



Appeal Decision

Site visit made on 6 May 2025

by A Phillips MPlan BA CertHE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 June 2025

Appeal Ref: APP/D3505/W/24/3356409

Holly Lodge, Glebe Farm, Ixworth Road, Stowlangtoft IP31 3JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Jack Green against the decision of Mid Suffolk District Council.
 - The application Ref is DC/24/03488.
 - The development proposed is for: Application for Outline Planning Permission (all matters reserved) - Erection of 1No. Self Build single storey dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's questionnaire states that the Council is Babergh District Council. However, the decision maker as detailed on the Decision Notice was Mid Suffolk District Council. Give the appellant is appealing the decision notice, I have used Mid Suffolk District Council as the relevant Council in this appeal.
3. The application is an outline application with all matters reserved. I have used the development description as detailed in the Decision Notice, instead of the application form, as this provides the more accurate description of development. With the application being an outline with all matters reserved, the illustrative plan is taken as only indicative.

Main Issue

4. The main issue is whether the site is suitable for the proposed development, having regard to a) relevant policies for the location of housing in line with the Council's spatial strategy and b) its accessibility to services and/or facilities.

Reasons

5. The site is located along a single width track that is also a Public Right of Way (PRoW) that connects the A1088 to Church View. Within the immediate locality there are 4 dwellings, as well as other buildings of an agricultural nature, that access onto the track/PRoW. The site benefits from a mature hedge along the front of the site. The proposal is for an outline permission for a single dwelling with all matters reserved on part of a field between two dwellings outside of any settlement boundary as defined in the Babergh and Mid Suffolk Joint Local Plan – Part 1 2023 (Local Plan).
6. Policy SP03 of the Local Plan normally only permits development outside of the settlement boundaries in certain circumstances. This includes where the

development is in accordance with one of the specific policies mentioned. One such policy is Policy LP01 (Windfall infill housing development outside settlement boundaries) in the Local Plan where it can allow development outside of settlement boundary to support very limited growth in small-dispersed communities. The proposal is not within a cluster of at least 10 well related dwellings and on this basis the proposal does not comply with Policies SP03 or LP01 of the Local Plan.

7. Policy LP08 (Self-Build and Custom-Build) of the Local Plan requires the self build plots to comply with all other relevant Local Plan policies. Policy LP08 is not a policy listed in SP03 that allows development outside settlement boundaries in principle. In addition, the Council's suggested self build condition wording in my planning judgment does not meet the tests for conditions set out in the National Planning Policy Framework (Framework), specifically enforceability, and I do not see any amendment that would lead me to a different view. With no legal agreement to ensure the proposal comes forward as a self-build plot, this matter is a neutral factor in the determination of this appeal.
8. The PRoW offers a reasonable walking distance into the village. However, the nature of this track being unbound and unlit would mean the likelihood of any future residents walking/cycling into the village to use the limited services/facilities located there would be heavily dependant on time of year and weather. Occupiers of a dwelling on the site by virtue of its remote location will be heavily car dependant, which would conflict with the National Planning Policy Framework (Framework) requirement that movement of pedestrians and cyclists should be given priority and the needs of people with disabilities/reduced mobility are addressed.
9. While the proposed dwelling is within the countryside, as detailed above there are other dwellings in close proximity and the site is in walking distance (though time and weather dependant) into the village. On this basis paragraph 84 of the Framework is not relevant to the determination of this appeal, as the proposal would not be an isolated home in the countryside.
10. Nevertheless, the site is not supported for a new dwelling under the Development Plan, as it is conflicts with Policy SP03 that provides the criteria of sustainable locations within the district and therefore does not comply with Council's strategy for the location of development. The proposal, therefore, is not a sustainable development as required by the Framework. I conclude on this basis that the proposal is not suitable for the proposed development.

Other Matters

11. It is noted that there is a distant view to the historic village church from the site. However, given the location of the site and the substantial distance to the church the proposal will have no impact on heritage. Therefore, the setting of this historic building is preserved.
12. The previous grant of planning permission for a dwelling at the site can be a material consideration. However, given that this permission is no longer extant means I can only grant limited weight to this previous approval, which does not outweigh the harm I have identified above. In addition, while other dwellings might have been approved within the village, each application must be determined on its individual planning merits.

Conclusion

13. The proposal 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.

A Phillips

INSPECTOR