



Appeal Decision

Site visit made on 23 July 2019

by Tobias Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 August 2019

Appeal Ref: APP/U1105/W/19/3225210

Farrantshayes Farm, Access to Farrantshayes, Clyst Hydon EX15 2NQ

- 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 Mr and Mrs J Hillier against the decision of East Devon District Council.
 - The application Ref 18/1962/FUL, dated 20 August 2018, was refused by notice dated 12 December 2018.
 - The development proposed is described as proposed alterations and improvements to the existing vehicular access to grazing field and formation of hardcore track.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my site visit, I observed that the existing access had already been widened. I have dealt with the appeal on this basis.
3. The National Planning Policy Framework (the Framework) was revised in February 2019. However, as the Framework's policies that are most relevant to this appeal have not materially changed, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the surrounding area, with particular regard to the setting of the Grade II listed building, Farrantshayes Farm.

Reasons

Character and appearance

5. The appeal site is situated within a farm setting containing a number of buildings and fields, including the nearby designated heritage asset, Farrantshayes Farmhouse. With an agricultural character and rural appearance, the surrounding area contains well-defined, relatively large, mature hedges running along the highway. There are various field gates and some hard-surfaced vehicular access tracks, involving breaks through roadside hedges, in the surrounding area.
6. The Grade II listed building, Farrantshayes Farmhouse and its courtyard of farmbuildings to the north, is an attractive, vernacular building. The listing description sets out that it dates from the 17th century, was rebuilt and rearranged in the 19th century and underwent some modernisations in the 20th century. Although there is boundary treatment and soft landscaping separating and partly

screening the farmhouse from the field, the development would be within the setting of the listed building which, as described by the appellants, 'is experienced in views from its rural surroundings...[and] principally in views from the road and across the fields from the south where its National Trust coloured rendered walls, tiled roof, chimneys and windows...are all evidence of its historic past'.

7. The significance of Farrantshayes Farmhouse derives from its historic nature and its setting within open and generally undeveloped rural fields to the south. The appeal site is located within a field which contains some features, such as septic tank and pumping covers and associated equipment, and farm items such as a water trough. However, these are relatively modest and do not therefore detract from or significantly reduce the field's positive contribution to the open, undeveloped setting to the front of the designated heritage asset. The limited boundary treatment at the front of the farmhouse does also not disrupt this.
8. The site and principal elevation of the farmhouse, which faces towards its open setting to the south, are visible from the surrounding area, including through the existing access on the appeal site and through breaks in the roadside hedge to the south. I observed on my site visit that the farmhouse is also visible above the hedge. In longer distance views, the farmhouse and its open frontage setting, which includes the appeal site, are likely to be more visible when the hedges are cut.
9. Amongst other aspects, the development would involve widening the existing access way, setting the gate back further into the field, planting replacement hedges with timber fencing behind, and hard-surfacing the vehicular track across the field. A timber post-and-rail fence would also run along the track's southern edge. The widened and set back access would be visible from both directions on the highway. The hard-surfaced track across the field would be relatively wide, and the track and fence would be visible from the public realm through the revised access and other breaks in the roadside hedge, such as to the south of the site near the stream. It is likely that the track and fence would also be more visible when the hedges are cut every other year.
10. The site is located within a rural, agricultural area containing various field gates and vehicular tracks leading off the highway through breaks in roadside hedges. I observed on my site visit that some of the access ways are relatively wide, and some include hard surfaces. The appeal proposal would be similar to these, and the replacement hedging either side of the set-back gate would ensure the strong roadside boundary remained.
11. However, running along the front of the farmhouse, the relatively wide, hard-surfaced track and fence along its southern edge would introduce more built form spanning the full width of the field. Even if the track were to incorporate a central grass strip, its hard-surface would disrupt and intrude into the generally open and undeveloped setting to the front of the listed farmhouse. Although the replacement hedge would limit the effect of the development on the building's setting, the widened access way and the set-back of the gate by approximately 6 metres would also erode and intrude on the listed building's open setting. The existing features in the field, such as the pumping equipment, would remain and would not be significantly less visible as a result of the development.
12. The existing field access appears to have been in place for some time, and historic maps show an old access way to the front of the farmhouse. Be that as it may, these aspects do not indicate that the development would not harm the setting of the listed building. The historic entrance is also in a different location to the

proposed hard-surfaced track, and I observed on my site visit that it now appears to be an overgrown pedestrian access.

13. It is common ground between the main parties that the development would result in less than substantial harm to the designated heritage asset. As the harm I have identified above would be relatively localised, I concur with this view, and find that it would – in the words of the Framework – constitute ‘less than substantial harm’ to the significance of the designated asset. However, this still constitutes harm, and in such circumstances, the less than substantial harm should be weighed against the public benefits.
14. The development would provide public benefits, including improved visibility between the access and highway, removing the need for vehicles and animals to wait on the highway while the gate is opened, and reducing mud being brought on to the highway by vehicles through the provision of the hard-surfaced standing area and track. As noted by the highway authority, this would lead to an overall improvement in highway network safety.
15. The appellants set out that the development would allow improved and safer access for farm machinery, livestock, and vehicles servicing and maintaining the septic tanks in the field, and indicate that it is not intended to serve new dwellings on the farm. Accordingly, it seems to me that there is not a need for a significant number of vehicle and animal movements through the existing unsurfaced field access and I have little substantive evidence to the contrary. The submitted plan indicates that the existing hard-surfaced drive on the other side of the farmhouse and the gate on the opposite side of the field also provide some access to the site and the farm. I observed on my site visit that the existing field and farm accesses could be seen for a reasonable distance in both directions along the highway. Highway users would therefore have good visibility and sufficient warning of vehicles and livestock entering and leaving the highway. Consequently, and with little substantive evidence to indicate otherwise, I find that use of the existing accesses does not pose a significant risk to highway safety. Furthermore, this is a rural area where, it seems to me, it would not be uncommon for highway users to come across some mud on the road and vehicles and animals waiting on the highway before turning into fields. Accordingly, although highway conditions would be improved, the safety benefits would not be significant.
16. The evidence before me indicates that the appellants have recently carried out other works on the farm and intend to carry out further works in the future, such as removal of relatively modern buildings and structures, refurbishing the farm buildings and restoring the farmhouse’s principal elevation and its features such as the original timber windows. However, while these may serve to preserve and even enhance the listed building or its setting, such works are not part of the appeal proposal and I have little substantive evidence that these works are dependent on this development proceeding. Accordingly, they cannot reasonably be described as public benefits associated with the proposal and to be weighed against its harm.
17. It has been put to me that the widened access would provide greater visibility of the listed building and improve opportunities to appreciate the significance of its setting, and that this would constitute a benefit. However, the plans show that the widened access would incorporate the same field gate that existed before the works began and new hedging would be provided either side of it. It seems to me that views of the listed building would therefore not change significantly. Accordingly, I give this aspect limited weight.
18. The Framework sets out that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the

asset's conservation. The extent of the public benefits arising from the appeal proposal would, for the reasons above, be modest based on the development and its use. The benefits would therefore not outweigh the harm to the significance of the listed building and its setting.

19. For the above reasons, I conclude that the development would harm the character and appearance of the surrounding area, with particular regard to the setting of the Grade II listed building. I therefore find that the proposal conflicts with Policies DM1 and EN9 and Strategy 7 of the East Devon Local Plan 2013 to 2031. Amongst other aspects, these: set out that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal; and require development to relate well to its context, respect the area's characteristics and special qualities, and not harm historic character and important features. The proposal would also be inconsistent with the provisions of the Framework in relation to conserving and enhancing the historic environment and achieving well-designed places.

Other matters

20. The appellants refer to a nearby property and compare its recent new entrance to the appeal proposal. However, I have limited details of that scheme and, based on the evidence before me, it appears that that property is not a listed building. Consequently, the comparison is not relevant to the acceptability of the development. I have therefore dealt with this case on its individual merits.
21. I recognise the appellants' works and intentions to preserve and enhance the listed building and its setting, that Clyst Hydon Parish Council support the application and that the highway authority did not object. Gateways and tracks in the surrounding area, including the field track to the north which is not on the appellants' land, have been granted planning permission retrospectively. I acknowledge that the appeal site and existing access can be waterlogged at times and vehicles can therefore get stuck. The development is also different to a previous planning application at the site which included the creation of a new driveway and track to the front of the farmhouse. Be that as it may, these matters do not outweigh the harm I have identified nor provide justification for development that conflicts with the development plan.

Conclusion

22. For the above reasons, the appeal is dismissed.

Tobias Gethin

INSPECTOR