



# Appeal Decision

Site visit made on 20 June 2023

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

**an Inspector appointed by the Secretary of State**

**Decision date: 13<sup>th</sup> July 2023**

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**Appeal Ref: APP/F3545/D/23/3321195**

**Fieldgate Cottage, The Street, Culford, Suffolk IP28 6DP**

- 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 Billy Rodgers against the decision of West Suffolk Council.
  - The application Ref DC/22/1355/HH, dated 29 July 2022, was refused by notice dated 22 February 2023.
  - The development proposed is described as the resubmission of the application referenced DC/21/0937/HH with amended dropped kerb and new access details.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the host building and the surrounding locality, with special attention and regard to the West Stow and Culford Park Conservation Area (CA).

## Reasons

*Character and Appearance, including the CA*

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA), in respect of development affecting CAs, states that special attention shall be paid to the desirability of preserving or enhancing the character and/or appearance of the area.
4. In undertaking development, the West Suffolk Joint Development Management Development Policies Document (JDMDPD) Policies DM2 and DM24 (specific to development within the curtilage) as well as Policy CS3 of the St Edmundsbury Core Strategy (CS) seeks to consider a number of design principles to ensure a development is appropriate to local distinctiveness, such as addressing key characteristics; special qualities of an area; maintaining and restoring key characteristics that have been eroded; not involving the loss of gardens and important open, green or landscaped areas; and preserve the historic character, amongst others. JDMDPD Policy DM13 seeks to ensure development will not have an adverse impact upon landscape features or amenity areas. Additionally, Policy DM17 of the JDMDPD is specific to CA's and seeks that development preserves and/or enhances the character and appearance and retains important features such as boundary treatments, trees and hedges, amongst others.
5. The CA's significance appears to relate strongly to the formation to the Culford Estate and grounds, which once comprised of a large country house and

surrounding grounds and associated buildings as part of the estate and surrounding agricultural operations. The estate is now occupied by a school, with associated buildings. Despite this, the experience of the area is of a verdant character with a semi-rural feeling and experience. Development is typically located along main roads with evidence of historic buildings, some of which have a linkage to the estate and which represent positive features to the character, appearance and local distinctiveness of the area. The area also has an emphasis on openness and the gaps in an around dwellings, some of which gain glimpses to the surrounding countryside which consists of agricultural fields and woodland. Dwellings tend to be either detached or semi-detached and are set back from the road edge, particularly along main roads which have vegetated surrounds, grass verges, hedgerows, historic stone walls and street trees which contribute to the verdant and leafy character, significance and experience of the area.

6. The appeal site displays a number of positive qualities of significance to the CA, being one of the historic high quality semi-detached dwellings from the late nineteenth century which appears to have had linkages to the agricultural operations of the greater estate. The pair of semi-detached dwellings have a relatively functional design, being one and a half storeys tall with accommodation in the roof space and a dormer window breaking through the eaves. The buildings are constructed of red brick and clay roof tiles with a large coaxial chimney stack. The appeal site fronts onto The Street, which is a Classified B-Road, which has a grass verge in front of the appeal site, mature street trees and a tall front boundary hedge. Both pairs of semi-detached dwellings having vehicular access to the rear via The Drift, a vehicular access that runs off The Street. As such I disagree with the appellant's Statement of Case (SoC) that the dwellings have a limited contribution to the street scene purely because they cannot be seen. Significance is a holistic exercise concerned with both tangible and intangible aspects and the pair of semi-detached dwellings and their vegetated surrounds emphasise an authenticity in their placement and design along with some relationship to the historic aspects of the CA and therefore make positive contributions to the significance of the CA.
7. In its current situation the leafy character of the site with the trees, grass verge and hedgerow dominates the character and appearance of this particular location. The proposal which would result in a dropped kerb, driveway, and access which runs around the dwelling and then joins the rear access would give a car dominated appearance which detracts from this distinctive leafy character. Whilst I appreciate comments from the appellant that the proposal would open views to the front façade, this would be at the expense of the historic authenticity of the site currently provided by the lack of vehicle crossover and emphasis on the well vegetated and leafy character. Additionally, there are other ways of allowing more of the historic façade to be prominent within the street scene, such as lowering the hedgerow. Any increasing of views to historic facades via the construction of a driveway would be offset by the harm that it causes towards the character, appearance and local distinctiveness of the area.
8. The appellant also comments in their SoC that they could remove the hedgerow without consent, and whilst this may be the case, it perhaps highlights why it is important to retain as much vegetated elements such as the grass verge as possible given its importance to the character and

appearance of the area. Whilst I appreciate suggestions that a condition could be imposed on the retention and maintenance of the remaining hedgerow, such a condition would be very difficult to enforce, and would likely not meet the tests of conditions as per the National Planning Practice Guidance. Additionally, this would not prevent vehicles from parking on the driveway to the front of the house, accentuating the vehicular dominant appearance of the proposal.

9. I note comments in the attached Heritage Report<sup>1</sup> regarding other dwellings having driveways, particularly along The Street. Whilst this may be the case, many of these are the infill development of the mid-twentieth century which makes a neutral contribution towards the significance of the CA. I note that there are examples further along The Street where historic buildings have driveways, however do not present the same circumstances as the appeal site which is much more authentic to its historic origins and hence the significance of the CA. Whilst there may also be wide driveways such as presented in Figures 10, 11, and 12 of the report, these are not part of the positive characteristics or significance of the CA and do highlight how negative the creation of driveways and vehicle dominance can be to an area. As such these examples do not provide evidence of acceptability which could be applied to the appeal site.
10. Taking the above into account, the proposed scheme would be contrary to JDMDPD Policies DM2, DM13, DM17, and DM24 as well as CS Policy CS3 as detailed previously. Consequently, and although serious, the proposed scheme would cause less than substantial harm to the significance of the CA within the meaning of the term in paragraph 202 of the National Planning Policy Framework (the Framework). Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset requires clear and convincing justification. Paragraph 202 of the Framework requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal.
11. The appellant has not outlined in their SoC any public benefits, however comments about the revealing of part of the front façade by the removal of hedgerow to facilitate the development would have benefits to the character and appearance. As previously discussed, this benefit would be outweighed by the harm caused to the authenticity of the area, as well as the loss of grass verge and the over-proliferation of vehicle access in and around the site. Additionally, the revealing of the front façade could be obtained by other means such as lowering the height of the hedge. That said, these benefits would not justify the harm I have identified.
12. I therefore find that the public benefits would not outweigh the harm caused to the significance of the CA. The scheme therefore conflicts with the Framework, which directs, at paragraph 199, 'that 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'.
13. In conclusion on this matter, I consider the proposed development would cause less than substantial harm to the significance of the CA. It has not been shown that public benefits would outweigh this harm and so the proposal would conflict with the development plan, the Framework and my duty under the PLBCA.

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<sup>1</sup> Heritage Impact Assessment, By Sam Falco, Dated 22/11/2022

## **Conclusion**

14. For the reasons given above, I conclude that the appeal be dismissed.

*J Somers*  
INSPECTOR