



Appeal Decision

Site visit made on 25 November 2019

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 2 January 2020

Appeal Ref: APP/W3520/W/19/3229048

**Land adjacent to 2 Columbyne Hall Cottages, Stowupland, Stowmarket
IP14 4AT**

- 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 David Eade against the decision of Mid Suffolk District Council.
 - The application Ref DC/19/00753, dated 14 February 2019, was refused by notice dated 10 April 2019.
 - The development proposed is the change of use of existing land and erection of a detached single storey dwelling with garage and all associated works including access via existing vehicle driveway.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was made in outline with all matters reserved, with access, appearance, layout, scale, and landscaping as reserved matters. The Council made their decision based upon a Defined Red Line Plan OS Plan,¹ a Planning Statement,² a Land Contamination Questionnaire,³ and a Land Contamination Assessment Envirosearch Report.⁴ These reports, statement and plan reflect the description of the development. As the Council had regard to these in determining the application, I have dealt with the appeal on the same basis.

Main Issue

3. The main issue is the whether the development would preserve the setting of the Grade II* listed building known as 'Columbyne Hall.'

Reasons

4. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 prescribes a duty upon a decision maker to give special regard to the desirability of preserving the significance of a listed building or its setting.
5. The appeal documents contain reference to a Heritage Statement in the Planning Statement submitted with the application, however is limited to two lines stating there is no impact to scheduled monuments or conservation areas. This statement is not made in accordance with paragraph 189 of the National

¹ National Map Centre OS Plan B&W, Scale 1:2500, Supplied by Hussey Knights Ipswich, Produced 21/01/2019

² By Build To Plans

³ Dated 14/02/2019

⁴ Landmark Information, Report Ref:193515155_1_1, Dated 8 February 2019

Planning Policy Framework (the Framework). Such statements of significance should seek to understand the heritage values which derive from tangible and intangible elements, associations and relationships that make up the significance of the listing, including their setting, in order to understand the potential impact of the proposal on the significance. The commentary on Historic Buildings does not undertake this assessment of significance and hence is limited in aiding understanding of significance, or harm caused to this significance.

6. The appeal site is an undeveloped parcel of land that lies nearby Columbyne Hall, which was part of a medieval moated Manor House, now farmhouse where main building phases date from the fourteenth and sixteenth centuries. Columbyne Hall is a Grade II* listing and whilst the main house and surrounding historic buildings which make up an agricultural steading individually have tangible and intangible significance, in relation to this appeal the relevant components of the significance is how the appeal site contributes to the significance and setting of Columbyne Hall.
7. The setting of Columbyne Hall is intrinsically linked to its significance in that the hall since the fourteenth century has sat within a relatively open and detached countryside location that is physically separated from the nearby village of Stowupland. It is quite logical with these types of estates that the surrounding farmland and farm buildings contributed to the functioning and running of the greater surrounding estate which comprise of a nineteenth century steading, Land Army buildings which date from the 1950s and Columbyne Cottages which were constructed in the late 20th Century. According to the Council the latter were constructed in association with the farming practices of the site and are associated with an agricultural use.
8. There is an inherent historic relationship and association of the buildings and the surrounding open land that contributes to an understanding of the former form and function of the Hall/farmhouse and how the buildings are experienced, reinforcing their rural location, identity and setting. These elements make up the setting of Columbyne Hall and the buildings surrounding and land are integral to its significance.
9. The site is experienced as a collection of farm buildings and associated land surrounding which contributes to this significance and historic relationship. The principle of development of the appeal site would introduce a residential use which would extend the building form to the south west, and would be a discordant form and use within this agricultural environment. This would result in a use which would not be associated with this group of agricultural buildings and would result in a loss of historic association of the land to the steading and historic buildings.
10. Whilst I acknowledge the appellant's comments that the setting and character to the south has changed, the buildings are still related to the agricultural phase of development of the site, and are experienced as part of this context. That said, the development of the appeal site for residential development adversely affects the historic relationship and association of the buildings within the greater rural agricultural setting, and as such would be detrimental to the significance of the listed building via development within its setting. The proposal would therefore fail to preserve the setting of the Grade II* listed building within the environs of the site as required by S66 of the PLBCA and

Paragraph 193 of the Framework where great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to their significance.

11. Consequently, the proposed scheme would also be contrary to Saved Policy HB1 of the Mid Suffolk Local Plan 1998 (LP) (which seeks that particular attention is given to the protection of the setting of listed buildings); and Saved Policy CS5 of the Mid Suffolk Core Strategy (CS) (which amongst a number of criterion, seeks to maintain the historic environment and retain the local distinctiveness of the area).
12. I therefore do not agree with the appellant's documents that 'no harm' would be caused to the significance of the listed buildings via development within their setting. Although serious, the harm to the heritage asset in this case would be 'less than substantial,' within the meaning of the term in paragraph 196 of the Framework. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 196 requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal.
13. The public benefits of the scheme were outlined in the appellant's Statement of Case which states that the development would deliver an additional dwelling which would make a modest contribution to meeting housing need and support the limited facilities of the village, the school, as well as result in short term employment opportunities in the construction of the dwelling, and the contribution to local expenditure from future occupiers. I afford these public benefits moderate weight in favour of the development.

Conclusion

14. On the basis of what I saw on my site visit and the evidence before me, I find that the public benefits arising from the proposed development would not outweigh the harm I have identified and to which I accord considerable importance and weight. The proposals would therefore fail to preserve the setting of the listed building in accordance with the expectations of the PLCBA and the Framework where great weight be given to conservation of heritage assets and their setting.
15. For the reasons given above, I conclude that the appeal be dismissed.

J Somers

INSPECTOR