
Appeal Decision

Site visit made on 16 February 2021

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 February 2021

Appeal Ref: APP/W3520/W/20/3250591

Land between Peak House (Planche Croft) and Thurston Park (Smart Garden Offices), The Planche, Church Road, Thurston, Bury St Edmunds, Suffolk IP31 3RH

- 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 Mr G Denny against the decision of Mid Suffolk District Council.
 - The application Ref DC/19/05113, dated 30 October 2019, was refused by notice dated 23 January 2020.
 - The development proposed is the erection of two detached dwellings with cart lodges and vehicular access (including amendment to existing stable access to the rear).
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether the proposal would be acceptable in this location, with regard to the character and appearance of the area and accessibility to services and facilities.

Reasons

3. The appeal site comprises an area of paddock to the rear of a tree-lined road frontage. Two large detached dwellings are proposed, both with cart lodge garaging. Each would have a separate access, with one also serving the stables on land to the rear. The site lies adjacent to the employment site (Smart Garden Offices) situated on the edge of the small residential hamlet of Thurston Planche. There is a rather isolated detached house to the other side of the site, with otherwise mainly undeveloped countryside both beyond and to the other side of Church Road.
4. With countryside intervening, the site is a significant distance away from the main village of Thurston. This is a reasonably large settlement where evidently a significant amount of further residential development has either been planned for or permitted.
5. The development plan relevant to this proposal comprises the 1998 Mid Suffolk Local Plan¹ (LP), the 2008 Core Strategy² (CS), the 2012 CS Focused Review³ (CSFR) and the 2019 Thurston Neighbourhood Plan⁴ (TNP).

¹ Mid Suffolk Local Plan adopted September 1998.

² Mid Suffolk Local Development Framework Core Strategy Development Plan Document adopted September 2008.

³ Mid Suffolk Local Development Framework Core Strategy Focused Review adopted December 2021.

⁴ Thurston Neighbourhood Development Plan 2018-2036 adopted October 2019.

6. The proposal is within the countryside, outside the settlement boundary defined for Thurston by the development plan. As such, it conflicts with CS Policy CS 2 which restricts development in the countryside to specific categories, not including new market dwellings. There is further conflict with TNP Policy 1, that focuses new parish development to within the defined settlement boundary. LP Policy H7 also steers new housing to existing settlements, in the interests of protecting the existing character and appearance of the countryside. The proposal would result in harm through a conflict with the development plan, whereby allowing would clearly undermine a plan-led approach towards the location of new residential development.
7. Whilst situated between two developed sites, the two large dwellings in spacious grounds would occupy a relatively large area of open countryside. This scheme would not comprise the obvious infilling of a small gap within an otherwise built-up frontage. There would be significant harm through the expansion of housing into a large area of undeveloped countryside adjacent to a relatively small hamlet. The conspicuous spread of development into the largely undeveloped countryside would detract from the rural character of this area. As a consequence, the proposal would conflict with LP policies GP1, H7 and H15, CS policies CS 1, CS 2 and CS 5 and the TNP, insofar as these seek to protect the countryside in this District, by restricting new development to where it is appropriate and in keeping with its surroundings.
8. Thurston has been the subject of planned residential growth due to it having a good range of local services and facilities, including primary and secondary education, a food store, post office, community centre/library, a railway station and regular bus service. However, the distance to these from the appeal site, along quite narrow unlit roads without footpaths, would not make the available services and facilities conveniently accessible by foot. There are no bus stops nearby and, whilst cycling might be a more realistic option, the proposal would not provide future occupiers good accessibility to regularly required services, other than by a reliance on frequent private car trips. These might only be short car journeys, mainly to Thurston. Nevertheless, locating further housing in the countryside some distance outside of this settlement would not adhere to the approach towards delivering sustainable development, relative to an established settlement hierarchy, provided by CSFR Policy FC 1.1 and CS Policy CS 1.
9. The Council are in the process of producing a new Joint Local Plan with Babergh District Council. This includes emerging Policy LP01, which is intended to allow infill development within clusters of dwellings in the countryside. The appellant seeks the support of a recent appeal decision⁵ allowing a dwelling in Willisham. This is another small settlement in this District currently deemed countryside under the current development plan, where emerging Policy LP01 was given some weight as indicative of a direction of travel. However, having considered that decision, this proposal would not be the equivalent small scale of infill, for a single dwelling or semi-detached pair, such as to gain the same level of support under this emerging policy. Unlike in the case of the single infill dwelling allowed in Willisham, this proposal would on balance not be acceptable, due to the harmful effects on the character and appearance of this rural area and a poor degree of accessibility to the nearest services and facilities.

⁵ Appeal ref APP/W3520/W/19/3233330 Antler Ridge, Main Road, Willisham, IP8 4SP.

Balance and conclusion

10. My colleague concluded in the Willisham appeal that, as a collective 'basket', CS policies CS1, CS2 and LP Policy H7 were out of date. This was due to the more recent National Planning Policy Framework (the Framework) advocating a less restrictive approach towards housing in small settlements. Following the same approach, and as agreed by the main parties, this engages the tilted balance provided under Framework paragraph 11 d) ii.
11. Any social benefits made towards the Framework objective of boosting housing supply would be relatively small with just the two dwellings proposed. Such a small benefit gains no traction through any lack of a five-year supply of deliverable housing sites, despite this not being intended as a ceiling. The benefits to the local economy of the construction would be short-lived, with the future household expenditure providing little additional support to the services in Thurston.
12. The scheme conflicts with key parts of the Framework. These include where this promotes an effective use of land in the meeting of housing need, in a manner sympathetic to local character which recognises the intrinsic character and beauty of the countryside, and where sustainable transport modes can be taken up.
13. The adverse impacts of granting permission would significantly and demonstrably outweigh the small benefits provided by this scheme, when assessed against the Framework policies taken as a whole. The proposal would therefore not benefit from the presumption in favour of sustainable development provided by paragraph 11. As a material consideration, this would thus not indicate the appeal be decided other than in accordance with the development plan, with which I find there to be conflict when considered as a whole. Therefore, for the reasons set out above and having considered all further matters raised, I conclude that the appeal should be dismissed.

Jonathan Price

Inspector