

Appeal Decision

Site visit made on 5 January 2021

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2021

Appeal Ref: APP/W3520/W/20/3256949

Land adjacent Jockeys Farmhouse, Blacksmiths Lane, Forward Green, Earl Stonham IP14 5ET

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by R, B & F Gammer (Trustees of the LJ Gammer Settlement) against the decision of Mid Suffolk District Council.
 - The application Ref DC/20/01910, dated 13 May 2020, was refused by notice dated 23 July 2020.
 - The development proposed is use of land for the stationing of 3 holiday lodges.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council refers in its decision notice to Policies FC01 and FC01_1 of the Mid Suffolk Local Plan (1998) to support its reason for refusal. However, it clarified subsequently that the policies referred to should have been Policies FC 1 and FC 1.1 from the Mid Suffolk Core Strategy Focused Review (2012). I have, therefore, taken these as the relevant policies relied upon by the Council for the purposes of determining this appeal.

Main Issue

3. The main issue is whether visitors to the proposed holiday lodges would have adequate access to services, facilities and amenities without undue reliance on private vehicle use.

Reasons

4. The appeal site is a currently overgrown area of undeveloped land located between the small settlements of Forward Green and Middlewood Green. The surrounding area is open countryside, much of which is in agricultural use.
 5. The site lies outside established settlement boundaries in the countryside. Local policies and the National Planning Policy Framework (the Framework) do not, as a matter of principle, preclude the type of development proposed in this location.
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6. Policies FC 1 and FC 1.1 of the Core Strategy are broad policies concerning sustainable development, both of which pre-date the current version of the Framework. Consequently, Policy FC 1 does not fully reflect the current tests in national policy¹ and, therefore, I give it little weight for the purposes of determining this appeal². The appellants contend that Policy FC 1.1 has only one requirement, that development must conserve and enhance the local character of the different parts of the district, and that this is not relevant in this case. However, the policy also requires that development proposals will be required to demonstrate the principles of sustainable development, which is consistent with the more specific requirement in the Framework, of particular relevance in this case, that in order to support a prosperous rural economy, planning policies and decisions should enable sustainable rural tourism and leisure developments³.
7. The appellants state that the proposal complies with Policy RT19 of the 1998 Local Plan, which concerns static caravans and holiday chalets. However, this policy pre-dates the Framework and does not include the same requirement for rural tourism to be sustainable, which informs the main issue in this case. As such, the policy is not fully consistent with the Framework and I give it little weight for the purposes of determining this appeal⁴. The appellant also refers to Policy SP07 of the emerging Local Plan. However, given that this plan is apparently at an early stage in its preparation, I give this policy little weight also with regard to this appeal⁵.
8. I agree with the parties' assessment that holiday accommodation as proposed here will not require access to the full range of services and facilities as would a residential use, but access to some facilities, such as food shops, restaurants and public houses is likely to be necessary. Moreover, consideration should be given to the nature of access to visitor attractions that are likely to be sought by those using the proposed lodges. In this regard, while the Framework stresses the importance of provision of sustainable transport modes and travel choice, it also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making⁶.
9. Given their limited size, there are no relevant facilities in Middlewood Green or Forward Green. The appellants indicate that there are two public houses and a village store within five miles of the site at Stowupland, while the nearest large supermarket is located at Stowmarket, also within five miles of the site. The necessary facilities to sustain day-to-day needs are, therefore, accessible by relatively short journeys by car. However, given the distances involved and the nature of the surrounding rural and main road network, these journeys are less likely to be undertaken on foot or by cycle and I am not aware of public transport provision near the site. Nonetheless, the Framework recognises that such opportunities for sustainable travel may be more limited in a rural location like this.

¹ Paragraph 11.

² In accordance with paragraph 213 of the Framework.

³ Paragraph 83 c).

⁴ In accordance with paragraph 213 of the Framework.

⁵ In accordance with paragraph 48 of the Framework.

⁶ Paragraph 103.

10. In terms of visitor attractions, reference is made to the Museum of East Anglian Life and Stonham Barns Park Retail and Leisure Village, both some five miles away; Helmingham Hall, located eight miles from the site; and Needham Lake, which is six miles away. While these attractions are not a significant distance from the site, for the reasons already given journeys to them would most likely be by car. However, the nature of these attractions means that they are likely to be visited a limited number of times by occupants of the proposed lodges during a single holiday stay. Other attractions are likely to be sought at the larger towns in the surrounding area or, particularly in the main holiday season, at coastal locations. I note that Stowmarket has a rail station that provides access to London, Ipswich and Norwich. While this might be used for some journeys, by far the predominant form of travel is likely to be by private vehicle, including longer journeys to reach attractions beyond the immediately surrounding area.
11. The appellants draw attention to a recent successful appeal decision in which, it is argued, the Inspector accepted that the provision of six holiday lodges in an isolated location would not undermine the objectives of sustainable development⁷. However, I note that the Inspector found that *'whilst some visitors would use the lodges as a base for trips to the Lakes and other parts of the region it is also possible that many would focus their activities within the more immediate area including the beach. Thus, although most visitors would travel to the lodges by motorcar it is not unreasonable to believe that they would not be unduly dependent on it during their stay'*⁸.
12. The same cannot be said with regard to the current proposal where, based on the above findings, the occupiers of the lodges are likely to be almost entirely reliant on private vehicle use during their stay, including for longer journeys to attractions outside the immediately surrounding area. As such, despite the recognition in the Framework that there may be fewer opportunities to access sustainable transport in areas such as this and the fact that only three lodges are involved, in this regard the proposal would not represent a sustainable form of rural tourism.
13. I acknowledge that the proposal would provide some limited economic benefits in terms of visitor support for local facilities and attractions; reference is also made to the development providing local employment opportunities, although these are not specified. I give limited weight to the social benefits that might arise or any environmental gains from landscaping the site, which would be minimal. I consider, therefore, that these other limited benefits are insufficient to outweigh the undue and unsustainable reliance on private vehicle use that has been found in this case.
14. Accordingly, for the reasons given, I conclude that visitors to the proposed holiday lodges would not have adequate access to services, facilities and amenities without undue reliance on private vehicle use. Consequently, there is material harm arising from the conflict with Policy FC 1.1 of the Core Strategy referred to above and with the Framework's requirement that decisions should enable sustainable rural tourism. The appellants refer to paragraph 84 of the Framework in support of the appeal. However, this concerns local business and

⁷ APP/M0933/W/20/3247502, dated 5 November 2020.

⁸ Paragraphs 20 and 21.

community needs and is less relevant in this case that the preceding paragraph, part of which specifically addresses rural tourism.

Other Matters

15. I have had regard to all the representations made by interested parties. These do not, however, raise any additional matters in relation to the main issue in this appeal that would lead me to reach a different overall conclusion.

Conclusion

16. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR