



Appeal Decision

Site visit made on 7 January 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 January 2020

Appeal Ref: APP/W3520/W/19/3236654

Holly Farm, Deadmans Lane, Battisford, Suffolk IP14 2RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr P Rowe against the decision of Mid Suffolk District Council.
 - The application Ref DC/18/05498, dated 14 December 2018, was refused by notice dated 11 March 2019.
 - The development proposed is outline planning application (with details of access included) - erection of two dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application. The appellant's statement includes comments about a proposal for 5 dwellings, which was the subject of a previous application. However, I confirm my assessment is on the basis of the above description.
3. The application sought outline planning permission with approval for details of access that form part of my assessment. Also, layout details have been submitted for indicative purposes and considered on that basis.

Main Issues

4. The main issues are (i) whether the proposal would preserve or enhance the character and appearance of the grade II listed building, Holly Farm, and (ii) the effect on highway safety in relation to visibility from the access/egress.

Reasons

Listed building

5. The listed building entry describes Holly Farm as a farmhouse, probably dating from the 17th century with later alterations. Its significance lies with its age and the retention of its original form that reflects its historic farmhouse use. Its main southern elevation facing onto the appeal site is particularly attractive,

- retaining a simple but pleasing degree of symmetry and features sympathetic to its farmhouse origins.
6. The appeal site lies between the southern elevation of Holly Farm and Straight Road. It is largely grassed with trees, bushes and plant beds as well as a boundary hedge that screens views of the site from the road. The development would include a new access from Straight Road and 2 dwellings, shown indicatively lying side by side, with back gardens running up to Holly Farm.
 7. Regardless as to whether it has previously been farmed, the site is currently undeveloped. Its openness allows clear views within the site of Holly Farm's attractive main elevation. Also, the lack of buildings provides a sense of Holly Farm's historic context, set back from but facing Straight Road over a green. Holly Farm is no longer isolated, but adjacent buildings are not intrusive and so do not significantly detract from the site's contribution to understanding the historic context of the listed building.
 8. A gap could be provided between the dwellings, but it is inevitable that the introduction of buildings would curtail views of Holly Farm from within the appeal site. Some space would be retained through the provision of back gardens to the proposed dwellings, but new boundary hedges to provide privacy would also impinge on views. Furthermore, by being positioned on the open land between the southern elevation and Straight Road, the proposal would erode the open historic context of Holly Farm that adds to its character.
 9. For these reasons, the proposal would diminish the significance of Holly Farm. Whilst this would not represent substantial harm, it would nonetheless constitute less than substantial harm to the listed building's significance. The proposal would cause no harm to any other heritage asset.
 10. In these circumstances, the National Planning Policy Framework (the Framework) indicates that the harm caused to the significance of a heritage asset should be weighed against the public benefits of a proposal. In carrying out this exercise, regulations require special regard be given to the desirability of preserving the setting of a listed building¹. Also, the Framework states that great weight should be given to a heritage asset's conservation.
 11. The proposal causes no concerns in respect of effect on living conditions of occupiers of adjacent properties, flood risk and land contamination. Furthermore, the scheme would incorporate sufficient parking space as well as renewable energy and water efficiency facilities. However, acceptability in these regards is a neutral factor rather than a public benefit. No evidence has been submitted that demonstrates the proposal would lead to significant biodiversity benefits and so I attach limited weight to this factor in my assessment.
 12. The proposal would generate construction jobs and boost the supply of housing. Also, future occupiers may support local businesses. However, as the proposal is for only 2 dwellings the overall public benefits are modest.
 13. As such, I find the public benefits do not outweigh the identified less than substantial harm to the designated heritage asset. For the reasons set out above, the proposal would not preserve or enhance the character, appearance, setting and significance of the listed building, Holly Farm. It would therefore be contrary to saved policy CS5 of the Mid Suffolk Core Strategy Development

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

Plan Document 2008, saved policy HB1 of the Mid Suffolk Local Plan 1998 (LP) as well as the Framework. These seek, amongst other things, to protect and enhance the historic environment and the significance of heritage assets.

Highway safety

14. The proposed access would lie on Straight Road where a 30 mph speed limit applies. As the road is straight, cars can be seen travelling for some distance in both directions towards the site. Whilst no speed survey has been provided, traffic approaching the site does not appear to be particularly fast.
15. The concern is raised that a 90 metre visibility splay in each direction cannot be achieved. However, good visibility from the proposed egress could be provided through the removal of the front hedgerow, thereby creating a wider open highway verge. This would remove visual obstruction as well as provide space for drivers leaving the development to edge out in order to improve visibility. Given the nature of the road and local traffic speeds, the removal of the hedgerow would provide sufficient visibility splays in both directions.
16. For the reasons outlined above, I conclude that the development would not cause harm to highway safety due to the inadequate visibility from the egress serving the proposed development. Consequently, and in this regard, it would accord with saved policy T10 of the LP and the Framework which aim, amongst other things, to ensure development is provided with a safe egress and does not cause unacceptable harm to highway safety.

Other Matters

17. The statement submitted with the planning application refers to a number of appeal decisions which highlight that the development plan policies relevant to housing are out-of-date. In such circumstances, paragraph 11 of the Framework states that permission should be granted unless policies of the Framework that protect assets of particular importance provide a clear reason for refusing the proposal. Footnote 6 of the Framework states that such policies include those related to designated heritage assets.
18. The harm identified to the character, appearance and significance of Holly Farm as a listed building provides clear reason for refusing the development proposed as set out at sub-paragraph 11 d)(i) of the Framework. As such, any presumption in favour of granting planning permission as set out under paragraph 11 of the Framework does not apply in this case.

Conclusion

19. Whilst I have found no harm would be caused to highway safety, the proposal would harm the character, appearance, setting and significance of a designated heritage asset. That harm is the overriding consideration. The proposed development conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.
20. For the reasons given above, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR