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## Appeal Decision

Site visit made on 7 August 2018

**by Sarah Dyer BA BTP MRTPI MCMI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4 January 2019**

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**Appeal Ref: APP/W3520/W/18/3197081**

**Land adjacent No. 17 Hall Road, Thorndon, Eye, Suffolk IP23 7LU**

- 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 George Chapman against the decision of Mid Suffolk District Council.
  - The application Ref DC/17/05861, dated 23 November 2017, was refused by notice dated 2 February 2018.
  - The development proposed is erection of 2 No. dwellings with garages, associated driveways and vehicular access.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. During the course of the consideration of this appeal the revised National Planning Policy Framework (the revised Framework) has been published and the Council has advised that it is able to demonstrate a 5 year housing land supply (5YHLS). I have invited both parties to submit comments on the relevance of the revised Framework and the updated 5YHLS information to this appeal and have taken these into account in reaching my decision.

### Main Issues

3. The main issues are:
  - Whether the site is a suitable location for two new dwellings having regard to national and local planning policy for the delivery of housing
  - The effect of the development on the use of the adjacent grain store

### Reasons

#### *Location of the development*

4. The main parties agree that the appeal site falls outside the settlement boundary for Thorndon as identified in Policy CS1 of the Mid Suffolk District Core Strategy Development Plan Document (2008) ( the Core Strategy) and in consequence it is within land designated as countryside.
5. Policies CS1 and CS2 of the Core Strategy and Policy H7 of the Mid Suffolk Local Plan (1998) (the Local Plan) outline the Council's overall hierarchical

development strategy. It seeks to direct most new housing to towns and key service centres and to permit some housing to meet local needs in primary and secondary villages whilst restricting development in the countryside and countryside villages. The Council's settlement strategy is broadly consistent with the aims of the revised Framework of avoiding isolated new homes in the countryside and by requiring housing to be located where it will enhance or maintain the vitality of rural communities.

6. Thorndon is defined as a Secondary Village under Policy CS1 of the Core Strategy and I have evidence before me to demonstrate that the village could provide some of the shops and services necessary to meet the day to day needs of local residents.
7. However, I observed during my site visit that there are no shops or services in the vicinity of the site which fronts a two-way road without pavements or street lighting and where the national speed limit applies. I therefore consider that access to services by foot or cycle would not be safe or convenient particularly during inclement weather and during the winter months.
8. I am therefore not persuaded, on the basis of the evidence before me, that Thorndon would provide an appropriate range of shops or services to meet the day to day needs of new residents or that access to them from the site would necessarily be practical by sustainable modes of transport.
9. The appellant has referred to two other sites in Thorndon where development has been permitted beyond the settlement boundary. One of these cases related to a planning appeal which was allowed (Land at Stoke Road Appeal Ref: APP/W3520/W/17/3176324). The Inspector in that case refers to a large site opposite the Stoke Road appeal site which has planning permission for dwellings. This is not the case in relation to the current appeal site which is located in a small cluster of dwellings which are surrounded by open countryside. Given this clear difference between the two schemes I have only given the Stoke Road Appeal decision limited weight.
10. The second case was approved by the Council (Land opposite Clint Cottage, Clint Road) and a plan has been provided to show the location of this site. However I have no information regarding its proximity to shops and services within the village or other details of the scheme. In the light of this I have also given this decision limited weight.
11. Taking all these factors into consideration, I conclude that the site would not be a suitable location for two new dwellings, due to its location in the countryside. It would be contrary to the development plan policies referred to above and to the revised Framework.
12. Policy SB2 of the Local Plan is not relevant because it relates to development within settlement boundaries. As the appeal site lies beyond the defined settlement and does not fall within a Visually Important Open Space (VIOS), I find no conflict with Policy SB3 which seeks to retain VIOSs within Thorndon.

*The adjacent grain store*

13. Land to the rear of the site accommodates a substantial grain store. The Council has referred to the potential for the development to be a restraint on this use. However very limited evidence has been provided to substantiate this

impact or to demonstrate that such an impact would be contrary to policies in the Development Plan.

### **Other Matters**

14. I note that the site previously contained a pair of semi-detached dwellings, known as 18 & 19 Hall Road and that these were demolished circa 1997. Given the passage of time since there were dwellings on the site I have given this matter limited weight in my considerations. It does not dissuade me from the conclusions that I have reached with regard to the harm which would arise from the location of the development.
15. Rose Cottage, which is between the edge of Thorndon and the site, is a Grade II listed building. I therefore have a statutory duty to have special regard to the effect of the development on the setting of the listed building. Given the context of the site and the proximity of the proposal to existing development, the Council is satisfied that the proposal would not materially harm the setting of Rose Cottage. I see no reason to come to a different view.

### **Overall planning balance**

16. The thrust of Government Policy to significantly boost the supply of housing has not changed with the publication of the revised Framework and the Council has indicated that it is able to demonstrate a 5 year housing land supply. However the appellant has questioned this and has submitted an appeal decision relating to Land on the East Side of Green Road, Woolpit (Appeal Ref: APP/W3520/W/18/3194926) in support of his view. As part of his decision the Inspector concluded that the Council cannot demonstrate a five year supply of deliverable housing sites.
17. Nevertheless, even if there is not a 5YHLS, two dwellings would make a minimal contribution to housing supply. Any economic benefits arising from the scheme during the construction phase would be short term and small. On the other hand, I have found that there would be moderate environmental harm arising from the unsuitability of the location of the appeal site for a new dwelling.
18. I therefore conclude that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits. Consequently, the presumption in favour of sustainable development does not apply in this case.

### **Conclusion**

19. I have found that the proposal would conflict with the development plan. There are no other considerations that outweigh that conflict. For this reason and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

*Sarah Dyer*

Inspector