
Appeal Decision

Site visit made on 17 November 2020

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2021

Appeal Ref: APP/W3520/W/20/3257159

Tollgate Farm, Debenham Road, Crowfield IP6 9TD

- 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 Coates against the decision of Mid Suffolk District Council.
 - The application Ref DC/20/01047, dated 7 February 2020, was refused by notice dated 24 April 2020.
 - The development proposed is Erection of a single storey dwelling (with access).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Outline planning permission is sought with the matter of access to be determined at this stage and I have had regard to the access details provided and have determined the appeal on that basis. I have treated all other submitted information as illustrative.
3. The Council have made reference to policy HB1 of the Mid Suffolk Local Plan (LP) in its decision notice. This has been confirmed to be an error. The proposal does not engage heritage assets and therefore this policy is not relevant to the consideration of this appeal.

Main Issues

4. The main issues are (i) whether the appeal site is suitable 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 (ii) the effect of the proposed development on the character and appearance of the area.

Reasons

Location

5. Crowfield is a designated Countryside Village under as countryside by Policy CS1 of the Mid Suffolk Core Strategy 2008 (CS). The appeal site therefore lies within the open countryside for planning policy purposes. Policy CS1 states that in the countryside, development is restricted to particular types of development. These are listed in Policy CS2. The appeal scheme is not for any type of development supported and is therefore contrary to Policy CS2.

6. Policies FC1 and FC1.1 of the Mid Suffolk Local Development Framework Core Strategy Focused Review 2012 (FR) aim 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 FR.
7. I conclude that the proposal would be contrary to the spatial strategy in CS Policies CS1 and CS2, as it would encompass housing outside a defined settlement boundary. This conflict also results in the proposal being contrary to FR Policies FC1 and FC1.1 which require, amongst other things, proposals to contribute to meeting the objectives and policies of the CS.

Accessibility to services and facilities

8. Even though the site is not isolated in the context of the National Planning Policy Framework (the Framework) and does not fall to be considered under Paragraph 79 of the Framework, it is isolated from services and facilities. Notwithstanding that future occupiers would likely be able to benefit from a delivery service from the Post Office and Stores in the nearby village of Coddendam, and this would reduce the need to travel for some supplies, this would not negate the need to travel for employment, schools, health care and other services and facilities.
9. There are three bus stops in proximity to the site. The appellant accepts that there is a limited service but considers that it provides for commuting for employment purposes within Ipswich Town and the Key Service Centre of Debenham. I note that the last return service from Ipswich appears to be at 5.15 pm which would likely limit how practical the service might be in relation to working hours and the time needed to get to the bus stop after work. In addition, I saw that the location of the nearest bus stop to the site on the Debenham Road did not appear to be clearly marked and did not have a shelter or even a dedicated safe refuge from the road in which to wait for the bus. There are no footpaths along this stretch of the road nor street lighting. This arrangement would be likely to further discourage use of the service, particularly during inclement weather and in the dark.
10. Although some journeys could be made by public transport, given the location of the proposed development, I consider that future occupiers would be highly reliant on private motorised transport to access the facilities and services that would be required on an everyday basis. 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 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 deliverable supply of housing land, there is no need for the dwelling proposed to be located here.
11. As a consequence, the dependency on private motorised transport 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.
12. Accordingly, I conclude that the proposal would not provide a suitable location for housing in respect of accessibility to services and facilities. Thus, it would conflict with saved Policy H7 of the LP, CS Policies CS1 and CS2, FR Policies

FC1 and FC1.1 and Paragraph 8 of the Framework which jointly seek, amongst other matters, to control development in the countryside, direct development to higher order settlements which have a greater range of services and facilities, define the types of development that would be appropriate in the countryside and support the presumption in favour of sustainable development.

13. I do not consider Paragraphs 193 and 196 of the Framework to be relevant as they are concerned with matters relating to designated heritage assets, none of which are present in this case.

Character and appearance

14. The site is a self-contained paddock, surrounded by timber post and rail fencing. There is a ditch and mature native hedgerow adjacent the west boundary. A ditch also runs along the site frontage with Church Road. A small number of chicken coops and sheds are contained within the south east corner of the site.
15. The Council considers that the indicative plan illustrates a single storey dwelling with an irregular plan form, which is not in keeping with the character and density of the area. However, the application is in outline form and details of the size and design of any dwelling are matters for future consideration were the appeal to succeed. Nevertheless, the effect of erecting a dwelling on this site, and the associated domestic paraphernalia and activity that would accompany it can still be determined.
16. It is clear that the size of the plot is far greater than those within the immediate vicinity of the site. In this manner the proposal would not be reflective of the prevailing pattern of development. Although two dwellings front Church Road to the east of the site, the residential land opposite the site is that of rear gardens and a low-key access to a dwelling which is not obvious in the street scene. Development within Crowfield lies predominantly in a linear form along Debenham Road. Beyond the appeal site to the north and west lies agricultural land with residential development being sporadic further to the west.
17. I do not consider that the appeal site has a domesticated appearance. It is a paddock with one corner being used for keeping chickens. The post and rail fencing containing the paddock affords views into and across the site to the countryside beyond. The current open nature of the site and its use for agricultural purposes, positively contributes to the rural character of the area and marks the end of built form at this part of the village
18. The site is not an infill plot and its development would negatively affect the character and appearance of the area by extending the built form beyond its current confines and encroaching onto open agricultural land. Although there would be potential, as part of a reserved matters application, for the planting of hedgerow around the site to replicate that found opposite, or for heavy planting or wildflower meadow to be provided within the western end of the site, this would not overcome the harm to the area's character that I have identified.
19. I conclude that the proposed development would unacceptably harm the character and appearance of the area. Thus, it would be contrary to LP Policies GP1, H13, and H15 and CS Policy CS5. These policies along with the

Framework seek, amongst other matters, to ensure that development is consistent with the pattern and form of development in the locality and the character of its setting.

Other Matters

20. The appellant has provided several appeal decisions within the Council's area that he considers offer support to his proposal. Whilst I accept similarities between these cases and the appeal scheme, with regard to access to services and facilities and public transport provision, from the information provided it appears that those decisions were taken at a time when the Council could not demonstrate a five year deliverable supply of housing sites. This is not the case now. In addition, these decisions were made in the context of the particular circumstances of each case, the specific characteristics of which differ from those of the appeal scheme including the number of dwellings proposed, the effect on character and appearance, existing uses of the particular site and in one instance, the lack of reference to development plan policies to support the Council's reason for refusal. Taking all of these matters into account, I find the comparison with the referenced appeals to be of limited relevance in this case and I necessarily determine the appeal on its own merits.
21. In support of the appeal the appellant has submitted the Crowfield Housing and Population Data Profile 2019 (CHPD) to demonstrate that the proposal offers an opportunity to provide a dwelling to meet a recognised local housing need. Paragraphs 77 and 78 of the Framework identify that planning decisions should be responsive to local circumstances, support housing developments that reflect local needs and that housing should be located where it will enhance or maintain the vitality of rural communities. However, having reviewed the evidence, I see no reason to accept that the proposed dwelling would meet an identified local need.
22. The CHPD indicates that two and three bedroom dwellings are the most sought after by existing households wishing to move. It also indicates that those people who currently form part of an existing household within the village, but who are looking for their own property, are mainly single adults with no children. These people are said to be interested in flats, apartments and smaller terraced or semi-detached houses. Although no details of scale are for agreement at this stage, the application indicates that a four bedroom dwelling is likely to be favoured by the appellant. Given this indication, along with the size of the plot, I consider it reasonable to assume that a smaller dwelling, shown to be needed in the CHPD, is unlikely to be sought on this site should the appeal succeed. Even if I were to accept that the proposal would meet a recognised local need, there is no mechanism before me to ensure that the future occupier would be from the local area. I therefore give this matter little weight in the determination of this appeal.

Planning Balance

23. The starting point for any planning decision is the development plan. For the reasons explained, I have found there would be conflict with the relevant policies, bringing the scheme into conflict with the development plan as a whole. In this case there is no dispute that the Council can demonstrate a five year supply of deliverable housing sites. However, there is also no dispute that FR Policy FC1 and CS Policies CS1, CS2 and CS5 are out of date because of their inconsistency with the Framework. In that circumstance, the Framework

- indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
24. However, that a policy is out of date does not mean, necessarily, that it has no currency. Insofar as these policies seek to manage additional housing in rural areas in order to secure an overall sustainable pattern of development, they still have a resonance with the policies of the Framework and are a material consideration. As such I give these policies and the harm arising from the conflict with them moderate weight.
25. The proposal would have economic benefits in terms of creating short term employment opportunities during the construction phase, from the purchase of materials and by support for services, including local delivery services, by future occupiers. There would also be potential contribution of the employment of the future occupiers and their involvement in community activities. I afford these benefits modest weight given the proposal's minor nature.
26. Small sites can make an important contribution towards the housing requirement in an area, and the appeal proposal for one dwelling would likely be able to be built out quickly after approval of reserved matters. The proposal would comply with the Framework policy to boost the supply of housing, but the contribution would be limited and would not in this case contribute to any shortfall. I consider these benefits attract modest weight. In addition, the proposal could incorporate renewable energy technology and provide biodiversity enhancements. I afford these benefits modest weight. Matters where no harm has been identified weigh neutral in the planning balance.
27. Against these benefits the proposal would be harmful to the character and appearance of the area. In addition, the development would result in its future occupants being highly reliant on the use of private motor vehicles to access services and facilities. I acknowledge the Framework's stance, at paragraph 103, that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account. Nonetheless, this should not be taken to mean that a site with little access to reasonable alternatives to the use of private motor vehicles should be acceptable as a consequence. Particularly since paragraph 103 also states that the planning system should actively manage patterns of growth to support the objectives of paragraph 102 which includes identifying and pursuing opportunities to promote walking, cycling and public transport use. These conflicts attract considerable weight.
28. Overall, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework when taken as a whole. Therefore, the proposal would not represent sustainable development. Consequently, no material considerations justify a decision other than in accordance with the development plan and for the reasons set out the appeal must fail.

Conclusion

29. For the above reasons the appeal is dismissed.

S Tudhope
Inspector