

Appeal Decision

Site visit made on 9 December 2021

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7TH January 2022

Appeal Ref: APP/X3540/W/21/3276252

Land south of Low Road, Hasketon IP13 6JG

- 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 M Copping (Maison Investments Ltd) against the decision of East Suffolk Council.
 - The application Ref DC/20/4555/FUL, dated 10 November 2020, was refused by notice dated 19 January 2021.
 - The development proposed is the erection of 3no. new dwellings and associated shared vehicular access and driveway.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An application for costs was made by Mr M Copping (Maison Investments Ltd) against East Suffolk Council. This application is the subject of a separate decision.
3. The main parties refer to two previous unsuccessful applications for the erection of four dwellings at the appeal site¹. While I note these earlier applications, this appeal involves a separate proposal which I have considered on its own merits.

Main Issue

4. The main issue is the suitability of the location for the proposed dwellings, with particular regard to the development plan's spatial strategy, access to local services and facilities, and the effect on the character and appearance of the appeal site and surrounding area.

Reasons

5. Hasketon is designated as a small village in the settlement hierarchy by Policy SCLP3.2 of the Suffolk Coastal Local Plan (2020). The appeal site is an area of undeveloped, open land directly next to but outside the westernmost settlement boundary and, as such, is defined as countryside in accordance with Policy SCLP3.3 of the Local Plan. This policy says that new residential

¹ Refs DC/20/1172/FUL and DC/20/2743/FUL.

development will not be permitted in the countryside unless specific policies indicate otherwise. Policy SCLP5.3 is relevant in this regard as it sets out the types of housing development acceptable in the countryside, which includes limited development within existing clusters, in accordance with Policy SCLP5.4.

6. The supporting text to Policy SCLP5.4 indicates that clusters can vary in size and can include those settlements in the countryside which do not have the range or amount of facilities to be classed as a designated settlement within the hierarchy. As Hasketon is a designated small village, it follows that the existing dwellings within the settlement cannot be classified as part of a cluster. I note that this view is consistent with those in recent appeal decisions drawn to my attention by the Council².
7. Policy SCLP5.4 says that proposals will be supported for up to three dwellings, as in this case, within a cluster of five or more dwellings. It indicates that a 'cluster' in the context of the policy consists of a continuous line or close group of existing dwellings adjacent to an existing highway; and contains 5 or more dwellings.
8. The only dwellings that could form part of a cluster as defined in Policy SCLP5.4 are the property immediately to the west, Lantern House, and those north of the appeal site. It is not clear that this small number of dwellings amount to 5 in total and would, therefore, numerically constitute a cluster. Furthermore, the extent of the substantive gap between these dwellings, particularly Lantern House and the next property to the north, Paddock View, means that they cannot reasonably be described as being located in a continuous line or close group. Rather, these dwellings represent a loose-knit and informal grouping of dwellings that has occurred over time outside the more tightly-defined built form of the settlement. Consequently, the proposal does not amount to development within a cluster, but constitutes development in the countryside, contrary to Policy SCLP3.3 of the Local Plan.
9. With regard to access to services and facilities, it seems that the Council's concerns principally relate to the unplanned nature of the proposed development. It indicates that while the site is well-related to Woodbridge some two miles distant, the Local Plan deems Hasketon appropriate for only a small amount of growth, controlled through the tightly defined settlement boundary. I acknowledge the appellant's contention that the site is not isolated and that its position makes little difference with regard to accessibility given that it is directly next to the settlement boundary. However, I have found above that the proposal constitutes development in the countryside and, as such, it would undermine the planned spatial strategy in the development plan.
10. Turning to character and appearance, the settlement edge adjacent to the appeal site is clearly indicated by the last of the row of dwellings fronting the south side of Low Road. While the Turks Head public house is located outside the boundary, it extends to broadly the same extent as the dwellings opposite. Consequently, both the appeal site and land opposite it are open and undeveloped. While there is sporadic development beyond this in the form of Lantern House and the limited number of properties to the north, the appeal

² APP/X3540/W/20/3252036 dated 12 October 2020 and APP/X3540/W/20/3249337 dated 24 December 2020.

site and land opposite have more in common with the countryside beyond due to their open, undeveloped character and appearance. As such, the appeal site makes a positive contribution to the surrounding area by marking the distinct settlement edge and providing separation from the limited development outside the boundary.

11. The proposal would continue the linear residential development along the south side of Low Road, harmfully extending the village's built form into the countryside. This would be in contrast to the open land opposite and the more compact form of residential layout within the settlement boundaries, with development either side of the principal village roads. The proposed dwellings would be prominent in views from the surrounding area, both within and outside the settlement boundaries. I acknowledge that existing features on the site, including trees and hedgerows, would be retained and could be enhanced by additional planting. However, this is not a sufficient basis to overcome the harm that would result from the three dwellings in this location.
12. The appellant makes a number of substantive points relating to the expectation that the proposal would be acceptable due to the reduction in the number of dwellings from the previous applications; and as a result of pre-application engagement with the Council. However, these arguments are more appropriately considered with regard to the costs application, rather than in relation to the planning merits of the appeal proposal.
13. Accordingly, for all these reasons, I conclude that the appeal site is not a suitable location for the proposed dwellings due to the material harm to the development plan's spatial strategy and to the character and appearance of the appeal site and surrounding area. As such, it is contrary to Policies SCLP3.2, SCLP3.3, SCLP5.3 and SCLP5.4 of the Suffolk Coastal Local Plan (2020).

Other Matters

14. 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 issues in this appeal that would lead me to reach a different overall conclusion.
15. The National Planning Policy Framework (the Framework) is a material consideration in planning decisions³ and it requires that plans and decisions should apply a presumption in favour of sustainable development⁴. The Council indicates that it can demonstrate a five year supply of housing land and, despite the appellant's references to historic under-supply issues, the presumption is not engaged as a result. I am not aware of any substantive arguments that the most important policies for determining the application are out-of-date and I do not consider them to be so. Consequently, the presumption is not engaged.
16. While the proposal would help to meet the Framework's objective of boosting housing supply, this is not a sufficient reason to outweigh the harm and conflict with the development plan that has been found. There are limited local facilities that the dwellings would help to support and the affordability of the smaller dwellings is not of sufficient weight to overcome the harm in this case.

³ Paragraph 2.

⁴ Paragraph 11.

Conclusion

17. The proposal would result in material harm and is contrary to the development plan. The presumption in favour of sustainable development does not apply and there are no other material considerations that outweigh the conflict with the development plan. Accordingly, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR