
Appeal Decision

Site visit made on 19 July 2017

by J Gilbert MA (Hons) MTP MRTPI

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

Decision date: 18 August 2017

Appeal Ref: APP/D3505/W/17/3173233

Willow Cottage, 8 Grove Hill, Belstead, Ipswich, Suffolk IP8 3LN

- 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 and Mrs M Havers against the decision of Babergh District Council.
 - The application Ref B/17/00130/FUL/MECO, dated 28 January 2017, was refused by notice dated 21 March 2017.
 - The development proposed is the erection of two dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - whether the development would be sustainably located in terms of access to services.

Character and Appearance

3. The appeal site comprises a small field positioned between the garden of Willow Cottage and the driveway serving 2 existing cottages and a number of outbuildings. Willow Cottage and its neighbour Grove Cottage lie immediately to the south of the A14. Despite the proximity of the A14 to the appeal site, this part of Grove Hill has a leafy and rural character, with relatively spacious plots. Residential properties are scattered along the road and vary in their size, design and age. The appeal site is slightly elevated and is separated from the road by a driveway, grass verge, mature planting and trees.
4. The proposed development would provide 2 detached houses of 1½ storeys in height. The proposed houses would be visible from Grove Hill and would mask existing views of Willow Cottage and Grove Cottage from the road. They would be angled on the appeal site to allow for parking for 2 vehicles for each property to be provided close to the access drive. The gardens for the proposed houses would vary considerably in size with a smaller garden for Plot 1 and a larger garden for Plot 2.

5. Policy CS11 of the Babergh Core Strategy and Policies 2014 (CSP) states that development should be well related to the existing pattern of development for that settlement, while saved policy CN01 of the Babergh Local Plan (Alteration No. 2) 2006 (the Local Plan) requires new development to be of an appropriate scale, form, detailed design and construction materials for the location. Although there is little uniformity of development along Grove Hill, the houses are consistently set within good-sized plots. While the detailed design and construction materials are acceptable, the scale of the proposed houses relative to their plots does not relate well to the nearby houses. Plot 1 is particularly indicative of this, with a small garden which is not in keeping with the overall plot sizes of homes along Grove Hill.
6. Concluding on this main issue, I consider that the proposed development would harm the character and appearance of the area and would therefore be contrary to policy CS11 of the CSP and policy CN01 of the Local Plan. It would also fail to comply with one of the core planning principles of the National Planning Policy Framework (the Framework) which seeks to secure high quality design. I consider that the harm I have identified in relation to character and appearance is sufficient in itself to render the appeal scheme unacceptable.

Accessibility to Services

7. Willow Cottage is situated beyond the defined settlement boundary of Belstead and outside the built-up area of Pinewood within the Ipswich Fringe. The appeal site is therefore considered to be within the countryside where new housing is restricted in policy terms. Willow Cottage and Grove Cottage are clearly located outside the main village but form part of a group of houses scattered along Grove Hill between the A14 bridge and the village itself.
8. The nearest services are located in Pinewood, where services include nursery and primary schools, a post office, a convenience store, doctor's and dentist's surgeries, and a public house. The majority of these services are almost 1km from the appeal site. The nearest bus stops are on Ellenbrook Road approximately 650m from the appeal site, where the No 15/15A bus routes provide access to and from Ipswich town centre approximately every 20 minutes on Mondays to Saturdays and hourly on Sundays.
9. The proposed development of 2 houses includes a proposed footpath linking the appeal scheme with the existing footpath beyond the A14 bridge on the edge of Pinewood.
10. Policy CS2 of the CSP sets out the settlement pattern for the district. It states that in the countryside and outside the defined settlements, development will only be permitted in exceptional circumstances subject to a proven justifiable need. Policy CS15 of the same document requires new development to demonstrate how the proposal addresses sustainable development and seeks to minimise the need to travel by car.
11. The site's position outside the settlements of Belstead and Pinewood requires walking or cycling on the road in either direction to the limited services in Belstead or the more extensive range of services in Pinewood, including access to bus services. Based on my site visit, the road presents some issues with visibility for pedestrians and cyclists around the shallow bends from the appeal site to the bridge and into Pinewood. The road is at national speed limit past the appeal site and then at 30mph beyond the A14 bridge close to Pinewood.

12. I note that the appellant has put forward a proposal to provide a footpath link between the appeal site and the end of the footpath along Grove Hill beyond the A14 bridge. Having walked along the road to the site, I consider that the proposed footpath between the appeal site and Pinewood would provide some benefit to the proposed development and to the occupiers of the other houses located nearby. However, while the provision of a footpath might encourage some journeys to take place on foot, it would be partially unlit at night as there are no streetlights between the A14 bridge and the appeal site, and it would potentially feel isolated and unsafe for pedestrians dependent on the time of day. I therefore consider that the majority of journeys to and from the site would still be made by car. Despite the limited number of trips generated by 2 additional houses, this would fail to meet the Council's aims to minimise the need to travel by car.
13. Concluding on this main issue, I do not consider that the proposed development would be sustainably located in terms of access to services. No exceptional circumstances have been demonstrated. Therefore, it would not accord with policies CS2 and CS15 of the CSP.

Other Matters

14. I have considered the appeal decision¹ provided by the appellant with reference to 2 dwellings at Abbey House, Newton. Although I have limited evidence on this appeal, I am not convinced that the case is compellingly similar to the case before me and so has limited bearing on my decision.
15. Reference has been made to the High Court judgment at East Bergholt by the appellant in an email to the Council dated 8 March 2017. This judgment related to the provision of 10 houses for the over-55s and was also referred to in the appeal decision at Abbey House, Newton. The judgment is not before me and it is unclear whether that case is helpfully comparable to this appeal.
16. The appellant has also referred to planning permission B/09/00901 for 9 detached dwellings and the provision of a 7.3 ha local nature reserve outside the settlement boundary on land south of Grove Hill. This 2015 permission is for a significantly larger site closer to the main settlement of Belstead than the appeal site. The circumstances of this planning permission do not appear to be directly comparable to this appeal given the difference in scale of development. I do not consider that it alters my findings in respect of this appeal.

Planning Balance

17. There is no dispute that the Council cannot demonstrate a 5 year housing land supply (HLS). The Council has provided figures based on the CSP and on the Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment 2017 (SHMA). While the CSP and SHMA figures range from 3.1 to 4.1 for 2017 to 2022, both figures indicate that the Council has a significant shortfall in HLS.
18. Paragraph 49 of the Framework therefore applies and the relevant development plan policies are not considered up to date. Paragraph 14 of the Framework states that, where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly

¹ APP/D3505/W/16/3159797, decision dated 9 February 2017.

and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

19. The Framework does not prescribe the weight to be given to plan policies which are not up to date. Rather it is a matter of planning judgment for the decision maker. I consider policies CS2, CS11 and CS15 of the CSP and CN01 of the Local Plan to carry moderate weight as they remain broadly consistent with the Framework.
20. Paragraph 7 of the Framework defines the three dimensions of sustainable development as performing an economic, social and environmental role which should be jointly and simultaneously sought, as per paragraph 8 of the Framework. To promote sustainable development in rural areas, paragraph 55 of the Framework seeks the location of housing where it will enhance or maintain the vitality of rural communities.
21. In terms of the economic dimension, the proposed development would provide some benefit in relation to the construction of 2 houses and investment into the local economy. With regard to the social element, the appeal scheme would provide 2 bedroom homes, which are identified by the Suffolk Wide Housing Need Survey 2014 as being in the greatest demand in the county. In terms of the environmental role and in relation to use of sustainable modes of transport, however, although the appeal scheme would not be isolated physically from other houses, it would not minimise use of the car to access services and would cause harm to the character and appearance of the area.
22. As the proposed development is for 2 houses, it would make only a very marginal difference to the identified housing shortfall and so the benefits set out above carry only modest weight in favour of the proposal. In contrast, I consider that the adverse impacts that would result to the character and appearance of the area and the proposed development not being well-located in terms of access to services are significant factors weighing against the proposed development. Therefore the adverse impacts would significantly and demonstrably outweigh the benefits and so the proposal would not represent sustainable development.

Conclusion

23. For the above reasons and taking into account all other matters raised, I conclude that this appeal should be dismissed.

J Gilbert

INSPECTOR