
Appeal Decision

Site visit carried out on 9 November 2020

by Mrs J A Vyse DipTP DipPBM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 December 2020

Appeal Ref: APP/W3520/W/20/3253883

Land north of Greyfriars, Rattlesden Road, Drinkstone, Suffolk IP30 9TL

- 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 S Edwards against the decision of Mid Suffolk District Council.
 - The application No DC/19/04298, dated 9 August 2019, was refused by a notice dated 11 December 2019.
 - The development proposed is the erection of a single dwelling.
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Decision

1. For the reason that follow the appeal is dismissed.

Preliminary Matters

2. This is an outline application with all matters reserved for future consideration. The application was accompanied by a site plan. Although the plan is not annotated as such, I have treated it as illustrative.
3. The red line site boundary includes a narrow grassed strip of land running back from Rattlesden Road (the developable part of the site) as well a private access drive, The Driftway, which runs from Rattlesden Road along the length of the appeal site, providing access to other dwellings as well as vehicular access to agricultural land. Concerns are raised about fencing erected at the rear of the appeal site making it difficult for large vehicles to use the agricultural access. However, that is a private matter between the parties. Although it may have implications for implementation were this appeal to succeed, I have made my decision only on the planning merits of the case.
4. Whilst the Drinkstone Neighbourhood Plan has been examined, and was approved by the Council in June 2020, the Referendum has been postponed until May 2021 due to the pandemic. As such, it remains as a draft document. It is, nevertheless, a material consideration in this case. Given the stage that it has now reached, it carries at least some weight in the decision making process.

Main Issues

5. The main issues in this case relate to whether this is a suitable site for the development proposed having regard to local and national policies concerned with the location of new development and accessibility to services and facilities, and the effect of the development on the character and appearance of the surrounding area.

Reasons for the Decision

Locational Suitability

6. The development plan for the area includes the Mid Suffolk District Core Strategy (September 2008) and the saved policies of the Mid Suffolk Local Plan (September 1998). Together and among other things, policies CS1 and CS2 of the Core Strategy, and Local Plan policy H7 direct new housing development to a hierarchy of existing settlements and limit housing in the countryside to specific circumstances.
7. Drinkstone is classified as a countryside village in the current development plan and is treated as countryside for the purposes of planning policy. None of the specified exceptions for development in the countryside are relevant to the appeal scheme, bringing it into conflict with the development plan.
8. The appellant draws attention the emerging Babergh and Mid Suffolk Joint Local Plan preferred options document (July 2019) describing it as being at an advanced stage. In my view however, given the stage it is at, it is not sufficiently advanced to attract any more than little weight in this case. That said, I am mindful that the appellant's pre-application enquiry¹ indicates that Drinkstone is proposed as a Hamlet Village, with a settlement boundary to be re-introduced. In relation to the appeal site, the alignment of the proposed settlement boundary is the same as the built-up area boundary shown on the inset map that forms part of the Local Plan. Whilst the front third of the appeal site lies within the built-up area boundary (and the proposed settlement boundary) the rear two thirds of the site is, in both scenarios, within the open countryside for planning policy purposes.
9. Taking account of the setback that would be required from the highway and from each of the side boundaries (which would be necessary to reflect the prevailing settlement pattern here and to protect residential amenity) the restricted width of the developable part of the plot is such that it is highly unlikely that a meaningful dwelling could be accommodated on the space that would be available within the settlement boundary. Even the illustrative site plan shows a building with an elongated plan form extending back onto that part of the site outwith the boundaries referred to, with garaging at the far end of the plot to allow for a rear garden space immediately to the rear of the dwelling proposed. Even were the settlement boundary to be re-introduced here, it seems to me that development on the site would necessarily, and in no small part, take place on land that comprises, and would continue to comprise, open countryside.
10. Whilst not determinative at the present time, the appeal scheme gains no support either from the emerging Neighbourhood Plan referred to by the appellant. Policy DRN1 confirms that the focus for new development is land *within* the settlement boundary, with development beyond the defined boundaries only permitted in particular circumstances, none of which apply here. Policy DRN2 allows for infill plots within the settlement boundaries, and for additional dwellings on allocated sites. The allocated sites include plot 1 of the two sites that benefit from planning permissions granted by the Council on

¹ Submitted following refusal of the now appealed application.

land to the south of Greyfriars.² However, the appeal site is not an infill plot within the development boundaries and is not an allocated site.

11. In terms of accessibility, the only facilities identified by the appellant in relation to Drinkstone Green are a parish church and village hall. A local bus service through the settlement was withdrawn last year. The appeal site lies within around 1.5 miles (some 2.3 kilometres) of Rattlesden, which is designated as a Primary Village. Woolpit, identified as a Core Village is some 2.5 miles (over 4.2 kilometres) away, with the town of Stowmarket lying some 7 miles (11 kilometres) to the east.
12. The Council's response to the appellant's pre-application enquiry confirms that 800 metres is the distance generally accepted as being walkable.³ That reflects the Government's Manual for Streets which characterises walkable neighbourhoods as typically having a range of facilities within up to 10 minutes' (800 metres) comfortable walking distance. It also notes that walking offers the greatest potential to replace short car trips, particularly those under 2km. All the facilities referred to exceed those distances. Moreover, the routes to Rattlesden and Woolpit are along narrow country roads with no footways and no lighting, with speed limits of up to 60 mph in places. Whilst those settlements do provide a range of services and facilities, future occupiers would, for the most part it seems to me, be heavily reliant on the private car to access those.
13. I recognise that Mid Suffolk is a rural District and that public transport is not readily available across the area. Moreover, paragraph 103 of the National Planning Policy Framework recognises that opportunities to maximise sustainable transport solutions vary between urban and rural areas. However, the dwelling proposed does not meet any of the exceptions for a dwelling in this location and, with the Council confirming that it can currently identify a five year supply of housing land, there is no need for the dwelling proposed to be located here. As a consequence, the car dependency I have identified would conflict with the policy of the Framework to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

Character and Appearance

14. The identity and character of a place comes from the way that buildings, streets and spaces combine together and how people experience them. Drinkstone Green has a very rural nature and character. Heading south from Cross Street, the settlement essentially comprises ribbon development along both sides of Rattlesden Road. Views of the countryside beyond are glimpsed behind the buildings along Rattlesden Road, but towards the end of the development run on the eastern side of the road the open, undeveloped nature of the appeal site brings the countryside into the settlement and allows for more extensive outward views, with the existing pattern of development here (even allowing for the two consented plots to the south of Greyfriars) reinforcing a gradual transition at this settlement edge. In essence, the appeal site creates a distinctive break in built form along this side of the road,

² Application Nos DC/18/01727 and DC/19/02836

³ The Government's Manual for Streets describes walkable neighbourhoods as typically characterised by having a range of facilities within up to 10 minutes' (800 metres) comfortable walking distance. It also notes that walking offers the greatest potential to replace short car trips, particularly those under 2km.

signposting a marked step in the settlement edge. The location is all the more sensitive given the public footpath route that runs along The Driftway here.

15. Other than where there is development in depth, dwellings generally front onto Rattlesden Road and are set within fairly generous plots. In contrast, the developable part of the appeal site comprises a long and narrow plot that is uncharacteristic of the grain of development in the locality. Moreover, its dimensions mean that any dwelling is likely to lie sideways on to the road, which again is generally uncharacteristic of development within the settlement and would not sit well within the street scene.
16. As an outline application details of the size and design of any dwelling are matters for future consideration were the appeal to succeed. However, the illustrative site plan highlights the constraints of this narrow elongated plot, which leave too little scope for a layout that would not appear squeezed in its context. In my view, the appeal proposal would result in a form of development that not only would be markedly different from its neighbours, with a long frontage onto The Driftway, but would also consolidate development here, at the very point where the density of development reduces. The constraints of the site also mean that there would be little scope for any meaningful planting along the boundary with The Driftway, in marked contrast with the hedging along the boundary along the opposite side of the access drive.
17. The built elements of the development proposed would not be contained within the existing developed envelope of the settlement and would not relate well to the street scene or the existing grain and pattern of development that defines the established identity of the settlement. The resultant harm to the character and appearance of the area brings the development into conflict with Local Plan policies GP1, H13 and H15 which together and among other things seek to ensure that development is consistent with the pattern and form of development in the locality and the character of its setting.

Other Matters

18. The appellant refers to the Government objective of boosting significantly the supply of homes. However, in a plan-led system, that is done by identifying a five year housing land supply. In this case, the Council can demonstrate a five year supply. I recognise though, that that is not a ceiling, rather it is a starting point.
19. The development proposed would contribute a single dwelling to the local housing supply. In addition, there are likely to be some social benefits through the contribution of future occupiers to the local community and neighbouring settlements, together with some temporary economic benefits during the construction process. However, given the scale of the development proposed, those benefits would be limited.
20. The two dwellings referred to earlier, approved by the Council on land to the south of Greyfriars, are in the countryside outwith the built-up area of the settlement as defined in the current inset plan. However, both applications were determined at a time when the Council could not demonstrate a five year supply of housing land. That is not the case now. In the second, whilst the officer did acknowledge an emerging housing land supply position statement

that indicated a five year supply, that document was given no weight because of its draft status.

21. In both cases, the officers also acknowledged that future occupiers would place some reliance on the private car as a mode of transport, which consideration formed part of the overall planning balance. However, it is not clear from the officers' reports how the scale of development in each case (a single dwelling) would have the stated effect of reducing journey lengths. Whilst the officers' reports set out that occupiers would have access to a range of services by walking or cycling, there is no reference to the nature of the routes, nor to any assessment against the 800 metres figure now referred to by the Council, which figure reflects the guidance in Manual for Streets. The distance to those services and facilities is well in excess of that 'comfortable' distance. In addition, the bus service that ran through Drinkstone Green has since been withdrawn, making this an even less sustainable location than was the case previously.
22. In any event, the reports also indicate that there was a benefit in both instances in relation to highway safety, in terms of a reduction in the size and frequency of vehicles visiting those sites and the stopping up of an access. A further benefit in both cases related to the removal of container storage and a hardstanding. No such benefits arise in terms of the appeal site. Moreover, neither of those sites lay alongside a public footpath and both sites are materially larger than the appeal site, allowing the approved dwellings to sit comfortably within spacious plots. All in all, direct parallels with the development the subject of this appeal are not readily drawn and those decisions do not provide a precedent which translates to the appeal site.

Overall Planning Balance and Conclusion

23. The starting point for any planning decision is the development plan. For the reasons explained, I have found that there would be conflict with the relevant policies, bringing the scheme into conflict with the development plan as a whole. In this case, the Council can demonstrate a five year supply of housing land. However, it concedes that some of the policies most important for determining this appeal, in particular policies CS1, CS2 and H7 are inconsistent with the Framework. They set out a blanket approach that resists development in the countryside which is more restrictive than the approach adopted by the Framework, which does not seek to protect the countryside for its own sake, requiring instead that a balancing exercise be carried out. Those policies are therefore out of date, engaging the so-called 'tilted balance' set out at paragraph 11d) of the Framework.
24. In this case, the adverse environmental effects I have identified in respect of harm to the character and appearance of the area, combined with poor accessibility to services and facilities, would significantly and demonstrably outweigh the limited social and economic benefits of an additional dwelling in this location when assessed against the Framework policies taken as a whole. The proposal does not, therefore, benefit from the presumption in favour of sustainable development. Consequently, I conclude on balance that the appeal should not succeed.

Jennifer A Vyse
INSPECTOR