
Appeal Decision

Site visit made on 30 August 2016

by L Fleming BSc (Hons) MRTPI

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

Decision date: 21st September 2016

Appeal Ref: APP/W3520/W/16/3150034

Waveney Valley Joinery, Nuttery Vale, Hoxne, Suffolk IP21 5BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs C and H Arnold against the decision of Mid Suffolk District Council.
 - The application Ref 3486/15, dated 25 September 2015, was refused by notice dated 12 February 2016.
 - The development proposed is demolition of existing workshops and erection of two new dwellings.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would amount to sustainable development having regard to the development plan and national policies;
 - the effect of the proposed development on the local economy and employment opportunities in the area.

Reasons

Sustainable development

3. The appeal site is on the north side of Nuttery Vale and comprises an access track, sheds and a yard all currently in use as a joinery business. To the east is a field attached to Daganya Farm, further east are mainly dwellings within the village of Hoxne. To the south, west and north is open countryside.
 4. Policy CS1 of the Mid Suffolk District Core Strategy (2008) (CS) sets out a settlement hierarchy and identifies Hoxne as a primary village which has basic local services including a primary school and food shop and where small scale housing growth to meet local needs will be appropriate but limited to sites within the settlement boundaries. Furthermore, Policy CS2 of the CS seeks to restrict new development in the countryside to that which supports the rural economy, meets affordable housing need, community need and provides renewable energy.
 5. Both parties agree that the Council is currently unable to demonstrate a 5 year supply of deliverable housing land. Therefore in accordance with paragraph 49
-

of the National Planning Policy Framework (the Framework), insofar as Policies CS1 and CS2 of the CS seek to restrict the supply of housing they should be considered out of date and the proposal should therefore be considered in accordance with the presumption in favour of sustainable development. This means the Framework taken as a whole.

6. Paragraph 55 of the Framework encourages housing in rural areas where it will maintain or enhance the vitality of rural communities but requires isolated new homes in the countryside to be avoided unless there are special circumstances. The appeal site is separated from the main built up area of the village by a large field and a farm complex and is surrounded by open countryside on all other sides. Thus, in my view the proposed development would be within the open countryside and not within the main built up part of the village of Hoxne. However, the proposed dwellings would be close to the main built up area of the village, such that I do not consider that they would be isolated.
7. The proposal would provide two new relatively large family homes and some economic benefits in terms of new customers and employees for local businesses and there would be economic benefits associated with construction. It would also involve the redevelopment of previously developed land. I also note there could be opportunities to improve wildlife habitats. However, these benefits are small in scale. Thus, I find the proposal would have a negligible influence on the vitality of the community. Therefore, whilst the vitality of the rural community would be maintained it would not be enhanced.
8. Hoxne has basic local services and public transport connections to larger settlements. However, the routes to the main built up part of the village and bus stops would be either along Nuttery Vale or via a public footpath through the Countryside. The route along Nuttery Vale starts just outside the 30mph zone and for the majority of the way is unlit and does not benefit from a footpath. The public footpath is also unlit and in my view would only be likely to be used in the daytime and in good weather. Therefore whilst the appeal site may be within walking distance to bus stops and village services, neither of the routes would be particularly attractive at all times. Furthermore, there is no substantive evidence before me which allows me to assess the frequency and connectivity of the bus routes.
9. Moreover, there is no substantive evidence before me which suggests that there are any significant employment opportunities in the village, such that the occupiers of the proposed dwellings would be likely to need to travel lengthy distances to access employment.
10. Therefore given the detached nature of the appeal site from the main built up area of the village and limited local employment opportunities, I find that for the majority of the time and for convenience reasons, occupiers of the proposed dwellings would tend to be highly dependent on travel by the private car to access services and employment. Given the number of people that would occupy the relatively large dwellings, in my view, and without any evidence to the contrary these trips would far exceed those generated by the existing business operating on the appeal site. Thus, the proposed development would therefore be contrary to the aims of the Framework which seeks to promote sustainable forms of transport and reduce greenhouse gas emissions.

11. Overall the dependence on the private car which is the least sustainable mode of transport, significantly and demonstrably outweighs the benefits of the scheme, including the benefit of two additional dwellings in meeting housing needs in the area. Consequently, when assessed against the policies in the Framework taken as a whole, I conclude that the proposal is not sustainable development.

Local economy and employment opportunities

12. Saved Policy E6 of the Mid Suffolk Local Plan (1998) (LP) seeks to protect employment generating uses from redevelopment to non-employment generating uses, and makes clear that for any proposed redevelopment of employment land to be considered favourably, it will be expected to provide a benefit for the surrounding environment, particularly in terms of improved residential amenity or traffic safety.
13. In my view, saved Policies E6 does not directly relate to the supply of housing. Instead it is concerned with avoiding the loss of employment opportunities, which, in this regard, is consistent with the aims of achieving rural enterprise set out in the Framework. Therefore insofar as saved Policy E6 seeks to encourage rural enterprise it is considered up to date.
14. I acknowledge that the proposed dwellings would match the scale and appearance of the dwellings nearby and the scheme would incorporate further landscaping. However, the appeal site incorporates relatively thick vegetation and whilst appearing slightly overgrown, this assists to blend the existing buildings on the site into their countryside setting. I therefore find the proposed development would not lead to any significant visual environmental enhancement.
15. Furthermore, I note the intention to relocate the existing business to a more accessible location on an industrial estate and that people currently employed at the appeal premises currently travel long distances by private car. However, there is no substantive evidence which allows me to compare the trips generated by the existing joinery business to those which would be generated by the occupants of the proposed dwellings. Whilst I acknowledge that the proposal would reduce the need for large heavy commercial lorries and trucks to use Nuttery Vale, there is no substantive evidence before me which demonstrates that the existing business is causing any risk to highway safety or causing any significant environmental harm to the area.
16. Moreover the appeal premises are some distance from residential properties for there to be any significant benefits in terms of removing any harmful effect in terms of air or noise pollution. Thus, on the basis of the evidence before me, I am therefore unable to conclude that there would any environmental benefit in this regard.
17. I have also taken into account the evidence which shows the district has an higher than the regional average number of people who are economically active. However, in my view this is not a reason to justify the redevelopment of land which generates employment to non-employment generating development.
18. Therefore for the reasons given, the development would be harmful to the local economy and employment opportunities in the area. Thus, it would be

contrary to the economic development and employment protection aims of the development plan and the Framework. The proposal would specifically conflict with the aims of saved Policy E6 of the LP which seeks to avoid the loss of employment land and maintain the local economy.

Conclusion

19. For the reasons set out above and with regard to all other matters raised, I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR