



Appeal Decision

Site visit made on 5 June 2020

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th June 2020

Appeal Ref: APP/D3505/W/20/3245396

Land south of Naughton Road, Whatfield, Suffolk IP7 6QJ

- 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 Ingleton of Notcutts Limited against the decision of Babergh District Council.
 - The application Ref DC/19/02288, dated 9 May 2019, was refused by notice dated 25 September 2019.
 - The development proposed is the erection of 15 N^o dwellings, including 6 N^o affordable dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is for outline permission with all matters other than access reserved. A site layout plan was submitted which the appellant states is indicative. I shall consider that plan on this basis.

Main Issues

3. The main issues in the appeal are:
 - i) the effect of the proposal on the character and appearance of the area; and
 - ii) its accessibility by sustainable transport modes.

Reasons

Character and Appearance

4. The site forms part of an arable field which lies immediately to the north-east of the village of Whatfield. This is a small village with development mainly lying along both sides of The Street, in a linear pattern. However, some residential development has taken place to the rear of the frontage development, served by roads that extend from The Street. There is a ribbon development of mainly semi-detached houses along Naughton Road opposite the appeal site. This was historically separated from the main part of the village, but in recent years a housing development has taken place at Church Farm Place which is between those houses and the rest of the village.

5. To the immediate south-west of the site, within a triangular area formed by the junction of Naughton Road and Whatfield Road there is a historic barn (Church Barn), that has been converted to a dwelling, and a house. The appeal site is outside the settlement boundaries for Whatfield as defined in the development plan. The Council is progressing a new local plan, but this is at an early stage in the adoption process and can be given little weight. The site is not included within the settlement boundary in the draft local plan.
6. Other than the houses opposite and the adjacent Church Barn, the site adjoins open countryside. This is a mainly arable, gently rolling landscape with hedgerows and trees along field boundaries and some areas of woodland. This is typical of the Ancient Plateau Claylands as described in the Joint Babergh and Mid Suffolk District Council Landscape Guidance. The site is visible from the adjoining roads through significant gaps in the boundary hedgerows, from a public footpath which runs along the field boundary to the east and from adjacent properties. The row of houses along Naughton Road have the appearance of a ribbon of development in the countryside rather than an integral part of the built-up area of the village. Although the built-up area is in close proximity, the predominant character of the immediate locality is that of open countryside. The site has value in terms of providing a rural setting to the village that is typical of the historic landscape character.
7. The development would be contained by, but visible above, hedges along both adjoining roads, although the existing hedge along Naughton Road would be removed to provide a footpath, and a new one planted. An open space would separate the development from Church Barn. The development would occupy part of the existing field and new planting would form its boundary across that field. Although this planting is intended to be substantial, it would not follow any existing landscape feature and would not disguise the intrusion of the development into the open countryside. The development would be highly visible from adjacent viewpoints and would clearly harm the setting of the village edge.
8. I take into account the low density of the proposal, which would be consistent with its location on the edge of the village. Although layout and scale are not for my consideration, I note the intention to provide balance to the linear row of houses opposite, and single storey development adjacent to Naughton Road. However, for the reasons given above I find that the proposal would have a very significant harmful effect on the character and appearance of the area.
9. Policy CS2 of the Babergh Local Plan Core Strategy and Policies (2014) (CS) identifies Whatfield as a Hinterland Village which will accommodate some development. The policy states that outside Hinterland Villages, development will only be permitted in exceptional circumstances subject to a proven justifiable need. As the site is outside the settlement boundary, the proposal would not accord with that policy. However, the blanket preclusion of development in the countryside other than in exceptional circumstances is not consistent with the National Planning Policy Framework (the Framework), which allows for rural housing in a wider range of circumstances than envisaged by Policy CS2. This policy is therefore out-of-date and for this reason I give limited weight to it.
10. Policy CS11 of the CS allows for development in Hinterland Villages that is appropriate in character to its setting. Policy CS15 requires development to

respect the landscape and to positively contribute to the local character. For the reasons given above, these policy requirements would not be met, and the proposal would not accord with Policies CS11 and CS15.

11. Saved Policy CN01 of the Babergh Local Plan (Alteration Nº 2) (2006) requires proposals to pay particular attention to the scale, form and nature of adjacent development and the environment surrounding the site. Because the proposal would harm the character and appearance of the area it would not accord with that policy.

Accessibility

12. Whatfield has a primary school, a church and a village hall, and the village has bus services to Hadleigh and other centres. The appellant's Transport Statement indicates that the facilities in Hadleigh include shopping, education, health and leisure facilities and the timetable provided indicates that there is an hourly bus service there. Local residents dispute the frequency of these services, however. Services to Ipswich and Stowmarket are indicated to be limited to one bus daily during weekdays only.
13. The school is at the opposite end of the village from the site. It is well within walking distance, but I saw on my visit that, along the majority of The Street, there are no footpaths. Neither is there any street lighting. This is the main route through the village and would be expected to take significant traffic. The highway authority has expressed concern about the safety of this route for pedestrians.
14. The bus timetables indicate that the bus stops are adjacent to or opposite the telephone box on The Street. There are footpaths along this part of the road but no bus stop facilities. It would be necessary to walk a significant distance from the site along The Street where there is no footpath in order to use bus services.
15. The appellant proposes to provide a footpath along Naughton Road which would provide a facility for the existing residents as well as residents of the proposed scheme. Access is available through Church Farm Place to The Street, at a point where there is no footpath. The proposed provision would not overcome the significant safety issue arising from the lack of footpaths along The Street.
16. The submitted Unilateral Undertaking (UU) would secure payment of a contribution towards upgrading public transport infrastructure and improving pedestrian connectivity. No detailed scheme has been provided to demonstrate the improvements that would be secured. However, Suffolk County Council has stated that a new footway link would be provided near the school. This would provide only partial improvement, however and there would remain significant stretches of the road between the school and the site without footways. The UU does not overcome my concerns on this matter.
17. In the absence of a detailed scheme demonstrating otherwise, the lack of pedestrian connectivity is a significant impediment to the promotion of walking and public transport which is a requirement of the Framework. While I acknowledge the efforts that have been made to pursue opportunities to promote those modes, I remain concerned that there would be insufficient opportunities to walk or use public transport. Although car journeys between

the site and the school would be short, this form of transport would be relied upon for access to other services and facilities, which are some distance away from the site. For these reasons the proposal would not accord with Policy CS15(xviii) of the CS which seeks to minimise the need to travel using a hierarchy that prioritises walking. I conclude on this main issue that the proposed development would have insufficient accessibility by sustainable modes.

Planning obligation

18. As well as the aforementioned contributions towards public transport and pedestrian infrastructure, the UU would secure the provision of affordable housing and a contribution towards secondary school transport. However, for the reasons given above I have concerns which indicate that permission should not be granted and on this basis I shall not consider the UU further.

The Planning Balance

19. I have found that Policy CS2 of the CS, which is a policy that is most important for determining the application, is out-of-date because it is not consistent with the Framework. On this basis the tilted balance, as set out in paragraph 11(d) of the Framework is engaged.
20. I give very significant weight to the harm to the character and appearance of the area, and further significant weight to the harm arising from increased use of private transport as opposed to sustainable modes.
21. On the other hand, the proposal would be of social benefit in providing new homes, including affordable homes, and in supporting local services. However, there is no housing shortfall and the Council can demonstrate a 5-year supply of deliverable housing sites. The development would also benefit the local economy both during construction and from the expenditure of its residents. The Council would benefit from New Homes Bonus and increased Council Tax. I give moderate weight to the social and economic benefits in combination.
22. The new open space may provide wider public benefit, but this is not proposed as a play area including equipment. This attracts limited weight in favour. I also give weight to the proposed footpath provision on Naughton Road, but this is limited because of the lack of connectivity along The Street.
23. The weights that I have given to the identified harms would significantly and demonstrably outweigh the weights that I have given to the benefits. This leads me to conclude that the appeal should be dismissed.
24. Policy CS1 of the CS requires sustainable development and reflects wording in the 2012 Framework. For the reasons given above, the development would not accord with that policy.

Conclusion

25. For the reasons given, I dismiss the appeal.

Nick Palmer

INSPECTOR