
Appeal Decision

Site visit made on 22 November 2022

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2023

Appeal Ref: APP/W3520/W/22/3294165

Longacres, All Saints Road, Creeting St Mary IP6 8PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr & Mrs Nix against the decision of Mid Suffolk District Council.
 - The application Ref DC/21/06487, dated 30 November 2021, was refused by notice dated 12 January 2022.
 - The development proposed is Permission in Principle for 1-2 Dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted.¹ All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. For the purposes of accuracy, the appeal site address refers to the road where it is located.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

6. The site comprises amenity garden land and is located within a loose cluster of three dwellings on All Saints Road. It is located within designated countryside under the settlement hierarchy within Policy CS1 of the Mid Suffolk Council Core Strategy (CS) Development Plan Document 2008. CS Policy CS1 sets out

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

a development strategy aiming to be the best practicable, sustainable option to meet the Government's objectives for urban and rural planning. CS Policy CS2 and Policy H7 of the Mid Suffolk Local Plan (LP) state residential development will be restricted to particular types to support the rural economy and that new housing will be strictly controlled, with the provision of new housing forming part of existing settlements. In this location, the proposed 1-2 dwellings would not be the types of development permissible in the countryside under these policies and therefore, there would be CS and LP policy conflicts.

7. The loose cluster of dwellings around the appeal site are separated by significant green spaces, with trees and landscaping, within a distinct rural setting. The surroundings are characterised by low density and sporadic development within this area of All Saints Road, with a denser cluster located towards the A140. The use and amount of development would remove green space, consolidate existing development, and would suburbanise the rural context which would be harmful to the character and appearance of the area.
8. There would be conflict with Policy LP01 of the emerging Babergh and Mid Suffolk Joint Local Plan because the proposal would be detrimental to the character of the surroundings. The site would also not be within a continuous built up frontage. The frontage along this part of All Saints Road comprises significant gaps, with spacious gardens and fields, and as such, the location of the development would not amount to infilling.
9. Permission in principles have been granted for dwellings at Poplars Farm, and north of All Saints Road. These developments are sited further away from the core of the village of Creting St Mary and at the time, the Council had a surplus 5 Year Housing Land Supply (5YHLS). However, they are located closer to the A140 within a denser and more suburban context, and consequently, they would not harm the rural character and appearance of the area in the manner identified with this appeal proposal. For these reasons, there are significant differences between the current appeal proposal and those considered in these locations. In any case, every proposal has to be considered on its own particular planning merits.
10. The closest settlement is Creting St Mary which has a primary school and village hall, which is classified as a secondary village under the CS. Under the Chartered Institution of Highways and Transportation Guidelines for Providing for Journeys on Foot, acceptable distances are identified for various journeys such as commuting, walking to school and recreation are detailed. The walking distances to the village centre are just within the 'considered' acceptable limits of the guidelines. There is also bus stop that is closer which offers services Monday to Saturdays to nearby settlements.
11. However, there is no footpath or street lighting along this stretch of road where the appeal site is located. Dependent on which settlement is being visited, access to the bus stop would involve crossing of the A140. Furthermore, Needham Market provides the main body of services and facilities in the locality and is located a considerably greater distance away, well beyond the 'considered' acceptable walking limit. National policy accepts accessibility varies between different areas. Paragraph 105 of the Framework indicates opportunities to maximise transport facilities will vary between urban and rural areas. However, the poor quality of footpath connections and remote accessibility to most services and facilities would necessitate extensive use of

the private motor vehicle by residents detrimental to sustainable transport policy.

12. For all these reasons, the location, land use and scale of development would harm the districts settlement hierarchy, and the character and appearance of the area. The location of the development would result in poor accessibility to services, facilities, and employment detrimental to sustainable transport policy. Accordingly, there would be conflict with Policies CS1 and CS2 of the CS and Policy H7 of the LP.
13. The proposal would boost housing supply. The construction of the dwelling would result in employment which, together with the financial spend of the new residents, would benefit the local economy. Development would support the rural vitality and vibrancy of the local economy. However, these benefits would be restricted given the scale of development, and there would be harm to the district's settlement hierarchy, character and appearance of the area, and sustainable transport policy.
14. CS Policies CS1 and CS2, and LP Policy H7 are inconsistent with national policy within the Framework because of their prescriptive and blanket approach in discouraging development in rural areas. The Framework has a more flexible approach to managing development. Nevertheless, such policies still seek to focus development into settlements in accordance with sustainable development policy. Cumulatively, the identified harms would be substantial, and it has not been disputed that the Council has a surplus 5YHLS. Whilst the 5YHLS does not represent a ceiling to future housing, the contribution and benefit of 1-2 dwellings would be proportionately smaller, significantly restricting weight in the planning balance. For all these reasons, the policy conflicts would be overriding and there would be conflict with the development plan taken as a whole.
15. Under the Framework, the tilted balance would apply because the 'basket of most important policies' is out-of-date. However, the cumulative harm would be overriding for the reasons indicated. In this regard the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. There are no material considerations of sufficient weight or importance that determine that the decision should be taken other than in accordance with the development plan and therefore, the permission in principle should be refused.

Conclusion

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

Jonathon Parsons

INSPECTOR