



Appeal Decision

Site visit made on 24 August 2023

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 18.10.2023

Appeal Ref: APP/W3520/W/23/3314328

Whitethorn, White Horse Corner, Wetheringsett, Stowmarket, Suffolk IP14 5QB

- 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 Mrs Patricia Iliffe against the decision of Mid Suffolk District Council.
 - The application Ref: DC/22/04448 dated 6 September 2022 was refused by notice dated 2 November 2022.
 - The application is for erection of detached single storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published in early September 2023 whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.
3. The application was made in outline with all matters other than access reserved for future consideration. I have determined the appeal on this basis, treating the submitted plans and details provided as illustrative, insofar as they relate to matters other than access.

Main Issues

4. The main issue is whether the site represents a sustainable location for housing development having regard to the accessibility of services and facilities.

Reasons

5. The appeal site is currently a largely overgrown plot that has seen the historic use as temporary accommodation being housed within what appears to have been a static type caravan or mobile home upon the site. This existing structure has taken on the appearance of a semi permanent building due to the covering of the caravans wheels and the erection of a glazed sun room to the elevation facing the road. Nevertheless, the structure is still obviously a static type caravan and is clearly not a permanent or substantial dwelling.

6. This is due to the history of the site which clearly saw fit to restrict the use of this site to ancillary accommodation for relatives of those living at a main dwelling so as to enable those relatives to 'avoid hardship'. I consider the aforementioned main dwelling must therefore be one of the houses near to the site although I have no information as to precisely which dwelling this was. The planning history also provides a condition stipulating that once the named occupant ceased to live in the structure that it should be removed.
7. I consider therefore that the original allowance of this site to be used for residential purposes was due to the extenuating circumstances advanced at the time and that there was clearly a desire that this site should return to its previous state following the end of this use by the named person. As such, although the residential nature of this site has existed in some form, I consider it an established fact that this was intended to be temporary only.
8. In terms of the character and appearance of the area, the site is located within what could be considered a small hamlet of around 3 properties with two other buildings being located nearby. Although this hamlet sits within a wider area of similarly highly dispersed collections of dwellings, the overriding character and appearance here is one of a handful of properties sitting largely in isolation within the open countryside with no obvious links or proximity to any defined settlement or facilities nearby. I saw on my site visit for instance that the main local settlements were, Wetheringsett which is some distance to the north west and Debenham which is located farther away to the south east.
9. It is my judgement therefore that the proposed site could well be considered isolated for the purposes of the Framework as it is clearly not related to any established settlement. Further to this, in the absence of any information to the contrary, I consider that any potential future residents here would have no choice but to use the private car for the vast majority of their journeys to shops, or to attend work, school or other essential facilities which would make the proposal for a new dwelling here unsustainable on several levels.
10. Paragraph 79 of The Framework clearly states that planning policies should identify opportunities for villages to grow and thrive, especially where local services could be supported as a result, but it is more restrictive on development that could be perceived as being isolated. Although Policies CS1 and CS2 sets out the settlement hierarchy for the district and seeks to direct most new development to the towns/urban areas, Core Villages and Hinterland villages it also seeks to restrict development in the countryside to exceptional circumstances subject to a proven need. This part of the policy is inconsistent with the Framework, which at paragraph 80 only seeks to avoid the development of isolated homes in the countryside. As such I consider that for the purposes of this appeal I am unable to afford this policy full weight.
11. Although of some vintage, in assessing this proposal in relation to Saved Policy H7 of the Mid Suffolk Local Plan¹ I find that the location of this development would not meet the requirements contained within this policy and that there would be some harm to the character and appearance of the area through further piecemeal development here that would reinforce the harmful ribbon development that has begun to emerge. As such there would be a conflict between this proposal and Policy H7 of the Mid Suffolk Local Plan in so much as

¹ Mid Suffolk Local Plan 1998.

it continues to reflect the aspirations in The Framework to avoid isolated dwellings in the countryside and that this would also, as a result, be contrary to Policy FC1 and FC1.1 of the Core Strategy Focussed Review that seeks to ensure development is located in the most sustainable places.

Planning Balance

12. Both the Appellant and the Council agree that Paragraph 11 of the Framework is pertinent to this case, however the main point of contention between the parties is largely due to the provisions within Policies CS1 and CS2 of the Council's Core Strategy² that seeks to focus development into existing settlements where facilities exist and to avoid development where such facilities don't exist unless specific criteria are met.
13. In terms of the principle of development here therefore, the site is obviously rural in nature and this is supported through the Council's Settlement Hierarchy assessment contained within the Mid Suffolk Core Strategy 2008 (CS) as well as the historic applications that sought to resist any permanent residential use here. Policy CS2 of the Core Strategy would appear to support a wide selection of development options within the countryside but does restrict the development of new dwellings where there is no such link to either the occupation or use of the countryside so as to avoid unsustainable development.
14. It has been found in other cases that this Policy therefore should be considered out of date as it is in conflict with the Framework. In this particular case, although I consider the restrictions within this policy to be somewhat in conflict, I do not consider it appropriate to assign such limited weight to this policy so as to make it redundant. In this respect, I consider the general approach of this policy towards sustainable development to be consistent with The Framework in that it seeks to be responsive to local needs and to ensure housing is located where it could enhance local rural communities or existing settlements.
15. Further to this the Council have highlighted their emerging New Joint Local Plan³ and, most notably, emerging Policy LP01 which in making provision for windfall housing sites does suggest that such places require at least 10 'well related dwellings'. Although at an early stage I consider that the direction of this new Local Plan should attract some limited weight also.
16. Nevertheless, in applying the balancing exercise within Paragraph 11d of the Framework the proposal would generate some short-term economic benefits during its construction and future occupiers of it would likely contribute to the local economy through their use of services. The proposed dwelling could also be of high-quality sustainable design and would make a modest contribution to housing in the area that could further add to the Council's in excess of five year housing land supply.
17. The increase of two other dwellings upon the adjoining site may slightly increase the focus of development here but I consider that the place would still, even after completion of these as yet to commence houses, be quintessentially rural in nature.

² Mid Suffolk District Core Strategy Development Plan (September 2008)

³ Babergh and Mid Suffolk emerging New Joint Local Plan, Appendix C

18. Ultimately, these modest benefits would be outweighed by the heavy reliance upon the private car for anyone who wished to live in this proposed dwelling in the future. As such it would likely not only cause some limited harm to the character and appearance of the countryside here through reinforcing ribbon development in this location, but it would also lead to further isolation of residents here through their inability to visit local facilities, friends or relatives without the need to drive.
19. Whilst I do not underestimate the contribution that several such single dwelling applications could have upon the overall supply of housing in this area, this does not make them all acceptable especially in light of the demonstrable provision of housing land available as identified by the Council. As such the adverse impacts of the development here in terms of harm to character and appearance of the area along with the likely reliance of the future occupiers on the private car to meet day to day transport needs, significantly and demonstrably outweighs the small scale benefits of the proposal in terms of small scale and short term economic benefits of the scheme. Even when applying the balancing exercise as required in the Framework therefore, I find that this proposal would still be in conflict with the development plan and the direction of the Framework itself.

Conclusion

20. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR