



Appeal Decision

Site visit made on 10 January 2023

by Jonathan Price BA(Hons) DipTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 23 January 2023

Appeal Ref: APP/D3505/W/22/3291693

**Land to the rear of The White Horse, Stone Street, Hadleigh,
Suffolk IP7 6DN**

- 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 Andrew Knock against the decision of Babergh District Council.
 - The application Ref DC/21/05798, dated 22 October 2021, was refused by notice dated 16 December 2021.
 - The development proposed is described as follows: 'Outline - Erection of 1 no. dwelling (with access)'.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Andrew Knock against Babergh District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The application was made in outline with all detailed matters reserved for later consideration, apart from access. I have dealt with the appeal on the same basis, treating the block plan submitted as an indicative layout of a dwelling.

Main Issues

4. The main issues in the appeal are whether the proposed dwelling would be appropriate with regard to the accessibility of the site to services and facilities, and its effect on the character and appearance of the area.

Reasons

Accessibility to services and facilities

5. The dwelling would occupy a parcel of land to the rear of a newly built house, sharing its existing access. This new house forms part of a sequence of otherwise mainly older dwellings that all front closely onto the A1141/Stone Street. One of these dwellings had been the White Horse public house. Its former car park fronts the street, adjacent to the appeal site access. The dwelling proposed would be behind this open gap and beyond the rear boundaries of the residential plots along this section of Stone Street. Further along the road is the Hadleigh Bowling Club, where the clubhouse, car park and green are contained within the same rear boundary line of these gradually

deepening plots. Beyond this is a larger area of development, comprising a variety of industrial and other premises. The River Brett runs close to the other side of Stone Street, so there is little development opposite that described.

6. The development here lies on the other side of the A1071 to the small town of Hadleigh, near to where the A1141/Stone Street joins this at a give-way junction. Hadleigh serves as an employment and local service centre for its surrounding rural hinterland. The appeal site is well connected to this centre by road. The various services would be accessible by short car journeys. A bus stop immediately adjacent to the site is referred to, but with no evidence of the frequency of any available services.
7. The appeal site joins Stone Street where it is governed to a 40mph speed limit up to the A1071 junction. However, it remains a busy A-class road, without street lighting or a footway. The road verges, where present, are generally narrow, with little pedestrian refuge space. The route along Stone Street to the A1071 junction would not be a safe one for pedestrians, nor particularly so for cyclists. At the junction there is a short section of made-up footway leading to a two-stage crossing point over the A1071, via the central traffic island. There are railed steps up the embankment on the opposite side of the road leading to Gallows Hill. From here the footway network into Hadleigh commences. There would then be a further moderate walk to reach whatever services or facilities were sought.
8. These circumstances would deter walking and cycling as a means to reach regularly required services and facilities in Hadleigh. These would only be safely and conveniently accessible from the appeal site by private car. Future occupiers of the dwelling proposed would be highly dependent upon this mode of transport to meet their daily needs. In this respect they would be in the same position to residents of the existing homes. The Council had previously allowed the new dwelling here and the residential use of the White Horse. However, these earlier decisions do not alter my view that this proposal would be inappropriate on account of the poor accessibility to services and facilities by means other than private car.
9. The relevant development plan comprises the 2014 Core Strategy and Policies¹ (CSP) and saved 2006 Local Plan² (LP). The National Planning Policy Framework (the Framework) is also a material consideration of great weight. The proposal would conflict with CSP Policy CS15, which aims to implement sustainable development. This includes through development decisions minimising the need to travel by car, giving preference to walking, cycling and public transport, and ensuring that an appropriate level of services, facilities and infrastructure is available. With suitable reserved matter details or conditions, the scheme might potentially satisfy other relevant criteria in Policy CS15, for example in energy conservation, sustainable drainage and biodiversity gain. However, compliance with Policy CS15 depends on all of its criteria being met.
10. The proposal would also conflict with CSP Policy CS2, which establishes the spatial strategy for the provision of new development, including housing. This is directed sequentially to towns and urban areas (including Hadleigh) and then identified Core and Hinterland villages. Although within the Hadleigh parish, the

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

² Babergh Local Plan Alteration No. 2 (2006)

appeal site is outside the built-up area boundary defined for the town. As such the appeal site falls within the countryside for policy purposes, where development will only be permitted in exceptional circumstances subject to a proven justifiable need. Policy CS2 reinforces the implementation of sustainable development promoted under Policy CS15. This is through focusing the majority of new housing in locations with the most jobs, services and infrastructure, so as to reduce the need to travel, particularly by private car.

Character and appearance

11. The built pattern in this location is that of a small amount of rural housing, fronting close to the road with back gardens extending to an aligned rear boundary. Where proposed, the further dwelling would be out of character with the linear arrangement of housing that runs close to the road. It would result in a residential built form projecting into open countryside that falls within a defined Special Landscape Area. This is a LP designation which does not confer any special statutory protection. However, paragraph 174 of the Framework requires that planning decisions contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes in a manner commensurate with their identified quality in the development plan.
12. The housing along Stone Street nestles within the shallow valley of the River Brett. Within the land at the rear, the proposed dwelling might be seen from public rights of way traversing this side of the valley. The existing topography and boundary hedging provides some screening to the site. A low height dwelling with further planting might further reduce views from public vantage points. However, this would not avoid this scheme resulting in a stark protrusion of residential development into the open countryside, failing to maintain or enhance the special landscape qualities of the area, so as to be in conflict with LP Policy CR04. LP Policy CN01 seeks development of acceptable scale, form, detailed design and materials. Although the proposal is in outline, any dwelling here would be of an inappropriate form, contrasting with the linear nature of the established housing and protruding into the open countryside.
13. The proposal would have a significantly adverse effect on the character and appearance of the area, in conflict with LP policies CR04 and CN01, and the related parts of CSP Policy CS15. The appellant has sought support for this proposal from the various dwellings allowed recently by the Council at Coram Street. Whilst in a different location, these dwellings were also on sites a significant distance beyond the built-up extent of Hadleigh and within countryside. However, these new dwellings consolidate a pre-existing settlement pattern in that location and relate better to their local context and character. Therefore, as material considerations, these provide little support for the further harm identified in this proposal.

Planning Balance

14. The proposal would contribute towards the Framework's general aim to boost housing supply. As of February 2022, the Council can demonstrate a 6.86-year housing land supply. This comfortably exceeds the Framework's requirement for at least a five-year amount. Although there is no ceiling on further provision, this supply situation tempers the social benefits of an additional dwelling, which would be correspondingly small. A dwelling would also provide small economic benefits, initially from the construction and subsequently from

future servicing and household expenditure. Although such details are absent, the potential for a good quality, energy efficient design, with biodiversity features and sustainable drainage, would all amount to very modest environmental benefits. Many of the other benefits claimed, such as a satisfactory means of access and the community infrastructure levy payment, are either mitigatory or reflective of an absence of harm. The actual benefits of the proposal would, on the whole, be quite small.

15. These benefits might satisfy other of the sustainable development criteria of CSP Policy CS15, but not avoid overall conflict with it. This is a wide-ranging policy, but its various components remain consistent with those parts of the Framework which seek to secure sustainable development. Whilst not a matter at issue in this appeal, the Policy CS15 requirement to respect heritage assets does not reflect the wording of the Framework. However, as heritage harm is not an issue in this appeal, only a small reduction in weight is given to the conflict with Policy CS15, due to this inconsistency.
16. CSP Policy CS2 also remains largely consistent with the Framework's aims for achieving sustainable development. This is through actively managing patterns of growth to focus significant development on locations which are or can be made sustainable, limiting the need to travel and offering a genuine choice of transport modes, helping then to reduce congestion and emissions and improve air quality and public health. Policy CS2 is more restrictive of countryside housing than the Framework, permitting this only in exceptional circumstances, subject to a proven justifiable need. The Framework applies similar restrictions to homes in the countryside, but only where these would be isolated. However, such inconsistency warrants only a moderate reduction in the weight given to the conflict found with CS2. I attach full weight to the conflict found with LP policies CR04 and CN01. This is reflective of their consistency with the Framework in requiring that developments are sympathetic to local character, including the surrounding built environment and their landscape setting.
17. The conflict with these policies, with the reduced weight given to that with CSP policies CS2 and CS15, is sufficient for the proposal to be contrary to the development plan when considered as a whole. There is some degree of inconsistency with the Framework in respect of CSP policies CS2 and CS15. However, placing these policies in a basket of those most important for determining this appeal, along with CR04 and CN01, I find them as a whole not out-of-date. Even if I considered otherwise, the adverse impacts of this proposal would significantly and demonstrably outweigh the small benefits, when assessed against the Framework policies taken as a whole. Therefore, the proposal would not benefit from the presumption in favour of sustainable development contained in the Framework and CSP Policy CS1.

Conclusion

18. For the reasons explained, the proposal would conflict with the development plan as a whole and material considerations would not indicate a decision other than one in accordance with this. Therefore, for the reasons given above, I conclude that the appeal be dismissed.

Jonathan Price

INSPECTOR