



Appeal Decision

Site visit made on 10 February 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 April 2020

Appeal Ref: APP/D3505/W/19/3240715

1 Woodview Cottage, London Road, Copdock, Suffolk, Ipswich IP8 3JJ

- 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 and Mrs David and Lorraine Green against the decision of Babergh District Council.
 - The application Ref DC/19/02928, dated 6 June 2019, was refused by notice dated 14 August 2019.
 - The development proposed is described as detached dwellings on land adjacent to host dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site would be a suitable site for the proposed development having regard to its relationship with designated settlements and national and local policies which seek to promote sustainable patterns of development.

Reasons

3. The appeal site lies in a rural countryside location, approximately 1.7 miles south of the boundary of Copdock Village and 1 mile North of Capel St Mary. To the rear of the site is the cricket grounds of Ipswich Cricket Club. Next to the site, towards London Road, are open agricultural fields. Overall, the area is very rural, verdant and open in its appearance.
4. The appeal site is part of the side garden of No 1 Woodview Cottage, a two storey semi-detached dwelling fronting onto Roman Road, where some significantly large outbuildings have been erected.
5. The proposal is to demolish the existing outbuildings and construct two two-storey detached dwellings on the land adjacent to the host dwelling, with two parking bays and a double garage to be used by both properties.
6. It is accepted that there are some support facilities for day to day provisions within a 2 km radius of the site. Nevertheless, its location remains functionally detached from any of the two neighbouring villages, separated by large open fields. Furthermore, significant stretches of the path linking the site to these villages have no natural surveillance, which would compromise its usability.

7. While there is a pavement along Old London Road from the appeal site to the nearest bus stop, it is likely that future occupants would be dependent on the use of a car, given the spatial detachment from services located along Old London Road and the distance to the village of Capel St Mary.
8. It is accepted that there isn't an up to date allocations document and that there is a delay in the settlement boundaries review since the last local plan was adopted in 2006. Furthermore, policy CS2 of the Babergh Core Strategy (2014) is not wholly consistent with the current version of the National Planning Policy Framework (the Framework) and therefore should not be given full weight. However, the Council's approach in terms of requiring development to take into consideration its context, being of an appropriate scale and design for its location and take into account local infrastructure, is in line with the objectives of sustainable development as set out in the Framework.
9. The proposed development would not be adjacent or functionally linked to existing and established patterns of development, therefore the proposed development would represent an intensification of the urban form in an area that is not the preferred Council's location for new urban development. The proposed intensification in a location that is not adjacent or functionally linked to existing and established patterns of development would not contribute to the sustainable management of growth. In addition, it would also represent an encroachment on the countryside.
10. Policy CS2 of the Babergh Core Strategy (2014) does allow some flexibility for the location of new development outside of urban areas. Nevertheless, the Policy also requires the demonstration of proven justifiable need in order for such development to be allowed. Following a shortfall of housing delivery in the past, the Council can now demonstrate a five year housing land supply, such that the titled balance is no longer engaged and the proposal fails to clearly demonstrate how it would address unmet needs in the area and therefore proven justifiable need in the terms of Policy CS2.
11. The proposal would therefore fail to contribute towards managing sustainable patterns of growth. For the reasons above, on this issue, I conclude the proposal would be in conflict with Policies CS1 which aims to promote sustainable development objectives, CS2 which aims to direct development to towns, urban areas, core and hinterland villages, CS11 sets out the strategy for development for core and hinterland villages and CS15 on implementing sustainable development of the Babergh Core Strategy (2014) and the Framework.

Other Matters

12. The appellant has drawn my attention to other planning applications approved for development in other sites in and around Old London Road, Church Lane, London Road and Folly Lane. However, the specific details and circumstances of these other cases are not before me. In any event, I am not bound by other decisions and I must determine the proposal before me on its own merits and for the reasons stated, and I consider the proposed development to be harmful.
13. It is noted that the Highway Authority did not object to the proposal. However, the lack of harm in respect of accessibility, parking and highways safety is a neutral factor and does not serve to outweigh the harm identified.

Conclusion

14. In conclusion, for the reasons given above, I find the appeal should be dismissed.

Andre Pinto

INSPECTOR