
Appeal Decision

Site visit made on 8 July 2019

by Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2019

Appeal Ref: APP/J3530/W/19/3226853

The Firs, Jackson Road, Newbourne, Woodbridge, IP12 4NR

- 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 Peter Ashley against the decision of Suffolk Coastal District Council.
 - The application Ref DC/18/4154/OUT, dated 21 September 2018, was refused by notice dated 22 March 2019.
 - The development proposed is the erection of detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal application was made in outline; the only detailed matter for consideration in this appeal is the access.

Main Issue

3. The main issue in this case is whether the appeal site is a suitable location for a new dwelling having regard to the policies of the development plan and the National Planning Policy Framework (the Framework).

Reasons

4. For the purposes of this appeal the development plan consists of the Core Strategy and Development Management Development Plan Document adopted July 2013 (CS&DMDPD) and the Site Allocations and Area Specific Policies Development Plan Document adopted January 2017 (SAASDPDP). The application site is located outside any defined physical limits and is therefore in an area defined as Countryside in the SAASDPDP. The proposal does not meet any of the exceptional circumstances that would permit housing in the countryside contained in Policies DM3 and DM4 of the CS&DMDPD. The development plan documents referred to above both predate the latest version of the Framework (July 2018 with revisions February 2019)¹.
5. The Council refers to a new Local Plan (covering the former Suffolk Coastal District) that was submitted to the Planning Inspectorate for examination on 29 March 2019. However, as an emerging plan that has not as yet been through

¹ The appeal decision notice, in the reasons for refusal, refers to paragraph 55 of the original version of the Framework, which has been superseded.

the examination process, it can be accorded very limited weight. I therefore base my reasoning on the extant policies referred to above.

6. Whilst the appeal site is outside any defined physical limits of a settlement, it is within Newbourne, which is an 'Other Village' as set out in Strategic Policy SP19 of the CS&DMDPD. Newbourne is a rather long linear village, having a church, farm shop, the Fox public house, a village hall and playing field, and a small industrial estate, although these are some way from the appeal site. It also has a bus service, with a bus stop in the immediate vicinity of the site.
7. However, the bus services are limited in number, have no service on Saturdays and Sundays, and involve journeys of rather long duration to get to, for example, Ipswich. Perhaps of more importance the bus service appears to provide 1 limited opportunity per weekday to go and return to the nearby large out-of-town shopping centre at Martlesham Heath where the stores include Tesco, Marks & Spencer, Boots, Poundland, Pets at Home, among others. I consider that this centre is most likely to be the main shopping destination from the appeal site, and that the means of transport would be very largely by car.
8. However, the blanket approach of Policy DM3, as elaborated by Policy DM4, is not entirely consistent with the Framework, which favours a more balanced approach to decision-making. Except for paragraph 79² of the Framework, which is a policy for preventing development other than in exceptional circumstances, this blanket approach is inconsistent with the Framework, which sets out more balanced policies.
9. It is therefore Framework paragraph 78 that is relevant here, which states: "*To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby*".
10. In this connection, Newbourne is one of a number of small villages in the locality, which include, Bucklesham and Waldringfield which are both identified as 'Local Service Centres' under Strategic Policy SP19 – Settlement Policy. However, because of the large out-of-town shopping centre at Martlesham Heath, referred to above, I doubt that Newbourne, or the appeal site in particular, would make any material contribution to supporting local services in other villages, including the Local Service Centres.
11. Paragraph 8 of the Framework sets out 3 objectives of sustainable development: economic, social and environmental. As far as the appeal development is concerned I consider that a single house would have no material impact on the economic life of the local community or the other nearby villages. Nor would its contribution to the social objective, which in this case would be the contribution of 1 unit of housing to help meet housing need, be significant. This is especially so as the Council has been able to demonstrate, as found in recent appeal decisions, that it has a 5 year supply of housing land. There is nothing to suggest that the proposed dwelling would make a contribution to the environmental objective, particularly as it would not

² Paragraph 79 deals with sites that are isolated, but that is not the case here.

assist in moving to a low carbon economy. The nature of the country roads serving Newbourne, which are generally narrow, unlit with no footways suggest to me that, apart from visits to the local church, farm shop and the pub, walking and cycling are not likely to be appealing modes for most journeys.

12. Apart from the Martlesham Heath shops, I have no information about other services and facilities, such as schools and medical facilities, and I conclude that in most respects the appeal site is not in a sustainable location, and it does not meet the aims of Framework paragraphs 8 and 78.

Other Matters

13. The site is within the 13km protection zone of European Designated Sites and Policy DM27 seeks to support Article 6(3) of the Habitats Directive where proposals would cause a direct or indirect adverse effect (alone or combined with other plans or projects) to the integrity of internationally or nationally designated areas. I note that the appellant has paid £321.22 and submitted appropriate forms in line with the Council's habitat mitigation strategy. However, because of my conclusion below this is not material to my decision. I have taken account of all other matters raised but none affects the judgements that I have made.

Conclusion

14. I conclude that the appeal site is not be a suitable location for a new dwelling having regard to the matters that I have dealt with above, particularly in respect of access to local services and facilities and the likelihood that there would be no advantage in terms of supporting local services in other villages, including the Local Service Centres. The proposal would therefore fail to enhance or maintain the vitality of rural communities and would conflict with the development plan's objectives of directing most new housing to larger more accessible settlements. The development is therefore contrary to policies of the CS&DMDPD and SAASDPD, and I dismiss the appeal.

Terrence Kemmann-Lane

INSPECTOR