
Appeal Decision

Site visit made on 21 December 2021

by Jonathan Price BA(Hons) DipTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 11th January 2022

Appeal Ref: APP/D3505/W/21/3273239

Land to the north west of Barrow Hill, Acton, Sudbury, Suffolk CO10 0AR

- 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 Acorn Farms against the decision of Babergh District Council.
 - The application Ref DC/20/05223, dated 13 November 2020, was refused by notice dated 18 February 2021.
 - The development proposed is erection of 5 No. dwellinghouses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline with all detailed matters reserved for later consideration. I have dealt with the appeal on the same basis.

Main Issues

3. The effect of the proposal on the character and appearance of the area and whether future occupants would have adequate access to shops and services.

Reasons

4. Acton is quite a consolidated rural settlement, with housing generally arranged quite compactly within its boundaries. The frontage development along one side of Barrow Hill varies from this mainly quite contained settlement pattern by projecting into open countryside. The appeal site runs adjacent to the road both beyond and to the same depth as the existing residential plots. As the appellant notes, any future details would in all likelihood provide for five dwellings which followed this existing pattern of frontage development, which would then continue as far as the allotments opposite.
5. The further ribbon development proposed would interrupt the panoramic views of open countryside available from the elevated positions along Barrow Hill. Such a stark incursion of housing into the rural landscape would cause significant harm both visually and in terms of its character.
6. The allotments to the other side of the road remain rural in appearance. Their associated buildings and car parking do not currently provide the jarring suburban character that this proposal would provide. The fact that the housing is proposed to extend only as far as the allotments would thus not avoid the visual and landscape harm identified.

7. There is a housing allocation to the south of the allotments, comprising a large section of land between Barrow Hill and Acton High Street. However, this would not relate visually to the appeal site, as the allotments and roadside hedging provide both separation and screening. This potential further housing would not reduce the degree of harm caused by this proposal, which would remain a visually pronounced projection of ribbon development into an open farmland landscape.
8. There is another section of housing further out from the village and on the other side of Barrow Hill to this proposal. However, this is disjunct from the main settlement and has a limited bearing on the degree of visual and landscape harm found from this proposal.
9. Even should road widening be unnecessary, the further five dwellings would still have a significantly adverse effect upon landscape character and the open rural setting this provides the village. Even given the most suitable designs and landscaping, this proposal would fail to comply with Policy CN01 of the Babergh Local Plan 2006, insofar as this requires all new developments to be of a form appropriate to their surroundings.
10. The site is not within an Area of Outstanding Natural Beauty, Special Landscape Area or Conservation Area. There are no designated heritage assets nearby. Nevertheless, the National Planning Policy Framework (the Framework) requires that all developments are sympathetic to local character, including the surrounding landscape setting, and decisions should recognise the intrinsic character and beauty of the countryside. Policy CN01 remains consistent with the Framework in these regards and so the conflict with it is given significant weight. The same applies to the more recent policies CS11 and CS15 of the Core Strategy¹ (CS), with which the proposal's adverse effects on landscape character and village form and setting bring about further conflict.
11. This extension of housing away from the village core would result in further distances to walk or cycle to reach the existing village services, such as the convenience store, primary school and bus stops. However, the distances would be little different to those from other outer parts of this settlement. Beyond the adverse effects on character and appearance, there would be little further harm from this proposal in respect of household car dependency.

Planning Balance and Conclusion

12. The Council is currently able to demonstrate the five-year housing land supply required by paragraph 74 of the Framework. However, this is not intended to be a limit to the further provision of residential development. The proposal would still provide modest social benefits towards boosting overall housing supply. There would be modest economic benefits as well, both from the construction work and the future household expenditure. The site is just outside the Built-Up Area Boundary (BUAB) defined for Acton in the development plan. As such, there would be further social benefits from the additional five dwellings helping to enhance and maintain the vitality of this rural community.
13. The Council evidently does not intend the Acton BUAB to establish a blanket ban on further development beyond its limits. Nevertheless, this is proposed to

¹ Babergh Local Plan 2011-2031 Core Strategy & Policies (Part 1 of New Babergh Local Plan) February 2014

be expanded in an emerging plan which has yet to reach a sufficiently advanced stage to attract any significant weight. Even if the policies most important for determining this appeal are not out of date by virtue of the five-year housing land supply position, this might remain the case for other reasons. This could be sufficient to engage the so called 'tilted balance' provided in paragraph 11 d of the Framework and which is implicit within the Council's single reason for refusal.

14. The proposal would cause significant harm to character and appearance in this area. Applying a tilted balance, such adverse effects would significantly and demonstrably outweigh its quite modest benefits. On this basis, the proposal would not gain the presumption in favour of sustainable development provided by paragraph 11 of the Framework and embraced in Policy CS01. I consider that this proposal would conflict with the development plan when considered as a whole. As a consequence, and for the reasons explained above, I conclude that the appeal be dismissed.

Jonathan Price

Inspector