
Appeal Decision

Site visit made on 20 May 2024

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th June 2024

Appeal Ref: APP/X3540/W/23/3324133

Parcel of land, Town Farm Lane, Kelsale, Saxmundham IP17 2RL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr Roy Joslin against the decision of East Suffolk Council.
 - The application Ref is DC/23/0510/FUL.
 - The development proposed is erection of 1no. single-storey detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Councils' third reason for refusal as set out on the decision notice relates to Habitats Sites. The Councils' statement of case explains that the in-combination effect of this new growth will, in the absence of adequate mitigation measures, result in an adverse effect on the integrity of Habitats Sites in East Suffolk. It goes on to explain that this reason for refusal is overcome as the required contribution has been paid by the appellant and therefore it is reasonable to conclude that impacts upon the habitat sites will be satisfactorily mitigated and the proposal will not result in an adverse effect on the integrity of Habitats Sites. I have no substantive evidence to the contrary and do not therefore find it necessary to consider this matter further.
3. A screening direction was issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In exercise of the powers conferred by Regulation 14 (1) and 7 (5) of the EIA Regulations, the Secretary of State directed that the development is not EIA development.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, including whether it would preserve the setting of the Grade II listed building, North Green Farmhouse as well as the historic farmstead.

Reasons

5. The appeal site is located within a prominent position along Town Farm Lane, North Green. North Green Farmhouse and historic farmstead is located within close proximity to the east and northeast of the site and the site is readily visible from the main road which runs to the direct south. The appeal site has historically been covered by trees/scrub but has been cleared in recent years

and comprises an open grassed area. A track is located to the east of the plot giving access to the barns further north which is understood to have been widened. It is otherwise surrounded by residential properties, and I am aware of the schemes granted consent nearby including to the direct west of the appeal site and barn conversion to the northeast.

6. North Green Farmhouse is a Grade II listed building. As such, I have a duty under Section S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. I have also had regard to paragraph 205 of the National Planning Policy Framework (the Framework) which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
7. The buildings significance is derived from its architectural and historic interest, and I am aware of the listing description noting certain features. The setting of the farmhouse includes the barns and outbuildings to the north-west of the farmhouse, most of which have been removed, other than a long narrow building that forms the north-west corner of the domestic grounds of the farmhouse.
8. The farmhouse stands out as a very traditional building within a rural setting and the openness around the property including land to the west which covers the appeal site, and the historic barns reinforces the rural character and function of the building and farmstead. It therefore makes a positive contribution to the character and appearance of the surrounding area which is clearly visible and appreciated when travelling along Town Farm Lane. I acknowledge the appellants' claims made regarding the history of the appeal site and curtilage of the farmhouse including separation distances/features in between the property and the land in question such as the driveway and trees. However, the appeal site is located adjacent to the access track to the historic barns within close proximity of the listed building, just outside of what appears to be the garden space of the farmhouse. It therefore still forms part of the setting of the listed building and historic farmstead and therefore contributes to its overall significance.
9. The proposed development seeks full planning permission for the erection of a single storey detached dwelling on land adjacent to the grounds of the listed building to the west with vehicular access taken from the road to the south/existing access track. It is designed with a main section with dual pitched roof and a flat roofed element on its eastern side. It is two bedroomed with materials comprising black stained timber boarding over a brick plinth, with a slate roof.
10. The proposed dwelling despite its relatively modest size would erode both the open surroundings in the immediate vicinity of the farmhouse, but also visually sever the combination views of the farmhouse and farmstead that can be readily gained from Town Farm Lane. The dwelling proposed within the setting of the farmhouse would intrude into these views and undermine them. There are trees/vegetation along Town Farm Lane, but the appeal site, the farmstead to the northeast and listed building to the east are still visible within the street scene, and this would not undermine my overall assessment of the site and its overall contribution to the setting of the listed building. Whilst the listed

building may be best viewed from the open frontage to the direct south which provides for clear views of the principal elevation, I observed onsite that the property including views of the historic outbuildings were still aesthetically pleasing from different approaches including along Town Farm Lane towards the farmhouse from a westerly direction.

11. The proposed dwelling, whilst using a combination of traditional materials is clearly a suburban domestic design. Its parking and access/manoeuvring area would lie prominently to the front/side. Such development within close proximity to the listed building would further urbanise the immediate setting of the property. This would draw the eye away from the listed building and farmstead and would therefore threaten the character and appearance of the building and how it is appreciated within the existing cluster of built form including its contribution to the area. A condition relating to suitable boundary treatments to soften the scheme would not adequately overcome this harm as it would still result in built development being within close proximity of the listed building intruding into key views which would undermine its overall contribution and significance within the area.
12. I am aware that the physical surroundings/wider setting of the listed building has experienced change in terms of development, and this change is ongoing which has introduced buildings of a domestic character to the area. To this end, my attention has been drawn to recent consents nearby including the plot directly to the west which benefits from consent for one dwelling which was granted on appeal. Those plots and properties further west are however more enclosed and a further distance from the listed building where their overall relationship is not directly comparable to the appeal site which has a more open rural characteristic. This would be significantly eroded by the proposed development bringing new built form even closer to the farmhouse.
13. Policy SCLP5.3 of the Suffolk Coastal Local Plan, 2020 (SCLP) relates to housing development in the countryside. It explains that outside of the defined settlement boundaries, new residential development will be limited to amongst other provisions, limited development within existing clusters (in accordance with Policy SCLP5.4). Policy SCLP5.4 provides support for new dwellings within clusters in the countryside where amongst other matters, development does not cause undue harm to the character and appearance of the cluster or, result in any harmful visual intrusion into the surrounding landscape. It also explains that the cumulative impact of proposals will be a consideration in relation to the criteria above. The supporting text accompanying Policy SCLP5.4 explains that the policy does not intend to support development which would have an adverse impact upon the natural or historic environment or the landscape, but that can integrate with an existing cluster of houses, and the scale and design of schemes will be expected to not cause harm to the character of the cluster or the surrounding landscape. It goes on to explain that it is important that consideration is given to cumulative impacts. In this respect, consideration will be given to whether there is an extant permission or completed development permitted under this policy, and the cumulative impact on the character.
14. When considering the extension of the modern line of dwellings to the west and widened driveway serving the barns to the northeast, it is clear that there has been a gradual erosion of the rural character of the area and historically isolated setting of the listed building. This proposal alongside the adjacent

consents including the recent barn conversion brings a cumulative impact of growing urbanisation of a very rural historic farmhouse setting.

15. The dwelling would be set back within the plot albeit that its front elevation would sit forward of the listed building as well as it being situated in line with the approved adjacent dwelling and would have a ridge height, design, and materials to match neighbouring buildings. Even so, this would not be sufficient to mitigate against the harm identified to the setting of the listed building and the 3D images submitted do not sufficiently persuade me to conclude otherwise.
16. For the reasons given above, the proposed development would unacceptably harm the character and appearance of the surrounding area and thus would fail to preserve the setting of the Grade II listed building, North Green Farmhouse as well as the historic farmstead. The harm would be localised and would therefore be less than substantial within the meaning of the Framework.
17. Paragraph 208 of the Framework explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The proposed development would likely result in some minor economic and social contribution to the local community and provision of additional housing within the area. I also note claims made in relation to environmental benefits including, potential for a high-performance unit, planting, electric vehicle charging etc. However, the extent to which these would be beneficial is limited given the small-scale nature of the proposals and therefore carry limited weight. Reference has been made to potential for starter homes although details of this are limited and, in any event, would not be sufficient to outweigh the harm identified.
18. Overall, it has not been demonstrated that there are sufficient public benefits to offset the identified harm to the setting of the listed building to which I have attached great weight given the requirements of the Framework. The Councils' lack of reference to heritage or conservation focussed policies contained within the SCLP would not alter my findings as the guidance in relation to such development is clearly set out in the Framework which the Council refer to as well as having regard to Policies SCLP5.3 and SCLP5.4 of the SCLP.
19. I am aware of the appellants' frustrations during the application process and previous comments given by statutory consultees. This does not however affect my findings on the above main issue. Further, I note that such comments were made without the benefit of a site inspection which is understood to have taken place later which informed revised comments.
20. On the basis of the above, the proposed development would be contrary to Policies SCLP5.3 and SCLP5.4 of the SCLP. For the same reasons, the proposed development would also be contrary to S66 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, the aspirations of section 12 of the Framework relating to achieving well-designed and beautiful places and section 16 relating to conserving and enhancing the historic environment.

Other Matters

21. The site is not within a Conservation Area and may not be constrained by a Special Landscape Area designation or an Article 4 direction. The proposed development may also not result in harm in relation to residential amenity, contamination, vehicle access/parking or flooding although such matters would not alter my findings in relation to the above main issue. A number of statutory consultees may not have raised objection to the proposed development although this is a neutral matter in my overall decision as a lack of objection does not mean that the development would not be harmful.
22. It is clear from the policies contained within the Councils' Local Plan that development will be required to not cause undue harm to the character and appearance of the cluster or, result in any harmful visual intrusion into the surrounding landscape. As such, I have no clear reason to consider the appeal proposals not in line with the Local Plan.

Conclusion

23. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination including the provisions of the Framework, that would outweigh the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR