

Appeal Decision

Inquiry opened on 21 March 2017

Site visits made on 27 and 29 March 2017

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 April 2017

Appeal Ref: APP/J3530/W/16/3165730

Land off Duke's Park, Woodbridge, Suffolk IP12 4DQ.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments Ltd against the decision of Suffolk Coastal District Council.
 - The application Ref: DC/16/3597/OUT, dated 26 August 2016, was refused by notice dated 20 December 2016.
 - The development proposed is up to 140 residential dwellings (including up to 33% affordable housing) a convenience store (use class A1, up to 400sqm gross/280sqm net) with associated car parking. Demolition of existing structures, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access from Ipswich Road and emergency, pedestrian and cycle access from Top Street, and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is made in outline with all matters reserved except site access as shown on Hydrock drawing No 010 Revision A. The access proposals were amended during the course of the Council's consideration of the application. The application was also accompanied by a development framework plan and an illustrative masterplan which do not form part of the final proposals but give an indication of how it would be intended to develop the site.
 3. It is common ground that the appeal site lays within the setting of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The site is also crossed by the route of interconnector(s) associated with offshore wind farms. These are constraints which are recognised in the proposals.
 4. Prior to the inquiry Statements of Common Ground (SoCG) were agreed between the Appellant and Suffolk Coastal District Council (the Council) and Suffolk County Council (SCC). These cover matters relating to planning generally, the 5 year housing requirement and supply, highways and transport, drainage, European and Ramsar designated sites, and archaeology. These statements also helpfully identify remaining areas of disagreement where relevant.
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5. Shortly before the close of the inquiry I was provided with a planning obligation in the form of a Unilateral Undertaking pursuant to S106 of the 1990 Act. This sets out matters which the owners of the land would undertake, and contributions which would be made, in the event of planning permission being granted. I am content, in light of the Community Infrastructure Levy Regulations compliance statements provided by both the Council and SCC, that the obligation would meet the requirements of the Regulations. However, because I have decided that the appeal should be dismissed I do not need to consider this matter further.

Main Issues

6. There are 3 main areas of dispute in this appeal. These are:
 - (a) Whether the housing requirement contained within the Suffolk Coastal District Local Plan - Core Strategy and Development Management Policies (CS) is up to date, and whether the Council can demonstrate a 5 year supply of deliverable housing sites;
 - (b) The impact of the proposed development on the character and appearance of the area, bearing in mind the proximity of the Suffolk Coast and Heaths AONB;
 - (c) In light of the first 2 issues, whether the proposal is sustainable development and therefore whether the planning balance indicates that planning permission should be granted.

Planning Policy

7. It is agreed that the relevant parts of the development plan for the purposes of this appeal are formed of saved policies of the Suffolk Coastal Local Plan (saved LP) which dates from 1994 but was altered in 2001 and 2006, the CS (adopted July 2013) as set out above, and the Site Allocations and Area Specific Policies Document (SAP - adopted January 2017).
8. Within the saved LP it is agreed that Policies AP212 and AP214 are relevant.
9. The planning SoCG sets out what are agreed as relevant policies within the Core Strategy. These are SP1, SP1A, SP2, SP3, SP15, SP16, SP17, SP18, SP19, SP20, SP26, SP29, DM2 and DM32. Others were raised and discussed at the inquiry. It became clear at the inquiry that as a result of the evolving nature of the proposal and the contents of the submitted obligation, the Council does not argue that there is conflict with all of these policies, notably SP3 (provision of homes) SP16 (sport and recreation) SP17 (green space provision) SP18 (infrastructure provision) DM2 (provision of affordable housing) and DM32 (provision of sport and play facilities).
10. The Appellant agrees that the proposal is in conflict with CS Policies SP19, SP29 and DM3 because of the location of the site outside development limits and in an area of countryside. There is disagreement about the conflict or otherwise principally relating to CS Policies SP1 (principle of sustainable development) SP1A (presumption in favour of sustainable development) SP2 (housing numbers and distribution) SP11 (accessibility) SP15 (landscape and townscape) SP26 (strategy for Woodbridge) and saved LP Policies AP28, AP212 and AP214.

11. It is useful at this point, in light of the first main issue, to identify those development plan policies which are relevant to the supply of housing (as opposed to simply being relevant to the proposal in general). CS Policy SP2, which sets out the housing requirement, is clearly relevant. So too are Policies SP19 which sets out a settlement hierarchy whilst indicating that development will be restricted in the countryside, and SP26, which seeks to consolidate the town of Woodbridge. Policy SP29 is also restrictive of development in the countryside and is therefore of relevance.
12. Saved LP Policy AP212 specifically seeks to retain open spaces between settlements, including between Martlesham and Woodbridge. This is clearly relevant to the supply of housing in that locality. Policy AP214 encourages enhancement of the land of which the appeal site is part. The supporting text also indicates that more development in the policy area would not be appropriate and to that extent can be seen to be relevant.
13. There was debate at the inquiry in relation to the potential relevance of other policies. CS Policy SP15 relates to landscape and townscape, seeking to protect and enhance the valley of the River Fynn (amongst others) as well as the townscape of locations such as Woodbridge. The site is not identified as a particular location which is identified as being protected from development but nonetheless its location within the River Fynn valley is restrictive of development under the terms of this policy, which I consider has some potential relevance to the supply of housing. However the policy also cross refers to Policy AP28 of the saved LP. AP 28 seems to me to be specific to the areas identified on the proposals map (the site is not) or other sites making an important contribution in their undeveloped form to such matters as setting or character. The supporting text clearly indicates that the policy is focussed on land which is within a physical limits boundary (the site is not). Taken together it is my judgement that these 2 policies are not of material relevance to the supply of housing.
14. Martlesham Neighbourhood Plan (MNP) is in the process of being prepared. It is expected to deal with housing matters. Draft Policy MAR7 deals with local gaps between settlements where it is intended that development should maintain open character and not significantly reduce the gap. One of the gaps identified is between Martlesham village and Woodbridge, wherein the appeal site lies. However, the MNP has not yet been submitted to the Council. It is therefore at a relatively early stage of preparation and can be given limited weight in this appeal.

Reasons

Housing Requirement and Supply

15. The Core Strategy (CS) requirement is for there to be provision of 7900 homes in the period 2010 to 2027. However, it was established in the examination of the CS that 7900 did not represent the full objectively assessed need (OAN) at that time, which was some 11000 homes. But in order to progress the CS the Inspector took a pragmatic decision to find the CS sound with the housing requirement of 7900 subject to an early review. Policy SP2 of the CS sets out that the issues and options for the review would be published before the end of 2015 at the latest. That did not happen, and nor has it happened as yet. This has been the subject of consideration in other appeals which have variously come to different conclusions on the housing requirement for Suffolk Coastal.

Those decisions, of course, were based on the evidence then presented, and whilst material in this case, do not bind my consideration of this matter.

16. From the evidence given at the inquiry it is my understanding that the Council's requirement as it stands in the CS (7900) was updated from the figure submitted for examination (7590) which the CS Inspector required to be revisited. The updated requirement of 7900, though, still stemmed from the Regional Strategy requirement of 10200 homes in the period 2001 to 2021. It was described as the projected residual need requirements in Main Modification (MM3) of the CS. In parallel there was the fact that OAN was actually assessed, without constraints, at 11000 (using the East of England Forecasting Model). It is clear that the lower figure of 7900 was accepted as being acceptable in order for the CS to be found sound for 2 reasons. First, it avoided the need to withdraw the CS and start afresh with the accepted OAN of 11000 as the starting point, and secondly, there was the commitment to review of the CS starting no later than 2015.
17. At the inquiry I was presented with different requirement scenarios by the Appellant and Council. The Appellant has used 2 different forecasting models to predict the requirement for the period 2011 to 2031. The East of England model finds a requirement of 14500 dwellings (725 per annum) whilst the Local Plans Expert Group's proposed methodology finds a requirement of 15184 (759 pa). On the other hand the Council currently sticks to the requirement of 7900 (465 pa). Although pressed on the likely outcome of the current assessment being carried out on behalf of the Council no expected requirement figure (or potential range of outcomes) was offered. It was indicated, however, that a figure close to the current requirement was the likely outcome. But any resultant figure would in any event require testing at examination.
18. The bulk of evidence before me suggests that the OAN for the District is likely to be greater than 7900. The Council points to the most recent household projections suggesting a supply of dwellings starting at 365 dwellings per annum, well below the CS requirement of 465 pa. Applying a vacancy and second homes allowance brings the projection to 395 pa. But the household projection figure, as pointed out by the Appellant, is the starting point only, and might well reflect the impacts of constrained delivery in suppressing future projections. In addition there would be no inclusion of factors such as changing economic circumstances. I do not regard the household projections on their own as providing any likelihood of being a proxy for future need. Furthermore I have no firm evidence before me that the OAN is likely to have reduced from the 11000 calculated in 2010. The more compelling evidence is that the baseline (before application of constraints) OAN is likely to have risen.
19. At the present time I accept that the Council is pressing forward with the committed CS review and that an issues and options document is planned for mid 2017. However, I am cautious over the timing of the review for 2 reasons. First there is a necessity to consider the housing market area (HMA), which includes other authorities. Although a memorandum of understanding has now been completed it is not beyond possibility that one of the outcomes of this joint working would be to cause some delay. In addition the proposal to merge Suffolk Coastal and Waveney to form a single council has further potential for concurrent delay.

20. I can therefore summarise my findings on the housing requirement quite succinctly. First, the CS requirement must be regarded as being unreliable, both because of its derivation and the fact that the Council (in acknowledging that the true OAN was higher at that time) committed to a CS review during a timescale which has now been missed by some distance. Secondly the weight of evidence points clearly to the prospect that the OAN is likely to be beyond 11000 before any constraints are applied. I do not have accurate and tested figures with which to work, but it is my judgement that the OAN should at this time be held to be a minimum of 11000 dwellings over the period to 2031 (the CS review period) but may well be more.
21. Before considering the supply side of the equation I turn to the matter of what buffer would be appropriate in this case. The Appellant argues that 20% is appropriate, the Council 5%. What is not disputed is that the buffer should be applied using the Sedgefield method, and that any shortfall should be added to the first 5 years.
22. The delivery figures presented by the Appellant (Mr May's proof of evidence Table 3) show housing requirements being exceeded in 5 of the last 13 years. But 6 of the last 7 years exhibit failure to meet the requirement. Although the first part of that period coincided with the latter part of the financial crash, no significant improvement was seen until 2015/16. I do not share the Council's optimism that this is a sign of an upward trend and that things are improving. A single year's figure cannot logically be seen to be taken as such a sign. That being the case it is my judgement that the under delivery has been persistent and that a 20% buffer should be applied as required by the National Planning Policy Framework (NPPF).
23. The Appellant has provided a comparative table of how each of the various scenarios plays out in terms of housing requirement (Table 4 of Mr May's evidence). I will, for the sake of simplicity, adopt an OAN of 11000 for the purposes of this appeal. The Appellant's evidence indicates that this would result in an annual requirement of 647 dwellings. There is a shortfall on this figure of 1866 which, when added to the 2016 – 2021 requirement (the appropriate period for this appeal) gives a requirement of 5101. Adding the 20% buffer increases this to 6121, an annual requirement of 1224.
24. Supply over the next 5 years does not hold much dispute between the Council and Appellant. The Council assess supply as 3757, including 710 from allocations in the recently adopted SAP (not in dispute) and the Appellant at 3482. There are only 3 areas where there is material disagreement. The difference amounts to some 275 dwellings. I do think that there is merit in discounting windfall sites in year 3 to avoid double counting, and in my judgement the likely delivery at Adastral Park is somewhat optimistic on the Council's (and developer's) part. Hence I agree that a small reduction in supply should be factored in. For the purposes of this appeal I will treat supply as being around 3600 dwellings.
25. I doubt that anyone would claim that predicting housing requirement and supply is an exact science, but these figures are the most realistic I can adduce from the evidence before me. Applying the figures to the supply side of the argument is set out in Table 6 of Mr May's evidence. Even on the Council's supply of 3757, with a 20% buffer this would provide just 3.1 years supply on

a requirement as set out above. In reality I think that a current supply of about 3 years is realistic based on the evidence given.

26. Other Inspectors have reached different conclusions, notably in the appeal relating to land at Top Street Martlesham (APP/J3530/W/16/3159464). I was not party to the evidence in that appeal, but I note that the Inspector applied a 5% buffer and concluded that there was a supply of about 4.5 years. It would appear that the evidence available there was significantly different and as a result I have reached a different conclusion for the reasons I have set out.
27. The Council cannot therefore provide a 5 year supply of deliverable housing sites. As such, paragraph 49 of the NPPF is engaged. Policies relevant to the supply of housing should not be considered up to date. At this point I can therefore indicate which policies I consider to be out of date. By reference to the policy section set out earlier these can be seen to be CS Policies SP2, SP19, SP26, SP29 and saved LP Policies AP212 and AP214. However, the fact that policies relevant to the supply of housing are out of date does not mean that those policies carry no weight. In this instance I have taken note of the fact that the recently adopted SAP shows that a supply of some 8670 houses has been identified in the period to 2027. This is almost 10% higher than the minimum figure set in the core strategy. Though falling short of what is likely to be the future OAN this indicates that there is likely to be an upward trend in supply in the future. Furthermore, the fact that the Council is now embarking on the CS review (albeit with the possibility of some further delay) is of positive weight. With this background, notwithstanding the shortfall in housing supply I can afford the policies a moderately significant degree of weight with the exception of SP2 which, because of its unrealistic retention of a low housing requirement, should not attract more than limited weight.
28. If policies for the supply of housing are out of date NPPF paragraph 14 indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or unless specific policies of the NPPF indicates that development should be restricted (by reference to footnote 9).
29. Before moving to other issues I therefore consider here whether Footnote 9 of the NPPF is engaged in this case. The footnote cites a number of policies, including those policies relating to land designated as an Area of Outstanding Natural Beauty. Within the text of the NPPF the relevant paragraphs are 115 and 116. The Council does not contend that paragraph 116 applies here (since that refers to development in designated areas). However it asserts that paragraph 115 is engaged in that development outside the boundary of the AONB can affect the objective of conserving the landscape and scenic beauty within that area. I do not agree with that position. The thrust of the NPPF seems to me to be related to the restriction of development within designated areas. If the intention had been to be restrictive in the setting of such areas the NPPF would surely have said so. The fact that setting is addressed in Planning Practice Guidance is not a position which can alter the intention of the stated policy in the NPPF. The position is summed up in a previous appeal¹ in which the Inspector, noting the general application of paragraph 115, found

¹ APP/G1630/A/13/2209001

that it did not amount to a 'specific policy' indicating that development should be restricted in terms of paragraph 14. I agree with that position.

30. I turn then to the second main issue.

Landscape and Visual Matters

31. The appeal site has no formal designation, but lies immediately between the AONB to the south and an area identified as a Special Landscape Area (SLA) to the west. It is principally comprised of a tract of rural land which has lately been used for agricultural purposes, but currently lies dormant. There are detractors nearby (such as the employment uses to the south and south west and farm sheds and a sewage treatment works) but these sit lower in the landscape and are not as prominent as the rising ground of the appeal site. Although the site has no significant attractiveness per se, it is in a sensitive gap between settlements and urban influences are low key. The result is that there is no current sense of there being any material connection between the built form of Woodbridge and Martlesham village respectively. The lack of current use gives the land a plain but unobjectionable appearance. In itself it may not exhibit the qualities associated with a valued landscape, but it is clear to me that development of the site has the potential to impact upon the AONB to the south as it lies within its setting. That is not a matter of dispute. There is also no dispute that the proposed development would create an impact on the character of the landscape and on its visual traits. But there is disagreement on the magnitude of those impacts despite broad agreement on the methodology used to assess them.
32. The site lies within the large national character area NCA 82 – Suffolk Coast and Heaths. More locally the 2011 Suffolk Landscape Character Assessment split the site between the Rolling Farmlands and Furze landscape character area (LCA) and the Urban LCA. Quite why the northern part of the site is identified as part of the Urban LCA is unexplained. It was suggested that this reflects the sharp change in levels across the site, and there does seem to be a partial correlation between the change in levels and the LCA boundary. However, I am not persuaded that there is a realistic difference on site. All of the land (with the exception of very minor elements) is open countryside. I consider that the LCA is anomalous in this locality and does not reflect the true position on the ground.
33. The visual envelope identified by the Appellant is not disputed, and it is within this envelope that landscape character and visual impacts can be considered to be of material importance. The majority of the visual envelope is within the AONB. The Fynn Valley landscape (which is largely within the SLA) lies to the west, beyond Top Street and the A12, but it is difficult to observe the appeal site from that area.
34. A significant area of dispute at the inquiry surrounded the likely impact of structural and other planting which it would be intended to introduce. The Appellant maintains that it would be possible to ensure rapid tree growth, up to something approaching maturity, over a 10 year period. I have my doubts and there are 2 reasons for this. First, the ground conditions are not disputed to be sandy soil in a dry location. That is unlikely to optimise growth even with good management. Secondly I place a good deal of weight on the Council's local knowledge here, and as pointed out, the roadside planting for the A12 improvements can hardly be said to have grown at a fast rate (given that I was

- given undisputed evidence that those improvements were carried out nearly 30 years ago).
35. Nonetheless I agree with the Appellant's assessment of landscape effects for the most part. However, I am not persuaded that the impact on the setting of the AONB would reduce from the major/moderate adverse level to the suggested negligible level at 10 years post completion. In this locality the site is seen in large part as rising ground on the valley side beyond the AONB, and here it provides an important link in the continuity of open land. I recognise that there are detractors in the landscape, but even so it is my judgement that the impact on the setting of the AONB would be moderate and adverse even after a number of years, especially as the development on the upper part of the site would have a greater impact on character because of its prominence.
36. There is no doubt that this area is but a small part of the National Character Area, and I do not take issue with the Appellant's assessment that 10 years post completion the impact would be negligible. In the intervening period it deserves a higher level of impact. But overall the effect on the NCA is not a serious issue. However, there would be greater effect on the Rolling Valley and Furze LCA. Here I again believe that the Appellant underestimates impact. The long term effect would be at least moderate and adverse in my judgement.
37. In addition the development of the site would draw the settlements of Martlesham village and Woodbridge closer together. The structural planting proposed (though this would be subject to later final approval) would be likely to mitigate the effect, but I still consider that there would be a clear perception for many years of the appeal site having changed character from open countryside to urban fringe. This would be at odds with the established character of the LCA. I find the suggestion that the proposal would enhance the locality over time to be unconvincing given that about half of the site would be developed. In my view the Appellant has overstated the impact of existing settlement influences on character. I acknowledge the presence of the low density and sylvan development at Dukes Park, and the employment uses close by, but these are minor influences on a large tract of land. The railway to the south certainly has an impact, but it is a lightly used route which limits its influence. The nearby roads are largely out of sight, and therefore any impact from them is predominantly limited to noise.
38. In relation to the visual impact of the proposal I consider that the effects would be more severe. Despite the small visual envelope there are a number of footpaths within the AONB which are well used, and from which the site is clearly seen. The Appellant's assessment underplays the visual prominence of the site from a number of viewpoints which I visited during my site inspections. The sensitivity of receptors using the footpaths is rightly recorded as high, and the impact on their perception of the setting of the AONB would, in my judgement, range from major adverse (when seen for example from the area close to Martlesham boatyard and south side of Martlesham Creek) to moderate and adverse from further afield to the east alongside Martlesham Creek. These viewing points are central to the experience of the AONB and notwithstanding that the sewage treatments works and development along Sandy Lane would be in view, the development proposed would be far more prominent, particularly on the high ground in the northern part of the site. Because I cannot accept the suggested rates of growth of mitigating planting my assessment inevitably increases longer term adverse impacts. The AONB

must be regarded as a valued landscape and the visual harm to its setting would be moderate to major and adverse.

39. The same point of coalescence of settlements as set out above also applies in relation to visual matters. This would be exacerbated by the fact that the road linking the two parts of the residential development would cross open land in a somewhat incongruous manner. In effect it seems to me that the proposal envisages 2 development clusters without adequately resolving the linkage between them. There would be a distinct perception of Woodbridge and Martlesham being drawn together and the open countryside setting of the AONB would be further significantly compromised at this point.
40. In summary on this issue it is my judgement that the proposed development would introduce long term harm to the character of the area of a moderate magnitude, with long term harm to visual qualities of moderate to major magnitude. This would be in conflict with Policies SP15, AP212 and AP214.

Other Matters

41. Before carrying out the planning balance there are a number of matters which I should address. These are matters raised principally by local residents.
42. The evidence before me is that the appeal site is one of the few in Suffolk which is assessed as grade 2 agricultural land, and therefore falling within the best and most versatile (BMV) category. Use of BMV land is addressed in the NPPF and does not preclude the use of such land though the use of poorer quality land is preferred. However, in view of the lack of a 5 year housing supply this is not a matter which would weigh against the proposal being permitted. It has been agreed that drainage of the site could be adequately provided and I see no reason to find that there would be any risk of flooding from the development. Space about the development would be generous and I am satisfied that the living conditions of neighbours on the edge of Woodbridge could be retained at a satisfactory standard.
43. Concern has been expressed that the access to the site would be on a difficult and heavily used stretch of Ipswich Road, and that some of the evidence presented is inaccurate. Extensive dialogue has taken place between the highway authority and the Appellant, and a SoCG confirms that the access would be acceptable as proposed, subject to matters secured by condition and obligation. Whilst I note the concerns expressed I have no substantive evidence that the proposed access would cause material difficulty. I am satisfied that it would not result in severe residual cumulative effects as described in the NPPF.
44. The site is close to areas protected by European habitat regulations and protections. However, the provision of on-site open space and the restriction of access from the southern boundary of the site have led to agreement that there would be no likely impact on those areas. This is set out in the relevant SoCG. The evidence before me gives me no reason to disagree and therefore this does not militate against the development.
45. No1 Top Street is a Grade II listed building and lies just to the west of the site. Neither the Council nor the Appellant alleges any harm to the building or its setting. I have a duty to consider this matter under S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires me to have

special regard to the desirability of preserving or enhancing a listed building or its setting. In this case I agree with the parties that there would be no harm because of the enclosed nature of the setting and distance from the site boundary.

Sustainability and the Planning Balance

46. With regard to the accessibility of the site there has been criticism of the location in relation to services. It is at the fringes of the desirable walking distance for a number of services when measured from the centre of the site. My own observations are that the walk into the centre of Woodbridge, or the station, would take a relatively fit person some 20 to 25 minutes at a steady pace. The provision of a Toucan crossing (as proposed) would aid access to the footpath on the north side of Ipswich Road. But beyond that point the footpath becomes discontinuous and requires further crossings at unaided locations. It is not, therefore, a straightforward walk without challenges. In addition it is not a route which is without hills. Taken in the round walking would not offer an appealing alternative to other means of transport. In relation to the facilities at Martlesham Heath the walking route would be less desirable still, with steeper gradients and narrow footpaths in places. Overall I do not consider the appeal site to be a location which is likely to benefit from significant pedestrian traffic to the nearest services beyond the site. Indeed I consider that the location and lack of appeal of pedestrian routes detracts from the proposal.
47. Cycling would be possible as an alternative, but again I do not regard the location as making this a particularly appealing option. The gradients facing cyclists (including those internal to the site) are not so severe as to be unmanageable for some people, but the roads on which cycling would take place are quite narrow in places and would require motor traffic drivers to be particularly alert and careful when passing cyclists. The shortest route to Tesco at Martlesham Heath is particularly notable in this respect even though it has cycle lane priority which requires drivers to give way. In light of the traffic flows I observed on many occasions (having driven the routes to access the inquiry venue daily) I am not persuaded that the location of the site, coupled with the configuration of local roads, demonstrates the potential for cycling to services to the degree suggested by the Appellant. This is not a matter which weighs in favour of the proposal.
48. I do, however, recognise that there is a frequent bus service in either direction from the vicinity of the site vehicular access, and close to the pedestrian access. This would offer a genuine alternative to the private car for access to services at Martlesham Heath, Woodbridge and destinations beyond. The proposed new and re-sited bus stops and shelters would make this a more attractive option, and this is a matter which is favourable to the scheme.
49. The overall scheme, of course, includes a convenience store close to the site access. I have no doubt that this would soak up some of the demand for general day to day shopping for residents of the site. But it would be unlikely to impact on preferred modes of transport generally since a store of the size proposed could not cater for all needs. Although not accepted by the Appellant in cross examination there is an understandable suspicion on behalf of the Council that provision of the store is a tacit acknowledgement of the difficulties of the site location for access to shops in particular.

50. In terms of wider access to services, and recognising the provision of the small store (though the Council also has concerns about its delivery) the location of the site can be described as being between service clusters. In my judgement, even with the encouragement and assistance provided by a travel plan, I am not persuaded that this location would be an attractive place from which to utilise travel modes other than the private car, with the exception of bus journeys. In this regard, in overall accessibility terms, the site location is not favourable to the scheme.
51. The benefits of the proposal are clearly set out in the evidence of the Appellant. By reference to the 3 dimensions of sustainability set out in the NPPF I agree that there is economic benefit. Though the figures provided in the Appellant's case are perhaps debatable it is certainly fair to say that there would be economic benefit in construction activity, employment, expenditure by residents, Council Tax and New Homes Bonus payments and elsewhere.
52. Benefits socially include the provision of both market and affordable housing. Affordable housing is planned in accordance with the relevant policy at 33% of the total, and this would be a significant boost to the shortfall in such provision. I agree that the community as a whole would be better off with this provision. The generous areas of open space (principally resulting from the easement for the wind farm connector) would provide social benefits in providing spacious surroundings for play and recreation. I do not accept, though, that there would be social benefit resulting from the accessibility of the site, and that any opportunity for the reduction in reliance on private vehicles is limited, for the reasons set out above. Social benefit is therefore not as clear cut as suggested.
53. Although it seems inevitable that the provision of housing in the future would require the use of greenfield sites I disagree that this scheme would offer environmental enhancement. In regard to the environmental dimension of sustainability I find that there would be harm to the character and visual qualities of the area and to the setting of the AONB. Because AONBs carry the highest level of protection this is a significant disbenefit to the scheme notwithstanding my belief that footnote 9 of the NPPF should not apply here. The perceived step towards the coalescence of Woodbridge and Martlesham village would exacerbate this harm by introducing an urbanising influence which would be readily observed from within the AONB. I give significant weight to this matter. The fact that residents of the development would be likely to rely principally on the use of private motor vehicles would also be likely to be environmentally damaging.
54. Taking the dimensions of sustainable development as a whole, and in light of the policies in the NPPF, I do not consider that the proposal can be accepted as being sustainable development. Therefore the enhanced weight in the planning balance afforded by NPPF paragraph 14 does not apply in this case.
55. To summarise the planning balance I conclude that:
- The Council cannot demonstrate a 5 year supply of deliverable housing land. This is an important material consideration which renders policies relevant to the supply of housing out of date;
 - Most of those policies, however, continue to attract moderately significant weight because of the upward trend in supply demonstrated

by the SAP and fact the CS review is now beginning, with a new OAN shortly to be identified as part of the CS review;

- The proposed development includes benefits in economic terms.
- There are benefits in the supply of housing and affordable housing, and open space, but these social benefits are at least partially offset by the location of the site in a relatively inaccessible position;
- There would be environmental harm to a significant degree;
- The proposal does not, as a result, fall within the definition of sustainable development and the enhanced weight of NPPF paragraph 14 cannot apply.

56. The conflict with the development plan is acknowledged by the Appellant in respect of Policies SP19, SP29 and DM3, to which moderately significant weight still applies for the reasons set out earlier. In addition I have found conflict with Policies SP15, AP212 and AP214. The location of the site leads to conflict with Policy SP11, whilst the failure to adhere to the principles of sustainable development brings conflict with Policies SP1, SP1A and SP26. The Martlesham Neighbourhood Plan is at a relatively early stage and attracts limited weight, hence any conflict with Policy MAR7 of that document cannot materially influence this decision. Policy SP2 now carries limited weight and any conflict with its requirements does not militate against the development. Although the proposal does not run counter to other policies as set out earlier in this decision, it is my judgement that the development would be in conflict with the development plan as a whole. The serious harm to the character and appearance of the area, and to the setting of the AONB, would in my judgement significantly and demonstrably outweigh the benefits of the proposal. Therefore this appeal must fail.

57. For the reasons given above I conclude that the appeal should be dismissed.

Philip Major

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr Jonathan Clay	Counsel
He called:	
Mr N Newton BA(Hons) MSc	Arboriculture and Landscape Manager, Suffolk Coastal District Council
Mrs H Hanslip BSc(Hons) MRTPI	Principal Planning Officer, Policy and Delivery, Suffolk Coastal District Council
Mr P Perkin BA MRTPI	Principal Planning Officer, Suffolk Coastal District Council

FOR THE APPELLANT:

Mr Martin Carter	Counsel
He called:	
Mr P Rech	Director, FPCR Environmental and Design
Mr C May BA(Hons) MRTPI	Executive Director, Pegasus Planning Group
Mr P Dutton BA MCD MRTPI	Senior Planner, Gladman Developments Ltd

INTERESTED PERSONS:

Mr M Morley	Resident of Dukes Park
Mr M Richardson	Resident of Dukes Park
Mr L Brome	Martlesham Parish Council
Cllr C Blundell	District Councillor, Martlesham Ward
Cllr J Kelso	District Councillor, Martlesham Ward

FOR THE CONDITIONS AND OBLIGATIONS DISCUSSION:

Mr C Ward	Suffolk County Council
Mr L Mitchell	Suffolk County Council
Mr L Barber	Suffolk County Council
Mr N McManus	Suffolk County Council

DOCUMENTS SUBMITTED AT THE INQUIRY

From the Local Planning Authority

- 1 Letter of notification of the inquiry
- 2 Opening submissions of Mr Clay
- 3 Adopted Site Allocations and Area Specific Policies DPD
- 4 Appeal decision APP/J3530/W/16/3159464 – land at Top Street, Martlesham
- 5 Appeal decision APP/J3530/W/16/3160953 – land at Woodbridge Road, Bredfield
- 6 Box 5.1 from the Guidelines for Landscape and Visual Impact Assessment 3rd edition

- 7 Extract from the Suffolk Coast and Heaths AONB Management Plan
- 8 High Court Judgement – *Forest of Dean District Council and SoS for Communities and Local Government and Gladman Developments Ltd – October 2016*
- 9 High Court Judgement – *Stroud District Council and SoS for Communities and Local Government and Gladman Developments Ltd – February 2015*
- 10 Court of Appeal Judgement – *Gladman Developments Ltd and Daventry District Council and SoS for Communities and Local Government – November 2016*
- 11 High Court Judgement – *Cheshire East Borough Council and SoS for Communities and Local Government and Harlequin(Wistaston) Ltd- February 2016*
- 12 Extract of sight lines into the appeal site prepared by Mr Newton
- 13 Extract of Planning Practice Guidance on Landscape
- 14 Enforcement Notice relating to land at Bridge farm, Top Street, Martlesham, dated 22 March 2017
- 15 Email exchanges between Mrs Hanslip and Mr May during January 2017
- 16 Scoping response information relating to Adastral Park
- 17 Martlesham Neighbourhood Plan – Household Survey sheet
- 18 High Court Judgement – *Thorpe-Smith and SoS for Communities and Local Government and North Devon District Council – February 2017*
- 19 Email confirming proposed affordable housing mix
- 20 Community Infrastructure Levy compliance statement
- 21 Closing submissions of Mr Clay

From the Appellant

- 22 Opening statement of Mr Carter
- 23 Extract of landscape character area maps
- 24 Photographs of tree growth in various locations
- 25 Extract from Planning Practice Guidance on housing supply
- 26 Extract of the development plan proposals map relating to saved policies in Melton and Woodbridge
- 27 High Court Judgement – *West Berkshire District Council and SoS for Communities and Local Government and HDD Burghfield Common Ltd – February 2016*
- 28 High Court Judgement – *Watermead Parish Council and Aylesbury Vale District Council and Crematoria Management Ltd – March 2016*
- 29 Court of Appeal Judgement - *Watermead Parish Council and Aylesbury Vale District Council and Crematoria Management Ltd – March 2017*
- 30 Draft planning conditions
- 31 Written authority for manuscript alterations to the submitted Unilateral Undertaking
- 32 Unilateral Undertaking submitted pursuant to S106 of the 1990 Act
- 33 Closing Submissions of Mr Carter

From Other Parties

- 34 Speaking notes, documents and photographs from Mr Morley
- 35 Documents, plans and photographs from Mr Richardson
- 36 Speaking notes from Cllr Blundell
- 37 Speaking Notes from Cllr Kelso
- 38 Speaking notes (as amended) from Mr Richardson