



Appeal Decision

Site Visit made on 10 August 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Monday, 13 September 2021

Appeal Ref: APP/W3520/W/20/3264842

Meadows, Pound Road, Creting St Peter IP6 8QS

- 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 Executors of Mr McMahon against Mid Suffolk District Council.
 - The application Ref DC/20/01837, is dated 11 May 2020.
 - The development proposed is the demolition of existing dwelling and associated ancillary outbuildings. Erection of four dwellings and creating of new vehicular access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note references to an emerging local plan. However, the amount of weight I can give to this is limited as the findings of the examination in public are awaited.
3. Following the submission of this appeal, a revised version of the National Planning Policy Framework (the Framework) has been published. I have considered the proposals in the light of this revised document, having first given the parties an opportunity to comment on its content.

Main Issue

4. The main issue is the suitability of the site as a location for a residential development.

Reasons

5. The appeal site consists of a dwelling that has a large garden that is sited in the village. The surrounding area contains a number of dwellings. The village contains an array of services and facilities consistent with its scale. Beyond the village is countryside.
6. The proposed development would result in the demolition of the existing dwelling and erection of four new units of accommodation. The proposal would potentially result in a greater number of people being resident on the appeal site. This is owing to the fact that the new development could accommodate a greater number of households.
7. This causes a concern as the number of services that are available within the village are commensurate with that often experienced in settlements of this size and type. In consequence, residents of the proposed development would

- be expected to travel to other settlements in order to access the full range of services and facilities that they are likely to require on a frequent basis.
8. Creeting St Peter is near to other settlements, including Stowmarket. However, the relative distances between them is unlikely to encourage residents from undertaking such journeys by means other than private cars.
 9. However, the surrounding road network is relatively narrow and sinuous. In addition, there are limited verges. Therefore, anyone travelling by means of walking or cycling would need to travel within the road owing to the lack of separate infrastructure.
 10. These factors are likely to result in conflict between motor vehicles and pedestrians and cyclists. The effect of this is likely to increase the overall reliance upon private cars as a means of journeys to be undertaken. In addition, this is likely to be exacerbated as the village does not appear to have a significant amount of public transport.
 11. Furthermore, the surrounding road network does not feature street lighting. This means that the road is likely to be an unattractive environment for pedestrians and cyclists during periods of darkness or inclement weather. This is also likely to increase the reliance upon private cars as a means of undertaking journeys.
 12. There are some footpath routes within the surrounding area. However, as these have an unmetalled surface, they are unlikely to be an attractive environment for pedestrians during periods of poor weather. Furthermore, the distance that residents would need to walk to other settlements means that these would not be an attractive alternative for future occupiers of the proposed development.
 13. Although new dwellings can be provided in hamlets, it is a requirement of the National Planning Policy Framework (the Framework) that developments are accessible by means other than private cars. For the preceding reasons, the development would conflict with this objective.
 14. The proposed development would be located near to other buildings and therefore would not be isolated. Whilst this is a matter of note, it does not mitigate my previous concerns.
 15. Whilst the proposed development is located within the settlement and would not give rise to adverse effects on matters including the living conditions of the occupiers of neighbouring properties; highway safety; and the character of the surrounding area. However, these are only some of the matters that must be assessed and therefore do not override the preceding points.
 16. I therefore conclude that the appeal site represents an inappropriate location for a residential development. The development, in this regard, would conflict with the Framework. Amongst other matters, this seeks to ensure that appropriate opportunities to promote sustainable transport modes can be taken up; suitable access to the site can be achieved for all users; and minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Other Matters

17. My attention has been drawn to a previous appeal decision in Babergh District. I do not have the full information regarding the planning circumstances of this,

which lessen the weight that I can attribute to it. Nonetheless, I note that this development is located within a different location, with differing characteristics. In consequence, the individual assessments regarding each development will vary. I therefore find that the presence of this appeal proposal does not overcome my previous conclusions.

18. I acknowledge that in submitting the application for planning permission, the appellant was attempting to overcome a previous reason for planning permission. However, in this does not outweigh my findings in respect of the main issue.

Planning Balance

19. The evidence before me indicates that the Council's Planning Policies are out-of-date. Accordingly, the provisions of Paragraph 11(d) of the Framework are invoked. This means that the planning permission should be granted unless the benefits of the development are significantly and demonstrably outweighed.
20. Given that the Council can demonstrate a five-year housing supply, the Council is already significantly adding to the supply of housing land within the area. Therefore, the benefits arising from the additional houses created by the proposed development can only be given a limited amount of weight.
21. In addition, the development would not represent a suitable location for a residential development. This amounts to significant harm. Therefore, the benefits of the proposal are significantly and demonstrably outweighed.

Conclusion

22. The proposed development would not represent a suitable site for a proposed development. There are no material considerations that indicate the decision should be made other than in accordance with the Framework. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR