



# Appeal Decision

Site visit made on 12 December 2023

**by A Wright BSc (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29<sup>th</sup> January 2024**

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**Appeal Ref: APP/W3520/W/23/3322064**

**Land to the North of Chalk Hill Lane, Great Blakenham, Ipswich**

- 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 and Mrs Bumstead against the decision of Mid Suffolk District Council.
  - The application Ref DC/23/00718, dated 13 February 2023, was refused by notice dated 11 April 2023.
  - The development proposed is the erection of a detached dwelling.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Since the Council determined the planning application, it has adopted the Babergh and Mid Suffolk Joint Local Plan – Part 1 2023 (JLP). Its reason for refusal refers to policies in the Mid Suffolk Local Plan 1998, the Mid Suffolk Core Strategy Development Plan Document 2008 and the Mid Suffolk Core Strategy Focused Review 2012. Irrespective of whether these were out of date, the policies in the JLP now supersede them. I sought the parties' comments on the implications of the JLP for the proposal and have determined the appeal based on the adopted policies in the JLP.
3. The National Planning Policy Framework (the Framework) was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties were not invited to make further comments.

## Main Issue

4. The main issue is whether the site would be a suitable location for housing, having regard to the accessibility of services and facilities and the provisions of the development plan.

## Reasons

5. The undeveloped triangular site is in the countryside, immediately west of but outside the settlement boundary for Great Blakenham. A suburban development of bungalows at Chalk Hill Rise lies immediately east, containing outbuildings and other domestic paraphernalia in the rear gardens. Residential development continues further east along Chalk Hill Lane, but there is undeveloped open land opposite the site and a vegetated area to the west of it, behind which lies the Blueleighs Park caravan site.

6. Policy SP03 of the JLP sets out the approach towards the location of new development in the district. The supporting text makes clear that development needs to be accommodated in settlements where the need to travel can be reduced, through good access to facilities and services and where significant adverse impacts can be avoided or mitigated. The parties do not dispute that the settlement boundaries have been in place for some time and that the Council will need to review them and bring forward allocations for housing under Part 2 of the JLP at a later date.
7. Outside the settlement boundaries, Policy SP03 outlines that development will normally only be permitted where the site is allocated for development or it is in accordance with a made Neighbourhood Plan, one of the policies listed in Table 5, or the policy in the Framework relating to isolated homes in the countryside.
8. The site is not allocated for development and there is no evidence that the proposal would accord with a made Neighbourhood Plan. Further, it is not suggested that the proposal would be an isolated home in the countryside.
9. Policy LP01 of the JLP, listed in Table 5 of the plan, allows windfall infill housing outside settlement boundaries in certain circumstances. It defines infill as being the filling of a small undeveloped plot in an otherwise built-up highway frontage. Although there is development to the east and a residential caravan park to the north west of the site, the land to the west of it along the lane remains undeveloped. As such, the proposal would not meet the definition of infill development allowed by Policy LP01.
10. Even if the proposal did meet this definition, and although the building would be seen against the backdrop of caravans and landscaping, its location beyond the existing well-defined cluster of built development in the settlement means that it would not be a logical extension to this part of the village. Further, whilst the proposed hedgerow and tree belt would create a new green western village edge, the development would lie outside the varied but well-defined settlement boundary formed by the rear hedges, fences, and walls of the adjacent properties. The proposed house would be lower than some adjacent properties, but due to its location further along the lane, it would not be well integrated with the existing residential area and would create ribbon development. Therefore, it would be an incongruous addition to the street scene, visible from Chalk Hill Lane, causing harm to the character and appearance of the area in conflict with Policy LP01.
11. There is limited evidence that the proposal would accord with any of the other policies permitting development outside settlement boundaries outlined in Table 5. Consequently, whilst the site borders the Great Blakenham settlement boundary, the proposal would be contrary to development plan policies.
12. The appellants refer to a previously proposed allocation to the south of Chalk Hill Lane and West of Hood Drive. However, as allocations were not taken forward through the JLP and will be brought forward later under Part 2 of the JLP, this carries limited weight which is insufficient to outweigh the harm that I have found.
13. Great Blakenham has a convenience shop, restaurant and village hall and it has recently accommodated significant growth. There is a greater range of facilities in the wider area, including significant employment opportunities in Claydon. A

bus stop lies within a short distance of the site, providing a regular bus service to Stowmarket and Ipswich which runs every 30 minutes during the daytime.

14. Chalk Hill Lane is a public right of way/bridleway which means that it is used by horse riders and pedestrians, as well as vehicles. Whilst some of the lane is lit and paved with a separate footway, a significant stretch of it leading towards the appeal site is narrow, unlit and uneven, and future occupiers would have to use this to access local services. Walking, cycling and use of buses would be an option for some trips by some people, and some existing residents need to use this part of Chalk Hill Lane to access services. However, the nature of the route would limit its attractiveness, particularly for older people, those with a disability or with children and at times of darkness and bad weather. As such, I consider that the future occupiers of the proposed dwelling would be likely to be reliant on private vehicles to access services.
15. Therefore, I conclude that the site would not be a suitable location for housing, having regard to the accessibility of services and facilities and the provisions of the development plan. This would be contrary to Policy SP03 of the JLP. It would also conflict with the Framework in relation to its requirements for the location of rural housing.

### **Other Matters**

16. The proposal would make more efficient use of the land, contributing a single storey dwelling towards the supply of housing, close to other residential development. The Council's current housing land supply published in December 2022 stands at 10.88 years which exceeds the five years required by the Framework. This tempers the weight that I have attached to housing delivery, notwithstanding that it is still a limited benefit to be factored into the planning balance.
17. There would be some economic and social benefits during the construction phase when the development would provide jobs and once occupied when future residents would support services and facilities in Great Blakenham and surrounding areas. However, given the relatively small scale of the proposal, these benefits would be limited.
18. The Council does not raise concerns or find development plan conflict in relation to several other matters, including designated landscapes and heritage assets, flood risk, surface water drainage, highways access, parking provision, the design of the proposed dwelling, contamination, living conditions, reducing carbon emissions and water efficiency. There is no compelling evidence before me that would lead me to reach a different conclusion to the Council on them. However, the absence of harm is a neutral factor in the planning balance.
19. The proposal is within the Zone of Influence for one or more of the European designated sites scoped into the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) and, as such, would have potential impacts on one or more of them. However, notwithstanding that the appellants have made the necessary RAMS contribution, there is no need to consider the implications of the proposal on the protected site or sites because the scheme is unacceptable for other reasons.
20. The Ecology Statement concludes that the proposal would not result in the loss of habitat for protected species and sets out various biodiversity mitigation and

enhancement measures. However, the Council's ecological consultant indicates that the proposal could pose a risk to a broadleaved woodland and ancient woodland priority habitat close to the site, and objects based on insufficient ecological information. This was not addressed in the Council's Officer Report or included as a reason for refusal, and I have not considered the implications of the proposal on the priority habitat as it is unacceptable for other reasons.

### **Planning Balance and Conclusion**

21. I have found that the site would not be a suitable location for housing. This is a planning harm which attracts considerable weight. The delivery of housing and the economic and social benefits each attract limited weight and the remaining matters only neutral weight, which accordingly do not outweigh the harm I have found.
22. For the reasons given above, the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

*A Wright*

INSPECTOR