



Appeal Decision

Site visit made on 11 August 2020

by Philip Lewis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2020

Appeal Ref: APP/F3545/W/20/3245658

Land north of Green Acre, Thetford Road, Ixworth Thorpe IP31 1QH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full and outline planning permission.
 - The appeal is made by Frederick Hiam Ltd against the decision of West Suffolk Council.
 - The application Ref DC/18/0544/HYB, dated 21 March 2018, was refused by notice dated 4 December 2019.
 - The development proposed was originally described as 'erection of five dwellings (three existing dwellings to be demolished)'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The description of development in the heading above is taken from the submitted application form. Written confirmation has been provided that the description of development was changed to 'Hybrid Planning Application - (i) Full Planning permission - Demolition of 3no. existing dwellings and (ii) Outline Planning Application (Means of Access to be considered) - for up to 5no. Dwellings'. The Council dealt with the application on that basis and so shall I
3. Full planning permission is sought for the demolition of the existing dwellings, and outline permission is sought for up to 5 dwellings, with all matters reserved except for access. The submitted plans show the site access would be taken off an upgraded existing access. A site layout and indicative elevations plans have also been provided. I have had regard to these solely on an indicative basis in respect of the reserved matters.

Main Issues

4. The main issues for the appeal are:
 - Whether the proposed dwellings would be in a suitable location having regard to policies for housing development in rural areas;
 - Whether occupants of the proposed development would have reasonable access to shops and services; and
 - The effect of the proposal on the character and appearance of the area.

Reasons

Housing in rural areas

5. Policy CS4 of the St Edmundsbury Core Strategy (CS) (December 2010) sets the settlement hierarchy for the plan area. In terms of Policy CS4, Ixworth Thorpe is within the countryside. CS Policy CS13 is concerned with Rural Areas and states that development outside the settlements defined in Policy CS4 will be strictly controlled, with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside while promoting sustainable diversification of the rural economy.
6. The Joint Development Management Policies Document (JDMPD) (February 2015) Policy DM5 is concerned with development in the countryside, and includes, amongst other things, that areas designated as countryside will be protected from unsustainable development. The Policy sets out the circumstances where new or extended buildings would be permitted which include amongst other circumstances, a dwelling for a key worker, small scale residential development of an undeveloped plot as per Policy DM27 and the replacement of a dwelling on a one for one basis.
7. JDMPD Policy DM27 is concerned with housing in the countryside and sets out that proposals for new dwellings in the countryside will be permitted subject to criteria. These are that the development is in a closely knit cluster of 10 or more existing dwellings adjacent to or fronting an existing highway, and that the scale of development consists of infilling a small undeveloped plot by one dwelling or a pair of semi-detached dwellings commensurate with the scale and character of existing dwellings within an otherwise continuous built up frontage. The Policy also includes that permission will not be granted where a proposal harms or undermines a visually important gap that contributes to the character and distinctiveness of the rural scene. The policy defines a small undeveloped plot as being one which could be filled by one detached or a pair of semi-detached dwellings where the plot sizes and spacing between dwellings is similar to adjacent properties and thereby respects the rural character and street scene of the locality.
8. The appellant asserts that JDMPD Policies DM5 and DM27 are out of date and inconsistent with paragraph 78 of the National Planning Policy Framework (the Framework), which is concerned with the promotion of sustainable development in rural areas, including that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. I am satisfied that Policies DM5 and DM27, in setting out circumstances where development will be allowed in the countryside, do allow for housing in rural areas where it would enhance or maintain the vitality of rural communities. Indeed, this is acknowledged in paragraph 5.16 of the JDMPD. Whilst the JDMPD was examined against the provisions of the Framework 2012, I nevertheless find these policies consistent with the current Framework and in terms of paragraph 11 of the Framework, they are not out of date.
9. The appeal proposal which would provide a net gain of up to 2 dwellings, would be situated in the countryside where development is strictly controlled and subject to JDMPD Policies DM5 and DM27. The proposed development does not meet any of the defined circumstances for development in the countryside as set out in Policy DM5 and therefore conflicts with that Policy. I saw at my site

visit that the appeal site is not situated within a closely knit cluster of 10 or more dwellings. Rather, Ixworth Thorpe consists of a number of dwellings in a dispersed pattern, with significant gaps between individual and groups of dwellings. The appeal site, consisting of the 3 existing dwellings and an area of open land, does not constitute a small undeveloped plot and the proposal conflicts with Policy DM27.

10. To conclude on this matter, the proposal is not in a suitable location having regard to policies for housing development in rural areas, and of the development plan policies cited by the Council it is contrary to JDMPD Policies DM5, DM27 and to Policy DM33 which is concerned with the re-use or replacement of buildings in the countryside and to CS Policies CS4 and CS13.

Access to shops and services

11. Given the limited services, facilities and employment provision at the settlement, residents of Ixworth Thorpe are likely to have to travel to meet everyday needs. Whilst I have regard to the evidence concerning the level of development which has taken place in the village in the past 25 years, I agree that a net increase in dwellings would help to support services and facilities in the area consistent with paragraph 78 of the Framework. However, any such benefits would be very limited given the net increase in dwellings proposed. The lack of footways linking Ixworth Thorpe with services and facilities at RAF Honington, Bardwell and Ixworth, where a wider range of services and facilities are available, means that there is likely to be a dependence upon the private car for the occupiers of the proposed development. The proposal would not therefore be a form of sustainable development envisaged in JDMPD Policy DM5 and CS Policy CS2 which is concerned with sustainable development.

Character and appearance

12. I saw at my site visit that Ixworth Thorpe is a small settlement, consisting of scattered groups of dwellings within a countryside setting. I observed that the settlement has an open and spacious rural character. The appeal site consists of a modest terrace of 3 cottages which are proposed to be demolished, their front gardens and an area of open grassed land, through which access would be made.
13. Whilst the application for the new dwellings is in outline with all matters reserved except for access, the indicative plans show dwellings laid out across the frontage of the site. Although layout is one of the reserved matters and the plans are indicative in this regard, having regard to the position of the proposed access, the extent of the site proposed and the amount of development, the proposed development would increase the developed area of the village along the road in a form which would not be reflective of the loose grained settlement pattern.
14. The appeal scheme would also erode the openness of the settlement through the development of the open grassed area and front gardens of the dwellings to be demolished. Whilst there are existing hedges which it is suggested are to be retained, this loss of openness would nevertheless harm the character and appearance of the area.
15. The proposal would harm the character and appearance of the area, contrary to JDMPD Policy DM2 which sets development principles including, amongst other

things, that development recognises and addresses key features, characteristics and local distinctiveness and Policy DM13 which includes that development proposals should demonstrate their location, scale, design and materials, will protect, and where possible enhance the character of the landscape including the setting of settlements and the significance of gaps between them. It is also contrary to CS Policy CS3 which is concerned with design and local distinctiveness.

Other matters

16. Reports of ecological survey work submitted by the appellant has confirmed that two species of bat; Brown Long-eared and Common Pipistrelle are using the existing dwellings to roost, whilst a number of other bat species were recorded in the area. The appeal proposal would involve the complete demolition of the existing dwellings and a full mitigation package would be required with a Natural England licence. However, as I am dismissing the appeal for other reasons, I will not consider this matter further.
17. I have taken into account that the proposal seeks to replace a number of dwellings in poor structural condition which it is said would not be viable to upgrade, with ones of greater energy efficiency. I also acknowledge that the Council had previously resolved to grant planning permission for the scheme. However, these matters do not lead me to a different decision.
18. The appellant has referred to several appeal decisions¹ where Inspectors allowed development schemes in the countryside despite there being conflict with development plan policies for development in the countryside. Whilst I do not have the same information which was before those Inspectors, even if the circumstances were similar, given the harm found in this case, those decisions would not lead me to a different conclusion.

Conclusion

19. For the reasons stated and having considered all matters raised, I conclude that the appeal should be dismissed.

Philip Lewis

INSPECTOR

¹ APP/E3525/W/15/3139957, APP/E3525/W/16/3145915