



Appeal Decision

Site visit made on 2 December 2019

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 January 2020

Appeal Ref: APP/W3520/W/19/3236154

Land at Stanton Street, Ixworth Road, Norton IP31 3LJ

- 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 R Catchpole against the decision of Mid Suffolk District Council.
 - The application Ref DC/19/02021, dated 5 April 2019, was refused by notice dated 31 July 2019.
 - The development proposed is erection of 4 detached dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 4 detached dwellings at land at Stanton Street, Ixworth Road, Norton IP31 3LJ in accordance with the terms of the application, Ref DC/19/02021, dated 5 April 2019, subject to the conditions set out in the attached schedule.

Preliminary 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 submitted plans as illustrative only.

Main Issues

3. The main issues are:
 - Whether the proposed development would be integrated with the pattern of development in the area; and,
 - The effect of the proposed development on the living conditions of occupiers of the approved dwellings on the site to the east that fronts onto Ixworth Road.

Reasons

4. The main parties agree that the appeal site lies outside the existing defined settlement boundary for Norton. As such the appeal site is, in planning terms, considered to be within the countryside. Policy CS2 of the Mid Suffolk Local Development Framework Core Strategy September 2008 (the CS) and Policy H7 of the Mid Suffolk Local Plan September 1998 (the LP) seek to resist housing in the countryside. In this respect the appeal proposal would conflict with the development plan. I shall return to this matter later in the planning balance.

Pattern of Development

5. The site lies at the northern edge of the village of Norton. It is currently part of an open field, with new houses being built on the adjacent land to the south at the time of my site visit. The appeal site would be behind an adjacent site fronting Ixworth Road upon which planning permission has been granted for 4 new houses.
6. Development along Ixworth Road is predominantly linear in character. During the course of my site visit I saw a few examples from the road of backland development in the immediate vicinity of the site. In particular, the proposed pattern of development would be similar to that on the adjacent land to the south, which features 2 houses along the road frontage, and 2 more to their rear. As such, in the surrounding area backland development is part of the established pattern. Based on the evidence before me, the scale of development proposed would be in keeping with the general density of development in the vicinity of the site.
7. I note that the extant permission between the appeal site and Ixworth Road is a relatively recent consent and I have no evidence before me to suggest that it would not be delivered. Within the context of these adjacent developments, the appeal proposal would not appear out of keeping in this location.
8. The proposed development would therefore be integrated with the pattern of development in the area, in accordance with Policies GP1, H13 and the LP, and Policy CS5 of the CS. These policies collectively seek to influence the design and layout of new housing development.

Living Conditions

9. The vehicular access to the appeal site would lie between 2 of the approved houses on the site fronting Ixworth Road. This is not an unusual arrangement, and the level of disturbance that would be generated by traffic associated with the 4 dwellings proposed would not be unduly harmful to future occupiers.
10. As such the appeal proposal would not result in unacceptable harm to the living conditions of the occupiers of the approved dwellings. It would therefore accord with Policies GP1, SB2, H3, H13 and H16 of the LP, Policy CS5 of the CS and Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review December 2012. Taken together these policies require that new development not harm the amenities of existing occupiers.

Other Matters

11. The Parish Council raises a number of concerns including access visibility, the capacity of the primary school, and the need for affordable housing. I note that the Council does not share these concerns. Provisions relating to the vehicular access can be addressed through conditions and the submission of reserved matters.
12. I have no substantive evidence before me, for example from the local education authority, to suggest that the development proposed would raise issues with education capacity. On the issue of affordable housing, I note that the number of dwellings applied for in this case is below the thresholds set out in the National Planning Policy Framework (the Framework).

Planning Balance

13. It is not disputed that the Council has a housing land supply in excess of 5 years. Notwithstanding this, the main parties agree that the housing supply policies of the development plan are more restrictive than the Framework. I find that the most important policies for determining the principle of development in this appeal 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.
14. The site lies outside of the existing settlement boundary of Norton and as such it conflicts with Policies CS2 of the CS and H7 of the LP. However, it is reasonably well-connected to the village services and facilities with a public footpath into the core of the village from near the proposed site access. The proposal would help to support these local services and the local community, in accordance with paragraph 78 of the Framework.
15. The development proposed would deliver 4 additional houses in a location well-connected to local services and facilities and would support local businesses and services. I have found that the appeal proposal does not conflict with the development policies in respect of the pattern of development or impact on the living conditions of neighbouring occupiers.
16. In this instance the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits. The proposal would therefore be a sustainable form of development, when considered against the Framework as a whole.

Conditions

17. I have considered the conditions suggested by the Council, which include standard conditions relating to the commencement of development, confirmation of approved plans and submission of reserved matters.
18. I have imposed conditions relating to the highways access and visibility splays. I am satisfied that these are necessary given the proximity of the access to the prow of a hill and in the interests of highway safety.
19. A condition relating to the on-site storage of refuse and recycling bins is justified to ensure that these are stored out of the highway when not put out for collection.
20. A condition relating to surface water management is justified due to the site being undeveloped land and the need to prevent surface water draining onto the highway.

Conclusion

21. For the reasons given above I conclude that the appeal should be allowed.

M Chalk

INSPECTOR

Schedule of Conditions

- 1) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 2) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Defined Red Line Location Plan (Promap).
- 4) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 5) Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).
- 6) The new vehicular access shall be laid out and completed in all respects in accordance with Defined Red Line Location Plan (Promap) and with an entrance width of 4.5m and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
- 7) Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
- 8) Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.