
Appeal Decision

Site visit made on 25 August 2020

by David Wallis BSc (HONS) PG DipEP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28/08/2020

Appeal Ref: APP/D3505/W/20/3251112

Brick Kiln Bungalow, Corks Lane, Hadleigh IP7 6DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Susan Long against the decision of Babergh District Council.
 - The application Ref DC/20/00012, dated 28 December 2019, was refused by notice dated 19 February 2020.
 - The development proposed is two mobile homes/log cabins.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note there are some minor differences in the 'red line' boundaries of the appeal site shown across the suite of submitted plans. I am satisfied that this has been adequately reflected in the Council's decision and does not prejudice the appellant's case in this appeal.

Main Issues

3. The main issues for the appeal are:
 - whether or not the site is a suitable location for development with regards to national and local policies
 - the effect of the development upon the character and appearance of the area.

Reasons

Whether or not a suitable location for development

4. Hadleigh is a large settlement containing shops, schools, employment opportunities, medical facilities and numerous other services to support day-to-day living. The settlement has clear and sometimes abrupt transitions between the urban environment and the surrounding expansive agricultural landscape, with areas of woodland to the west and south.
5. The appeal site constitutes the private residence of Brick Kiln Bungalow that, together with its supporting structures, sits towards the southeast corner of the plot that is predominantly formed with spacious open grounds. The appeal site sits to the west of Hadleigh, separated from the settlement boundary of the

town by a belt of woodland and the River Brett. It is accessed from Corks Lane, which becomes an unmade road after passing a public car park on said road, and has the subsequent appearance of a rural track enclosed by trees. Pedestrians may access the High Street via a footpath alongside the river and via a footbridge, though the path is unlit.

6. The proposed two mobile homes would be located to the northwest of the appeal site close to an area of woodland and requiring the laying of a further hard surface. These would be single storey timber structures with dedicated parking spaces but without any identified private garden areas.
7. It is unclear the exact proposed use for the mobile homes, although there is reference to renting them separately to contribute towards maintenance costs of the whole site. This would amount to an independent residential use and consequently the proposal is to be treated as two new dwellings.
8. Policy CS2 of the Babergh Local Plan 2011-2031 Core Strategy & Policies February 2014 (the Local Plan) directs new housing growth to within defined settlements, only allowing development in the countryside in exceptional circumstances if it's for a proven justifiable need. The requirement for exceptional circumstances to be demonstrated for development in the countryside beyond settlements is not wholly consistent with the Framework, which only applies to isolated development. The weight given to any conflict with this policy is thus reduced.
9. Nonetheless, the Council have made an uncontested claim that it can demonstrate a 5-year housing land supply, therefore I consider the remainder of policy CS2, in terms of housing spatial strategy, is not out-of-date. Whilst the National Planning Policy Framework (the Framework) seeks to boost the supply of housing, thereby the 5-year supply is not a maximum threshold, development should still support the principles of sustainability.
10. The appeal site is in an area designated as countryside, beyond any settlement boundary, and there is no evidence before me to suggest any specific housing need would be met by the development, other the appellant's own private management requirements for the appeal site. In terms of accessibility, the footpath alongside the river would allow walking and cycling into the High Street, from where facilities and bus services could be accessed, but it is unlit and potentially unsafe for users during darker hours of the day due to its secluded nature. It is more likely users of the development would use the private car to access facilities in the settlement, contrary to the environmental aims of the Framework.
11. For these reasons, the proposal would be unacceptable in principle and conflict with the spatial growth objectives of policy CS2. The proposal would also conflict with policy CS15 of the Local Plan that seeks developments to accord with the principles of sustainable development.

Character and appearance of the area

12. I noted from my site visit a distinct change in character from the urban entrance of Corks Lane to a landscaped setting by a public playground, to a rural setting along the access track to the appeal site. Mature trees and hedgerows enclose the appeal site, restricting public views into the land, and

contributing to the sense of rurality of the locality. Public footpaths pass close to the appeal site and westward into Broom Hill, an area of local woodland.

13. The proposal would spread development across the appeal site, into an area that is undeveloped and open at the present time. The two mobile homes and accompanying hard surfacing would represent urban sprawl into a countryside location, starkly contrasting with the rural character of the landscape. I acknowledge that the single storey development has been designed so it would not be prominent beyond the site boundaries, but this would not reduce the harmful impact upon the spatial characteristics of the countryside setting.
14. The spread of residential development westward, away from the domestic setting of Brick Kiln Bungalow, would also bring residential activity closer to the Broom Hill woodland area. Intensification in the independent residential use of the appeal site, together with associated residential paraphernalia, would cause noise and disturbance to the rural area, harmfully affecting the tranquil character of the locality.
15. I conclude that the proposal would cause demonstrable harm to the character and appearance of the area. This would be contrary to policy CS15 of the Local Plan, which seeks to ensure new developments make a positive contribution to the local character, shape and scale of an area.

Other Matters

16. My attention has been drawn to other developments in the nearby area, including a housing scheme in the High Street and residential conversion of the former Council offices. These developments are clearly in different contexts to that of the appeal site and therefore do not provide reasoned justification to depart from the Local Plan.
17. I note the suggestion that the access track would be widened to a two lane road and the surface upgraded, but I have no evidence that this could be achieved or that elements of the landscape structure would not be harmed in undertaking such works. In addition, whilst there may not have been any objections from formal consultees, this is neutral in the planning balance.
18. The Hadleigh Conservation Area (CA) designates the High Street, riverside walk and some surrounding roads as being a heritage asset. Whilst Corks Lane itself falls within the CA, the property of Brick Kiln Bungalow does not, and the proposed development would be sited a long distance away from Corks Lane. In these circumstances, I do not consider that views into or out of the CA would be adversely affected. Nonetheless this does not alter my conclusion on the main issues identified above.

Conclusion

19. For the reasons given above, I dismiss the appeal.

David Wallis

INSPECTOR