
Appeal Decision

Site visit made on 21 April 2016

by D J Board BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 June 2016

Appeal Ref: APP/T3535/W/16/3142406

Pakefield Hall, London Road, Gisleham, Lowestoft, Suffolk, NR33 7PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr + Mrs Julian + Marion Shoebridge against the decision of Waveney District Council.
 - The application Ref DC/15/0811/OUT, dated 17 February 2015, was refused by notice dated 16 July 2015.
 - The development proposed is extension of existing buildings to create 20 no dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline, with all of the detailed matters reserved for future consideration. I have therefore treated plan 1502:64:01 as indicative and dealt with the appeal on that basis.

Main Issues

3. The main issues are whether the site is suitable for housing and the effect of the proposal on the character and appearance of the area.

Reasons

4. Development should be determined in accordance with the development plan unless material considerations indicate otherwise. Policy CS01 of the Waveney Core Strategy (CS) sets out that outside of the locations identified development will be regarded as being in the open countryside and will be restricted to specific types. CS policy CS11 identifies housing provision in the district and again it adds that outside larger villages housing will be restricted to certain specified types suitable to a rural area. More specifically Development Management (DM) policy DM22 sets out that housing will not be permitted in the open countryside unless for agriculture, forestry or certain other specific purposes.
5. There is no dispute that the site is located within the countryside. The proposal would not represent '*...infilling of a small gap in an otherwise built-up frontage by no more than two dwellings...*' nor would it be a proposal for the relocation and replacement of a dwelling affected by coastal erosion. However, the appellants submit that the other two elements of DM22 are applicable to the proposal and I consider each of these in turn.

6. The first point relates to the provision of affordable housing. The policy requires this to be justified in terms of need and be well related to an existing settlement. The appellants refer to the high level of housing need in the district and the need for low cost homes. The Council's statement does not dispute that this is the case. However, the information is not specific regarding the dwelling type or tenure. Furthermore, the Council report also refers to the second strand of this element of the policy which requires the building to be well related to an existing settlement and have access to local services and facilities or close to a regular public transport service to a town or larger village.
7. Unlike other allowed schemes referred to by the appellants the site is not adjacent to the physical limit boundaries. It is located between Lowestoft and Kessingland. It is accessed from the A12 and there is a footway up to the nearby roundabout. There is a bus stop on the A12. The industrial areas and its services would be accessible on foot or by bike and the public transport could provide onward connection to other local services and facilities. However, I do not have any information regarding the frequency of the service.
8. The strand of the policy which refers to the conversion of rural buildings contains a series of criteria. The appellants have provided a list of what has been done to seek a suitable commercial reuse for the buildings since 2006. However, this list does not provide substantive detail on this matter. In addition, for the reasons previously given, there is no detailed information regarding the frequency of public transport. The building is not a historic asset but it is not without architectural merit and I note that the footprint would not be increased. However, the submission indicates that to accommodate 20 units the roof would have to be raised in height on some of the buildings. In my view this would go beyond minimal or the least possible alterations. Therefore, whilst I understand that a residential curtilage could be created without harm and that the location is not without some benefits, the proposal as submitted does not fully satisfy the requirements of DM22.
9. I therefore conclude that the site would not be suitable for housing. It would be in conflict with CS policies CS01, CS11 and DM22.

Character and appearance

10. The site is located within a 'Strategic Gap' defined by DM Policy DM28. This sets out that the purpose of these areas is to prevent the coalescence of settlements by maintaining the open character of the identified Strategic Gaps.
11. The main alteration to the buildings to accommodate the dwellings would be an increase in height. The footprint would not change and there are already buildings within the site of a similar scale. In addition the setting of the buildings already contains ancillary activity for the veterinary use with hard standings, mowed grass and parking visible. As such the changes indicated for parking and garden areas would not, in my view, be significantly intrusive in this context. I appreciate that the Council would want to ensure the most sympathetic design for the buildings. Nevertheless, overall, I do not consider that their conversion would in principle have a significant adverse impact on the openness of the site and its contribution to the Strategic gap.
12. I therefore conclude that the proposal would not harm the character and appearance of the area. In this regard it would not be in conflict with DM

policies DM27 and DM28 which amongst other things seek to protect landscape character and the open character of Strategic Gaps.

Other matters

13. The appellants propose to provide the units as either affordable housing or low cost housing for existing and future employees in the area. However, there is no housing association on board. In addition there is no mechanism in place to deliver this. This is not a matter that could be dealt with by condition. Accordingly I attach limited weight to this matter.

Conclusion

14. The Framework recognises the intrinsic character and beauty of the countryside. In this case the proposal would not accord with the development plan in respect of policies CS01, CS11 and DM22. I have found that the proposal would not be in conflict with policies that relate to character and appearance. Nevertheless, I attach significant weight to the conflict that does exist with the development plan and this is not outweighed by other material considerations. In this context there is not a compelling reason for development of this site.
15. Accordingly, for the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

D J Board

INSPECTOR

Richborough Estates