked front garage with roof accommodation. From the submitted plans it is clear the new dwelling would stand taller and would be larger in bulk and mass than the existing dwelling it seeks to replace. Moreover, as shown on the proposed block plan, the footprint of the new dwelling would be significant and, given its overall width, depth and spread, the proposal would occupy a greater proportion of the site. Given such, the proposal would not respect the scale of the existing dwelling.
 10. While the proposed dwelling would be sited further back within the site, the increase in scale and height would result in a building which would be more prominent within the surrounding landscape, and this would be noticeable in long distance views from Mill Road. The existing vegetation would fail to provide adequate screening given the height and bulk of the proposal. Further, the scale would be markedly at odds with the nearby dwellings, which in general are not so large. As such, the proposal would fail to enhance the countryside setting and would not sit comfortably within its surrounding context.
 11. The proposal would be harmful to the character and appearance of the area. The scheme would therefore be contrary to LP Policies SP21, SP4 and LP9, which among other things seek to ensure that new development contributes to a high-quality environment by anchoring proposals within their immediate and local contexts, thereby maintaining or enhancing a sense of place and local character. They also require careful consideration of density, scale, height, and massing.

Potential heritage status

12. The proposal would result in the demolition of the Pheasant House. The Council sets out some considerations that highlight features of the building which are

worthy of heritage consideration. The Council indicates that the building is shown on early OS maps and dates 19th century as a minimum. Early OS maps also indicate the building was formerly two dwellings so each would have had their own staircase which may relate to the location of the ones which exist today. The presence of chimneys suggests a former bakehouse or washhouse. Given such, while the building does not appear to be identified on any local list, I cannot exclude that it has some characteristics that could contribute to it being considered a Non-Designated Heritage Asset (NDHA).

13. Notwithstanding the most recent listed building survey in Suffolk, the Planning Practice Guidance provides advice on the process that should be followed when identifying a NDHA and states that, in some cases, NDHAs may be identified during the application process.
14. The current application was not accompanied by any assessment of historical significance. As such, the significance of the building is not known. In the absence of such information, and adopting the precautionary approach, I am not satisfied that the demolition of the building would be acceptable.
15. In the absence of robust evidence, it has not been demonstrated that the effect of the proposal on the potential heritage status of Pheasant House would be acceptable. Consequently, the proposal would be contrary to LP Policy LP36, which seeks to protect built non-designated heritage assets.

Protected species

16. The Bat Survey Report dated September 2021 found the dwelling had moderate potential to support roosting bats, which triggered a requirement for bat activity surveys comprising two roost emergence surveys to be undertaken at the property. However, the results of these surveys did not record any bats emerging from the building and therefore it was concluded that bats were not roosting in the building.
17. A third bat survey was carried out in July 2024, and the results are presented within the Bat Survey Report dated 2024. The survey did not confirm any bats emerging from the building. As such, it is reasonable to conclude that there were no significant bat roosts within the building.
18. The bat survey response provided with the appeal confirms that there was no increase in potential roost features from the original assessment carried out in 2021. In addition, while the 2021 surveys are over two years old, the information collected is not invalid and, taken together with the 2024 survey, it is reasonable to downgrade the building to low potential category. The Council has not submitted compelling evidence to demonstrate otherwise.
19. For low potential buildings, bat survey guidance requires a single survey, and this was undertaken in July 2024. Therefore, the combined surveys on this building are satisfactory to conclude that it is unlikely roosting bats are present.
20. The proposal would not have a harmful effect on protected species, with particular regard to bats. It would accord with LP Policies LP13 and SP9, which among other things seek to protect biodiversity.

Other Matters

21. The position of the new dwelling would allow vehicular access to the front of the house rather than to the side and rear element as present. However, I am not persuaded that the proposal before me is the sole means to achieve this.

Other Considerations

22. My attention is drawn to two planning permissions that have been granted, relating to a part two storey and part single storey rear extension¹ and three bay detached garage and store² at the appeal site. Only the permission for the detached garage remains extant.
23. The appellant calculates that the proposed development would have lesser floorspace than the fallback scenario. While this may be the case, the detached garage would be single storey and located at some distance from the host dwelling, which limits its influence in terms of the floorspace of the host dwelling. The rear extension, despite increasing the floor space of the host would respect its overall height. As such, I find that these approved developments would respect the scale and floor area of the existing dwelling. Therefore, even with the fallback schemes, the general character of Pheasant House would be retained, including its height, and views from Mill Road towards the building would not significantly change. On the other hand, the proposed development would be more prominent and therefore would not cause less harm than the fallback position.

Planning Balance

24. I have had due regard to the Public Sector Equality Duty (PSED) set out under Section 149 of the Equality Act 2010. I am also mindful that everyone has the right to respect for their private and family life under Article (8) of the Human Rights Act. Furthermore, the United Nations Convention on the Rights of the Child provides in Article 3(1) that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
25. In this case, the best interests of the children would be to have a more functional internal layout and a living environment that would meet their needs. However, in the absence of compelling evidence to demonstrate that this proposal is the sole means to achieve this, I give moderate weight to the children's best interests. I have kept such interests at the forefront of my mind, and assessed whether an adverse impact of any decision on the interests of the children is justified and proportionate.
26. In weighing the personal circumstances in the balance, this has to be considered against the harm associated with the proposal. I have found that the scheme would fail to accord with the relevant development plan policies concerning housing in the countryside, having regard to its effect on the character and appearance of the area and it has not been demonstrated that the proposal's effect on the potential heritage status of Pheasant House would be acceptable. This carries significant weight against the proposal.

¹ LPA Ref: DC/21/2185/HH

² LPA Ref: DC/21/2437/HH

27. Given the weight I have afforded to these matters, including the interests of the children, it seems sufficiently clear that they do not outweigh the harm associated with the proposal that I have identified. My actions in this respect, and my decision therefore on the appeal, are a proportionate response to the requirements of the Act and those of the plan led system.
28. Dismissing the appeal would interfere with the appellant's rights under Article 8, since the consequence might be that this replacement dwelling that would better respond to the appellant's needs would not be constructed. This is a qualified right, whereby interference may be justified in the public interest, but the concept of proportionality is crucial.
29. However, the interference would be in accordance with the law and in pursuance of a legitimate aim which is the regulation of the development of land in the public interest through the planning process. Given the circumstances overall, I find that dismissal of the appeal is both proportionate and necessary.

Conclusion

30. 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. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR