



Appeal Decision

Site visit made on 9 July 2025

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2025

Appeal Ref: APP/X3540/W/25/3358818

Land Between 15 and 17, Beech Way, Woodbridge, Suffolk IP12 4BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Julian Kingston-Smith against the decision of East Suffolk Council.
 - The application Ref is DC/22/4036/FUL.
 - The development proposed is described as construction of 5 two storey dwellings. Formation of vehicular access, associated landscaping.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. For clarity, the description in the banner heading excludes references to matters on the application form that are not development.

Main Issues

3. The main issues are:
 - whether the proposed development would be suitably located having regard to relevant development plan policies concerning the distribution of housing; and,
 - the effect of the development on:
 - the character and appearance of the area;
 - the setting of Woodbridge Conservation Area (CA) and nearby grade II listed Kingston Hall and Kingston Barn;
 - protected and priority species;
 - the living conditions of the occupiers of properties on Birch Close with regard to outlook.

Reasons

Location

4. This part of the Council's area is covered by the East Suffolk Council – Suffolk Coastal Local Plan of 2020 (Local Plan). Within it, Policy SCLP3.2 identifies Woodbridge as a market town and Policy SCLP3.3 defines settlement boundaries for market towns. Land which is outside of settlement boundaries and not allocated for development is defined as countryside. Policy SCLP12.31 provides a strategy

for Woodbridge where additional residential development will be expected to come forward on sites within the settlement boundary, consisting of infill or small-scale redevelopments which make the most appropriate use of previously developed land.

5. The appeal site is beyond the Woodbridge settlement boundary and in the countryside for policy purposes. Policy SCLP5.3 limits new residential development in the countryside to a number of specific categories including b) limited development within existing clusters in accordance with Policy SCLP5.4 or g) where consistent with policy on residential development in the countryside in the National Planning Policy Framework (the Framework).
6. Regarding criterion g), the proposed development would not be isolated and therefore Paragraph 84 of the Framework where it supports isolated homes in the countryside is not relevant. To promote the development of a good mix of sites for homes Framework paragraph 73 supports windfall sites through policies and decisions. However, the appeal site is not within the existing settlement as defined in the Local Plan and would not be a suitable site for homes as discussed below.
7. Considering criterion b), for the reasons in this decision the development would be a harmful intrusion into the surrounding landscape and so could not meet criterion d) of Policy SCLP5.4. Therefore, criterion b) of SCLP 5.3 cannot be met.
8. I conclude that the proposed development would not be suitably located having regard to relevant development plan policies concerning the distribution of housing. There would be conflict with Policies SCLP3.2, SCLP3.3, SCLP5.3, SCLP5.4 and SCLP12.31 of the Local Plan.

Character and appearance

9. The appeal site comprises agricultural land to the east side of Beech Way. Broadly to the north is 1 to 15 Beech Way, a row of terraced properties of contemporary design. To the appeal's site south is No 17 Beech Way (No 17) a two-storey detached dwelling which has replaced a former caretaker's bungalow. Beyond No 17 to the southeast, built at a lower level, is the Grove Court Nursing Home (Grove Court). Beech Way is a no through road reverting to a farm track beyond a field gate at the road end.
10. The appeal site is within national character area 82 Suffolk Coast and Heaths. It is defined as urban landscape LT25 in the county level Suffolk Coastal Landscape Character Assessment with proximity to other landscape areas in particular LT19 that makes up part of the grazing land to Kingston Farm. Key characteristics of LT19 include straight boundaries associated with late enclosure, co-axial field systems, mixed hedgerows and fragmentary cover of woodland. In the Suffolk Coastal Landscape Character Assessment 2018 the appeal site falls within character area J5 Deben Landscape Valley, a very distinctive scenic estuary landscape with a strong sense of place. The strategy objectives for the Deben Landscape Valley includes protecting the unique and distinctive landscape, natural habitats and heritage of the Deben Estuary and protecting the estuary from new development where effects cannot be mitigated and managing areas of arable farmland to ensure their continued value.
11. In the Settlement Sensitivity Assessment (July 2018) the appeal site is located within the peripheral area WB4. The sensitivity of the area lies in its lightly settled

wooded estuary character, narrow rural lanes, scenic qualities forming part of the Deben Estuary and high visibility.

12. The appeal site is also within the setting of the Suffolk Coast & Heaths National Landscape where the Deben River valley banks contribute to the richly textured landscape, with wet meadows and wooded skylines, and provide elevated vantage points over the low-lying river. The duty under section 85 (A1) of the Countryside and Rights of Way Act 2000 as amended applies to the scheme.
13. The character of Beech Way varies considerably along its length. At its entrance from Cherry Tree Road the closely spaced buildings result in a relatively urban and dense character. Where the road becomes private the bungalows on Birch Close opposite the appeal site are of limited scale and the green verges soften the effect of this estate development. Beyond Birch Close the grass verge is retained and the open spaciousness of the substantial rear gardens of properties facing Ipswich Road contribute a rural quality to Beech Way, which is reinforced by views southwards towards the track and landscaping at the end of the road.
14. A hedge defines the front boundary of the appeal site with an existing access gate roughly central to the plot. There are views over the appeal site and open adjacent pastureland towards the Deben River from the access point. Due to the hedge height there are limited views from other parts of the site frontage although the height and form of the hedge would vary with the seasons and views would be more apparent when the hedge is maintained.
15. No 17 is a substantial property with a marked presence in the street, there is a footpath and lighting to the appeal site frontage and development borders the site to either side. These features do have an urbanising influence on Beech Way. Nevertheless, the site is open and undeveloped, it has a substantial frontage to Beech Way and retains a distinctly open rural quality within the street scene as part of an undeveloped field that sweeps down to the River Deben with some views afforded over the appeal site of the wider countryside. The appeal site positively contributes to the rural quality of Beech Way and the scenic estuary landscape of the Deben valley.
16. The proposed dwellings would be spaced out along the site frontage. The density would be low, and the dwellings would be set back and in well landscaped plots. The design and height of the dwellings would have regard to the established design of the adjacent terraced properties and the space between plots would retain some glimpsed views of the wider landscape. The overall height and mono-pitched roofs of the dwellings, as well as the scheme design, would to some extent limit the visual significance of two storey development from the road frontage, but the dwellings would be more prominent when viewed against the sloping pastureland to the east. Although the intention is to retain a hedge frontage the additional accesses and hard surfacing within the site would be apparent from the street. The development would result in a prominent encroachment of built development into an undeveloped field which would detract from the rural quality of Beech Way.
17. Trees within the site would be removed to facilitate the development, but proposed planting would mitigate some effects of the buildings on the scenic quality of the landscape character. Even so, landscaping to define and contain the development would change the rural agricultural character of the landscape. Furthermore, measures to improve the established ditch and pond, and planting in the buffer

zone on adjacent land as discussed below are not secured. Overall, the dwellings would result in the loss of the rural undeveloped qualities of the appeal site that contribute to the lightly settled wooded estuary landscape and the proposals would be harmful to landscape character.

18. In views from the river footpath the contrast between the denser development of the town and the sporadic nature of the development on the periphery can clearly be seen. Grove Court is visible, as are the larger properties along Ipswich Road but the large gardens and pastureland that surround these buildings, including the appeal site, provide a rural context that contrasts with the closely spaced development within the town. While the proposed development would not breach the skyline, the two storey dwellings would noticeably extend built form into an undeveloped area consolidating the existing development at the edge of the town. The visual effects of this would be experienced along a relatively limited stretch of the river wall footpath, but the proposals would diminish the scenic quality of views, and the adverse effects would be harmful.
19. From the railway level crossing and from Kingston Farm track views of the development at the edge of the town would be limited because of the density of the hedge line along Kingston Farm track. The change to glimpsed views in the direction of the appeal site would be minor and in the context of other built development and would not be harmful.
20. Nevertheless, for the reasons set out above, I conclude that the proposed development would be detrimental to the character and appearance of the area and in conflict with Policies SCLP10.4 and SCLP11.1 where these policies seek to ensure development is sympathetic to landscape character.

Heritage Assets

21. The appeal site is outside the designated extent of the CA. Neither the appellant's heritage statement nor the Council provide a clear assessment of the significance of the CA. From my observations, significance derives from a combination of the CA's traditional and landmark buildings, open spaces, topography, and association with the waterfront. According to the Framework, great weight should be given to the conservation of heritage assets.
22. The appeal site is part of the surroundings in which the CA is experienced. Kingston Hall is seen from Beech Way and is a landmark building because of its age and prominence. Nevertheless, the views from Beech Way do not contribute importantly to the understanding of the significance of the CA, as views of the Hall in association with the playing fields and the rest of the extended CA, are not notable from Beech Way. Consequently, I am satisfied that the views through the appeal site do not contribute to the ability to appreciate the CA's significance. The proposed dwellings would have a neutral effect on the setting and significance of the CA as a whole.
23. The duty imposed by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the setting of listed buildings.
24. Kingston Hall and Barn adjacent to the appeal site are both grade II listed buildings. The significance of Kingston Hall (referred to as Farmhouse in the list description) and Barn derive from their architecture and their historical association with

agriculture. The Hall has been altered but this has not affected its architectural quality. The Hall has a commanding presence when viewed from the playing fields and from Kingston Farm Road. It is also seen from the river wall footpath and in views from Beach Way.

25. The Council's Historic Environment Supplementary Planning Document acknowledges that the setting of a farmhouse is its farmed landscape and traditional buildings. The evidence confirms that for an extended period the land surrounding the Hall and Barn was open and undeveloped and associated with the buildings. The appeal site as part of the pastureland immediately to the rear of the Hall and Barn maintains a rural setting for the listed buildings and is part of the surroundings in which the heritage assets are experienced.
26. While development to the northwest and southeast (Grove Court) has weakened the buildings' rural setting, the listed buildings maintain an openness because of the appeal site, the adjacent pastureland, and the playing fields. The buildings derive value from this open and rural setting. The proposed development would notably increase the built development surrounding the Hall and the appeal scheme would diminish the rural aspect of Kingston Hall and Barn and the appreciation of significance and thereby be harmful to their setting.
27. In the terms of the Framework this would lead to less than substantial harm. While features of the scheme design including the muted palette of materials could be viewed as responding to the rural character of the site, diminishing the rural setting of the listed buildings by development of open land immediately adjacent and historically associated with them would result in a low to moderate level of harm.
28. Paragraph 215 of the Framework states that where a development proposal would lead to less than substantial harm to the significance of heritage assets, that harm should be weighed against the public benefits of the proposals.
29. The proposed dwellings would boost the supply of housing, but the Council has a 5-year housing land supply and the addition of 5 houses in this context would be a modest benefit. Access to the services and facilities within Woodbridge for many would be within walking and cycling distance of the appeal site. The dwellings would incorporate energy efficiency measures and disabled access, but there is little to indicate that such features would be significantly beyond those necessary to meet modern standards or Building Regulation requirements. Overall, the economic and social benefits associated with the 5 dwellings would be small. I attach limited weight to the public benefits of the proposal. These benefits would not outweigh the great weight to be given to the conservation of heritage assets. The proposal would therefore conflict with the Framework.
30. Overall, the appeal scheme would be detrimental to the setting of the grade II listed Hall and Barn. The setting of the listed buildings would not be preserved, and the development would conflict with Policies SCLP11.3 and SCLP11.4 in so far as these policies seek to apply the Framework and ensure features that contribute to the special interest of listed buildings are not harmed.
31. The effect of the proposals on the setting of the CA would be neutral and I find no conflict with Policy SCLP11.5 in this respect.

Protected and Priority Species

32. There are several ecology surveys and reports supporting the appeal. The surveys confirm use of the site by breeding birds and foraging and commuting bats and identify that slow worms and grass snakes have been identified on the site, even if this were only a single slow worm or grass snake, the habitat on the site is indicated to be suitable for these species.
33. The survey work acknowledges that the development will require the removal of at least 11 trees and that mitigation would be required for habitat that would be lost on the appeal site. Regarding bats, the survey work acknowledges that biodiversity on land immediately adjoining the site area must take into account the loss of moderate commuting and foraging habitat for bat species.
34. The proposed site layout plan indicates a biodiversity buffer zone to the rear of the appeal site. This area is beyond the application site boundary and not indicated as being within the appellant's ownership. The draft unilateral undertaking includes a plan with further detail of that buffer zone and siting of an Orchard. However, the terms of the unilateral undertaking and the plan provide little understanding of the biodiversity measures that would be secured through the agreement and whether the indicated buffer zone would respond to the requirements identified in the various surveys. In any case, as the undertaking is neither completed nor signed, I cannot take it into account.
35. It is not clear from the evidence how the development proposals would avoid or mitigate harm to protected species. Therefore, it cannot be concluded that the proposed development provides adequate protection to mitigate any negative effects of the development for protected species. The proposal fails to accord with Policy SCLP 10.1 which aims to maintain, restore, and enhance biodiversity. It would also be contrary to the Framework where it seeks to protect and enhance biodiversity including priority species.

Living conditions

36. Birch Close is a small cul-de-sac of detached bungalows opposite the appeal site on a slightly higher land level. Two of the properties on the Close are adjacent to Beech Way, one with its main front elevation facing the appeal site, and the other with a side elevation with single living room window looking towards the land. Between the appeal site and the bungalows there is a reasonably wide verge, Beech Way, and a footpath of about 1 metre in width. At the time of my site visit, the appeal site's front boundary hedge had grown but when the hedge is maintained or in the winter when vegetation is less prevalent there would be views over the appeal site to Kingston Hall with glimpsed views of the wider landscape from properties on Birch Close.
37. The proposed two storey dwellings would be set back from the road frontage and due to the width of the plots and the garage designs some glimpsed views would be retained beyond the appeal site at times when vegetation is less significant. Nevertheless, the main view from the properties on Birch Close would be of the proposed dwellings.
38. I accept that the development would change the outlook from the bungalows but because of the intervening distances between the existing and proposed

development and the gradual rise of the land, the proposed development would not dominate the bungalows or be otherwise harmful to their living conditions.

39. Consequently, I conclude that the proposal would not be detrimental to the living conditions of the occupiers of properties on Birch Close with regard to outlook. In this respect the proposed development would comply with the requirements of Policy SCLP11.2 as far as it seeks to protect residential amenity.

Other Matters

40. With regard to the integrity of Stour and Orwell Estuaries Special Protection Area (SPA)/Ramsar and Deben Estuary SPA/Ramsar, a direct payment has been made in accordance with the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy. However, notwithstanding the payment, there is no need to undertake an appropriate assessment because the scheme is unacceptable for the reasons set out.

Conclusion

41. I am satisfied that the development would not be detrimental to the living conditions of occupiers of properties on Birch Close nor would it be harmful to the setting of the CA. Even so, the proposals conflict with the development plan as a whole and there are no material considerations that indicate a decision should be taken other than in accordance with the development plan. Therefore, the appeal is dismissed.

Diane Cragg

INSPECTOR