

MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE - 17 February 2016

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**AGENDA ITEM NO** 5  
**APPLICATION NO** 4244/15  
**PROPOSAL** Erection of detached dwelling and garage and alterations to existing access.  
**SITE LOCATION** Antler Ridge, Main Road, Willisham IP8 4SP  
**SITE AREA (Ha)** 0.1  
**APPLICANT** Mr K Cornforth  
**RECEIVED** December 1, 2015  
**EXPIRY DATE** February 10, 2016

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### REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

(1) a Member of the Council has requested that the application is determined by the appropriate Committee and the request has been made in accordance with the Planning Code of Practice or such other protocol / procedure adopted by the Council. The Members reasoning will be included as a late paper to Committee.

### PRE-APPLICATION ADVICE

1. Pre-application advice has not been sought in regards to this application. However planning permission has been sought previously (ref. 0905/11 and 1472/12). The proposed development under these applications were refused being unjustified residential development in an unsustainable location within a countryside village which is contrary to Policy. Application 1472/12 was also dismissed at appeal.

### SITE AND SURROUNDINGS

2. Antler Ridge is an existing modern detached one and a half storey chalet-style dwelling which is situated on the western side of Barking Road, north of its junction with Tye Lane, in the village of Willisham Tye. The application site relates to an approximately rectangular parcel of amenity land which lies immediately south of, and serves, Antler Ridge. Access to the site is taken from Main Road, to the east.

The site is grassed and planted to the front (east). To the rear is an open swimming pool, with coniferous planting along part of the southern and western boundaries. The site contains no significant landscape features.

Development in the vicinity of the application site is predominantly characterised by modern one and a half storey dwellings, of modest

building scale. The exception would appear to be Tye Corner Cottage which is situated directly to the south of the application site, and forms the common boundary. This is a two storey residential dwelling which is accessed from Tye Lane. This property has the appearance of being a former farm workers dwelling – and is considered to be uncharacteristic of development in the locality..

The application site is located within the village of Willisham Tye, which is a countryside village as designated by the Mid Suffolk Core Strategy Development Plan Document (2008).

## HISTORY

3. The planning history relevant to the application site is:

0905/11	Erection of detached three bedroom one and a half storey dwelling with attached single garage.	Refused 25.05.11
1472/12	Severance of the existing garden land and the erection of a three bedroom, one and half storey dwelling with an attached single garage.	Refused 26.04.12 Appeal Dismissed 20.08.13

## PROPOSAL

4. The subject scheme is identical to 0905/11 (refused by Development Committee A on 25th May 2011) and 1472/12 which was (refused by Planning Committee A on 07/11/2012 and dismissed at appeal). A copy of the appeal decision is included as an Appendix to this report.

Full planning permission is sought for the erection of a detached 3 bedroom one and a half storey dwelling with attached single garage. The new dwelling would have a floorspace of approximately 125 square metres, and occupy a plot size of approximately 478 square metres. It would have its own private front and rear amenity space, with the rear garden measuring approximately 12m wide and 18m deep. The external dimensions of the garage measure approximately 3.4 m.

The existing vehicular access from Main Road which serves Antler Ridge will be enlarged to provide additional access for the proposed dwelling. An existing frontage hedge will be reduced in height/removed to enable access in accordance with Suffolk County Council highways requirements.

The submitted plans indicate that the proposed dwelling would measure approximately 6.2m high to ridge (2.2m high to eaves). It would be

constructed of brick with tiled roof. The existing swimming pool will be unfilled as part of the development proposals.

The application is accompanied by a statement which sets out the reasons why the applicant considers the residential development of this site to be justified.

## **POLICY**

### **5. Planning Policy Guidance**

See Appendix below.

## **CONSULTATIONS**

- 6.
- Offton and Willisham Parish Council - The Parish Council support this application as it is for a specific local need. The Parish Council recommend that the applicant digs out the ditch, which he admits to owning, from the Tye Lane culvert down past the new property and Antler Ridge to allow the Tye Lane surface water to drain away.
  - Suffolk County Council - Highways Suffolk County Council Highways raises no objection and any planning permission should include conditions regarding improved access and provision of parking.
  - MSDC Environmental Health Officer The Environmental Health Officer confirms that the application has all of the requisite land contamination assessments and none of these demonstrate that contamination is likely to cause an adverse impact on the proposed development and as such they have no objection to the development.
  - Suffolk Fire and Rescue-Suffolk Fire and Rescue do not feel there is an access issue and there is a Fire Hydrant within 90 m of the property.

## **LOCAL AND THIRD PARTY REPRESENTATIONS**

7. Three letters of support, and one letter of comment has been received. This is a summary of the representations received.
- Support for the proposal.
  - Appropriate scale development for the village
  - New residents will be an asset to the community
  - Removal of trees to the rear boundary of the site will have a detrimental effect on the privacy and amenity of our property. Request a condition be applied to restrict the removal of these trees.

## ASSESSMENT

8. The following issue is of relevance to the assessment of this application:

- Principle of development

Fundamental to this application is the principle of residential development in this location. Two applications for the same development have been refused on the basis that the development would form an unjustified open market dwelling in an unsustainable location and would therefore not accord with policies CS1 and CS2 of the Core Strategy 2008. The reason for refusal in 2012 was upheld at appeal where it was determined that Policy CS1 and Policy CS2 are in-line with the NPPF.

The application site is outside any settlement boundary and therefore the proposal for the erection of a new dwelling in the countryside remains contrary to Core Strategy policies CS1 and CS2 and Local Plan Policy H7.

However the local authority does not have a five year land supply. Paragraph 49 of the National Planning Policy Framework (NPPF) states;

*"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."*

Consequently policies CS1 and CS2 are not considered to be up-to- date and are not deemed to justify refusal in this respect. Paragraph 14 of the NPPF reads,

*"where the development plan is absent, silent or relevant policies are out of date, granting permission unless 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; or specific policies in this Framework indicate development should be restricted"*

The NPPF nevertheless requires that development be sustainable and that adverse impacts do not outweigh the benefits to be acceptable in principle. The proposal has been considered previously as to relate well in design term to the urban form, built-pattern and character of this countryside village. It would not harm highways safety or neighbour amenity. The development must therefore be assessed as to whether it would constitute sustainable development as set out in the NPPF

The NPPF (paragraph 7) defines three dimensions to sustainable development- the economic role, social role and environmental role. These roles however should not be considered in isolation. Paragraph 8 of the NPPF identifies that environmental, social and economic gains should be sought jointly. Therefore the Core Strategy Focus Review 2012

(post NPPF) policy FC1 seeks to secure development that improves the economic, social and environmental conditions in the area.

Paragraph 55 of the NPPF sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example where there are groups of smaller settlements development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

The application site for the new dwelling is within an existing built-up residential area and consequently the new dwelling would not be deemed as isolated. Therefore consideration should be given as to whether the proposal would support services in villages nearby.

The new dwelling would be located within the countryside village of Willisham Tye. This area comprises only residential properties. Future occupants of the dwelling would need to travel for all their daily needs (work, doctors, school and food stores). Willisham Tye is mainly surrounded by other countryside villages; Offton, Barking, Great Bricett and Wattisham and Battisford. Many of these villages have very limited facilities.

Willisham Tye is situated near to Ringshall Stock which is defined by Policy CS1 of the Core Strategy as a Secondary Village and Somersham which is defined as a Primary Village. Ringshall has a primary school and small farm shop (located near the church) whilst Somersham has a community shop (the pub is currently closed).

The dwelling is located over a mile from the neighbouring facilities in the surrounding villages. The site is located 1 mile from Barking (19 minute walk), over 1.5 miles (approximately 30 minute walk) from Ringshall and the same distance south from the Limeburner's (pub) in Offton. Consequently the new dwelling is likely to offer little support to these local facilities. It is very likely that travel to larger settlements would be required to meet all the social, educational, retail and employment needs of the potential future occupiers of the proposed dwelling. For this reason and having regard to the amount of development proposed, the opportunity for the proposal to contribute to maintaining or enhancing the vitality of the existing rural community would be limited.

Paragraph 17 of the NPPF sets out that planning should support the transition to a low carbon future in a changing climate and to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. Paragraph 30 and 35 of the NPPF details that authorities should encourage solutions to reduce greenhouse gas emissions and development should be designed and located to give priority to pedestrian and cycle movements and have access to high quality public transport.

There is no footpath or footway connecting the application site and

neighbouring services. Walking and cycling to these destinations would be along narrow, winding, unlit and hilly country lanes with limited natural surveillance and largely without footway provision. Given these conditions and the distances involved, it is deemed very likely that the potential future occupiers of the dwelling would be heavily reliant on the use of the private car.

There is a bus service from Willisham to Ipswich (111/111A) which would allow future occupiers to access Ipswich for shopping, leisure and work. However the service is very limited being every 3 hours to Ipswich Old Cattle Market Bus Station with the last bus at 2pm. The bus is also every 3 hours from Ipswich to Willisham in the afternoon only. Given the need for a car to get to other services such as doctors and schools (no school bus service) it is unlikely that occupiers would choose the bus service given the greater convenience of the car. Furthermore the bus stop has no shelter which makes it less desirable to wait for the bus in poor conditions.

Therefore whilst not remote from other dwellings, the proposal would nonetheless result in the development of a new dwelling in the countryside that would be isolated from other nearby settlements and the full range of services and facilities likely to be needed for its residential use. Furthermore there are no special circumstances, such as the essential need for a rural worker to live permanently at or near their place of work in the countryside, to support the development of a new home in this location. Accordingly, the residential development of this site as proposed would be materially harmful and would not meet the aims of paragraph 55 of the Framework.

The development would add to the local housing stock and contribute to meeting the identified housing needs of the area. Furthermore, the development as proposed would have some limited economic benefits during construction. These matters weigh in the developments favour. However the benefits are outweighed by the harm resulting from the development of an isolated new dwelling in this rural location.

The applicants planning statement refers to a recent appeal decision which allowed a dwelling on an infill plot within a significant cluster of dwellings outside the settlement boundary at Barham (a countryside village). The Barham application site was 1300 metres from Claydon which is identified in the Core Strategy as a Key Service Centre village. Facilities such as the shops, schools and doctors would be within an approximate 15-20 minute walk along a generally flat route. A continuous, good quality footway, albeit narrow in places, links the appeal site along Norwich Road and whilst there are only occasional streetlights, there are dwellings along the route which provide surveillance. The inspector noted that whilst the direct economic benefits would be limited the wider sustainability credentials of the scheme in terms of its non-isolated location, its good connectivity to nearby key services and its lack of harm to local character and amenities means that the appeal proposal, would on balance, represent the sustainable development that

the Framework seeks to deliver.

The statement also makes reference to a planning permission in Haughley. Haughley Green, like Willisham is a countryside village with limited services. However Haughley Green is surrounded by designated villages under policy CS1 such as Bacton, Old Newton, Elmswell and Haughley.

Nevertheless, the authority's understanding of Sustainable Development has expanded since the Haughley application following recent appeal decisions (for example appeal decision at 1835/15 Mendlesham Green) which note the importance of footway provision, good bus service and proximity to key services and facilities.

Furthermore the final paragraph of the Inspectors decision (see Appendix C) for the previous application at this site (ref. 1472/12) states all the policies in the NPPF have been taken into account but the NPPF does not alter the inspectors conclusion. The other matters do not outweigh the significant harm that the inspector identifies from the proposed open market dwelling in a countryside village.

In the light of all of the above circumstances and the location and accessibility of the site to services and facilities from surrounding villages the proposal is not considered to represent sustainable development with regards to the environmental and economic dimension of sustainable development set out by the NPPF.

## **RECOMMENDATION**

That Full Planning Permission be **REFUSED** for the following reason:

The proposal is not considered to form sustainable development within the dimensions set out by the National Planning Policy Framework (NPPF). The proposal would result in the development of a new dwelling in the countryside that would be isolated from other nearby settlements and the full range of services and facilities likely to be needed for its residential use. Additionally the development is not located to give priority to pedestrian and cycle movements and would not support the transition to a low carbon future. Consequently the development would not meet the environmental dimension of sustainable development. Furthermore no exceptional circumstances or other material considerations have been demonstrated to outweigh the harm identified in this respect. The proposal is therefore considered to be contrary to the paragraph 17, 30, 35 and 55 of the NPPF and Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review (2012).

Philip Isbell  
Corporate Manager - Development Management

Rebecca Biggs  
Planning Officer

## **APPENDIX A - PLANNING POLICIES**

**1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review**

**CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT**

**CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT**

**Cor1 - CS1 Settlement Hierarchy**

**Cor2 - CS2 Development in the Countryside & Countryside Villages**

**Cor5 - CS5 Mid Suffolks Environment**

**2. Mid Suffolk Local Plan**

**GP1 - DESIGN AND LAYOUT OF DEVELOPMENT**

**H13 - DESIGN AND LAYOUT OF HOUSING DEVELOPMENT**

**H14 - A RANGE OF HOUSE TYPES TO MEET DIFFERENT ACCOMMODATION NEEDS**

**H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS**

**H16 - PROTECTING EXISTING RESIDENTIAL AMENITY**

**T9 - PARKING STANDARDS**

**3. Planning Policy Statements, Circulars & Other policy**

**NPPF - National Planning Policy Framework**

**APPENDIX B - NEIGHBOUR REPRESENTATIONS**

Letter(s) of representation(s) have been received from a total of **4** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

[Redacted]

The following people **commented** on the application:

[Redacted]