

Appeal Decision

Site visit made on 18 June 2019

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2019

Appeal Ref: APP/W3520/W/19/3223726

Southwood Barn, Otley Road, Framsden IP14 6HU

- 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 Lord Tollemache (Tollemache 1965 Settlement Trustees) against the decision of Mid Suffolk District Council.
 - The application Ref DC/18/04819, dated 30 October 2018, was refused by notice dated 7 January 2019.
 - The development proposed is partial conversion of an existing agricultural building to form a single dwelling, together with the erection of a new garage/outbuilding.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether occupants of the proposed dwelling would have adequate access to services and facilities without undue reliance on private vehicle use; and
 - the effect of the proposed development on the settings of the Grade II listed Southwood Farmhouse and Southwood Farm Barn, and related to this, the effect on the character and appearance of the host building and surrounding area.

Reasons

3. The appeal building is a disused agricultural building that is part of a small group of properties, which includes the Grade II listed Southwood Farm and Southwood Farm Barn immediately to the west, closest to the appeal site; Red House Farm on the opposite side of the road; and two dwellings, including the Grade II listed Southwood Cottage, further along Otley Road to the north-east. The surrounding area is open countryside.

Access to Services and Facilities

4. With regard to housing in rural areas, the National Planning Policy Framework (the Framework) states that policies and decisions should avoid the development of isolated homes in the countryside, unless particular

circumstances apply¹. While the Framework stresses the importance of provision of sustainable transport modes and travel choice, it also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making².

5. The appeal site is some two miles from Otley and 1.5 miles from Framsdén, according to the Council. The appellant has these distances as slightly shorter at around 1.4 miles and 1.2 miles respectively. Otley appears to be well-served by services and facilities necessary for day-to-day living, although neither location is accessible by public transport and conditions between the appeal site and the two settlements are not conducive for walking or cycling.
6. Given the existing small number of dwellings near the appeal site and its distance from Framsdén and, to a lesser extent, Otley it cannot reasonably be said to be an isolated location in the terms of the Framework. It is to be expected, as the Framework indicates, that some travel by private vehicle is likely in rural areas such as this and both settlements are not so distant that long car journeys would occur to gain access to services necessary for day-to-day living. I acknowledge that there are no apparent opportunities to use sustainable transport modes from this location, but due to the existing dwellings, the addition of a single dwelling would not significantly add to the journeys that already occur.
7. The Council's reason for refusal on this issue also refers to the lack of any social and economic benefits. However, the Framework says that the three objectives for achieving sustainable development are not criteria against which every decision can or should be judged³. Accordingly, my consideration of this main issue is restricted to the principal matter raised by the Council concerning accessibility.
8. Therefore, taking these findings as a whole and on balance, I conclude that the location would not be unsuitable for the proposed development with regard to whether occupants of the proposed dwelling would have adequate access to services and facilities without undue reliance on private vehicle use. Consequently, there is no conflict with Policies FC1 or FC1.1 of the Council's Core Strategy Focussed Review, concerning sustainable development, which are broadly-based policies that largely repeat elements of the Framework; or with relevant guidance in the Framework, as described above.

Listed Buildings and Character and Appearance

9. The appeal building is immediately adjacent to Southwood Farmhouse, with Southwood Farm Barn on the other side of the listed farmhouse. The proximity of the three buildings to each other and their former agricultural use means that they form a group both visually and in terms of their former functional association. Indeed, I note that the listing description for the Barn says that it is included for group value. As such, the disused appeal building and appeal site form part of the setting of the two listed buildings.

¹ Paragraph 79.

² Paragraph 103.

³ Paragraph 9.

10. The farmhouse itself has retained much of its original character and appearance with limited evidence of more recent changes or additions. The adjacent listed Barn has, however, undergone substantial renovation with some additional built elements. However, this has been undertaken sympathetically through its design and the materials used such that the association with the farmhouse is respected.
11. The creation of a new residential curtilage as part of the appeal proposal would not be unacceptable in principle, particularly because this has already occurred on the other side of the farmhouse through residential use of the listed Barn. However, any changes to the appeal building and wider site would need to be undertaken in a similarly sympathetic manner to the listed barn, to respect the setting of the listed buildings.
12. The existing building is relatively large with a rendered enclosed part closest to the farmhouse and open bays beyond this. While of no particular architectural merit in its own right, its character and appearance is utilitarian, reflecting its former agricultural use. The reduced scale of the building to create the proposed dwelling together with the separate garage would substantively change this character and appearance, thereby materially altering the relationship between the appeal building and the designated heritage assets.
13. More significantly, however, than the change to its scale is the design and appearance of the proposed dwelling itself. Particular elements of the new dwelling would not sit well with the traditional rural vernacular of the two listed buildings. The angled dormers to the rear are a case in point as well as the window design. Moreover, the materials, particularly the predominant stained weatherboarding would appear as a pastiche of the listed barn to the opposite side of the farmhouse. While the appellant draws direct comparison with this conversion, I am unaware of the details of the appearance of the building prior to its conversion, but it appears likely that the changes that have occurred would reflect the original character and appearance of the building, particularly due to its listed status.
14. While I accept that some elements such as the dormers may not be readily visible from the road frontage, they are nonetheless changes that would be harmful to the settings of the listed buildings. Furthermore, I accept that it may not be desirable or possible to replicate fully elements of the existing building's design and appearance in a new dwelling. However, the degree of change proposed would effectively introduce a new residential building in this location, bearing little resemblance to the building it would replace, which would fundamentally and harmfully alter the character and appearance of the group of three buildings; and so upset the settings of the two listed buildings within this group.
15. In reaching these findings I am particularly mindful of the statutory requirements for decision makers to have special regard to the desirability of preserving the setting of a listed building⁴.
16. Therefore, for the above reasons, I conclude that the proposed development would have an unacceptably harmful effect on the settings of the Grade II

⁴ Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

listed Southwood Farmhouse and Southwood Farm Barn, as described; and related to this, would have a similarly harmful effect on the character and appearance of the host building and surrounding area. Consequently, it is contrary to Policy HB1 of the Mid Suffolk Local Plan 1998, which concerns the protection of historic buildings and which includes the provision that particular attention will be given to protecting the settings of listed buildings; and to Policy H9, which concerns the conversion of rural buildings to dwellings, including that the proposed conversion must respect the character of the original building. These policies are consistent with the Framework.

17. Where there is a harmful effect on the significance of a designated heritage asset or assets which is less than substantial harm, which would apply in this case, the Framework requires the harm to be weighed against the public benefits of the proposal⁵. Reference is made to increasing housing supply and the economic benefits of the proposal in terms of construction and supporting local services. However, given the limited nature of these benefits in relation to the single dwelling proposed, they are not sufficient to outweigh the harm that has been found. Similarly, the existing disused nature and condition of the building does not provide adequate reason to set aside the harm from the proposal to designated heritage assets.

Other Matters

18. I have had regard to all the representations made by interested parties. These do not, however, raise any additional matters in relation to the main issues in this appeal that would lead me to reach a different overall conclusion.
19. The Council's report on the application refers to the fact that a bat survey has not been undertaken, which is necessary based on evidence of occupation of the appeal building by bats. I note that this is not explained further in the Council's appeal statement, but in any case it does not have a direct bearing on the appeal's outcome given my conclusion above with regard to the second main issue.
20. It was common ground initially between the parties that the Council could not identify a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing, as required by the Framework⁶. However, the Council has subsequently indicated that it can now demonstrate the requisite housing supply. While the appellant challenges this with regard to the supply being only marginally more than five years and the Council's recent record of housing delivery, there is insufficient evidence for me to draw a firm conclusion that the Council cannot demonstrate the housing supply required by the Framework.
21. The appellant also contends that Local Plan policies are out-of-date and have been superseded in some cases, although no details of the relevant policies referred to, SB1 and CL1, have been provided to me. I have found, however, that the policies which are most important for determining this proposal⁷ are consistent with the Framework and so are not out-of-date. In any case, and for the avoidance of doubt, were I to have agreed with the appellant about

⁵ Paragraph 196.

⁶ Paragraph 73.

⁷ As referred to in paragraph 11d) of the Framework.

either the lack of housing supply or relevant development plan policies, the adverse impacts I have found include to protected heritage assets, which provides a clear reason for refusing the development⁸.

Conclusion

22. I have found in the appellant's favour with regard to one main issue, concerning accessibility. However, this is not sufficient to outweigh the unacceptable harm that has been found with regard to the effect on designated heritage assets and character and appearance, and the conflict with the development plan and the Framework. The presumption in favour of sustainable development does not apply and there are no other material considerations that outweigh the conflict with the development plan. Accordingly, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR

⁸ Designated heritage assets are one of the policy areas referred to in paragraph 11d)i. by way of Footnote 6 in the Framework.
