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# Appeal Decision

Site visit made on 26 October 2023

**by R Bartlett PGDip URP MRTPI**

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

**Decision date: 28 November 2023**

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**Appeal Ref: APP/F3545/W/23/3319757**

**Land off Freewood Street, Hollybush Corner, Bradfield St George IP30 0AY**

- 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 C R Rush Farms against the decision of West Suffolk Council.
  - The application Ref DC/22/1293/FUL, dated 18 July 2022, was refused by notice dated 21 December 2022.
  - The development proposed is creation of a gravel access road and improvement works to the existing field access.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

## Reasons

3. It is proposed to create a new gravel access road to serve Broom Hall Farm, which would utilise an existing field access, located between two residential properties, on a straight section of Freewood Street. I am advised that the access is required solely to serve the existing agricultural use of the farm and there are no other proposals before me to suggest otherwise.
4. The existing gated field access comprises a predominantly grass track with a few patches of gravel close to where it adjoins the public highway. There are mature trees and hedges on either side of the track, with some low tree branches partially overhanging it. At least some of these trees appear to be outside of the appellant's ownership. There is also an existing grass access track from the farmyard into the field to the north of it. Whilst I have no reason to doubt that agricultural machinery occasionally travels over the field, between the farmyard and the field access onto Freewood Street, there are no obvious visual signs of an established access track.
5. The proposed access would have a bound surface for the first 5 metres from the edge of the public highway. The appellant states the access would be agricultural, not domestic, comprising two ribbons of gravel beyond the initial 5 metres. However, the submitted drawings and highway statement show it would be designed in accordance with the County Council Standards for residential access roads, comprising a 4.5 metre wide road for the first 15 metres, narrowing to a 4.1 metre wide road beyond that. Given that Freewood Street itself is only 4.7 metres wide, with only domestic and grassed field accesses leading off it, the introduction of a new access road measuring

between 4.1 and 4.5 metres wide, would urbanise the appearance of this rural area.

6. Although not raised as a concern by the Council, nearby occupiers have raised the effect of the proposal on mature trees close to the access track as a concern. In this regard, whilst I acknowledge that large farm machinery may already occasionally travel between the farmyard and the Freewood Street field accesses, the increased use of this route by other farm related traffic such as large high sided trailers and HGV's collecting farm produce, would increase the risk of harm to the long-term health of adjacent mature trees, through damage caused to the overhanging low branches and the compaction of the ground within the root protection areas. Any harm resulting in the loss of these mature trees, would be detrimental to the character and appearance of the local landscape.
7. I have had regard to the tree protection plan and the proposed use of above ground cellular protection. However, this would increase ground levels, creating ramped areas, and reducing the distance between the road surface and low hanging branches. Such methods would also need to cover the full width of the road and would not be compatible with the ribbons of gravel suggested.
8. The section of the proposed track that would run alongside the western boundary of the field would not appear prominent in any public views that I have been made aware of and would be screened from the rear of adjacent residential properties by existing hedges. However, the proposal to formalise the field access and to create a long, wide, gravel access road, for use by all means of transport accessing the farm site, would significantly intensify its use and fundamentally change the character of this open agricultural land. This would particularly be the case if the existing vehicular access into the farmyard was to be stopped up as suggested.
9. I therefore conclude that the proposal would result in harm to the character and appearance of the area, contrary to Policies DM2 and DM13 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies (February 2015) (Local Plan). These policies require new development proposals to demonstrate their location, scale, design and materials will protect and where possible enhance the character of the local landscape. The proposal would also conflict with the National Planning Policy Framework, in so far as it seeks to protect the natural environment. As Policy DM5 of the Local Plan relates to new buildings or extensions and to proposals for economic growth and expansion, I do not consider it to be directly relevant to this proposal.

### **Other Matters**

10. There is little evidence before me of the traffic movements generated by the existing use of the farm. Based upon my own observations at the time of my site visit and the representations made by local residents, the farm currently generates relatively little traffic movement. I do however acknowledge that this will vary throughout the year.
11. I am aware that previous applications and appeals relating to development on the farm have been refused on the grounds they would intensify the use of the existing access. However, the proposal before me is for an access to serve the existing farm use alone and not an intensified use of it. Therefore, although there would be some highway safety benefits in terms of reducing traffic using

the existing access road, which also serves as a public right of way and has restricted visibility, given that it has successfully served the farm for many years, the benefit of relocating the limited amount of traffic generated by the farm, would be very modest and would not outweigh the harm that would be caused by the new road.

12. I have had regard to the fact that the appellant could construct a private right of way for agricultural use under the provisions of the General Permitted Development Order. That does not alter my view on the proposal currently before me given that it would not meet the appellants needs and is therefore unlikely to be undertaken. I have also had regard to policies that support agricultural business needs, farm diversification and highway safety, but the proposal before me is for an access to serve the existing farm use and it has not been demonstrated that it is necessary in connection with a new development or diversification proposal. My attention has been drawn to other long farm accesses in the local area, however, without knowing the background to these I afford them very little weight.
13. The dwellings known as Seaton Cottage and Broom Hall, which are located to the west and southwest of the proposed access road, are Grade II listed buildings. The significance of these buildings is a combination of their age, architectural quality and their value as part of a group of closely related timber-framed and lobby-entry cottages built on Freewood Street in the 17<sup>th</sup> and early 18<sup>th</sup> century. The rural setting within which these buildings are experienced also forms part of their significance.
14. As Seaton Cottage would be separated from the proposed access road by a grass field and boundary hedging, and Broom Hall would be separated from it by intervening farm buildings and woodland, I am satisfied that the proposal would not result in any harm to the nearby listed buildings, including to their significance or their setting.

### **Conclusion**

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

*R Bartlett*

INSPECTOR