



Appeal Decision

Site visit made on 27 August 2019

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 December 2019

Appeal Ref: APP/W3520/W/19/3227047

1 Martineau Cottages, Walsham Road, Wattisfield IP22 1NZ

- 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 Mrs G Titheridge against the decision of Mid Suffolk District Council.
 - The application Ref DC/18/05287, dated 30 November 2018, was refused by notice dated 31 January 2019.
 - The development proposed is the erection of 1no. dwelling; parking, turning and upgraded Highways access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development given on the planning application form and appeal form differs. I have used the description from the planning application form which accurately describes the proposal.
3. The planning application was made in outline with all matters reserved apart from access. I have had regard to the site location plan (drawing 01), the block plan (drawing 03) showing the access point for the proposed dwelling and visibility splays. I have regarded all elements of these drawings as indicative apart from the details of the access.
4. Since the Council issued its decision the National Planning Policy Framework was revised in February 2019 (the Framework). I have taken the Framework into account as part of the determination of this appeal and the revisions do not alter the policies upon which this appeal turns.

Main Issues

5. The main issues in this appeal are whether the site represents an appropriate location for the proposed dwelling, having particular regard to national and local planning policies, access to services and facilities and the effect on the character and appearance of the area.

Reasons

Location of the development

6. The appeal site is situated within the grounds of No 1 Martineau Cottages on the southern side of Walsham Road beyond the core of Wattisfield village. Wattisfield is classified as a Secondary Village by Policy CS1 of the Mid Suffolk

Core Strategy Adopted September 2008 (the CS) which, Policy CS1 says, can accommodate some housing provision that meets a local need. In the countryside, development is restricted to particular types of development listed in Policy CS2. The appeal scheme is not for any type of development supported.

7. The principal objective of Policies FC1 and FC1.1 of the Mid Suffolk Local Development Framework Core Strategy Focused Review Adopted December 2012 (the CSFR) is to ensure that development proposals reflect a presumption in favour of sustainable development. This is interpreted and applied locally to the Mid Suffolk context through the CS and CSFR.
8. The proposal would be contrary to the spatial strategy in Policy CS1 and CS2 of the CS, as it would encompass housing outside a defined settlement boundary. Conflicting with Policy CS1 and CS2 would also bring conflict with Policies FC1 and FC1.1 of the CSFR which require, amongst other things, proposals to contribute to meeting the objectives and the policies of the CS.

Accessibility of facilities and services

9. It is common ground between the parties that the appeal site lies within the grounds of No 1 Martineau Cottages and beyond the settlement boundaries for Wattisfield. The appeal site therefore lies within the open countryside for planning purposes. However, within the vicinity of the appeal site are other residential properties and farm buildings. The proposal would not therefore amount to an 'isolated home', in my judgement and would not fall to be considered under Paragraph 79 of the Framework.
10. Even though the appeal site is not isolated in the context of the Framework there is little in the way of day to day services and facilities within Wattisfield. I understand that there is a bus service to Bury St Edmunds and Diss. However, I have no substantive evidence regarding the frequency of this service or location of bus stops.
11. The nearest other settlement is Walsham-Le-Willows which the appellant's evidence shows is a short distance away. This has a greater range of services and facilities than Wattisfield. However, the road between is narrow, unlit and has no footpath. I recognise that some occupants may cycle to Walsham-Le-Willows and the other local employment sites I have been referred to. However, in my view, future occupants of the development would be largely reliant on private motor vehicles to access services and facilities within the nearby settlements. Such a reliance weighs against the proposal.
12. I therefore conclude that the appeal site would place a reliance on private motor vehicles and would not have particularly good access to services and facilities. It would conflict with Policy T10 of the Mid Suffolk Local Plan adopted September 1998 (the Local Plan) which, amongst other things, requires housing proposals to consider the needs of pedestrians and cyclists.

Character and appearance

13. The appeal site falls within a Special Landscape Area (SLA) as designated by saved Policy CL2 of the Local Plan. This policy does not preclude housing development. However, it does require development to be sensitively designed to safeguard landscape quality.

14. The appellant argues that, in reaching their decision, the Council did not seek specialist landscape advice. Nevertheless, I have considered the context of the appeal site from my onsite observations and the evidence before me including the quoted sections of the Joint Babergh and Mid-Suffolk District Council Landscape Guidance 2015. I have therefore made an assessment on its own merits.
15. This part of the SLA includes residential properties often set within large grounds. There has been recent development within the locality as outlined by the appellant and I understand that there are infrastructure improvements planned as well. Despite these features, individual farms and their buildings combine with fields bordering the road to give the area a spacious, semi-rural quality distinct from the core of Wattisfield. The hedgerow fronting onto the road and views of the trees within the appeal site are positive landscape features. Taken together these features create a clear and distinct pattern to development that makes a positive contribution to the character and appearance of the area.
16. The proposal would result in the subdivision of the large garden area associated with No 1 Martineau Cottages. The construction of a dwelling, irrespective of scale, appearance, layout and landscaping would reduce the undeveloped qualities of the site as viewed from Walsham Road over the hedgerow and at the access point. I recognise that the introduction of a dwelling would still maintain a garden for both the existing and proposed property. Although I do not consider that the proposal would appear cramped, I am of the view that the proposal would erode the spatial qualities of the appeal site and thus, incrementally, the spacious semi-rural quality of the area.
17. I therefore conclude that the proposal would harm the character and appearance of this part of the SLA. Such harm weighs significantly against the proposal. The proposed development would not therefore accord with Policy FC1.1 of the CSFR and Policy CL2 of the Local Plan. Amongst other things, these policies seek to protect the character and appearance of the different parts of the district including the landscape quality within an SLA.

Other matters

18. The appellant has referred me to other examples of housing development being allowed at appeal in or near to villages within the District. The appellant also refers to applications granted by the Council at Wattisfield. However, the characteristics of each site and settlement are different and I do not have the full details of those proposals and sites and cannot be sure that they represent a direct parallel to the appeal proposal in terms of their location and character. In any case, I have determined the appeal on its own merits against the specific characteristics of the appeal site.

Planning Balance and Conclusion

19. The development plan is the starting point for decision making. The most important policies of the development plan for determining the appeal are Policies CS1 and CS2 of the CS, Policies FC1 and FC1.1 of the CSFR and Policies CL2 and T10 of the Local Plan.
20. The test set down in Policy FC1 of the CSFR reflects that of the now superseded 2012 Framework and is thus out of date. The restrictive nature of Policies CS1

and CS2 of the CS unduly constrain housing supply, are not consistent with the Framework's approach and are also considered to be out of date. Policy FC1.1 of the CSFR and Policy CL2 of the Local Plan are broadly consistent with Paragraphs 127, 130 and 170 of the Framework. Policy T10 of the Local Plan is generally consistent with Section 9 of the Framework. However, paragraph 103 of the Framework does acknowledge that opportunities for sustainable transport solutions in rural areas is reduced. Overall, I consider certain policies of the development plan to be out of date and the weight given to any conflict with those policies is diminished.

21. The Council's report says that the Council are not able to demonstrate a 5 year housing land supply at present. Paragraphs 8-11 of the Framework establish the presumption in favour of sustainable development within the Framework. As areas or assets of particular importance (as defined by the Framework) would not be harmed by the proposal, paragraph 11 d) ii of the Framework is engaged. This says 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 of the Framework as a whole.
22. The proposal would provide a limited amount of short-term employment through the construction of the development. Although I have no substantive evidence regarding the extent of shortfall, the proposed house would make a modest contribution to the supply of housing.
23. There would be some limited benefits from the additional support to the vitality of the local community and local economy from the future occupiers of the house in accordance with paragraph 78 of the Framework. Such support would be limited due to the location of the site outside of the core of the village.
24. Against these limited benefits, the proposal would result in significant harm to the spacious semi-rural character and appearance of the area. It would also result in a high dependency on the use of private motor vehicles for access to services. As such it would be contrary to the aims of the Framework to recognise the intrinsic character and beauty of the countryside, to minimise the need to travel and to support the transition to a low carbon future.
25. Even with the 'tilted balance' engaged, overall, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. Therefore, the proposal would not represent sustainable development.
26. Moreover, whilst recognising that certain policies of the development plan are out of date and diminished weight is afforded to them, the proposal would conflict with Policies CS1 and CS2 of the CS, Policies FC1 and FC1.1 of the CSFR and Policies CL2 and T10 of the Local Plan.
27. For the reasons given above, the appeal is dismissed.

Robert Walker

INSPECTOR