

Statement on the Appeal Decision relating to
Land On The East Side Of Green Road, Woolpit

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Erection of 49 dwellings (including 17 affordable dwellings) and construction of new access.

Appeal allowed and Planning Permission granted

The outcome of this appeal is disappointing given that the Councils decision was reached following a committee site visit and in a democratic committee meeting which was well attended by members of the local community.

The Committee accepted the considerable concerns of the community that this development and proposed highways mitigation would cause harm to the Woolpit Conservation Area and setting of listed buildings in the village.

As is usual in such cases the Council was represented by experienced professional witnesses in relation to planning, highways and heritage matters. It is clear from the appeal decision that these issues, and the concerns of the community, were given careful consideration.

These important heritage issues were of such weight to the Council that the presumption in favour of sustainable development was not considered to apply to this proposal.

With that in mind the Council considered that the issue of housing land supply was not the key matter. Nevertheless our witnesses presented evidence on this point, which had been raised by the appellant after the publication of the Annual Monitoring Report, so as to rebut the assertion that the Council did not have a 5 year housing land supply.

It is a matter of record that the National Planning Policy Framework (NPPF) issued in July 2018, after the publication of the Councils Annual Monitoring Report, introduced a new methodology for the calculation of need and a new definition of what constitutes a deliverable site. In the appeal officers considered that they presented appropriate evidence as to both the need for, and supply of, deliverable sites but the Inspector found against us on these matters. It is clear from this decision that the new NPPF has significantly raised the bar in the evidence required to demonstrate deliverability and the Inspector in this instance has unhelpfully taken a particularly strict interpretation of that definition.

We are immediately putting in hand work to re-evaluate our calculation of deliverable sites and to pro-actively review with developers the evidence of deliverability for allocated sites or those with outline planning permission across the District. This review will be undertaken through October as a matter of priority.

Notwithstanding the land supply question it is significant that the Inspector highlighted that the new NPPF promotes sustainable development in rural areas where it will enhance or maintain vitality for rural communities and does not follow past principles of protecting the countryside for its own sake. In this respect the Inspector has found that policies CS1 and CS2 of the 2008 Core Strategy are inconsistent with the balancing approach of the new NPPF to development outside settlements. Councillors may recall that the Core Strategy was previously accepted as being in accordance with the original NPPF. This Inspector has been especially challenging in drawing these conclusions.

Regardless of the question as to whether the Council does or does not have a 5 year housing land supply it is now clear that the adopted Core Strategy policies need to be revisited in our Joint Local Plan and policies adopted which better reflect a less restrictive approach to development outside settlements.

It is therefore regrettable that the Inspector disagreed with us and concluded that with the off-site highway works secured by planning condition there would be no unacceptable residual highway or pedestrian safety impacts. We cannot share the Inspectors conclusions on heritage impacts but recognise that these have been reached through due appeal process.

Whilst this outcome is not what the Council wished to see, the issues were quite specific to this proposal and the Council will continue to attach great weight to safeguarding the Woolpit Conservation Area and Listed Buildings from future harm in accordance with its statutory duties.

Councillor Glen Horn

Cabinet Member for Planning