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## Appeal Decision

Site visit made on 12 March 2025

**by David Smith BA(Hons) DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14<sup>th</sup> March 2025

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**Appeal Ref: APP/X3540/W/24/3351300**

**Land at Woodbridge Road, Debach, IP13 6BY**

- 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 Green Label Poultry Ltd against the decision of East Suffolk Council.
  - The application Ref is DC/24/0425/FUL.
  - The development proposed is two bungalows.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. These are:
  - Whether the proposed dwellings would be in a suitable location having regard to relevant policies regarding housing development and housing clusters in the countryside; and
  - The effect on the integrity of the Suffolk Coastal habitats sites.

### Reasons

#### *Location*

3. This part of the Council's area is covered by the East Suffolk Council – Suffolk Coastal Local Plan of 2020. Within it, Policy SCLP5.3 restricts new residential development outside the defined settlement boundaries to, amongst other things, limited development within existing clusters in accordance with Policy SCLP5.4. This defines a 'cluster' and sets various criteria to be complied with. The Supplementary Planning Document (SPD) on *Housing in Clusters and Small Scale Residential Development* gives further detail to support policy implementation.
4. The appeal site is an irregular shaped slither of land fronting Woodbridge Road. Because of their alignment and proximity to one another, the group of houses to the south-east comprises a cluster of more than five dwellings. The three houses permitted on the land immediately to the south-east of the proposed bungalows would add to it. Reserved matters have been approved and that site is under offer. There is no evidence that the scheme will not proceed.
5. Vine Cottage lies to the north-west and would be some 150m from the closest proposed dwelling on Plot 2. The distance to the edge of the identified cluster would be even greater. Although the SPD makes allowance for gaps there is an extensive area of open land, part of which is a garden, between the position of the

permitted dwellings and Vine Cottage. This separation is simply too great for it to be regarded as part of a close group of existing dwellings adjacent to an existing highway. Rather Vine Cottage is well away from and outside the identified cluster along Woodbridge Road.

6. The policy test is that new dwellings should be *within* [my emphasis] the cluster. That would not be the case here as the proposed properties would project out significantly beyond the end of this cluster at Debach. As shown on Illustrations 4, 5 and 6 of the SPD there would not be development on two sides of the appeal site that might enable it to be supported. Therefore, the proposal fails to overcome the first policy hurdle.
7. Furthermore, given the distance between buildings on that side of the road and the extent of intervening land, the proposal would not amount to infilling within a continuous built up frontage. As it would not be in an identifiable gap within an existing cluster or located adjacent to development on two sides, the proposal would fall foul of criterion b) of Policy SCLP5.4.
8. It would also represent an extension of the built up area into the surrounding countryside as the proposal would be much further north-west than the permitted dwellings. In so doing, even though they would be single storey and on large plots, the proposed buildings would intrude into open and unspoilt farmland resulting in a harmful intrusion into the surrounding landscape. The houses would be divorced from nearby development in Debach and so would stand alone as piecemeal and incongruous in this rural setting. As such, there would be conflict with criteria c) and d) of Policy SCLP5.4. There would also be an adverse localised landscape impact contrary to Policy SCLP10.4.
9. Therefore, the proposal would not comply with the exception to the general limitation on development in the countryside allowed for by the Local Plan. The planning system should be genuinely plan-led. Accepting the proposed bungalows would undermine the Council's strategy regarding the location of new housing, even though this makes some allowance for development in the countryside. There would also be damage to the local landscape character.
10. The proposal would boost rural housing supply in line with one of the Council's aspirations. However, it would not integrate well with existing development or be within an existing cluster. The relationship to sustainable settlements would not be good but as new housing in rural areas is implicitly accepted by the policy, this does not amount to a further reason to resist the scheme. There is no need to consider the cumulative impact given the findings made. The site is said to be difficult to farm and therefore redundant for agricultural purposes but this point does not outweigh the objection identified.
11. In conclusion, the proposed dwellings would not be in a suitable location and would not accord with relevant policies regarding housing development and housing clusters in the countryside. They are unacceptable for this reason.

#### *Integrity of the Suffolk Coastal habitats sites*

12. The proposed dwellings would be within the recreational disturbance zone of influence of the numerous Special Protection Areas, Special Areas of Conservation and Ramsar sites within East Suffolk. In combination with other

development, there would therefore be a likely significant effect on the nature conservation interest of these sites which are of international importance.

13. In partnership with other bodies, the Council has developed an Avoidance and Mitigation Strategy. This provides a mechanism through which adverse impacts can be avoided and mitigated via financial contributions towards the provision of strategic measures. This approach is enshrined in Local Plan Policy SCLP10.1. However, the required payment has not been secured.
14. The appellant anticipates that a decision could be held in abeyance whilst the matter is settled. In this case, the proposal is unacceptable for other reasons, but the Planning Inspectorate's *Procedural Guide* indicates that planning obligations should be received at the time of making the appeal. Furthermore, unless there are very exceptional circumstances, the issue of decisions will not be delayed to wait for one to be executed.
15. Therefore, in the absence of any sum towards mitigation and following an appropriate assessment, the integrity of the habitats sites would be adversely affected. In these circumstances, the Conservation of Habitats and Species Regulations preclude the proposal from proceeding and the proposal would also be contrary to Policy SCLP10.1.

### **Conclusion**

16. The proposal does not accord with the development plan and there are no material considerations that indicate that this should not prevail. Therefore, for the reasons given, the appeal should not succeed.

*David Smith*

INSPECTOR