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## Appeal Decision

Site visit made on 18 November 2024

**by G Dring BA (Hons) MA MRTPI MAUDE**

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

**Decision date: 27<sup>th</sup> November 2024**

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**Appeal Ref: APP/X3540/W/24/3346950**

**Poplar Cottage, Debach Road, Boulge, Suffolk IP13 6BT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Ms Patricia Goodwin against the decision of East Suffolk Council.
  - The application Ref is DC/23/4269/FUL.
  - The development proposed is change of use from holiday let to residential.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - whether the loss of tourism accommodation is justified; and
  - whether the appeal property is in a suitable location for a permanent residential dwelling, having regard to the spatial strategy and the accessibility of facilities and services by sustainable transport modes.

### Reasons

3. The appeal property was previously a residential dwelling, but through a planning application submitted in 2021, granted by the Council, this use was exchanged with a building to the rear of the appeal property, meaning that Poplar Cottage is now a holiday let, subject to a condition requiring it to remain as such. The appellant asserts that a variation of condition application was approved by the Council, meaning that the appeal property can be occupied by any one person(s) for up to 11 months, as a holiday let.
4. The proposal seeks to change the use of the appeal property from a holiday let to a permanent residential dwelling. No physical changes to the appeal property are proposed.

### *Loss of tourism accommodation*

5. Policy SCLP6.6 of the Suffolk Coastal Local Plan Adopted 23 September 2020 (LP) relates to existing tourist accommodation. It states that the change of use of such accommodation will only be considered in exceptional circumstances where it can be fully and satisfactorily demonstrated that there is no current or future demand for the tourist accommodation. It sets out that marketing evidence must be provided which demonstrates that the premises has been marketed for a sustained period of at least 12 months in accordance with information set out in Appendix E of the LP.

6. The appellant states that due to the size, internal configuration and age of the property along with its location, being removed from facilities, it has been difficult to let the property as holiday accommodation. It is stated that two other more modern and smaller holiday lets within the appellant's site are more successful. It is asserted that there are no local shops or facilities that would be impacted by the proposed change of use and that the loss of one holiday let would not weaken tourism in the local area.
7. However, there is no evidence before me that identifies how the holiday let has been marketed since it was granted planning permission for this use. Nor is there any specific information about how many bookings there have been, or whether any additional marketing strategies have been carried out to increase interest. There is no financial information to show how the appeal property has performed in this regard. Whilst I note the appellant's assertions, summarised above, there is not sufficient evidence before me to demonstrate that there is no current or future demand for the appeal property as tourist accommodation.
8. I therefore conclude that without a demonstration that the use is not viable and that the premises have been appropriately marketed, the proposed development would result in the unjustified loss of tourism accommodation. The proposal would therefore be contrary to Policy SCLP6.6 of the LP, the aims of which are set out above.

#### *Suitable location*

9. There is no dispute between the parties that the appeal property is located outside of any defined settlement boundary and is therefore within the countryside for the purposes of the development plan. Policy SCLP3.3 of the LP states that new residential development will not be permitted in the countryside, except where specific policies in the development plan indicate otherwise.
10. Policy SCLP5.3 of the LP refers to housing development in the countryside. It sets out a limited number of criteria which if met, would provide support for residential development in the countryside. There is no criterion relating to the change of use of a building. Replacement dwellings are allowed for under this policy but given the appeal property is not a permanent residential dwelling and it is not proposed to replace it, this would not be applicable.
11. Whilst I acknowledge that the appeal property is not isolated due to the proximity to other buildings, it is removed from services and facilities required for day to day living. Policy SCLP7.1 of the LP states that developments should be designed to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities.
12. The appellant accepts that future occupants would be reliant on the private car due to the location of the appeal property. However, it is asserted that this would be no different to the current use, with occupiers of the holiday let, also being reliant in the same way. It is also suggested that tourists potentially utilise the private car more due to the nature of their visits.
13. I accept that the appeal property already exists and that it could be occupied by holidaymakers for up to 11 months of the year. People on holiday will often use their accommodation as a base from which they travel out for various

activities, such as going to local attractions and eating out. In a countryside location such as the appeal property, people would be likely to arrive by car, and then be reliant on the car to travel to carry out these activities. Permanent occupants, on the other hand, would be likely to carry out more frequent journeys to employment sites, and to facilities such as schools and the doctors, which most holidaymakers would not need to use.

14. The differences between the established and proposed uses, in terms of impact on the use of the private car have not been quantified and I note that it would be a complex exercise, given the variables that could be involved. Nevertheless, based on the information before me, I cannot conclude that any significant overall difference would arise between permanent and temporary occupants of the appeal property in this case, in terms of accessibility to services and facilities.
15. It remains the case that the proposal would conflict with the spatial strategy, as identified above. As a result, the appeal property is not in a suitable location for a permanent residential dwelling when considering local policies. The proposal would be contrary to Policies SCLP3.3, SCLP5.3 and SCLP7.1 of the LP. These policies seek, amongst other things, to guide new development to built-up areas in order to limit impacts on the landscape and natural environment and to encourage the use of sustainable modes of transport. However, the conflict with the spatial strategy is outweighed by the fallback position of the existing use. Therefore, I do not find harm in this regard.

### **Other Matters**

16. I am mindful of the benefits of the proposal. It would contribute an additional permanent dwelling to the housing supply. Nevertheless, the provision of a single additional dwelling would represent only a limited benefit in this regard.
17. A lack of objections from interested parties and statutory consultees does not weigh in favour of the proposal.

### **Conclusion**

18. I have not found harm in relation to the spatial strategy and the accessibility of services and facilities, given I consider that the existing fallback position outweighs the conflict with the development plan in this respect. However, I have found harm due to a lack of evidence demonstrating that there is no current or future demand for the appeal property as tourist accommodation.
19. The proposal therefore conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

*G Dring*

INSPECTOR