
Appeal Decision

Site visit made on 18 April 2017

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 4th May 2017

Appeal Ref: APP/W3520/W/17/3166747

The Drey, Borley Green, Woolpit, Suffolk IP30 9RP

- 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 Miss L Quick against the decision of Mid Suffolk District Council.
 - The application Ref 2908/16, dated 4 July 2016, was refused by notice dated 24 November 2016.
 - The development proposed is dwelling house with attached garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether this would be an appropriate location for a new dwelling in respect of the effect upon the intrinsic character of the countryside and in providing future occupiers reasonable access to regularly required services and facilities.

Policy Framework

3. The development plan comprises the Mid Suffolk Local Plan 1998 (LP), the Core Strategy 2008 (CS) and the Core Strategy Focussed Review 2012 (FC). LP Policy H7 places strict control over new housing outside of settlement boundaries to protect the character and appearance of the countryside. LP Policy H10 allows agricultural worker's dwellings in the countryside where there is an essential need.
 4. CS Policy 1 provides the settlement hierarchy where the majority of new development will be directed to Towns and Key Service Centres with some local housing need being met in Primary and Secondary Villages. The rest of the District is designated in this policy as either Countryside or Countryside Villages which the supporting text in paragraph 2.37 states will be protected for their own sake. Villages outside the settlement hierarchy will lose their settlement boundaries preventing infill development so that it will only be permitted in exceptional circumstances, such as for affordable housing. CS Policy 2 restricts development in Countryside and Countryside Villages to the defined categories set out in the bullet points.
 5. FC Policy 1 applies the presumption in favour of sustainable development as set out in the Government's National Planning Policy Framework (the Framework). FC Policy 1.1 sets out the broad approach to delivering sustainable development in Mid Suffolk.
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6. The Council's development plan policies are generally consistent with the Framework core planning principles to recognise the intrinsic character and beauty of the countryside and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. In respect of the advice in Annex 1 of the Framework these policies are afforded significant weight in this decision.

Reasons

Intrinsic character of the countryside

7. The built-up part of Borley Green comprises mainly ribbon development along the road frontage, with a mixture of traditional and more recent dwellings. This runs alongside the west side of The Heath where it consolidates somewhat towards the junction with Wood Road and where there is frontage housing on both sides of the street. This pattern of development continues for a quite short distance north along Wood Road where the appeal site is located on its western side. The pattern is predominantly that of spaciouly arranged, well-spaced detached dwellings which retains a generally rural character to the area.
8. The Heath continues to the north-west through a further area of ribbon housing development, mainly along its north-east frontage, and leads to the larger and more consolidated settlement of Woolpit. This larger village is around 2km from the appeal site and provides a range of services, including a public house, school and convenience store. The facilities in Woolpit have led to its designation as a Key Service Centre in the settlement hierarchy in Policy CS 1 which specifically excludes the smaller outlying settlements around this village, including Borley Green.
9. This proposal would be quite clearly contrary to Policy CS 1 which places Borley Green, and the other areas with a smaller amount of housing around Woolpit, outside the settlement boundary to prevent infilling development other than in exceptional circumstances to protect the character of these areas for their own sake.
10. However, as an infill development between two existing dwellings, and with housing on the opposite side, individually this proposal would result in little harm to the character and appearance of this area. Nevertheless, I must attach weight to the fact that if approved this proposal would establish a precedent for further infilling which the quite spacious arrangement of housing in Borley Green would provide scope for. The cumulative effect of further infill housing development would consolidate the development pattern in this area which would have a harmful urbanising effect on its existing rural character. This would be contrary to the general aims of policies CS 1 and CS 2 as well as those of LP Policy H7.

Access to regularly required services and facilities

11. The first bullet point in paragraph 3.7 of the FC acknowledges that in Mid Suffolk local circumstances mean that the achievement of environmental sustainability will often be limited in transport terms, due to the dispersed rural nature of the district. Nevertheless, the nearest services in Woolpit would be around 2km away via an unlit road without separate footways. There is no bus

service from Borley Green and these services would not be conveniently accessible by foot or bicycle.

12. Future occupiers of the house proposed would be highly dependent on private car use to access the kinds of regularly required services available in Woolpit and the other surrounding service centres and towns. In a location that is not conveniently accessible to regularly required services other than by private car would mean that this proposal would conflict with the Council's approach to delivering sustainable development as set out in policies FC 1 and FC 1.1.

Balance and Conclusion

13. Paragraph 49 of the Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. However, the Council is currently unable to demonstrate a five-year supply of deliverable housing sites. Under paragraph 49, the policies referred to above, and which are all relevant to the supply of housing, should not be considered up-to-date.
14. Where this is the case, the presumption in favour of sustainable development set out in paragraph 14 of the Framework is invoked. Where relevant development plan policies are out-of-date this would mean granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
15. Paragraph 6 of the Framework establishes that the purpose of the planning system is to contribute to the achievement of sustainable development and paragraphs 18 to 219, taken as a whole, comprise the Government's view as to what this means in practice. Based on the three strands to sustainable development the planning system performs economic, social and environmental roles which the Framework requires to be sought jointly and simultaneously.
16. The satisfactory design of the dwelling, the provision of a safe vehicular access and the lack of harm to the living conditions of any neighbouring occupiers or to the natural environment would all be neutral factors in the assessment of the appeal. Because the dwelling would be within a small countryside village it would gain support from paragraph 55 of the Framework through not being a new isolated home in the countryside and by helping to enhance and maintain the vitality of the rural community by giving support to the services in nearby Woolpit. However, as the proposal is for a single dwelling, this social benefit would be quite limited.
17. The single dwelling would provide a small social benefit in helping boost the supply of housing, making use of part of a residential garden that, outside a built up area, would be classed as previously-developed land in the Framework and which in a rural district like Mid Suffolk is in short supply. There would be some small local economic benefits through the construction and servicing of the house.
18. However, whilst acknowledging the support of immediate neighbours and the Parish Council, the social and economic benefits of a single dwelling here would be limited. These would be significantly and demonstrably outweighed by the harm found from a location not providing future occupiers reasonable access to

regularly required services and facilities and encouraging further development which would materially harm the intrinsic rural character of this area.

19. For the reasons given, and having taken into consideration all other matters raised, I therefore conclude that the appeal should be dismissed.

Jonathan Price

INSPECTOR