

Appeal Decision

Site visit made on 6 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: 6TH October, 2016

Appeal Ref: APP/W3520/W/16/3152003

Land adjacent to Home Farm, Hascot Hill, Barking, Suffolk, IP6 8HL

- 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 Ms Elaine Arnold and Angela Carter against the decision of Mid Suffolk District Council.
 - The application Ref 3724/15, dated 15 October 2015, was refused by notice dated 18 March 2016.
 - The development proposed is erection of detached dwelling and garage (existing buildings to be demolished), construction of vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for erection of detached dwelling and garage (existing buildings to be demolished) and construction of vehicular access at land adjacent to Home Farm, Hascot Hill, Barking, Suffolk, IP6 8HL in accordance with the terms of the application, Ref 3724/15, dated 15 October 2015, and the plans submitted with it, subject to the conditions set out in the schedule to this decision.

Preliminary Matters

2. 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.
3. The applicants refer to the site as being on Hascot Hill, while the Council refers to Battisford Road. As the application form and mapped information provided locate the site on Hascot Hill, I have in this decision followed the applicant in the matter of the site address.

Main Issue

4. 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.

Reasons

5. The appeal site sits next to Home Farm, a Grade II Listed Building, and includes two agricultural buildings of limited visual interest. It is in an elevated location at the top of Hascot Hill, and bounded by low naturalised hedgerows.
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6. Barking, which is defined as a Countryside Village in the local plan, is a small, largely residential settlement lining the B1078, around a mile outside Needham Market. The appeal site sits at the edge of a small extension to the settlement area, surrounded largely by open countryside. Policy CS2 of the Mid Suffolk Core Strategy 2008 (CS) seeks to restrict residential development in the countryside, as do Policies H7 and H10 of the Mid-Suffolk Local Plan 1998 (LP).
7. 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. As a result policies little weight can be given to CS Policies CS1 and CS2 or LP Policies H7 and H10, as they relate to the supply of housing, and cannot be considered up to date. 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.
8. The Framework defines the three dimensions to sustainable development, social, economic and environment. The Framework 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.
9. In terms of the social role, 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, but this would be limited and temporary. Given however 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.
10. 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.
11. The appeal site sits in a rural lane, but close to and in sight of other housing in the same small extension to the settlement. It is not therefore isolated from other housing. From the evidence put before me, Barking is a primarily residential village, which, alongside other small villages in the area, enjoys a limited range of services and facilities. It is, however, located just over a mile from the wider range of services to be found in the small town of Needham Market. The proposed dwelling would not therefore be isolated from the range of services and facilities likely to be needed for its residential use. 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 with respect to sustainable development, to which I must give significant weight.
12. 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. Hascot Hill is a winding rural lane with no footpath or lighting.

There is a footpath along a stretch of the B1078, Barking Road, but it neither runs the length of the settlement along this road, nor does it connect Barking to any adjoining settlement. The lack of footpaths outside the settlement and widely spaced bus services mean that regular use of walking or public transport by the occupiers of the proposed dwelling to access services and facilities would be unlikely, and that they would be heavily reliant on private car journeys to access schools, shops and employment. However, other residents of Barking are similarly dependent on private car use. While the number of journeys generated by a single dwelling would therefore 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 Barking and surrounding settlements. 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. The appeal decisions put before me relating to development on sites elsewhere outside defined settlement boundaries are not directly comparable to the appeal proposal and do not, therefore, lead me to alter my findings in respect of the appeal.

Conclusion

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

Conditions

16. 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. Although landscaping is a reserved matter, a condition relating to the implementation of landscaping is attached to ensure that the approved details are satisfactorily implemented in the interests of protecting the character and appearance of the area. A condition requiring details of the vehicle parking and turning arrangements and a condition to secure the removal of the existing access before the approved dwelling is occupied are added to secure the proper design and construction of these elements, in the interests of highway safety. A condition requiring prior approval of any external lighting is added in the interests of protecting the character and appearance of the area.

S J Buckingham

INSPECTOR

SCHEDULE

- 1) 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.
- 2) 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.
- 3) 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.
- 4) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5) The approved dwelling shall not be occupied until space has been laid out within the site for the parking and turning of vehicles so that they may enter and leave the site in forward gear in accordance with details which have first been submitted to and approved in writing by the local planning authority. They shall be retained in the specified form thereafter.
- 6) The approved dwelling shall not be occupied until the existing access to the site has been stopped up.
- 7) No external lighting shall be installed unless to details which have first been submitted to and approved in writing by the local planning authority.