
Appeal Decision

Site visit made on 18 May 2023

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2023

Appeal Ref: APP/X3540/W/22/3305894

Land adjacent to 5 Ipswich Road, Newbourne, Suffolk IP12 4NS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr T Carlyon against the decision of East Suffolk Council.
 - The application Ref DC/22/2300/OUT, dated 7 June 2022, was refused by notice dated 1 August 2022.
 - The development proposed is 'resubmission of proposed infill dwelling on land adjacent to 5 Ipswich Road, Newbourne IP12 4NS in outline'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application is made in outline with all matters reserved for subsequent consideration.
3. The *Housing in Clusters and Small Scale Residential Development* Supplementary Planning Document (SPD) was adopted by the Council in November 2022 while the appeal was in progress. I have taken account of the SPD and comments made on it in considering this appeal.
4. I note that the appellant made a financial contribution at application stage to address the required mitigation by the Council of the effect of the proposal on European designated sites.

Main Issue

5. The main issue is the suitability of the location for the proposed development, with particular regard to the effect on the character and appearance of the appeal site and the surrounding area.

Reasons

6. Newbourne is designated as a Small Village in the settlement hierarchy by Policy SCLP3.2 of the East Suffolk Council - Suffolk Coastal Local Plan (2020). The village is unique amongst this settlement category as it does not have a defined boundary.

7. Policy SCLP3.3 of the Local Plan defines unallocated land outside settlement boundaries as countryside where new residential development will not be permitted, except where specific development plan policies indicate otherwise. In this regard, Policy SCLP11.9 addresses development within the Former Land Settlement Association Holdings (LSAH) in Newbourne, which includes the appeal site and covers much of the village. More generally, Policy SCLP5.3 sets out the types of housing development acceptable in the countryside, which includes limited development within existing clusters, in accordance with Policy SCLP5.4.
8. The LSAH area derives from an inter-war experimental government scheme to provide land-based employment for unemployed workers from depressed industrial areas. The characteristics of the scheme were modest dwellings within large plots, many containing horticultural glasshouses, with substantive open spaces between dwellings. Despite the scheme ending many years ago, this pattern of development can still be discerned in parts of the village, with the dwellings and their associated plots readily apparent.
9. This part of the settlement includes a variety of predominantly residential properties along Ipswich Road. The road frontage is characterised by dwellings of varied size and appearance set within large plots with often substantive gaps between built development. As such, the distinctive pattern of development associated with the LSAH is readily apparent. The appeal site, which is an undeveloped area of paddock, forms part of one of the larger gaps in development, between No 5 and the next dwelling to the west.
10. Policy SCLP11.9 requires the scale and design of new residential development to not harm the character of the former LSAH area. Scale and appearance are reserved matters and so are not for consideration now. Furthermore, given the existing development along the road frontage, the new dwelling would not amount to backland development. However, due to the extent of the open land between existing built development to either side, and despite the garden centre on the opposite side of the road, the proposed development would not represent infill development within the existing frontage.
11. While the proposed dwelling would retain relatively spacious gaps in the road frontage to either side, it would nonetheless represent an encroachment of development into the established pattern of open frontages in this part of the village. As such, the development would harmfully undermine the character of the former LSAH area, contrary to the purpose of Policy SCLP11.9. Furthermore, it would lead to an intensification of development at a point where the glasshouses associated with the garden centre opposite are a prominent feature close to the road frontage.
12. Policy SCLP5.4 says that proposals will be supported for up to three dwellings, 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 five or more dwellings. There are more than five dwellings along Ipswich Road in the vicinity of the appeal site, but these are well spread out with large gaps between them and, therefore, could not reasonably be considered to be a continuous line or close group. Consequently, the proposal does not constitute development within a cluster for the purposes of Policy SCLP5.4.

13. My attention is drawn by the appellant to a recent appeal for a single dwelling in Newbourne, where the policy considerations were the same as for this appeal¹. In that case the Inspector found that the proposal would comprise infill development within a cluster due to the proximity of other nearby built development. This was also the conclusion reached by the Council with regard to approval of a single dwelling on a site on the opposite side of Ipswich Road, which is also referred to by the appellant².
14. While both sites are not far from the current appeal site, they are not directly related to it and the particular context of each site must be considered on its individual merits. In this case I have found that the site would not represent infilling or be part of a cluster due to the extensive gaps between development. As such, these previous cases cannot be considered to be precedents for the current proposal.
15. Therefore, for the above reasons, I conclude that the appeal site is not a suitable location for the proposed dwelling, particularly due to the material harm to the character and appearance of the site and surrounding area. As such, the proposal is contrary to Policies SCLP3.2, SCLP3.3, SCLP5.3, SCLP5.4 and SCLP11.9 of the East Suffolk Council - Suffolk Coastal Local Plan, as described above.

Conclusion

16. The proposal would result in unacceptable harm and is contrary to the development plan. 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

¹ APP/X3540/W/21/3281480 dated 28 March 2022.

² Ref DC/21/5225/OUT.