



Appeal Decision

Site visit made on 7 October 2019

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2019

Appeal Ref: APP/W3520/W/19/3233836

Land adjacent 2 Rosemary Cottages, 2 Rosemary Cottages, Church Road, Battsford, IP14 2HF

- 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 & Mrs Andrade against the decision of Mid Suffolk District Council.
 - The application Ref DC/19/01952, dated 17 April 2019, was refused by notice dated 1 July 2019.
 - The development proposed is erection of detached dwelling and garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline form with all matters except for access reserved for future consideration. I have determined the appeal on this basis, treating the appearance on the submitted plans as illustrative only.

Main Issue

3. The main issue is whether the appeal site is an appropriate location for new residential development.

Reasons

4. The appeal site is not part of any of the defined settlements identified in policy CS 1 of the Mid Suffolk District Core Strategy Development Plan Document September 2008 (the CS) to which the majority of new development will be directed. As such in planning policy terms it lies within the countryside where development opportunities are limited to those exceptions set out in Policy CS 2 of the CS. The appeal proposal does not meet any of the types of developments envisaged under the closed list within Policy CS 2 of the CS. The appeal site lies within a cluster of residential dwellings, and therefore the development proposed would not be an isolated home in the context of paragraph 79 of the National Planning Policy Framework (the Framework). However, the site is more than 1 mile from the nearest settlement of Battsford Tye. Based on the evidence before me, Battsford Tye is also a settlement within the countryside and offers limited services to meet the day-to-day needs of residents of the development proposed. As such, future residents would have to travel to settlements further away. The nearest larger settlement which

would provide a number of services and facilities to meet day-to-day needs is Needham Market, around 4 miles from the site along a mostly narrow and winding road.

5. Paragraph 103 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. The appellant has referred to the potential for the development to support facilities in neighbouring villages, which is recognised in paragraph 78 of the Framework. However, the appeal site is particularly remote from services and facilities to support the day to day needs of residents, other than the nearby parish church. Church Road is an unlit rural lane, with no pavement or separate cycle path in the immediate vicinity of the site and with significant changes in topography along its length. I consider that it does not encourage walking or cycling from the appeal site to reach the services and facilities. Access to public transport is limited, and I consider that due to the distances involved most trips to Battisford Tye or the larger, more distant, settlements are likely to take place by car.
6. The appellants have referred to permissions granted by the Council and on appeal for new dwellings in the countryside within the District. However, I do not have in evidence before me the full details that led to these schemes being considered acceptable. In the evidence before me none of the sites is said to be as far from day-to-day services as the appeal site, and in some cases a shortfall in the Council's housing land supply was identified which is not identified in this appeal. These differences limit the weight that I can give these other decisions in the determination of this appeal. In any case each appeal must be determined on its own merits, and this is what I have done.
7. For these reasons I therefore conclude that the appeal site is not an appropriate location for new residential development. The proposed development conflicts with Policies CS 1 and CS 2 of the CS and Policy H7 of the Mid Suffolk Local Plan September 1998, which when taken together form the planned approach to direct the distribution and scale of new housing development to existing settlements with access to services.

Planning Balance and Conclusion

8. The main parties agree that Paragraph 11 of the Framework for decision-taking is engaged in this case. I find that the most important policies determining this proposed development are more restrictive than the Framework. It is therefore necessary to determine whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
9. Except for the parish church, the appeal site is too far from its nearest services and facilities for the use of sustainable transport measures to be likely on a regular basis. While vehicle movements associated with a single dwelling may be small in number, trips to and from the site would be likely to be of significant distance given the particularly remote location from services and facilities. I afford this substantial weight in determining this appeal.
10. Set against this harm, I see that the Council has considered that the development proposed would contribute towards the Council's housing needs, although based on the evidence before me the Council does not have a shortfall in its housing land supply. The development would deliver temporary

economic benefits during the construction period and contribution towards the Community Infrastructure Levy, as well as ongoing benefits from council tax payments and support for local businesses from the custom from residents. Furthermore, the appellants have stated that the proposed development would be constructed to a high standard of efficiency and sustainability, including the use of renewable energy. This could be covered by a condition, were I minded to allow this appeal. They also state that the Council's concerns regarding potential impacts on ecology could be addressed by condition, and this could deliver biodiversity benefits. Collectively, I attach moderate weight overall to these benefits, as the economic and social benefits of a single dwelling are limited and the Council does not have a housing land shortfall.

11. I therefore find that the harm arising from the proposed development would significantly and demonstrably outweigh the benefits. The proposal would therefore not be a sustainable form of development, when considered against the Framework as a whole.
12. For the reasons given above I conclude that the appeal should be dismissed.

M Chalk

INSPECTOR