
Appeal Decision

Site visit made on 13 September 2016

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 30th September, 2016

Appeal Ref: APP/W3520/W/16/3154344

Popples, Barrell Road, Thurston, Suffolk IP31 3SF

- 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 and Mrs Guy Le Mar against the decision of Mid Suffolk District Council.
 - The application Ref 0933/16, dated 23 February 2016, was refused by notice dated 5 May 2016.
 - The development proposed is erection of detached dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a detached dwelling at Popples, Barrell Road, Thurston, Suffolk, IP31 3SF in accordance with the terms of the application, Ref 0933/16, dated 23 February 2016, and the plans submitted with it, subject to the conditions set out in the schedule to this decision.

Main Issues

2. The main issue in this case is whether the proposal represents sustainable development having regard to the National Planning Policy Framework (the Framework) and the development plan.

Preliminary matter

3. The application was made in outline with all matters reserved for later determination with the exception of access. I have determined the appeal on that basis, treating the submitted plans as illustrative only, except in respect of access arrangements.

Reasons

4. There is no dispute that the Council is not able to demonstrate a five year housing land supply, and that paragraphs 14 and 49 of the Framework therefore apply. Paragraph 14 states that where relevant policies are out of date, the presumption in favour of sustainable development means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
 5. Popples is a substantial chalet bungalow set in very generous gardens to front and back. The appeal site is an area of paddock adjoining it. It sits in a group
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of two residential properties and a cattery on Barrells Road facing the junction with Oak Road. Barrells Road is a winding rural lane bounded with fields, hedgerows and woodland, and intermittently scattered with such small groups of dwellings as it runs out of Thurston.

6. There is no dispute that the appeal site sits outside the settlement boundary, with a clear physical gap between the two. While the turns of Barrells Road mean that the site is visually separate from the settlement, and it would appear to form part of a small group of isolated dwellings within open countryside, it is in fact at a walkable distance from the settlement boundary, although the distance to the facilities of Thurston is greater.
7. The Framework defines the three dimensions to sustainable development, social, economic and environment. It is clear that sustainability should not be interpreted narrowly, and that the dimensions of sustainable development are mutually dependent and should be sought jointly and simultaneously through the planning system.
8. The proposal would contribute to the housing stock of the District, which is an important consideration in the absence of an identified five year housing land supply, although the contribution would be a small one. There would be some economic benefit during the construction phase of any development, albeit limited and temporary, and in the longer term through support to local businesses. Given that the Framework generally encourages the supply of new housing, and as these benefits contribute towards the aim of achieving sustainable development, I give them moderate weight.
9. The Framework also, in paragraph 55, in seeking to promote sustainable development in rural areas, states that housing should be located where it will enhance or maintain the vitality of rural communities, and that except under special circumstances, local planning authorities should avoid new isolated homes in the countryside.
10. The proposed dwelling would sit within a small group and not therefore be isolated from other dwellings. Thurston is designated as a Key Service Centre and includes a range of services and facilities, including a railway station, shop and primary and secondary schools. Although outside the settlement boundary, the proposed dwelling would be close enough to the range of services and facilities to be likely to make use of them, and would not therefore be functionally isolated from them. It would thereby also be able to contribute to enhancing or maintaining the vitality of this and the surrounding rural communities through supporting these services and facilities. Accordingly, the development of this site for residential purposes would meet the aims of paragraph 55 of the Framework, to which I must give significant weight.
11. Paragraph 17 of the Framework states that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and paragraph 30 seeks patterns of development which, where reasonable to do so, facilitate the use of sustainable modes of transport.
12. While there are grassed margins in some places, there is no footpath in the vicinity of the appeal site on Barrells Road, or along Stoney Lane as it leads into the settlement. A footpath appears only in the vicinity of the primary school, at some considerable distance from the site. Both are winding and unlit, but not heavily trafficked. While the distances to the facilities of Thurston

such as schools, shops and station are walkable or cyclable, the nature of the route means that occupiers of the appeal property would be less likely to access them on foot or bicycle than by private car. While the number of car movements generated by a single dwelling would be small, there would still be some minor harm.

13. In this case I conclude, therefore, that the minor harm created by the need for additional private car journeys would not significantly and demonstrably outweigh the moderate benefits of providing a new dwelling in this location and the more than moderate benefits of the contribution it would make to enhancing or maintaining the vitality of Thurston. I therefore conclude that the development proposed would be consistent with the principles of sustainable development. In that respect it would also not conflict with Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review 2012 which seek development which accord with the principles of sustainable development.
14. My attention has been drawn to a number of appeal decisions relating to development on sites elsewhere outside defined settlement boundaries. While I do not have full details of the background to these proposals or the decisions made, from the information available to me it appears that the circumstances of these cases, specifically the location of the sites involved and their relationship to nearby settlements, are not directly comparable to the appeal proposal. These examples do not, therefore, lead me to alter my findings in respect of the appeal.
15. I note the Council's argument that the development, if allowed would set a precedent for housing within the District which is not in sustainable locations. However, each proposal has to be considered on its own merits, and this is a generalised fear.

Conclusion

16. For the reasons given above, and taking into account matters raised, I conclude that the appeal should be allowed.

Conditions

17. I have had regard to the conditions suggested by the Council. I have attached conditions limiting the life of the planning permission and setting out requirements for the reserved matters in accordance with the requirements of the Act. In the interests of clarity I have specified the approved plans. To ensure that the character and appearance of the area is protected, a condition is added requiring the agreement of facing materials prior to development commencing. Details of parking and manoeuvring arrangements are required in the interests of protecting highways safety.

S J Buckingham

INSPECTOR

SCHEDULE

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan at 1:1250, Location Plan at 1:1250.
- 2) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 3) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 4) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 5) No development shall commence until details or samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details or samples.
- 6) The approved dwelling shall not be occupied until space has been laid out within the site for the manoeuvring and parking of cars and for their loading and unloading, and secure cycle storage has been provided, both in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.