



Appeal Decision

Site visit made on 5 November 2024

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2024

Appeal Ref: APP/W3520/W/24/3338527

Six Bells Inn, Church Road, Felsham, Suffolk IP30 0PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Cordage 44 Limited against Mid Suffolk District Council.
 - The application Ref is DC/23/05045.
 - The development proposed is the erection of two detached dwellings and associated parking and landscaping on land to the rear of the public house, utilising the existing public house access.
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. I note that the Council have, since the submission of the appeal, provided a statement indicating their putative reasons for refusal, had a decision been made. Therefore, I have used that information as a basis for identifying the main issues of the case.
3. The development is located within the setting of a Grade II listed building, and within Felsham Conservation Area. Accordingly, I have had special regard to the requirements of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are:
 - whether the proposed development would preserve the setting of the Grade II listed building, The Six Bells Public House, and the extent to which the development would preserve or enhance the character or appearance of the Felsham Conservation Area; and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Heritage assets – special interest and significance

Listed building

5. The Six Bells Public House¹ is a Grade II listed building, dating from around the 16th century with many later additions and alterations. Construction techniques and materials vary depending on the age of each range, principally of a mix of flint rubble and timber framed plaster. Despite its expansion and alteration over time, the listed building maintains a strong architectural form and presence in Church Road.
6. The special interest and significance of the listed building is largely derived from its historic and architectural interests. Important contributors in these regards are its traditional construction techniques and use of materials, together with surviving historic fabric.
7. Pertinent to the appeal, in relation to the settings of the listed buildings and the contribution they make to the special interest and significance of assets, I have had regard to the definition of setting within the National Planning Policy Framework (the Framework).
8. The public house's ancillary outdoor areas, including the rear car park and front garden, have an historic, visual and functional connection with the heritage asset. These grounds are typically defined by boundary treatments or a change in surfacing materials. These grounds form the asset's immediate setting, and it is from here that the asset is best appreciated. This immediate setting contributes considerably to the asset's special interest and significance.
9. Beyond this, the surrounding area is made up of a mixture of open land and predominantly residential development, indicative of the historic development of the village over time. This surrounding area forms the asset's wider setting. This wider setting, which includes the appeal site, makes a more limited contribution to the asset's special interest and significance.

Conservation Area

10. The special interest and significance of Felsham Conservation Area (CA) is largely derived from its historic townscape, arranged around two village greens and the historic church. Insofar as the appeal is concerned, there is variation in plot size and dwelling style. However, the design of buildings is generally simple, and the material palette is typically reserved, limited to brick, flint and render. Properties are typically orientated towards principal roads and often frame green spaces.
11. The Felsham Conservation Area Appraisal (CAA, 2012) sets out the importance of landscaping, the agricultural setting, traditional buildings, local materials and the pattern of development as features that add to the quality of the CA. In particular, newer housing developments in the village are identified as harmful to the CA.
12. The open and verdant nature of the appeal site, particularly the northern part, contributes to the rural character of the CA and village, together with the village's surrounding agrarian setting. Whilst not specifically identified within

¹ List Entry Number: 1352348

the CAA, the currently open site makes a meaningful contribution to the character and appearance of the CA and thus to its significance as a designated heritage asset.

Heritage assets – appeal proposal and effects

Listed building

13. There is no doubt that the proposed development would change the relationship between the appeal site and the Six Bells, introducing built form where there is currently none. Nevertheless, the physically and functionally separate relationship between the principal part of the appeal site and listed building would be maintained and the asset's historic and architectural interest would remain unaffected by the proposed development. The retention of a reasonable separation distance and intervening landscaping features would reinforce this. Furthermore, the immediate setting and most of the wider setting that contributes to the asset's significance would remain undisturbed by the proposed scheme.
14. Taking these factors into account, the proposed development would not compromise the setting of the listed building. Rather, it would have a neutral effect that would not detrimentally alter how the asset would be experienced and would not adversely affect the ability to appreciate its significance. Consequently, the setting of the listed building and the contribution that it makes to the asset's significance would be preserved.
15. Overall, I conclude that the proposed development would preserve the setting of the nearby Grade II listed building, The Six Bells Public House, and cause no harm to the significance of this heritage asset. Consequently, the proposed development would accord with the requirements of section 66(1) of the Act.

Conservation area

16. The appeal scheme would comprise the erection of two dwellings with associated access road, garden plots and parking areas. This would involve the introduction of built form on a part of the site where there is currently none.
17. I acknowledge the proposed use of materials and detailing, which would largely reflect the local vernacular. However, the position of the proposed development on the open green, accessed via a dedicated road, together with frontage parking, would be at odds with the prevailing character of the CA where individual houses, set within linear bands, typically front key routes through the village. More contemporary cul-de-sac, and some backland, developments do exist within Felsham, but these are typically outside the boundary of the CA or relate to conversions. This atypical arrangement would be apparent from the site entrance, Church Road and from surrounding properties. Ultimately, the proposed development would be incongruous in this location.
18. I accept that the appellant has made a number of amendments to the scheme since the previously dismissed appeal, including the removal of previously proposed garage structures and reducing the overall scale of the individual dwellings. However, in comparing these schemes, the extent of changes is not significant, with two reasonably large, detached houses remaining, set behind established built form and featuring prominent access roads and parking areas.

19. That the site is neither identified within the CAA nor a part of any important vista, as argued by the appellant, does not automatically mean that any development here should be considered acceptable.
20. Taking the above matters into consideration, the proposed development would fail to preserve or enhance the character or appearance of the CA, in conflict with the requirements of section 72(1) of the Act.

Heritage assets – public benefits and balance

21. 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. In finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. Given the extent of the development relative to the CA as a whole, I find the harm to be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight. This harm should be weighed against the public benefits of the development.
22. The scheme would result in a net increase of two dwellings in the district. Economic benefits would be brought about through the construction phase and, to an extent, after occupation of the dwellings through local spend. However, the scale of those benefits would inevitably be limited by reason of the nature of the development. This consideration is afforded limited weight.
23. The retention of existing trees is noted. However, this is not reliant on the scheme before me. This consideration is afforded limited weight.
24. Overall, the weight that I ascribe to the public benefits that accrue from the development is not sufficient to outweigh the considerable importance and weight that I attach to the harm I have found. Accordingly, the proposed development would fail to preserve or enhance the character or appearance of the CA. The proposed development is contrary to the requirements of section 72(1) of the Act. The development also conflicts with the relevant provisions of Policies SP09 and LP19 of the Babergh and Mid Suffolk Joint Local Plan (LP, 2023) which, in summary, seek to protect the historic environment.

Character and appearance

25. As set out above, the proposed development would introduce built form to a site which currently features none, whereas the existing site forms a largely open, verdant space. This currently provides relief between the built form that surrounds it and positively contributes to a rural character in this part of the village.
26. The proposed development would infill much of the existing break between properties that surround the site, resulting in the loss of the open character here. This would have a harmful, urbanising impact on the site, at odds with the prevailing character of the area.
27. Consequently, I conclude that the proposed development would fail to respect the established pattern of development, harming the character and appearance of the site and surrounding area, contrary to LP policy LP24. This policy, in summary, seeks to support high quality design in development which makes a positive contribution to its context.

Other Matters

28. I note the appellant's frustration in respect of the advice received from the Council and that there is some inconsistency between the previously published committee report and the Council's statement. Nevertheless, this would be best dealt with under a costs application. In any case, this matter has not led me to an alternative conclusion on the main issues.
29. I also note that the scheme would meet other planning objectives, such as internal space standards and in respect of the living conditions of neighbours. However, these matters are neutral in my determination of the appeal.

Conclusion

30. For the reasons given above, having had regard to all other relevant material considerations, I conclude that the appeal should be dismissed.

A Price

INSPECTOR