



Appeal Decision

Site Visit made on 18 May 2021

by R Sabu BA(Hons), MA, BArch, PgDip ARB, RIBA

an Inspector appointed by the Secretary of State

Decision date: 4th June 2021

Appeal Ref: APP/D3505/W/21/3267312

Old Joes Driving Range & Golf Course, Joes Road, Great Cornard CO10 0QB

- 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 V Woodward against the decision of Babergh District Council.
 - The application Ref DC/20/02208, dated 5 June 2020, was refused by notice dated 22 July 2020.
 - The development proposed is erection of dwelling for site manager.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would provide a suitable location for housing with regard for the accessibility of services and facilities;
 - the effect of the proposal on biodiversity; and
 - the effect of the proposal on the Special Landscape Area (SLA).

Reasons

Location

3. The site lies outside the defined Built Up Area Boundary of Great Cornard and a short distance from other buildings along Joes Road such that it would not be isolated in the terms of paragraph 79 of the National Planning Policy Framework (Framework).
4. Joes Road lacks footpaths and streetlights and the nearest villages lack a wide range of services and facilities such that future occupiers would be reliant on the private vehicle for access to services and facilities. Therefore, while I acknowledge that sustainable transport solutions will vary between urban and rural areas, given the location of the site, it would result in adverse environmental effects.
5. I note the evidence regarding the supervision of the special needs centre. From this information, the requirement of the facility appears to be primarily in relation to unexpected issues concerning building maintenance and the service users. However, there is little substantial evidence before me to indicate that this would be a regular occurrence such that a 24-hour presence on the site is justified. Furthermore, while I note the expense of engaging an independent property maintenance firm, there is little evidence before me to indicate there would not be other avenues available to respond to such situations.
6. I acknowledge the security and maintenance issues relating to the golf course. However, there is little evidence before me to indicate that an overnight presence

is necessary to mitigate this risk, or that other avenues such as CCTV and security technology have been explored. Moreover, it has not been demonstrated that such alternative methods of providing adequate security would be unviable.

7. Therefore, even if the site was isolated and the provisions of paragraph 79 of the Framework were engaged, there has not been a demonstration that there is an essential need for a rural worker to live at or near their place of work in the countryside.
8. I acknowledge the evidence relating to other dwellings associated with golf courses. However, limited further details are before me to enable a direct comparison to be made with this appeal. In any event, each case must be determined on its individual merits.
9. Consequently, the proposed development would not provide a suitable location for housing with regard for the accessibility of services and facilities. Therefore, it would conflict with Policy CS15 of the Babergh Local Plan 2011-2031 Core Strategy & Policies (Part 1 of New Babergh Local Plan) February 2014 (CS) which requires, among other things, that an appropriate level of services, facilities and infrastructure are available or provided to serve the proposed development.

Ecology

10. The site lies within a wider area that consists of a golf course. There are a number of ponds near the site such that there is a reasonable likelihood that the development could affect the ecology of the area including protected species. No substantial evidence is before me to indicate that this risk could be mitigated. Accordingly, there is no certainty that a condition requiring an ecological report to be submitted to the Council would be effective.
11. Consequently, the proposal would have an adverse effect on ecology. Therefore, it would conflict with CS Policy CS15 which seeks, among other things, development that protect and enhance biodiversity.

SLA

12. The site forms part of a golf course and driving range. While I note the evidence regarding the Ancient Rolling Farmland designation, given the open green nature of the area including groups of trees and long views, the site and surrounding area has an open rural feel that is in keeping with the pleasant spacious character of the SLA.
13. I note the single storey height of the proposal and that the design would be in keeping with the other buildings on the site. The proposed dwelling would not only introduce a dwelling, but also hard landscaping and domestic paraphernalia that would urbanise the site and unacceptably diminish the rural spacious character of the SLA.
14. I have considered the use of conditions to secure a landscaping scheme. However, while some landscaping may partially screen the proposal from wider views, it would be unlikely to mitigate the urbanising effect that the scheme would have on the SLA.
15. Consequently, the proposed development would unacceptably harm the SLA. Therefore, it would conflict with CS Policy CS15 which seeks development that respect the landscape. It would also conflict with Policy CR04 of the Babergh Local

Plan Alteration No.2 Adopted June 2006 which seeks development that maintain or enhance the special landscape qualities of the area.

Planning Balance

16. I note the evidence regarding the growth of the business and the associated economic benefits in terms of employment among other things. However, there is little evidence to indicate that the provision of a dwelling on the site would directly result in these particular benefits.
17. The provision of a dwelling would result in temporary economic benefits during the construction phase and future occupiers would be likely to provide social benefits to the local community. However, since the proposal is for a single dwelling, these benefits would be limited.
18. Since planning permission for the proposed holiday lodges has been refused, this matter has not altered my overall decision. I acknowledge the evidence regarding lockdowns however, these were temporary situations and I have made my assessment based on the planning merits of the scheme.
19. The Council are able to demonstrate a five-year housing land supply and this is not contested by the Appellant. The development plan partly pre-dates 2012 but the weight to be attached does not hinge on its age. Rather paragraph 213 of the Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. The Framework does not require that the countryside is protected for its own sake but recognises its intrinsic character and beauty. While development is not precluded in rural areas, the Framework indicates that great weight should be attached to the benefits of using suitable sites within settlements for homes and therefore supports the general thrust of the development plan in terms of the location of housing. In addition, the Framework places emphasis on good design being a key aspect of sustainable development and requires that developments are sympathetic to local character.
20. Consequently, while I note that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, given the environmental harm that would result from the location of the development, the adverse effects on biodiversity and the harm to character and appearance of the SLA, the proposed development would also conflict with the Framework in this regard and the development plan as a whole. As such even if the tilted balance in the terms of the appellant were engaged, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion

21. For the reasons given above the proposed development would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R.Sabu INSPECTOR