
Appeal Decision

Site visit made on 4 February 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2020

Appeal Ref: APP/D3505/W/19/3239589

Kingsfield, Priory Road, Hintlesham IP8 3NX

- 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 Mr & Mrs Eaton against the decision of Babergh District Council.
 - The application Ref DC/19/03503, dated 22 July 2019, was refused by notice dated 20 September 2019.
 - The development proposed is erection of a bungalow within garden amenity land.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application that is now the subject of this appeal was originally refused for 3 separate reasons. However, the Council has confirmed in writing that it no longer wishes to defend its third reason for refusal, which related to the Stour and Orwell Estuaries Special Protection Area (the SPA). I shall determine the appeal on this basis.
3. The emerging Babergh and Mid Suffolk Joint Local Plan (the JLP) has been referred to in the evidence before me. Nevertheless, it is my understanding that the JLP is at a relatively early stage such that its policies and designations currently carry limited weight. I shall consider the appeal on this basis.
4. The appeal proposal is for outline planning permission with all detailed matters reserved for future approval. Whilst not formally part of the scheme, I have treated any details submitted with the appeal application relating to matters of access, appearance, landscaping, layout and scale as a guide to how the site might be developed.

Main Issues

5. The main issues are:
 - The effect upon the character and appearance of the rural area; and
 - Whether or not the site represents an appropriate location for housing, having particular regard to access to facilities and services.

Reasons

Character and appearance

6. Hintlesham is designated as a Hinterland Village. It is relatively small and predominantly linear in layout. Indeed, its defined Built-Up Area Boundary (BUAB) is largely reflective of this pattern of development. The appeal site sits remote from the BUAB and is comprised of part of the existing garden area of Kingsfield, a detached residential dwelling that is positioned within its own spacious and verdant grounds. Kingsfield is situated on the opposite side of Priory Road to Park Farm, which is comprised of a group of agricultural buildings and an associated farmhouse. A scattered and dispersed pattern of development is in place in the area, where sporadic clusters of development can be observed across a predominantly undeveloped and agricultural landscape.
7. It is also relevant to note that the site is located within the Gipping Valley Special Landscape Area. The landscape sensitivity of which is drawn, at least in-part, from the prevailing presence of undeveloped countryside and the area's attractive mix of wooded land and often gently undulating agricultural fields.
8. Policy CS2 of the Babergh Core Strategy and Policies (February 2014) (the Core Strategy) states that in the countryside, outside of the various urban areas and villages listed in the policy, development will only be permitted in exceptional circumstances subject to a proven justifiable need. However, Policy CS11 of the Core Strategy provides some flexibility for the location of new housing development at Core and Hinterland Villages. Whilst Policy CS11 does not dictate that development proposals must be contained within BUABs, the policy explicitly requires proposals to be able to demonstrate a close functional relationship to the settlement and to be located adjacent to, or be well related to, the existing pattern of development for the settlement.
9. I acknowledge that Hintlesham has evolved from agricultural origins, which is not unusual for any rural settlement. Small clusters of development (including of farm buildings) have historically been, and continue to be, a feature of the hinterland that surrounds Hintlesham's core. Nevertheless, Policy CS11's supporting text confirms that the BUAB provides a useful starting point when considering the relationship of proposed development in relation to the existing pattern of development for that settlement. The site is located well beyond the defined built up extent of the village and, notwithstanding its proximity to Park Farm and to existing buildings, the proposal, when considered in the context of Policy CS11's specific requirements, does not have a close functional relationship to the settlement and is not well related to its existing pattern of development.
10. Owing to the constraints and location of the appeal site, the proposed bungalow would necessarily be positioned in proximity to Priory Road and within a tightly defined plot. I have given due regard to the Suffolk Design Guide (2000) where referred to within the evidence before me and acknowledge that it would not be unusual for a small property to be served by a private garden space of limited proportions. However, of greater relevance here is the largely undeveloped rural character that defines the site's surroundings. Any compact pattern of development that can be observed

within or adjacent to Hintlesham's BUAB is of limited relevance to my considerations here.

11. The appellant has stated that the proposal would transform the Kingsfield site into a tightly knit cluster of development. However, in the context of the typically dispersed and sporadic development pattern that I have identified locally, the proposal would erode the spaciousness of the Kingsfield site and appear as an urbanising and unduly intensive addition to the site and wider rural area. This is notwithstanding the existence of some irregularly positioned tightly defined clusters of development in the local area, including to the roadside along Priory Road.
12. Existing planting is situated to the perimeter of the appeal site, which would assist to some degree in softening the visual appearance of the development. However, any existing or new planting could not be relied upon to provide a solid and permanent buffer to views of the proposed bungalow. This is because planting is ever evolving, reliant on regular maintenance to retain a consistent form and may be reduced in scale or extent in the future.
13. For the above reasons, the proposal would cause harm to the character and appearance of the rural area and would conflict with Policies CS2, CS11 and CS15 of the Core Strategy and with Policies CN01 and CR04 of the Babergh Local Plan Alteration No.2 (June 2006) (the Local Plan) in so far as these policies require that development proposals are adjacent or well related to the existing pattern of development for that settlement, are sited so as to harmonise with the landscape setting and must respect the local context and character of the different parts of the District.

Access to facilities and services

14. Hintlesham, being a Hinterland Village, makes up part of a functional cluster of settlements and itself contains only a limited array of facilities and services. Residents of the village are thus required to travel elsewhere in order to fully serve their day-to-day needs. Nevertheless, the facilities and services available at Hintlesham include a primary school, a community hall, a public house and local bus services.
15. The most direct route from the appeal site to the village's BUAB is along the A1071 (the main road). During inspection I observed this route, which is winding in nature, to accommodate regular traffic flows. Whilst in the vicinity of the site the main road is speed restricted, there is no footway and no specific facilities in place for cyclists (such as a defined cycle lane). The main road would thus be unlikely to appear attractive (to future occupiers of the proposal) to navigate either on foot or by cycle. This is not least due to the not insignificant distance that would need to be travelled along it.
16. I note that the appellant has referred to the availability of public footpaths. However, these would not provide a direct route from the site to the village's centre. Furthermore, the closest of these footpaths situated to the east of the site is not hard-surfaced and would still require future users to navigate a short stretch of the A1071 in order to access it.
17. The National Planning Policy Framework (February 2019) (the Framework) states that sustainable transport solutions will vary between urban and rural areas. Indeed, the wider area is predominantly rural such that car travel would

often be essential and, at times, unavoidable for local residents. However, the Framework also indicates that opportunities to promote walking, cycling and public transport use should be identified and pursued. The site's location does not promote sustainable transport choices. It instead promotes the use of private modes of transportation.

18. Officer reports relating to other sites at Hintlesham have been provided in the evidence before me. Whilst any proposal must be considered on its own individual merits, I have given due consideration to them. Nevertheless, material differences in circumstances apply. With respect to a site at Silver Hill¹, it abuts the BUAB. In terms of a scheme at Clay Hill², which falls outside of the BUAB, its location was found to offer sustainable travel opportunities. This is, in-part, due to that site's proximity to the village's built up area. Furthermore, Clay Hill, in comparison to the main road, is far quieter in character and thus more likely to appeal as a potential walking or cycling route.
19. For the above reasons, the scheme would cause harm by virtue of the site not representing an appropriate location for housing, with particular regard to access to surrounding facilities and services. The proposal conflicts with Policies CS2, CS11 and CS15 of the Core Strategy in so far as these policies require that proposals are able to demonstrate a close functional relationship to the existing settlement and that all new development shall seek to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles and cars, thus improving air quality.

Other Matters

20. It has been brought to my attention that the site is situated within the 13km Zone of Influence for the SPA. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore the implications of this any further here.
21. A provision of Policy CS11 is that development at Hinterland Villages are required to meet a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan/neighbourhood plan. From consideration of the evidence before me, which includes reference to the Babergh and Mid Suffolk District Councils Homes and Housing Strategy 2019-2024, Parish Council correspondence and details of recent planning permissions granted in Hintlesham, I accept that the intended provision of a small single-storey dwelling would respond to a proven local need and to the needs of an ageing population. However, as discussed above, the proposal fails to comply with other Policy CS11 provisions. Furthermore, the main parties to this appeal agree that a District-wide housing land supply of 5.67 years can be demonstrated. Any proven local need for the type of housing proposed must be considered in this context.

Planning Balance

22. I have identified conflict with Policy CS2 of the Core Strategy. However, this is a restrictive policy that offers support to development in the countryside only in exceptional circumstances. It is not wholly consistent with the Framework in terms of its approach to rural housing. Indeed, the Framework is less restrictive and sets out that housing should be located where it will enhance or

¹ DC/18/05372

² DC/17/04135

maintain the vitality of rural communities. Furthermore, the Framework does not imply that protection from development be given to the open countryside in its totality. Thus, the fact that the site is located outside of any defined settlement boundary is not a determinative factor in this case and I apportion limited weight to the proposal's conflict with Policy CS2.

23. However, I have identified conflict with Policy CS11, which offers some flexibility in terms of the expected location of new housing development in rural areas, and with Policy CS15 of the Core Strategy and Policies CN01 and CR04 of the Local Plan. These are policies that are broadly consistent with the Framework in so far as it recognises the intrinsic character and beauty of the countryside and requires that developments should be sympathetic to local character and landscape setting. Policy CS15 is also broadly consistent with the Framework in so far as it seeks to encourage movements by means other than the private car. Thus, I consider that the policies most important for determining this appeal, when taken as a whole, are not out-of-date. I have not therefore applied the tilted balance in favour of the proposal as set out in paragraph 11 of the Framework.
24. The proposal would deliver an additional housing unit within a District where the housing land supply surplus is marginal, and the Framework reaffirms the Government's objective of significantly boosting the supply of homes. Nevertheless, only a single additional unit is proposed. Whilst the expected type and size of the accommodation would satisfy a local need and the dwelling would be anticipated to be energy efficient and designed to meet the Lifetime Homes Standard, the benefit of an additional housing unit attracts only limited weight in my determination of this appeal.
25. In terms of further scheme benefits, the dwelling would create jobs during the construction phase and provide support to the local economy and local community facilities once occupied. However, these benefits would be limited given the scale of development under consideration. Furthermore, any biodiversity benefits associated with any new planting would be minimal given the limited size of the site. Whilst the site is made up of previously developed land (as defined in the Framework) and the scheme would make efficient use of it, the Framework suggests that only within settlements should substantial weight be given to the value of using suitable brownfield land. In this countryside location, and noting the site's small area and extent, I apportion only limited weight to this benefit of the scheme.
26. Thus, the contributions associated with the delivery and subsequent occupation of a single dwelling would be modest and would not outweigh the identified policy conflict and associated significant harm that would be caused to the character and appearance of the rural area and by virtue of the site's lack of accessibility to local facilities and services. Indeed, even had the presumption in favour of sustainable development applied, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the Framework's policies taken as a whole.
27. The development conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

28. For the reasons set out above, the appeal is dismissed.

Andrew Smith

INSPECTOR