



Appeal Decision

Site visit made on 19 November 2025

by AJ Steen BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th March 2026

Appeal Ref: APP/M1595/W/25/3368934

Curtis Farm, High Road, Fobbing, Stanford-le-Hope SS17 9JJ

- 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 Mr George Young of A & G Young & Sons against Thurrock Borough Council.
 - The application Ref is 24/00859/FUL.
 - The development proposed is creation of new access road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In determining this appeal involving development located within a conservation area and that affects the setting of listed buildings, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - Whether the new access road would preserve or enhance the character or appearance of Fobbing Conservation Area and whether it would affect the setting of the listed buildings at Fisher's Cottage, cart lodge and barn;
 - The effect of traffic and parking relating to the junction of the new access road with High Road, Fobbing on the safe and efficient operation of the highway network in the vicinity of the appeal site; and
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal

Reasons

Inappropriate development

4. The National Planning Policy Framework (the Framework) states that development within the Green Belt is inappropriate with a number of exceptions. This includes engineering operations that preserve the openness of the Green Belt and do not

conflict with the purposes of including land within it. The creation of the access road would comprise an engineering operation.

5. The proposed road would be at ground level with a concrete surface. Although that surface would contrast with the surrounding fields in which it would be located, the road would have modest visual effects on the openness of the Green Belt. It would provide access to the farm buildings that would result in significant levels of traffic using the access both in terms of agricultural access and commercial access to those buildings. That traffic will be visible in the landscape surrounding Fobbing and that will result in a material effect on the visual openness of the Green Belt.
6. In spatial terms, the road would provide built development, albeit at ground level, across the open Green Belt. That, along with the use described above, would have some adverse effects on the spatial aspects of openness.
7. As the road would comprise built development outside the village of Fobbing, it would encroach into the countryside. As a result, it would conflict with that purpose of the Green Belt. Taking all these factors into account, the proposed access track would harm the openness of the Green Belt and would conflict with the purposes of including land within it. As a result, it would not fall within the exception to inappropriate development relating to engineering operations.
8. I note reference to the development comprising a change of use of the land as the road would be over agricultural land but would provide access to commercial activities at the farm yard as well as the agricultural uses within farm buildings. In addition, it is suggested that it may be local transport infrastructure. Even if it did fall within one of those exceptions to inappropriate development, it would also need to preserve openness and not conflict with the purposes of including land within the Green Belt. Consequently, the development would not fall within the exceptions to inappropriate development in the Green Belt.
9. The development would be inappropriate development that would harm the openness of the Green Belt. As a result, it would be contrary to the Framework. It would also be contrary to Policies CSSP4, PMD2 and PMD6 of the Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (CSPMD) that seek to maintain the purpose, function and open character of the Green Belt in accordance with national planning policy.
10. My attention has also been drawn to Policy CSSP1 of the CSPMD in this regard. That policy relates to sustainable housing and locations. As the proposal would not involve housing, that policy would not be relevant to this development.

Heritage

11. The junction of the access track with High Road would be located within Fobbing Conservation Area, although the track itself would be located outside the conservation area. It would lead around the recreation ground to the rear of the farm buildings. Part of the farm yard, including some of the farm buildings, and development between the main recreation ground and the road, are located within the conservation area.
12. The conservation area contains the historic development of Fobbing, which comprises development along High Road. It is a linear settlement with a cluster of historic houses and other properties around Fobbing Wharf and St Michael's

Church, which is Grade I listed, and that stands on an elevated ridge projecting into the marshes to the south. More sporadic historic development infilled with modern houses extends north up to and beyond the proposed junction of the proposed access with High Road.

13. To the opposite side of the road from the agricultural field through which the access would run are Grade II listed buildings of the attached Fisher's Cottage, cart lodge and barn, along with a granary to the rear. Fisher's Cottage is a timber framed 15th century hall house that is part weatherboarded and with a thatched hipped roof. The first floor was inserted in the 16th century and the building has red brick chimney stacks. The cart lodge, barn and granary date from the 17th century and are timber framed and weatherboarded with thatched roofs. They would have formed a group of farm buildings but are now in residential use. The significance of Fisher's Cottage, cart lodge, barn and granary as a group derive from their historic interest as a hall house with attached former farm buildings, along with their remaining historic fabric, and with the former agrarian land around, including the field opposite, contributing to their setting.
14. 1 and 2 Curtis Cottages are located adjacent to the existing farm access further to the south along High Road and are also Grade II listed. The building dates from the 18th century and comprises a plastered brick house with red plain tile roof. The principal elevation directly abuts the pavement and contains a three window range accommodating sash windows. It is located next to the existing access to the farm buildings. The door is to the side of the building, from the farm access, with a small single storey addition with dominant side wall and chimney adjacent to the access. The farm access and this building face down Lion Hill, such that it is in a prominent location within the village. The significance of Curtis Cottages comprises its historic fabric and appearance, along with its location within the cluster of historic development around St Michael's Church and prominent location on the junction of High Road and Lion Hill.
15. Close to the rear of Curtis Cottages is the Grade II listed granary at Curtis Farm, also dating from the 18th century and being timber framed and weatherboarded on staddle stones. Access to the main farm buildings currently runs past this granary. The granary at Curtis Farm has significance from its clear agricultural origins and prominent position on the access into the farm as well as its location on the edge of the cluster of buildings around St Michael's Church and relationship to that historic development.
16. The significance of Fobbing Conservation Area as a heritage asset derives from the historic development around Fobbing Wharf and St Michael's Church and the linear historic development of the settlement to the north. Curtis Farm, including Curtis Cottages and granary, contributes to that significance within the cluster of historic development around St Michael's Church. Fisher's Cottage also contributes to the significance of the conservation area as historic development toward the northern extent of the linear progression along High Road
17. The junction of the proposed access with High Road would be located within the field on the opposite side of the road from Fisher's Cottage, albeit a short distance to the south. The access drive would carry a variety of traffic relating to the farm buildings, much of it large vehicles, both in relation to the agricultural activities of the farm as well as commercial enterprises within former farm buildings. Whilst it would not be directly opposite Fisher's Cottage, cart lodge and barn, it would result

in a substantial access through the field that would result in harm to their setting and significance. Given the contribution of these buildings to the significance of the conservation area, the junction would also harm its character and appearance and the extensive access drive would harm its setting. As the granary behind Fisher's Cottage, cart lodge and barn is located to the rear, its setting would not be affected by the access.

18. As a result of the development, the existing access would not be used by as many vehicles as at present. That access, as a historic farm access, forms part of the setting of Curtis Cottages. Removal of traffic would not have a material impact on the setting of the building on this entrance to the farm buildings, such that it would not affect it as a heritage asset. However, the existing access route is closer to the granary. There is a greater potential for harm to the granary as vehicles pass it, including potential for accident damage from larger vehicles. Nevertheless, the benefits to the listed building and its significance as a heritage asset of reducing that risk through the diversion of traffic to the proposed access road would be limited.
19. The track would pass around the recreation ground and into the rear of the farm buildings. These buildings are largely modern and separate the route of the proposed track and that part of the conservation area around Fobbing Wharf and St Michael's Church. As a result, the track would not affect the setting of that part of the conservation area.
20. I accept that there would be benefits in removing larger commercial vehicles from the more central part of the conservation area around Curtis Farm. Nevertheless, this is the historic farm entrance where it would be expected that farm vehicles and machinery would be moving. As a result, the benefits to the conservation area as a heritage asset, and its significance, of removing farm vehicles from this part of the conservation area would be limited.
21. On that basis, I accept that there are benefits to removing larger vehicles from around the existing farm entrance and the granary at Curtis Farm but these do not outweigh the harm I have identified to Fobbing Conservation Area and the listed buildings at Fisher's Cottage, cart lodge and barn. In terms of the conservation area, that would result in less than substantial harm to its significance as a heritage asset, at a low to medium level. With regard to the significance of those listed buildings as heritage assets, there would be less than substantial harm at a low level on the spectrum of such harm.
22. The Framework advises at Paragraph 212 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. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Accordingly, while less than the 'substantial harm' referred to in Paragraph 214 of the Framework, the harm to the listed buildings and conservation area is nevertheless a matter of considerable importance and weight.
23. Paragraph 215 of the Framework establishes that, where a development proposal would 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. The main public benefit in this instance is the redirection of traffic away from the centre of Fobbing and along the proposed access route, particularly large vehicles that, the appellants suggest, lead to conflict as they seek to access the farm at the junction of High Road and Lion Hill. That is considered in more detail under highway safety below. I understand that it would enable the gateway of Curtis Farm to be restored, although it is unclear how that would be achieved. I consider those benefits are modest and cannot outweigh the identified harm to the listed buildings and conservation area.

24. For these reasons, I conclude that the new access road would harm the character, appearance and setting of Fobbing Conservation Area and the setting of Fisher's Cottage, cart lodge and barn. This would not be outweighed by the benefits of the scheme in terms of the removal of traffic along the existing access and past the listed Curtis Cottages and granary to the rear, or the public benefits of the development. It would be contrary to Policies CSTP24 and PMD4 of the CSPMD and the Framework that seek to preserve or enhance the historic environment including the setting of heritage assets.

Highway safety

25. The Council suggest that the appellant does not have control over the visibility splays to either side of the junction of the proposed access with High Road. These are outside the blue line showing the land in the ownership of the appellant. However, I understand that they are within the highway. The road in this location is essentially straight with trees and street furniture tending to be set toward the rear of the wide verge around the proposed access location. Roadside parking, including on that verge, takes place and vehicles parked on the verge close to the proposed access may restrict visibility to some extent. However, I understand that it would be possible to implement restrictions to limit parking within the area of these splays.
26. The access would replace the existing access to the farm yard. This is located at the junction of High Road with Lion Hill. The road layout is such that priority is along High Road leading north and onto Lion Hill. The access to the farm yard is located at this junction, facing toward Lion Hill such that it is almost a cross roads. The access is located between buildings directly fronting the road, but vehicle speeds are low in this location given the configuration of the roads. Nevertheless, evidence such as Personal Injury Accident data does not indicate there have been previous safety concerns around the use of this access.
27. Taking account of all the above, the proposed access is less likely to affect the safe and efficient operation of the highway than the existing access. However, taking account of all the above, this benefit is marginal.
28. For these reasons, I conclude that the development would provide minor benefits to the safe and efficient operation of the highway network in the vicinity of the appeal site. As such, it would comply with Policy PMD9 of the CSPMD that seeks new accesses to make a positive contribution to road safety or road safety is not prejudiced.

Other considerations

29. In considering the above, I note that the proposal would not lead to an increase in the amount of traffic needing to access Curtis Farm. No external lighting is

proposed to be provided for the access track and could be subject of a condition if I were to allow the appeal. It is indicated there would be significant net gain in on site biodiversity from this proposal.

Conclusion

30. I have concluded that the proposed access would be inappropriate development within the Green Belt and would harm the character, appearance and setting of Fobbing Conservation Area and the setting of Fisher's Cottage, cart lodge and barn that would not be outweighed by the benefits to Curtis Cottages and granary at Curtis Farm or the conservation area. As a result, it would conflict with Policies CSSP4, CSTP24, PMD2, PMD4 and PMD6 of the CSPMD. Whilst there would be net gain to on site biodiversity, benefits to the safe and efficient operation of the highway network and compliance with Policy PMD9 of the CSPMD this would not outweigh the harms I have identified. As a result, there is conflict with the development plan as a whole.
31. For the reasons given above the appeal should be dismissed.

AJ Steen

INSPECTOR