
Appeal Decision

Site visit made on 17 May 2022

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 May 2022

Appeal Ref: APP/D3505/W/21/3279283

Old Joe's Driving Range, Joes Road, Great Cornard CO10 0QB

- 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 V Woodward against the decision of Babergh District Council.
 - The application Ref DC/20/05203, dated 17 November 2020, was refused by notice dated 20 January 2021.
 - The development proposed is described on the planning application form as 'Outline application for the installation of 2no. holiday lodges and a golf simulator building with all matters reserved.'
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for outline planning permission with all matters reserved. I have therefore had regard to the site location plan in considering this appeal. I have also had regard to the indicative documents pertaining to the design of the development but only insofar as they are illustrative.
3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have been provided with an opportunity to comment on the revised Framework and I have had regard to it in considering this appeal.

Main Issues

4. The main issues are:
 - Whether the site is a suitable location for the proposed development with particular regard to its accessibility.
 - The effect of the proposed development on the character and appearance of the appeal site and surrounding area, including the Special Landscape Area.
 - The effect on the setting of the nearby listed building.

Reasons

Principle of Development

5. The appeal site is an area of grassland at Old Joes Driving Range and golf course, which is located in the countryside. These facilities comprise various buildings, including a driving range, café and a recently constructed special

needs activity centre. The appeal site is located to the north-east of the building comprising the driving range and café.

6. Core Strategy¹ Policy CS17 (The Rural Economy) states in part that the economy in the rural area will be supported through a number of measures including encouragement of sustainable tourism and leisure-based businesses (including those offering a diverse range of visitor accommodation, activities or experiences). This policy emphasises that development coming forwards under these measures will need to comply with Core Strategy Policy CS15 (Implementing Sustainable Development in Babergh).
7. Core Strategy Policy CS15 provides a wide range of criteria to ensure that new development demonstrates the 'principles of sustainable development'. The extent to which the proposed development would affect the character and appearance of the surrounding area, as well as the effect on the nearby listed building, is considered later in this decision. Criterion 'xviii' outlines that new development should seek to minimise the need to travel by car prioritising non-car modes of travel such as walking, cycling and public transport.
8. The settlement of Great Cornard is approximately 2km by road. This settlement provides a good range of services and facilities. However, visitors to the proposed lodges would be unlikely to access this settlement on foot due to the substantial distance involved and the fact that there are no footways along the majority of the route. As such, they would be largely reliant on the motor vehicle to access services and facilities. Indeed, there is no substantive evidence of any bus stops in close proximity to the appeal site, nor to demonstrate the frequency or duration of any nearby public transport services.
9. The golf simulator would be unlikely to result in a significant increase in vehicle journeys given that it would be more closely associated with the existing leisure use on the wider site. However, with regard to the proposed holiday lodges, the appellant has not provided any substantive evidence to demonstrate that the site is in close proximity to existing tourist attractions and leisure facilities other than those which are located within the existing golf complex. In the absence of any evidence to the contrary I consider that visitors to the holiday lodges would be very unlikely to confine their activities to the wider golf complex and they would inevitably seek to travel further afield. Similarly, there is no clear evidence before me to demonstrate that the lodges would assist the running of the nearby special needs activity centre.
10. The Council's officer report indicates a concern that the proposed lodges could be used for permanent residential use. However, there is no evidence to indicate this and I do not accept this assertion.
11. I accept that holiday accommodation is often located in rural and sometimes remote locations. However, in this particular instance, there do not appear to be any realistic options for travel by sustainable means and as such, visitors would be primarily reliant on the motor vehicle, contrary to the requirements of Core Strategy Policy CS15. The proposed development would therefore also conflict with Policy CS17 insofar as it requires adherence to the criteria within Policy CS15.

¹ Babergh Local Plan 2011-2031 – Core Strategy & Policies (Part 1 of New Babergh Local Plan), February 2014

12. The proposed development would also conflict with emerging Local Plan² policy LP14, which requires in part that development is accessible by public transport. However, this policy can only be attributed limited weight given its early status in the plan-making process.

Character and Appearance

13. The appeal site comprises an area of grassland which is visually contained by the trees and mature hedgerows which predominantly surround it. The existing driving range building also provides a degree of visual screening. There is a public footpath to the north. However, views from the footpath and Joes Road to the east are very limited given the aforementioned screening. The site is within a Special Landscape Area (SLA), which is a designation associated with Saved Local Plan³ Policy CR04. Policy CR04 states that development proposals within SLAs should maintain and enhance the special landscape qualities of the area.
14. The landscape typology comprises the Ancient Rolling Farmlands typology which is primarily characterised by woodland, orchards, hedgerows and ditches with wider panoramic views. Whilst the proposal is for outline planning permission, the appellant submitted various specification plans with the planning application. I have had regard to these insofar as they are indicative and I conclude that it is possible that a development of a limited scale could come forwards on this site without compromising the key characteristics of the SLA, particularly given the visually contained nature of the site.
15. For these reasons, the proposed development would not have a harmful effect on the character and appearance of the surrounding area and it would maintain the special characteristics of the SLA. A landscaping condition could ensure that the SLA could also be enhanced. As such, the proposed development would comply with saved Local Plan Policy CR04 and Core Strategy Policy CS15, which require that the development maintains and enhances the SLA and is in keeping with local character, respectively.
16. The proposed development would also comply with Framework Paragraph 130, which states in part that development should be sympathetic to local character.

Listed Building

17. Grasmere Cottage is a Grade II listed building⁴, which is located on Joes Road approximately 150 metres south-east of the appeal site. Under section 66 (1) and section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I am obliged to have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest. The Framework glossary advises that 'significance derives not only from the asset's physical presence but also from its setting'.
18. Grasmere Cottage is a timber framed and plastered residential property with a thatched roof. I consider that the building derives its significance from the quality and well preserved historical architectural appearance and its spacious grounds set within the wider rolling farmlands landscape.

² Babergh and Mid Suffolk Joint Local Plan Pre-Submission (Reg 19) Document

³ Babergh Local Plan (2006)

⁴ LB Ref: 1351782

19. Whilst the rural character of Joes Road does make a positive contribution to the setting of the building, the appeal site itself does not. This is because the appeal site is not visible in conjunction with the listed building and neither is it clearly visible from Joes Road when travelling towards or away from Grasmere Cottage. Furthermore, it is not functionally related to the heritage asset.
20. As such, given the existing level of visual screening afforded to the appeal site, and the small scale of development which would be possible (subject to reserved matters), it would have a neutral effect on the setting of the listed building. Whilst indicative plans have been provided, a scheme could come forward which adopts a more traditional design and sustains the experience of the listed building within its setting.
21. As such, the proposed development would not conflict with Core Strategy Policy CS15, which seeks to protect heritage assets.
22. The proposed development would also comply with the relevant provisions within Section 16 of the Framework in relation to heritage assets.

Other Matters

23. Both parties have referred to saved Local Plan Policy EM20 which relates to the expansion of existing employment uses. However, the existing use is not an employment use and neither are the proposed holiday lodges. Notwithstanding this, there would be economic benefits associated with job creation and support for the existing enterprise, which would be consistent with the Frameworks emphasis on supporting economic development in rural areas. However, it is not clear to what extent the existing business (or charitable element of the wider site) relies (if at all) upon the proposed development to ensure its continued viability. As such, I afford the economic benefits moderate weight and they would not outweigh the conflict with the development plan.

Conclusion

24. The proposed development would preserve the setting of the nearby listed building and the character of the special landscape area. However, the absence of harm in this regard does not outweigh the harm caused as a result of the inevitable overreliance on the private motor vehicle which would result from the proposal.
25. As such, the proposed development would conflict with the development plan taken as a whole, and there are no material considerations (of sufficient weight) which indicate a decision other than in accordance with it. Therefore, the appeal is dismissed.

Luke Simpson

INSPECTOR