
Appeal Decision

Site visit made on 15 November 2017

by C J Anstey BA (Hons) DipTP DipLA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th February 2018

Appeal Ref: APP/P1560/W/17/3180141

Great Holland Nurseries, Church Lane, Great Holland, CO13 0JS

- 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 Principal Homes Ltd. against the decision of Tendring District Council.
 - The application Ref 16/01917/FUL, dated 21 November 2016, was refused by notice dated 17 January 2017.
 - The development proposed is the erection of one dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In determining the appeal I have taken into account all the submissions made, including those made by the two main parties after the site visit.

Main Issues

3. The appeal site abuts the church-yard of the Grade II* listed All Saints Church and is within the Great Holland Conservation Area. In view of this the main issues in this case are the impact on the significance of All Saints Church, which is a Grade II* listed building, having regard to its setting, and the effect on the character and appearance of the Great Holland Conservation Area.

Reasons

4. The appeal site, which is broadly rectangular in shape and measures about 0.3ha in area, is located on the edge of the village of Great Holland to the rear of existing dwellings fronting on to Church Lane. The site, together with the land to the west, was formerly used as a horticultural nursery. There are no buildings or structures on the appeal site, which is now scrub grassland.
5. Planning permission was given in 2016 for the construction of two detached houses on the western part of the former nursery, where the remaining nursery buildings are concentrated. The appeal proposal involves an extension of the private drive serving these properties and the construction of an additional sizeable 4-bedroom house in the garden area of the proposed eastern-most house. Immediately to the east of the appeal site is a wooded area, whilst just to the south-east is the Grade II* listed All Saints Church and its church-yard. To the north are open fields.

6. *Section 16(2) and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act)* require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses. *Paragraph 132 of the National Planning Policy Framework (the Framework)* makes it clear that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation.
7. The fine and impressive 15th century brick tower of the Grade II* listed All Saints Church is an important component of the building's significance. The tower dominates the eastern end of the village and is prominent in views from the surrounding area. The undeveloped areas to the north of the church, including the churchyard, the appeal site, and the areas of woodland, all positively contribute to the building's setting. In their current form they provide the space to the north of the church that helps ensure that the tower can be readily experienced and appreciated.
8. The Council carried out a review of the Great Holland Conservation Area in 2006. At that time it was noted that whilst the nursery was not a negative feature its redevelopment must not increase the impact that this group of buildings has in views around the area. The appeal scheme, however, would introduce a large new house into the open area to the north of the church. This would erode the undeveloped setting to the north of the church and introduce a substantial modern building that would compete with, and detract from, the appearance of the tower. The harmful impact would be apparent from a number of local viewpoints, including from the footpath crossing open countryside to the north. The existing church hall at the rear of the church does not unduly impinge on these views of the tower because of its modest size. Neither would the approved house on Plot 2 as it would be situated further to the west. The mature trees and vegetation around the site, even if supplemented by additional planting, would not disguise the harm identified, particularly during the winter months.
9. Another important component of the church's significance is its historic separation from the village, and its rural setting. Along Church Lane this separation and particular setting has largely been lost as a result modern housing extending along both sides of the street. However the undeveloped areas to the north of the church are a remnant of the space that once separated the church from the rest of the village and a remaining vestige of the historic settlement pattern. The loss of part of this area to building would further erode the church's physical separation from the village and its rural setting. In summary, therefore, the appeal scheme would have a detrimental effect on the significance of the Grade II* listed All Saints Church.
10. The significance of the Great Holland Conservation Area relies on the various historic buildings that are dispersed through the area and its rural setting. All Saints Church is one of the most important of these historic buildings and the main focal point of the eastern part of the Conservation Area. The undeveloped areas to the north of the Church, including the appeal site, are important to the Conservation Area as they allow views of the Church and its tower from the north, and views of the countryside from the rear of the Church. Keeping the areas to the north of the Church undeveloped will ensure that important views are retained, and that the rural setting of the Conservation Area is preserved

and can be readily appreciated. The proposed development would harm significant views within the Conservation Area and damage the Conservation Area's rural setting. This means that the appeal scheme would fail to preserve or enhance the character or appearance of the Great Holland Conservation Area.

11. Having regard to the high threshold required for 'substantial harm' and that the church itself would remain I consider that the proposal would cause 'less than substantial harm' to heritage assets in terms of *the Framework*. It is accepted and well-established that any harm to the significance of heritage assets should be given considerable importance and weight and any harm or loss must be clearly and convincingly justified. *Paragraph 134* of the *Framework* specifies that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum use.
12. The proposal would provide some public benefits through the provision of a new dwelling, thereby adding to the supply of housing in an area where there may be a lack of a 5 year supply of housing land, and the re-use of a brownfield site within a sustainable location. It would also generate construction jobs and help sustain local services. These benefits, however, should only be accorded moderate weight, given that only one additional dwelling would result. In my judgement the public benefits identified, both individually and cumulatively, do not outweigh the damage to heritage assets that would result from allowing the development to proceed.
13. I conclude, therefore, that the proposal would harm the significance of the Grade II* listed All Saints Church and also fail to preserve or enhance the character or appearance of the Great Holland Conservation Area. The public benefits identified would not outweigh this harm. The proposal, therefore, is contrary to *paragraphs 132 and 134* of the *Framework* and in view of the environmental damage caused does not constitute sustainable development. The scheme is also at odds with saved *Policies EN23: Development within the proximity of a Listed Building* and *EN17: Conservation Areas* of the *Tendring District Local Plan* which are designed to protect and safeguard the setting of listed buildings and the character and appearance of Conservation Areas. These findings constitute compelling grounds for dismissing the appeal. None of the other matters raised, including the detailed design and appearance of the proposed house and various recent planning approvals in the village, outweigh the considerations that have led to my decision.

Christopher Anstey

Inspector