



SUPPORTING STATEMENT

In respect of a planning application for the erection of
a detached dwelling at;

Land adjacent Hill House, Old Norwich Road, Ipswich,
Suffolk, IP1 6LJ

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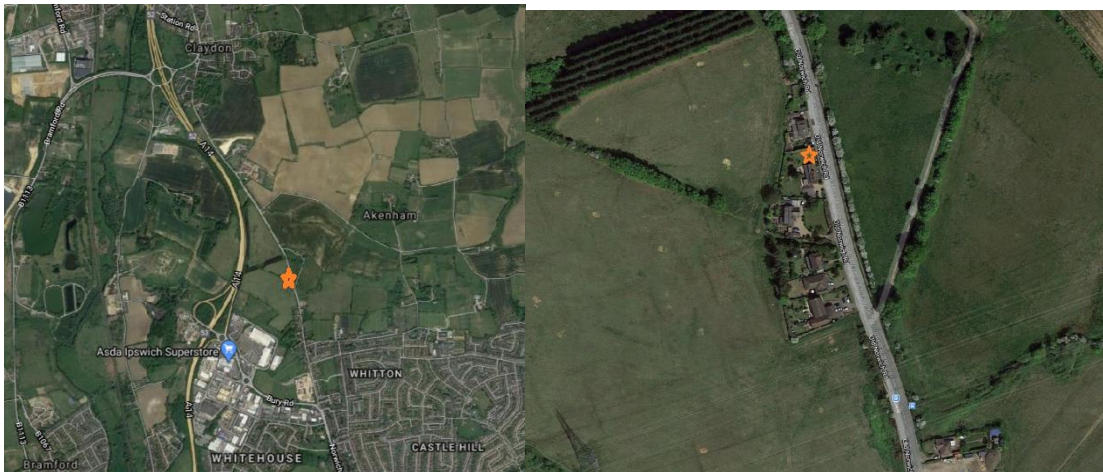
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1.0 Introduction

1.1 This statement is prepared in support of an application for planning permission for the erection of a detached dwelling on land forming part of the side garden of Hill House, Old Norwich Road, Ipswich.

1.2 It will consider the planning policy position and provide an overview of the relevant material considerations relating to the proposed development.

1.3 The first extract below shows the location of the site relative to nearby development. The second shows the immediate relationship of the site to neighbouring property.



1.4 The application is supported by plans and documents including;

- Completed Planning Application Form;
- Plans by ABDS;
- Supporting Statement;
- Groundsure Homebuyers Report;
- Land Contamination Questionnaire;
- Flood Map for Planning Extract.

2.0 The Site

2.1 The site forms part of the side garden of Hill House, and lies to the north of the property.

2.2 The image below shows the area of land relative to Hill House (to the left of the image) and the neighbouring property. As can be seen, it is enclosed by fencing to the roadside boundary and hedging to the northern boundary.



2.3 Hill House lies in a cluster of properties set outside any defined settlement, but adjacent to a parcel of land that has recently been the subject of a grant of planning permission for a development of 190 dwellings following a successful appeal against the Council's decision to refuse planning permission on this land.

2.4 The site is not constrained by any landscape designations, and does not fall within a Conservation Area. There are no listed buildings in the vicinity of the site.

2.5 The site falls entirely within Flood Zone 1 and is not, therefore, at risk of flooding.

3.0 The Proposal

3.1 The application seeks planning permission for the erection of a detached dwelling on the land utilising the existing access into the site from Wickham Lane. The following headings form the Design Statement in support of this proposal.

Use

3.2 This application is for a new two-bedroom, one and a half storey dwelling. The proposal also includes for access to the new dwelling and the use of the land as garden associated with the new property.

Amount

3.3 The dwelling is a modestly sized two-bedroom house.

Layout

3.4 The dwelling is located in line with adjacent development and would have off-road parking provided to the property frontage. A garden area is provided behind the dwelling.

3.5 Internally, living space is provided at ground floor in the form of a kitchen/diner, lounge and study, with two bedrooms and a family bathroom at first floor.

Scale

3.6 The external dimensions of the proposed house are 10.45m x 8m. The maximum ridge height above ground level is approximately 6.5m. The house is significantly lower in height than the adjacent property.

Landscaping

3.7 Existing site levels are largely to remain as they are across the site.

3.8 The existing hedgerows would be retained to the north and west boundaries.

Appearance

3.9 The proposed dwelling would provide an attractive infill dwelling that is to be constructed of traditional materials that would compliment existing development here.

3.10 The building is of simple form and would sit comfortably in its surroundings.

4.0 Planning History

4.1 A search of the planning history identifies no recent applications in respect of the property or site.

4.2 As aforementioned, the land to the rear of Hill House has been the subject of recent applications for major housing development, and this will be considered further in the 'Planning Considerations' chapter of this statement.

5.0 Planning Policy Context

5.1 The revised National Planning Policy Framework was published in February 2019. It sets out the Government's planning policy and is a material consideration when determining planning applications.

5.2 The NPPF is wide ranging and LPAs are required to be proactive in making planning decisions and apply a presumption in favour of sustainable development. The NPPF also sets out other key principles, including;

- the need to increase the supply of new housing in well-connected locations;

- ensuring good standards of sustainable design for new development that will function well;
- add to the overall quality of an area;
- optimise site potential;
- respond to local character and reflect the identity of local surroundings;
- create safe and accessible environments, and;
- be visually attractive as a result of good architecture and appropriate landscaping.

5.3 The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers to interpret the NPPF.

5.4 In terms of Local Policy, the following policies are considered to be relevant to this proposal;

Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review

FC1 - Presumption in Favour of Sustainable Development

FC1.1 - Mid Suffolk Approach to Delivering Sustainable Development

CS1 - Settlement Hierarchy

CS2 - Development in the Countryside and Countryside Villages

CS5 - Mid Suffolk's Environment

Mid Suffolk Local Plan 1998

GP1 - Design and Layout of Development

H13 - Design and Layout of Housing Development

H15 - Development to Reflect Local Characteristics

H16 - Protecting Existing Residential Amenity

SB2 - Development Appropriate to its Setting

T10 - Highway Considerations in Development

5.5 Where relevant to the consideration of this proposal, these policies will be referred to within the 'Planning Considerations' section of this report.

6.0 Planning Considerations

6.1 Paragraph 10 of the Revised NPPF states *“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development”*.

6.2 In a recent appeal in the nearby village of Bacton (Appeal Ref: APP/W3520/W/18/3209219) dated 30th July 2019, the Inspector carried out an assessment of the relevant development plan policies pursuant to paragraph 213 of the NPPF. The Inspector found that;

“14. The main parties agreed that those policies that are most important for determining the application are cited in the Reason for Refusal. LP Policy GP1 sets out a range of criteria which relate to the layout of development. LP Policy HB1 is a heritage policy that generally reiterates the statutory duty in relation to heritage assets. LP Policy H16 is concerned with the protection of residential amenity and states that the Council will resist the loss of open spaces which contribute to the character or appearance of an area and which are important for recreation or amenity purposes. CS Policy CS5 provides that all development will maintain and enhance the environment and retain local distinctiveness.

Weight to be given to the most important policies

15. In view of advice in paragraph 11 d) of the Framework, it is necessary to consider how consistent the aforementioned policies are with the Framework, to assess what weight should be attached to them. Paragraph 213 explains that due weight should be given to relevant policies according to their degree of consistency with the Framework, the closer the policies in the plan to those in the Framework, the greater the weight that may be given. For the purposes of this exercise, the Wavendon judgement confirms that “an overall judgment must be formed as to whether or not taken as a whole these policies are to be regarded as out-of-date for the purpose of the decision”.

16. The first point to make is that the LP is now of some vintage with Policies GP1, HB1 and H16 pre-dating the Framework by some considerable margin. However, as paragraph 213

makes clear, policies should not be considered out of date simply because they were adopted prior to the publication of the Framework.

17. Policy GP1 is consistent with the aims of the Framework to foster good design. However, despite its inclusion in the refusal reasoning, the Council's opposition to the scheme does not rely on any specific allegation of poor design. This is logical given that the matters to which GP1 pertains would fall to be considered at the reserved matters stage. I do not therefore consider that GP1 passes the 'most important' test.

18. LP Policy H16 is concerned with protecting existing residential amenity and character of 'primarily residential areas'. The second limb to the policy states that the 'loss of open spaces which contribute to the character or appearance of an area and which are important for recreation or amenity purposes' (my emphasis) will be resisted. From reading the supporting text I do not consider this policy was ever intended to be used in the context of a visually contained, arable field that has no public access to it. Even if I am wrong about that, I do not consider the appeal site is 'important' for amenity purposes given its ordinary everyday meaning. The Framework does also not contain such a blanket policy in relation to amenity. Subsequently the policy fails both the 'most important' and consistency test.

19. Whilst the general thrust of LP Policy HB1 and CSFR Policy FC.1.1 might well be consistent with the Framework, that is not enough in my view. These policies do not allow for the weighing of public benefits against any heritage harm, something which has been established practice for a number of years now. Whilst the CSFR post-dates the original Framework, as a matter of simple judgment, Policy FC1.1 cannot be seen as being in conformity with it for the above reason.

20. As I myself and other colleagues have found in the Stowupland, Woolpit and Claydons decisions, CS Policy CS5 in requiring development actually to maintain and enhance the historic environment goes beyond the statutory duty and paragraph 185 of the Framework, the latter of which requires decision makers to "take account of the desirability of sustaining and enhancing the significance of heritage assets". Blanket protection for the natural or historic environment cannot therefore be seen as being consistent with the Framework.

21. Because of these inconsistencies and irrespective of the Council's HLS position, I consider that the policies most important for determining the application are out-of-date. The fact that the Council itself recently came to the same view in relation to Policies GP1, H16, CS5 and FC1.1 adds further weight to my findings above⁵. As a result, the weight which can be attributed to these policies has to be commensurately reduced and the default position identified in paragraph 11 d) of the Framework is engaged”.

6.3 It is clear that these policies, a number of which are also pertinent in this case, are out-of-date, and therefore the presumption in favour of sustainable development as set out in paragraph 11(d) of the NPPF is engaged. What this means for decision-taking is;

“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

6.4 Furthermore, the presumption in favour of sustainable development is set out in Policy CS1 of the Development Plan (in the Core Strategy) and seeks to replicate the terms of the presumption as found within paragraph 11 of the NPPF. It is clear, therefore, that the presumption is set out within the Development Plan and, as such, the application of the presumption is not simply weighed as a material consideration within the NPPF but is a development plan consideration against which all proposals must be determined. The Council cannot choose not to apply it because they consider they have a five-year land supply, as that test does not exist in Policy CS1. The Development Plan has primacy, and the Council would be incorrect in law if they chose not to apply it.

6.5 This proposal should, therefore, be determined in line with the flexible approach taken in the NPPF, and should be considered in light of the three objectives of sustainable development (economic, social and environmental). For these reasons, in taking a decision on the proposal, the LPA should grant permission unless there are policies in the NPPF that provide a clear

reason for refusal, or any adverse impacts of the development would significantly and demonstrably outweigh the benefits.

6.6 Paragraph 79 of the NPPF states that *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

“a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting

d) the development would involve the subdivision of an existing residential dwelling; or

e) the design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area”.

6.7 A recent High Court judgment (dated 15th November 2017) has shed light on the correct interpretation of the NPPF when it comes to determining whether a development is isolated. It related to a case at Wethersfield in the nearby district of Braintree. The following is a concise summary taken from the Planning Resource website (note that reference to paragraph 55 should now be read as paragraph 79):-

“Developer Granville Developments had been refused planning permission to build the new homes off Lower Green Road, Blackmore End, Wethersfield, but successfully appealed to a planning inspector who granted consent in February this year.

He found that, even on the most favourable interpretation, the area's deliverable sites for new housing fell well below the five-year supply required by the National Planning Policy Framework (NPPF).

The development would not cause material harm to the character and appearance of the area and, although it was not within an established settlement boundary, there were a number of houses nearby and the bungalows could not be viewed as isolated dwellings in the countryside.

In challenging the inspector's decision, Braintree District Council argued that he had wrongly interpreted the NPPF. Given the paucity of services and amenities in the area, residents of the bungalows would be required to rely heavily on their cars and the new dwellings would clearly be isolated, it argued.

Mrs Justice Lang noted that the word isolated is not defined in the NPPF. However, in dismissing the council's appeal, she found that the council's interpretation was too restrictive.

She noted that there were existing dwellings to the north and south of the development site - which was originally home to agricultural buildings that had been demolished. There was also a home to the west, on the other side of a road.

In his decision, the inspector had also justifiably focused on the economic benefits of the scheme in providing work for local builders and the likelihood that two new households would give their custom to local businesses."

6.8 Specifically Mrs. Justice Lang concluded (paras.28 and 29):

"28. NPPF 55 cannot be read as a policy against development in settlements without facilities and services since it expressly recognises that development in a small village may enhance and maintain services in a neighbouring village, as people travel to use them. The PPG advises that "all settlements can play a role in delivering sustainable development in rural areas", cross-referencing to NPPF 55, "and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided...". Moreover, in rural areas, where public transport is limited, people may have to travel by car to a village or town to access services. NPPF 17 penultimate bullet point identifies as a core planning principle to "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are

or can be made sustainable". But as the PPG states, NPPF 29 and 34 recognise that the general policy in favour of locating development where travel is minimised, and use of public transport is maximised, has to be sufficiently flexible to take account of the differences between urban and rural areas. The scale of the proposed development may also be a relevant factor when considering transport and accessibility. As Mr Dagg rightly pointed out, the policy in NPPF 17 in favour of focusing development in locations which are or can be made sustainable applies in particular to "significant development".

29. For these reasons, I agree with the Defendants that the Claimant was seeking to add an impermissible gloss to NPPF 55 in order to give it a meaning not found in its wording and not justified by its context."

6.9 The decision of Mrs Justice Lang was the subject of reference to the Court of Appeal by Braintree District Council, and Lord Justice Lindblom (on 28th March 2018) upheld the decision. Therefore, it follows that if the development is not isolated in the ordinary meaning of the word, paragraph 79 of the NPPF is not engaged.

6.10 In this instance, the site lies within a group of residential properties, is adjacent to a recently approved major residential development and just a short distance away from Ipswich. As such, given the site's positive relationship with the existing residential properties, this cannot be considered to be isolated in the normal understanding of the meaning of the term. For these reasons, it can be concluded that the special circumstances required to be demonstrated by paragraph 79 of the NPPF are not engaged in this case.

Relationship to Existing Facilities and Services

6.11 The site is located approximately 1.5km from the village of Claydon, which lies to the north. Directly to the south, accessed along Old Norwich Road, is the junction of Norwich Road and Bury Road. Norwich Road leads towards the town centre of Ipswich, and Bury Road leads into the retail and industrial estate which includes a variety of fast-food restaurants, the Asda supermarket, retail warehouses and car showrooms.

- 6.12 Old Norwich Road is a major cycle route, enabling cycling directly from Ipswich to Claydon and beyond. A short distance along Norwich Road, on Meredith Road, is a parade of shops and facilities including hairdressers, convenience stores, bakers, newsagents, fast food outlets and florists. These facilities are all within easy cycling distance, and within a 20-minute walk from the site. There can, therefore, be little doubt that the site is not isolated from everyday facilities and services, and that such facilities and services can easily be accessed on foot or by cycling.
- 6.13 Furthermore, a short distance to the south of the site is a bus stop, which is served by the regular buses from Stowmarket. This provides regular buses into Ipswich, where occupants would be able to access all the facilities that the town has to offer, and buses out of Ipswich head out towards the A14 with its access to the wider area. These bus stops, in both directions, are easily accessible on foot.
- 6.14 The plan below identifies the location of the site (to the north of the red pin) with regards to the local facilities and services available to it. This does not, however, show the proximity of Claydon, nor does it show how easily Ipswich Town Centre can be accessed. However, it is useful as a visual representation of just how accessible this site is.



- 6.15 As such, there can be little doubt that the site would give future occupants the potential to travel via a variety of transport methods, thereby not providing a development that is entirely reliant on the car as its main mode of travel.
- 6.16 Two new dwellings have recently been constructed in the cluster of properties to the south, demonstrating that the proposal is located in an area that has recently been found to be a sustainable and accessible location for new development. The relationship of the two sites is so close that there can be no justifiable argument that the proposed site is more unsustainable, nor would the occupants of those dwellings have any better access to facilities and services than future occupants of the proposal site.

Sustainable Development

- 6.17 Paragraph 8 of the NPPF outlines the three objectives of sustainable development that proposals should seek to meet/deliver. The proposal is considered relative to these three objectives below.
- 6.18 From an economic aspect, the construction of a new dwelling would provide much needed jobs for local people, and there would be a modest economic benefit from the purchase of materials also. Occupants of the property would contribute to the local economy through the purchase of goods, their employment and involvement in community activity. It is, therefore, considered that the economic objective of sustainable development is met by this proposal.
- 6.19 The social aspects of new housing are embedded in the NPPF which states that *“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being”*.
- 6.20 Notwithstanding that a proposal in this location would contribute to enhancing and maintaining services in Claydon, Ipswich and neighbouring areas, the PPG advises that *“all settlements can play a role in delivering sustainable development in rural areas”*, cross-referencing to NPPF 79, *“and so blanket policies restricting housing development in some*

settlements and preventing other settlements from expanding should be avoided...". Moreover, in rural areas, where public transport is limited, people may have to travel by car to a village or town to access services. At paragraph 103 of the NPPF, it identifies that *"The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making".* The general policy in favour of locating development where travel is minimised, and use of public transport is maximised, has to be sufficiently flexible to take account of the differences between urban and rural areas.

- 6.21 Furthermore, the delivery of a new dwelling to the market would help to meet housing need in the locality, and would help to boost the supply of housing required by the NPPF. Therefore, it is considered that the proposal meets the social objective of sustainable development. The proposal's contribution to the Council's housing supply should also not be underestimated. The applicant intends to carry out the development in a short timescale should permission be granted. In this regard, the site should be considered deliverable in the terms set out in the NPPF and should thereby be afforded further weight in terms of its sustainability credentials.
- 6.22 With regards to the environmental elements of the proposal, the proposed dwelling would, as a minimum, be built to current Building Regulations standards which embed positive measures to reduce carbon emissions and energy usage. The proposal would also offer opportunities to provide an environmentally sustainable development through the incorporation of renewable energy provision (including air source heat pumps), and would be constructed utilising water efficient taps, showers and toilets, and energy efficient white goods.
- 6.23 Biodiversity improvements can be offered in terms of the provision of log piles, swift bricks and bird boxes on the site which will actively encourage biodiversity on the land. This will be supported by new native landscape planting, with the boundary hedging/trees to the side boundary also being retained and reinforced where necessary. With this in mind, the proposal

is considered to offer environmental gains that would support the environmental objective of sustainable development.

- 6.24 As such, it is felt that the proposal demonstrates a cohesive approach to sustainability that complies with the NPPF and is in line with the way in which the dimensions of sustainable development are applied by Planning Inspectors and the Planning Officers alike.

The Adjacent Land

- 6.25 In 2017, an outline planning application was made on the land behind Hill House and a section of land further north for a development described as ;

“Erection of up to 315 dwellings, vehicular access to Old Norwich Road, public open space, and associated landscaping, engineering and infrastructure works”.

- 6.26 The Council refused permission for this development, but the subsequent appeal was allowed in respect of the area of land behind Hill House such that outline permission was granted for upto 190 dwellings on the adjacent land. Subsequent submissions have now been made for approval of the details of the dwellings approved under that outline permission, and these remain under consideration with the Council.

- 6.27 The appeal decision reached no conclusion that any part of the proposal was located in an unsustainable location. It can be seen, therefore, that this is a location where development of a scale significantly greater than this has already been found to be acceptable and there is no reason to reach a different conclusion in this case.

Relevant Appeal Decisions

- 6.28 The extent to which similar sites have been allowed on appeal in the Mid Suffolk area, and in their partner authority area of Babergh also, is considered below.

- 6.29 On 7th December 2018, a decision was issued in regard to an appeal at Mannings Farm, Castlings Heath, Groton, Suffolk CO10 5EU (Appeal Ref: APP/D3505/W/18/3201905). The

development that was the subject of that appeal was described as “erection of 1no detached single-storey dwelling and associated outbuilding including improvements to existing vehicular access”.

6.30 That appeal was allowed and is relevant to this appeal due to the fact that the site in that case was within a cluster of buildings but much further from any village than the application site here.

6.31 The main issue in the appeal was described as;

“..... whether the development would be in an appropriate location for new housing having regard to the provisions of the development plan and the Framework”.

6.32 As such, particular attention was given to the locational aspects of that proposal with regards to the accessibility to facilities and services. The Inspector found that;

“7. The Council refer to paragraph 55 of the previous Framework, which has now been replaced by paragraph 79, which seeks to avoid isolated homes in the countryside. However there is no definition of isolated in the Framework and following the recent High Court Judgement¹ it has been confirmed that the term isolated should be given its ordinary meaning of ‘far away from other places, buildings or people; remote’ Whilst the group of properties are clearly detached from the nearby villages, the location of the site within this group of existing residential properties means that the site is not physically isolated.

8. Furthermore, paragraph 78 of the framework states that housing should be located where it will enhance or maintain the vitality of rural communities and where there are groups of smaller settlements, development in one village may support services in a village nearby. Whilst Castlings Heath has no services itself, the provision of a further dwelling would contribute to the services in the nearby villages.

9. The introduction of a dwelling into this location would be very likely to result in the need to use a private car to access facilities and services due to the lack of bus stops, footpaths and the distance to the nearby villages. However, the likely traffic generation from a single dwelling

would be minimal and not unexpected in a rural area. I therefore find that whilst the use of the private car is not wholly in line with the aspirations of Policy CS2 of the CS and the Framework, it would not be harmful to a level that would render the proposed development unacceptable.

10. Accordingly, whilst there is conflict with Policy CS2 of the CS, this is outweighed by the above matters. The proposal would meet the requirements of Paragraph 79 of the Framework in that it would not result in an isolated dwelling in the countryside”.

6.33 The applicant considers that the very same considerations would weigh in favour of this proposal.

6.34 In an appeal dated 2nd July 2019, relating to a site at 1 Willowbridge Cottages, Cockfield (Appeal Ref: APP/D3505/W/19/3222867) the Inspector considered policy CS2 and paragraph 78 of the NPPF and found that;

“11. The Core and Hinterland Villages listed in Policy CS2 are recognised as providing a number of essential services and facilities to a catchment area of smaller villages and rural settlements. As Framework paragraph 78, points out: “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby”.

12. I consider that this policy of the Framework applies in the case of the appeal proposal and affects judgements made under Policy CS2. The new dwelling would contribute to maintaining the viability of services in Cockfield and its Core Village of Lavenham. The BUAB of Mackenzie Place and Crowbrook Place is within walking distance of the site and there is an hourly weekday bus service, between Colchester, Lavenham, Long Melford, Sudbury and Bury St Edmunds, although that is probably not a particularly meaningful service in terms of diminishing the reliance on motor vehicles”.

6.35 There is little doubt that the application proposal has a similar relationship to facilities and services as that found above.

6.36 In a recent appeal decision in relation to a single dwelling at Land adjacent to Arden House, Leather Bottle Hill, Little Blakenham, dated 14th February 2019 (Appeal ref: APP/W3520/W/18/3204723), the Inspector found that;

“6. The appeal site lies outside the hamlet of Little Blakenham, and under CS1 is deemed to be within the countryside, where development is restricted to a limited number of defined categories, none of which have been advanced by the appellant. As such, the proposed dwelling conflicts with Policies CS1, CS2 and H7. The impact on delivery of these policies would be restricted by the small scale of proposed development. I therefore attach limited weight to this harm.

7. The appeal site is within an existing cluster of five properties, and consequently is defined as not isolated, with reference to the ‘Wethersfield Judgement’¹. The Framework’s policy on isolated homes in the countryside therefore does not apply in this case². However, as Little Blakenham’s facilities are limited to a church and village hall and the key service centre villages of Claydon and Bramford are approximately 3km away, the appeal site is somewhat remote from services.

8. Moreover, the following factors limit the appeal of public transport for the proposed development. The lack of pavement on the unlit stretch of Somersham Road makes for a lack of safe pedestrian access from the appeal site to the bus stop in Little Blakenham. Also, whilst the bus service comprises four buses a day to Ipswich between Monday and Saturday, it does not run on Sundays. The distance from Claydon and Bramford combine with the above factors to make private car dependency likely for future occupants of the proposed dwelling. The level of car trips generated would be limited by the small scale of development. Consequently I attached limited weight to this harm”.

6.37 Furthermore, another Inspector reached a similar conclusion in allowing an appeal relating to two dwellings at Land North of Combs Lane, Stowmarket (Appeal Ref: APP/W3520/W/18/3203705) finding that;

“15. The appellant has put before me information regarding the services and facilities within cycling distance of the appeal site, and has pointed out the presence of bus stops on the B115, which runs to the north of the appeal site, where buses to and from Stowmarket may be accessed. However, the busy traffic along Combs Lane and lack of a made footway would, to my mind, act as a disincentive to travel on foot or by cycle, leading to the likelihood that the majority of journeys to access these services and facility would be made by private car. However, given the small number of houses the number of trips would also be relatively low.

16. Paragraph 103 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. This thus reduces the weight that I attach to the harm arising from the failure of the development to support the move to a low carbon economy and promote walking, cycling and public transport use.

17. Policy CS1 of the Mid Suffolk Local Core Strategy 2008 (the CS) directs the majority of new development towards towns and key service centres, with some provision for meeting local housing needs in primary and secondary villages. The appeal site is located outside such identified areas and for the purposes of this policy would be considered countryside, where development would be restricted to categories of development with which the appeal development would not comply. There would therefore be some conflict. Policy CS5 of the CS seeks development which maintains and enhances the environment and retains local distinctiveness, and I have found no conflict with this”.

6.38 In an even more recent appeal, dated 18th June 2019, relating to a single dwelling at Woodside Cottage, Long Thurlow (Appeal Ref: APP/W3520/W/18/3221579) the Inspector (again allowing the appeal) found that;

4. The appeal site is located outside any settlement boundary defined in the development plan and the Council’s concern in this regard is the distance from services and facilities.

5. With regard to housing in rural areas, the Framework states that policies and decisions should avoid the development of isolated homes in the countryside, unless particular circumstances apply, which is not the case here (paragraph 79). As such, the Framework does

not preclude any development of the type proposed here outside settlement limits. Given the setting with a relatively large number of dwellings surrounding the appeal site, I agree with the Council that the site cannot reasonably said to be isolated in the terms of the Framework.

6. The nearest main settlement is Badwell Ash, which both parties appear to agree has a number of facilities necessary for day-to-day living. This is located just over two kilometres to the west of Long Thurlow, with direct access along the Long Thurlow and Richer Roads. I acknowledge that the conditions between the appeal site and Badwell Ash are not particularly favourable for walking or cycling.

7. With regard to accessibility, while the Framework stresses the importance of provision of sustainable transport modes and travel choice, it also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making (paragraph 103).

8. It is to be expected, therefore, that some travel by private vehicle is likely in rural areas such as this. While there appears to be no opportunities to access Badwell Ash by public transport from the appeal site, the settlement is not so distant that long car journeys would occur to gain access to services necessary for day-to-day living. Moreover, due to the number of existing dwellings within Long Thurlow, the addition of a single dwelling would not significantly add to the journeys that already occur from this location.

9. Therefore, taking these findings as a whole, I conclude that the location would not be unsuitable for the proposed development with regard to whether occupants of the proposed dwelling would have adequate access to services and facilities without undue reliance on private vehicle use. The Council does not refer to any development plan policies in support of its reason for refusal. For the reasons given, there is no conflict with the Framework, as described above”.

6.39 These decisions show a consistent approach to the consideration of rural development, outside (and often some distance from) village boundaries. It is the applicant’s case, therefore, that this proposal should be weighed in the same way, and that the proposal is not spatially detached from the village, offers a good level of access to alternative transportation methods

(as expected by paragraph 103 of the NPPF), would support local facilities and services and would deliver a new dwelling of a size and layout that meets a local need.

- 6.40 The applicant considers, therefore, that the proposal demonstrates compliance with the development plan and the NPPF such that planning permission should be granted in the terms requested.
- 6.41 Attention turns, therefore, to other specific matters that engage development plan policies in the consideration of this proposal.

Design and Layout

- 6.45 Policy CS5 requires development to be of a high-quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district. Policy H13 of the Local Plan requires new housing development to be expected to achieve a high standard of design and layout and be of a scale and density appropriate to the site and its surroundings, whilst Policy H15 of the Local Plan similarly requires new housing to be consistent with the pattern and form of development in the area and its setting.
- 6.46 Policy GP1 of the Local Plan states that proposals comprising poor design and layout will be refused, requiring proposals to meet a number of design criteria including maintenance or enhancement of the surroundings and use of compatible materials.
- 6.47 The proposal seeks permission for a one and a half storey dwelling that would sit comfortably on the land, with good sized amenity space, parking and cycle storage all accommodated on the site. The dwelling has been designed to utilise the depth of the site and presents a gable onto the road, reflecting a number of similar gables fronting the road in the immediate vicinity of the site. It is orientated so that it would not overlook the immediately adjacent gardens. The dwelling would provide an attractive and modern design solution to this site where the site can readily accommodate such a scheme with minimal intrusion to the landscape or character of the surroundings. It makes efficient and effective use of this underused piece of land in close proximity to existing built form.

- 6.48 The proposal would be constructed from a traditional palette of materials that would ensure that the dwelling would be in keeping with its surroundings.
- 6.49 Attention has been given to the impacts of the proposal, keeping the height of the building very low so as to minimise the external impacts. The building is, therefore, unassuming and would not give rise to detriment to the surrounding landscape or the immediate environs of the site.
- 6.50 The design and layout of this proposal would, therefore, comply with the aforementioned design policies.

Highway Safety and Parking

- 6.51 Policy T9 and T10 requires development to be delivered with safe and sufficient highways access and function.
- 6.52 Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.53 The proposal seeks to provide off-road parking to the front of the property where the potential additional traffic from one dwelling (which, in any event would be minimal) would not give rise to adverse safety or amenity impacts.
- 6.54 On-site parking will be provided in accordance with/in excess of the requirements of the Suffolk Adopted Parking Standards SPD (2015), ensuring future residents are provided with on-site parking provision, thus avoiding parked vehicles on the public highway.
- 6.55 As such, the proposal can be seen to meet the requirements of the development plan and the NPPF insofar as it relates to highway safety and parking.

Residential Amenity

- 6.56 Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas.
- 6.57 Paragraph 127 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 6.58 The site is of a suitable size and the dwelling has been designed such as to orientate windows away from the adjacent dwellings. Coupled with screening to the boundaries, this would ensure that the proposal would not give rise to any overlooking of neighbouring property. Furthermore, the spacing between the proposed dwelling and existing properties means that the proposal would not give rise to loss of light to neighbouring occupants nor would the proposal have an overbearing impact on any adjoining land.
- 6.59 Occupants of the property would benefit from private amenity space that is not directly overlooked and which would be set away from the road. As such, the proposal would offer good quality amenity space in line with the aims of paragraph 127 of the NPPF.

Landscape Impact/Trees

- 6.60 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.
- 6.61 The site is not considered to be a 'valued landscape' in the terms envisaged by the NPPF, and the site lies within a wholly contained location set against the backdrop of other residential dwellings.

- 6.62 The dwelling would appear as a continuation of the built form in this run of properties and would not, therefore, intrude into the landscape.

Heritage Impacts

- 6.63 The proposal would not affect the setting of any listed buildings and is not within a Conservation Area. The proposal would not, therefore, give rise to any harm to heritage assets.

Flood Risk and Drainage

- 6.64 The site lies wholly in Flood Zone 1 and is thereby outside the designated Flood Zones 2 and 3. Suitable drainage can be designed to ensure that the development does not increase the risk of flooding elsewhere by use of soakaways (if ground conditions permit) or SUDS designed systems.

- 6.65 As such, there is no identifiable restraint upon the delivery of drainage for both surface and foul water that would prevent planning permission being granted in this regard.

Land Contamination

- 6.66 The application is supported by the Council's Land Contamination Questionnaire and a Groundsure Homebuyers report which demonstrate that the development is not at risk from land contamination.

Biodiversity

- 6.67 The land is maintained garden which gives rise to no tangible biodiversity or ecological concerns.

- 6.68 It is regularly mown.

7.0 Planning Balance

- 7.1 The proposal seeks planning permission for the erection of a single dwelling on this underused and contained parcel of land set adjacent to other residential properties.
- 7.2 As identified through the course of this statement, there are a number of issues which the LPA will need to balance in reaching a decision on this proposal. This section of this statement seeks to work through these matters and balance them in a manner that is consistent with how both Planning Inspectors and the Council's Planning Officers have carried out the balancing exercise in respect of recent applications that bring about similar considerations.
- 7.3 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The consideration is, therefore, whether the development accords with the development plan and, if not, whether there are material considerations that would indicate a decision should be taken contrary to the development plan.
- 7.4 The development plan includes the Mid Suffolk Core Strategy (2008), its Focused Review in 2012 and the saved policies in the Mid Suffolk Local Plan (1998). In light of this application relating to a proposal for new housing, an important consideration in determining this application is that the most important policies for determining this proposal are out-of-date and, therefore, the presumption in favour of sustainable development is engaged.
- 7.5 The proposal has, therefore, been assessed against the three objectives of sustainable development. In respect of the economic strand, the applicant recognises that there would be modest benefits from the construction of the new dwelling and from the contribution made by future occupants into the local economy. However modest that may be, the proposal is economically sustainable.
- 7.6 In terms of the social dimension, the NPPF recognises the contribution made by the delivery of housing and the vitality of rural communities to the social aspect of sustainability. The site is located in an accessible location and, in the absence of any social detriment, the proposal

must also be considered to be socially sustainable. A modest increase of homes in rural areas can assist the social stimulus of a village, with Claydon being no different.

7.7 The matter of environmental sustainability is, as is often the case in rural areas, more complex. The PPG recognises that there is a need to take a flexible approach to considering the potential for sustainable transport modes in rural areas and the site has been found to be well located in terms of the facilities and services on offer. In this regard, and in the absence of any recognisable detriment to matters such as heritage assets, land contamination, biodiversity or flood risk, the proposal is found to be environmentally sustainable also.

7.8 This is particularly the case when the environmental benefits of the scheme are considered. These include;

- The use of renewable technologies would facilitate a low-carbon development;
- The construction of the dwelling would include significant insulation and energy efficient white goods, and would include water efficient showers and toilets;
- The introduction of ecological enhancements is proposed on the site;
- Existing hedgerows would be maintained and supplemented where necessary.

7.9 These benefits are considered to go a significant way to offsetting any limited environmental harm that may be considered to occur (notwithstanding that this statement has found no such harm to occur in any event). As such, any harm would not significantly and demonstrably outweigh the benefits of the scheme, where the delivery of a new dwelling to the market would contribute to the district's housing supply. As such, the balancing of the main issues would result in a conclusion that the proposal is sustainable and, therefore, there would be a presumption in favour of it.

7.10 In light of this, and taking account of all the considerations set out above, it is hoped that the LPA will support this sustainable development by granting planning permission in the terms requested.