



Appeal Decision

Site visit made on 17 February 2023

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2023

Appeal Ref: APP/W3520/W/22/3302858

Land at Lower Road, Onehouse, Stowmarket, Suffolk

- 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 J Sinclair (Finborough Hall Services Limited) against the decision of Mid Suffolk District Council.
 - The application Ref DC/22/01363, dated 13 March 2022, was refused by notice dated 12 May 2022.
 - The development proposed is erection of 1 No detached dwelling and garage, including construction of new vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal represents an appropriate location for housing, having regard to relevant local and national policies regarding development in the countryside and other material considerations.

Reasons

Location for Housing

3. The appeal site comprises a roughly triangular parcel of land set amid a loose grouping of dwellings on the southern side of Lower Road, roughly to the south-west of the village of Onehouse at a distance of around 1.5 miles by road. A single dwelling is proposed on the land with a new access formed onto Lower Road. An existing public footpath running down one side of the site would be retained.
4. The development plan for the area comprises the Mid Suffolk District Core Strategy (September 2008) (the CS), the Core Strategy Focused Review (December 2012) (the FR) and saved policies of the Mid Suffolk Local Plan (September 1998) (the MSLP). The appeal site lies outside of any named settlement and therefore within the countryside for planning purposes.
5. CS Policy CS1 sets out that development in the countryside will be restricted to particular types of development to support the rural economy, meet affordable housing and community needs and provide renewable energy. Supported types of development are set out in more detail under Policy CS2. Market residential housing is not listed under this policy. Saved Policy H7 of the MSLP sets strict controls over new housing in the interests of protecting the countryside. The proposal for a single market dwelling would conflict with these policies and the overall spatial strategy of the development plan.

Other Material Considerations

6. The appellant argues that the aforementioned policies are inconsistent with the approach of the National Planning Policy Framework (the Framework), a position confirmed in past appeal decisions in Mid Suffolk. The Council accepts that the restrictive approach of these policies to housing in the countryside is not entirely consistent with the Framework, in that it may lead to otherwise sustainably located development being refused. However, the Council argues that the proposal infringes elements of the policies which are consistent with aims of the Framework, such as seeking to locate housing where it will enhance or maintain the vitality of rural communities and avoiding the development of isolated homes in the countryside.
7. On the evidence before me, I find that Policies CS1, CS2 and H7, read together, set out a restrictive approach to development in the countryside which does not reflect the more balanced approach of the Framework, which in particular does not explicitly restrict market housing in the countryside, nor does it seek to protect the countryside for its own sake. Consequently, I find that these policies are not consistent with the Framework and conflict with them should carry reduced weight in the planning balance.
8. Consequently, and notwithstanding that the Council claims a housing land supply position in excess of 9.5 years, these policies, being the most important for determining the application, are out-of-date and the presumption in favour of sustainable development is therefore engaged, where permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
9. The proposal would be located within an existing line of detached dwellings on Lower Road. In terms of character and appearance, the dwelling would appear as an infill development within relatively enclosed, wooded surroundings on the southern side of the road. As a result, it would not appear conspicuous within the landscape and would not have an adverse effect on its character or appearance. However, this would be a neutral consideration in the overall planning balance.
10. The site is indicated to be some 1.5 miles from Onehouse, a 'secondary village' under Policy CS1, which are defined as 'unsuitable for growth but capable of taking appropriate residential infill and development for local needs only.' I saw that the road into Onehouse was relatively narrow, twisting, undulating and lacking verges. Traffic was also quite fast. Such conditions, and the distance to Onehouse, would discourage occupants of the dwelling from walking, and quite possibly cycling too, with reliance almost entirely on the private car.
11. Moreover, I saw there to be very few services in Onehouse, and limited facilities in other nearby settlements such as Great Finborough and Buxhall, meaning that future residents are unlikely to frequent the village but would instead travel beyond the local area to larger settlements such as Stowmarket some 2.5 miles away where their day-to-day needs can more readily be met. Given these factors, I am not persuaded that the site would be located where it would enhance or maintain the vitality of the rural community, contrary to Paragraph 79 of the Framework.

12. The proposal would add one dwelling to the local housing stock, though in light of the Council's claimed housing land supply position, which is not challenged by the appellant, such a benefit would attract limited weight at most. Other advanced benefits, such as meeting Building Regulations, biodiversity enhancements and new planting, would either be statutory or policy requirements, and so largely neutral factors overall.
13. The addition of a dwelling would bring with it some economic benefits for the local construction industry, though this would be temporary and limited in scale. Thus, any benefit in these respects would be modest.

Other Matters Raised

14. Concern is raised by interested parties in terms of potential plans to create tourist accommodation on land to the rear of the site, potentially in the form of glamping tents. However, I have no details of any such proposal before me, and nothing in evidence points to the development of a dwelling being intrinsically linked to such a scheme. Any such proposal would require planning permission in its own right and would be assessed by the Council on its merits. In the circumstances, this is not a matter weighing against the proposal.
15. There is also concern raised in respect of access, citing traffic speeds and volume on Lower Road and its narrow width. The proposed access would be located to the centre of the site frontage, with plans indicating sufficient visibility splays in both directions. No objection has been raised by the local highway authority and although I saw fast moving traffic at my visit, I also observed the available visibility and have no compelling reasons to conclude differently to the Council in this matter.

Planning Balance and Conclusion

16. The identified benefits would attract only limited weight in favour of the proposal as set out above. Set against this, the development would conflict with the settlement strategy for the area; it would result in environmental harm due to the reliance on the private car; and would fail to support the vitality of rural communities. Overall, and even allowing for the reduced weight to be afforded to relevant development plan policies, I conclude that the adverse impacts I have found would significantly and demonstrably outweigh the benefits identified.
17. The proposal would therefore not benefit from the presumption in favour of sustainable development provided by Paragraph 11 of the Framework. This is a significant material consideration weighing against the proposal and also leads to overall conflict with Policies FC1 and FC1.1 of the FR in terms of achieving sustainable development. Overall, therefore, other material considerations in this case do not indicate that the appeal should be decided other than in accordance with the development plan.
18. Therefore, I conclude that the appeal should be dismissed.

K Savage

INSPECTOR