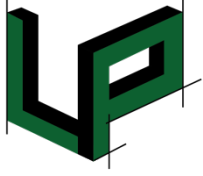


PLANNING STATEMENT

Site: Land At Chandos Farm, Bull Road, Thornham Parva, Eye, IP23 8ES

Proposal: Full planning permission for demolition of agricultural building and erection of self-build dwelling

July 2023



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PLANNING

REPORT INFORMATION

Site:	Land At Chandos Farm, Bull Road, Thornham Parva, Eye, IP23 8ES
Applicant/Client:	Mr S Davey & Mrs S Newson
Date:	July 2023
Local Planning Authority:	Mid Suffolk District Council
Author:	James Platt, BSc (Hons), MRTPI - Director/Planning Consultant

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Introduction

- 1.0 This Planning Statement is prepared by Locus Planning on behalf of Mr Davey and Mrs Newson (“the Applicant”) in support of a planning application for the erection of a dwelling on Land At Chandos Farm, Bull Road, Thornham Parva (“the Site”). The application falls to be determined by Mid Suffolk District Council (“the Council”) and follows positive pre-application advice from the Council’s officers (Ref. DC/23/00173).
- 1.1 This Statement describes the site and its surroundings; details the proposal; and assesses the proposed development against local and national planning policy and other material considerations that are relevant to the determination of the application.
- 1.2 This Statement forms part of a suite of documents submitted in support of the application and should be read in conjunction with the following:
 - Site and Proposal Plans prepared by Studio 35 Architecture
 - Heritage Statement prepared by Locus Planning (see Appendix A)
 - Desk Study and Risk Assessment Prepared by Norfolk Partnership Laboratory
 - Preliminary Ecological Appraisal prepared by Greenlight Environmental Consultancy
 - Biodiversity Enhancement Plan and Lighting Design Scheme prepared by Greenlight Environmental Consultancy
 - Speed Survey prepared by Ian Booth Consultant Engineer
- 1.3 For the reasons set out herein, it will be demonstrated that the development should be approved when considered against the development plan and other material considerations that include the fallback position presented by an extant planning permission for the residential development of the Site.

Site and Surroundings

- 2.0 The Site is formed by an agricultural building and associated agricultural land located at Chandos Farm, Thornham Parva. The building in question comprises a substantial portal frame structure positioned toward the south-east of the Site. Externally, hardstanding envelopes the building to the south and east where an access drive arcs south-eastward to a vehicular entrance on the northern side of Bull Road. The remainder of the Site is largely flat and undeveloped, laid to grass with tree planting toward the western boundary.



Courtesy of Google Earth (2021). Application site marked by the yellow star.

- 2.1 The Site is bounded by a range of agricultural buildings to the south and agricultural land to the north and east. Beyond, residential development lies to the south, south-west and west. Although the Site lies within the “countryside” for the purposes of the development plan, it is not, however, isolated and sits – as noted - within proximity to existing dwellings.
- 2.2 Described in greater detail within the accompanying Heritage Statement (see Appendix A), Chandos Farmhouse is a Grade II listed building situated approximately 50m to the south of the Site.
- 2.3 The Site is wholly within Flood Zone 1, where there is a very low probability (less than 1 in 1000 annually) of flooding. The Site is not within or adjacent to a Conservation Area. Nor is it within or adjacent to an Area of Outstanding Natural Beauty, Site of Special Scientific Interest, Air Quality Management Area, Local Green Space, Area of Visual/Recreational Amenity, Special Landscape Area, or any other area designated locally or nationally for environmental purposes.

Proposal and Planning History

Proposal

- 3.0 The application seeks full planning permission for the erection of a self-build dwelling following the demolition of the existing agricultural building. Associated works include the removal of existing hardstanding, formation of parking/turning areas and the provision of hard and soft landscaping. Private amenity space is provided to the side and rear of the dwelling whilst access is proposed to be taken from the existing site entrance from Bull Road.
- 3.1 The proposed dwelling is primarily two-storey in scale with an attached garage providing guest accommodation within the roof. The design of the dwelling is broadly contemporary. In this regard, the proposal seeks to respond to the Council's pre-application advice, including the following comments of the Heritage Officer:

'The present proposal is for replacement of the existing building on the established 'fall-back' principle. Replacement commonly gives an opportunity for improvement, although there might also be risk of harm. In heritage terms large utilitarian agricultural buildings tend to appear incongruous in scale and materials in the context of historic farmsteads and farmhouses, while representing the most recent stage in the evolution of farming practice. Replacement would therefore give opportunity to reduce the visual impact of the existing building, but I would be concerned that it should not falsify the narrative of development at the farm, or dilute the integrity and authenticity of the historic parts of the farmstead. A solution that has been advocated in similar cases is that the proposed building should avoid the appearance of traditional farm buildings and dwellings, and instead reflect more contemporary approaches to form, design, massing and materials. This approach would offer opportunity to reduce visual conflict while preserving the character of the modern extension of the farmstead.'

Relevant Planning History

- 3.2 For reasons set out below, the planning history of the site is a crucial material consideration in the assessment of this application. That history is set out as follows:
- DC/18/02599 – 'Notification of Prior Approval under Part 3, Class Q (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 - Conversion of grain storage and machinery store to dwelling.' – Granted 3rd October 2018
 - DC/20/01498 – 'Planning Application. Change of use and conversion of agricultural barn into a six-bedroom residential dwelling, with insertion of new first-floor. Change of use of land to garden area and erection of new triple cartlodge.' – Granted 29th September 2020
- 3.3 The 2020 planning permission for the conversion of an agricultural building to a dwelling is extant. Explained subsequently in this Statement, the permission is a "fallback position" and thus, a material consideration in the determination of this new application. It is the Applicant's position that the development now proposed is to the betterment of the fallback position.

Legislation and Policy Context

The Determination of Applications

- 4.0 In determining an application for planning permission, Section 70(2) of the Town and Country Planning Act 1990 requires local planning authorities to have regard to the provisions of the development plan so far as is material to the application, and to any 'other material considerations'. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications under the Planning Acts be determined in accordance with the development plan, unless material considerations indicate otherwise. Thus, the development plan is the starting point, but not the end point, for decision taking.
- 4.1 The policies contained within the National Planning Policy Framework ("NPPF") are a material consideration and must be taken into account for decision making purposes in accordance with those duties as set out. The NPPF is supported by the national Planning Practice Guidance ("PPG"), which assists applicants and decision makers to interpret the NPPF. The PPG remains a material consideration in the assessment of planning applications.

The Development Plan

- 4.2 The development plan is the plan for the future development of an area, consisting of development plan documents adopted by local planning authorities, including any 'saved' policies from plans that are otherwise no longer current.
- 4.3 The development plan includes the following documents:
- Saved policies from the Mid Suffolk Local Plan 1998 ("LP")
 - Mid Suffolk Core Strategy 2008 ("CS")
 - Mid Suffolk Core Strategy Focused Review 2012 ("CSFR")
- 4.4 At the heart of the development plan lies Policy FC 1 of the CSFR. In the consideration of development proposals in the district, echoing Paragraph 11 of the NPPF, the Policy applies a 'presumption in favour of sustainable development', stating:

'Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

Specific policies in that Framework indicate that development should be restricted.'

- 4.5 The Council has prepared a new Joint Local Plan ("JLP") with the Babergh District Council which will replace the existing Mid Suffolk development plan documents and will be used to manage development in both districts up to 2037, from a base date of April 2018. The JLP is currently subject to examination. With its policies subject to significant objections, and where it is not yet known if those objections have been or are capable of being resolved, the JLP should only be afforded limited weight at this time.

The NPPF

- 4.6 The NPPF sets out the Government's planning policies for England and how these should be applied. Paragraph 7 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF goes on to state, however, that *'they are not criteria against which every decision can or should be judged'* (para. 9).
- 4.7 Paragraph 8 of the NPPF identifies three overarching objectives in order to achieve sustainable development. These objectives are interdependent and should be pursued in mutually supportive ways:

'an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

- 4.8 Paragraph 11 of the NPPF confirms that there is a presumption in favour of sustainable development. For decision-taking purposes this means approving development proposals that accord with an up-to-date development plan

without delay (11.c)). That policy operation, as noted, is itself enshrined within the development plan under Policy FC 1 (thereby affording it statutory primacy).

- 4.9 An assessment of the proposal under the above policy context is detailed below and in consideration of the planning matters material to this application. It will be demonstrated that the development should be approved when considered against the development plan and other material considerations that include the available fallback position and the NPPF.

Planning Assessment

The “Fallback position”

- 5.0 The topic of ‘fallback’ and its materiality to the decision-making process has been the subject of much case law, more recently summarised in the case of *Mansell*¹. In considering a fallback development it is incumbent upon the decision maker to identify whether there is a “real prospect” of such a fallback development being carried out in the event planning permission for the proposed development is refused. For a “real prospect” to exist, it does not have to be probable or likely; a possibility will suffice.
- 5.1 As noted, the Site benefits from full planning permission for the conversion of the existing agricultural building to a dwelling (Ref. DC/20/01498). The permission remains extant and capable of lawful implementation. Considering the possibility that exists, there is a “real prospect” that the agricultural building on the Site will be converted to form a new dwelling. It is therefore a fallback position that sets a baseline for the consideration of this latest proposal. To this effect, both the fallback position and the proposal would provide for an additional dwelling within the countryside. The consequence being the Council need only turn its mind to the merits of delivering the dwelling through the construction of a new building, as proposed, rather than conversion, as approved.
- 5.2 With the foregoing borne in mind, the existing agricultural building is neither of architectural nor historic significance. Furthermore, on account of its scale and utilitarian appearance, the building is incongruous to the Site and the wider setting. Although it is acknowledged that the fallback position may lead to an enhancement to the aesthetic of the building, due to the limitations of conversion, any enhancement would be minimal. Accordingly, the proposal now before the Council offers an opportunity to demolish rather than convert the agricultural building. Through its high-quality contemporary design, the dwelling, in comparison to the fallback position, would enhance the Site and its contribution to the surrounding area.

¹ *Mansell v Tonbridge and Malling Borough Council* [2017] EWCA Civ 1314.

- 5.3 To conclude, the proposal now before the Council is to the betterment of the fallback position presented by the extant planning permission for conversion. Of itself, this is a material consideration that directs the decision maker to a grant of planning permission independent of other material considerations.

Design and Character and Appearance of the Area

- 5.4 Policy H13 expects new housing development to achieve a high standard of design and layout whilst of a scale and density appropriate to the site and its surroundings. Policy H15 similarly requires new housing to be consistent with the pattern and form of development in the area and its setting. Policy GP1 confirms that proposals comprising poor design and layout will be refused, requiring proposals to meet various design criteria.
- 5.5 Paragraph 126 of the NPPF attaches great importance to the design of the built environment, confirming that good design is a key aspect of sustainable development.
- 5.6 Paragraph 130 of the NPPF seeks to ensure, inter alia, developments function well and add to the overall quality of the area and that are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 5.7 The development would not encroach into open countryside; instead, the proposal effectively represents a positive change to a site which is already subject to an existing building and bounded by residential development. It would not be readily perceptible from the surrounding road network nor public rights of way.
- 5.8 The proposed dwelling is of a high-quality contemporary design. Nevertheless, the development maintains local distinctiveness through the incorporation of architectural features typical of the area, including, for example, pitched roof forms, chimneys and the use of red brick.

Heritage

- 5.9 A Heritage Statement is provided at Appendix A which demonstrates that no harm would be posed to the designated heritage asset; Chandos Farmhouse.

Residential Amenity

- 5.10 Policy H13 and H16 seek to ensure the amenity of neighbouring residents is protected.
- 5.11 Paragraph 130 of the NPPF seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 5.12 Given the relationship between the site and neighbouring properties, including separation distances and intermediary features, the proposed development would not pose any unacceptable impacts to residential amenity. Likewise, there would be adequate private amenity space for the future occupiers of the development with sufficient space for the drying of clothes, private sitting, and children's play.

Highway Safety, Traffic and Parking Provision

- 5.13 Policy T10 requires the local planning authority to consider various highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles.
- 5.14 Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.15 Access would be taken from the existing highway and where good visibility is available in both directions. It is anticipated that safe and suitable access can be secured for all users. The development would give rise to a minor number of movements, and it is not considered that there would be a material impact on capacity within the local highway network. Sufficient parking is accommodated within the proposal to comply with the relevant parking guidance.

Flood Risk and Drainage

- 5.16 Paragraph 159 of the NPPF confirms that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. When determining planning applications, paragraph 167 of the NPPF confirms that local planning authorities should ensure that flood risk is not increased elsewhere.
- 5.17 The site lies within Flood Zone 1, where flooding from rivers and the sea is very unlikely. There is less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year. Due to the minor nature of the scheme, and where there is no pre-existing flood or drainage issue, drainage matters would be secured through the Building Regulations. Nevertheless, there is no reason to consider that the development would lead to an increased risk of flooding elsewhere.

Ecology

- 5.18 Paragraphs 174 and 180 of the NPPF requires, inter alia, that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 5.19 The application is supported by both a Preliminary Ecological Appraisal and Biodiversity Enhancement Plan and Lighting Design Scheme. Subject to the recommended precautionary and enhancement measure proposed, there would be no adverse impact upon priority or protected species. Biodiversity net gains can also be secured.

Land Contamination

- 5.20 Paragraph 183 of the NPPF confirms that planning policies and decisions should ensure that:

‘a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation)’

- 5.21 The application is supported by a Desk Study and Risk Assessment. The assessment seeks to assess contamination sources, pathways, and receptors, and to determine whether any contamination may be present either within the site boundaries or just outside the site.
- 5.22 The assessment considers further investigation to be unnecessary noting the low risk of contamination.

Scheme Benefits

- 5.23 The development would provide for a new high-quality self-build home, where housing is of itself an important benefit, whilst making effective use of land and enhancing the character and appearance of the area. Equally, there would be opportunities to secure net gains to biodiversity.
- 5.24 The construction phase of the development will stimulate the local economy through the employment of construction workers and sourcing of building materials. The occupation of the development will provide further spend within the locality and support the vitality of surrounding communities. As a small scheme, it is capable of being delivered quickly which is an important benefit recognised by the NPPF (at para. 69).

Planning Balance and Conclusion

- 6.0 At the heart of the balancing exercise to be undertaken is section 38(6) of the *Planning and Compulsory Purchase Act 2004* which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 70(2) of the *Town and Country Planning Act 1990* reinforces that due regard must be paid to such considerations.
- 6.1 In this instance, the Site is subject to an extant planning permission for the conversion of an agricultural building to a dwelling. The implementation of the planning permission is a possibility and thus a 'real prospect'. Accordingly, the approved scheme represents a 'fallback position' for the development of the Site, a material consideration in the determination of this application.
- 6.2 As detailed within this Statement, the proposal now before the Council is to the betterment of the fallback position presented by the extant planning permission for conversion. Of itself, this is a material consideration that directs the decision maker to a grant of planning permission independent of other material considerations. On these grounds, the Council are respectfully requested to approve the application.

APPENDIX A

Heritage Statement

Introduction and Summary

- 1.0 This Heritage Statement has been prepared in support of the application for full planning permission for the erection of a dwelling at Land At Chandos Farm, Bull Road, Thornham Parva. It is provided due to the proximity between the application site and surrounding designated heritage asset; Chandos Farmhouse (Grade II).
- 1.1 Following Historic England guidance and in accordance with paragraph 194 of the NPPF, the potential impact of the development proposal upon the significance of the asset will be considered. It will be demonstrated that the proposed development would pose no harm to the significance of Chandos Farmhouse as the development would not affect its setting.

The Site and Its Evolution

- 1.2 The application site is as set out within the Planning Statement. The site is situated 50m north of Chandos Farmhouse and remains physically separated from the asset by an intervening range of agricultural buildings (within the Applicant's ownership) and Chandos Barns: their function as a separate holiday let and dwelling granted in 1992 and 2009 respectively.
- 1.3 As noted within the Planning Statement, the Site is subject to an extant planning permission for the conversion of the existing agricultural building to a dwelling. That development was considered to be acceptable by the local planning authority where no harm to Chandos Farmhouse was alleged.

Heritage-Based Legislation, Policy, and Guidance

Legislation

- 1.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the listed buildings Act") states that in considering whether to grant planning permission for development which affects a listed building or its setting, the decision-taker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses.
- 1.5 Case Law has indicated that this Section's statutory duty to 'pay special regard the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses', should be regarded as a 'strong presumption' against the grant of planning permission (*South Lakeland District Council v Secretary of State for the Environment and Another* [1992] 2 AC 141, p. 146), with harm to the significance of listed building being given 'considerable importance and weight' in the planning balance (as per *East Northamptonshire*

District Council v Secretary of State for Communities and Local Government [2015] 1 W.L.R. 45 (at paragraphs 26 to 29), *Jones v Mordue* [2016] 1 W.L.R. 2682 (at paragraphs 21 to 23), and *Palmer v Herefordshire Council and Anor* [2016] EWCA Civ 1061 (at paragraph 5)).

- 1.6 A finding of “no harm” would equate to ‘preservation’ within the meaning of the listed buildings Act, as per *R (Forge Field Society, Barraud and Rees) v. Sevenoaks DC* EWHC 1895.

Policy

- 1.7 The NPPF contains planning policies appurtenant to the historic environment under Section 16, ‘Conserving and enhancing the historic environment’.

- 1.8 The NPPF defines ‘heritage assets’ (of which listed buildings and conservation areas are designated heritage assets under the listed buildings Act) as being:

‘A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).’

- 1.9 ‘Significance’ is defined by the NPPF as:

‘The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.’

- 1.10 ‘Setting’ is defined as:

‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.’

- 1.11 Paragraph 194 of the NPPF states that, when determining applications, local planning authorities should require applicants to proportionately describe the significance of the heritage assets affected and any contribution made by their setting. That is the basis upon which this Heritage Statement has been produced.

- 1.12 Paragraph 199 transposes the requirements of the listed buildings Act and 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. It does, however, emphasises that such weight should be proportionate to its significance. The great weight should be given irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 1.13 Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 1.14 Paragraphs 201 and 202 address the balancing of harm against public benefits, whether that be 'less than substantial harm' (para. 202) or 'substantial harm' (para. 201). Given the very high bar set by what is considered to be 'substantial harm' and that no key elements of the significance of any heritage asset are affected by this development, only paragraph 202 is considered directly relevant to the assessment of impact which this development poses. Paragraph 202 states that where less than substantial harm will arise as a result of a proposed development, this harm should be weighed against the public benefits of a proposal, including securing its optimum viable use.
- 1.15 Development plan Policy CS5 requires all development to maintain and enhance the environment of the district, including the historic environment, and retain local distinctiveness of the area. Policy HB1 confirms high priority shall be placed on protecting the character and appearance of all buildings of architectural or historic interest with particular attention to the setting of listed buildings.

Historic England Guidance

- 1.16 The document *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment* (2008) predates the current policy framework applicable to this application and a revised version remains outstanding following consultation in 2017 and 2018. Its aims and objectives do, however, remain extant and it is helpful to recognise significance as falling within four, distinct categories of value: evidential, historical, aesthetic, and communal. It also defines "harm" as being: 'Change for the worse, here primarily referring to the effect of inappropriate interventions on the heritage values of a place.'
- 1.17 Since 2008, Historic England has produced a number of Good Practice Advice Notes (GPA), including:
- GPA2, *Managing Significance in Decision-Taking in the Historic Environment* (2015)
 - GPA3, *The Setting of Heritage Assets* (2nd Edition, 2017).
- 1.18 GPA2 makes clear that the first step for the preparation or determination of any application affecting heritage is to understand the significance of any affected heritage asset and the contribution of its setting to its significance. It also advises that:

‘Change to heritage assets is inevitable but it is only harmful when significance is damaged. The nature and importance of the significance that is affected will dictate the proportionate response to assessing that change, its justification, mitigation and any recording which may be needed if it is to go ahead’.

- 1.19 It is therefore clear that the identification of change within a heritage asset’s setting must not be confused with harm to that asset. Instead, the question which should be asked is whether the change would result in a diminution of its significance as a heritage asset.
- 1.20 GPA3 is applicable in this instance as the development poses no direct physical impacts upon heritage assets; given proximity it might be the case that their setting is impacted. The guidance within GPA3 is consistent with the NPPF and the two documents share the definition of ‘setting’. GPA3 also emphasises that “setting” is not a heritage asset, nor a heritage designation. Its importance lies in what it contributes to the significance of the heritage asset. It therefore follows that one cannot harm a setting; rather, inappropriate development might alter the setting of an asset such that its significance is affected.
- 1.21 For decision-taking purposes in assessing the indirect impacts and consequent effects that a development might pose to a heritage asset, GPA3 sets out a clear and methodical five-step process:
- i. Step 1 – Identify which heritage assets and their settings are affected;
 - ii. Step 2 – Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated;
 - iii. Step 3 – Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it;
 - iv. Step 4 – Explore ways to maximise enhancement and avoid or minimise harm;
 - v. Step 5 – Make and document the decision and monitor outcomes.
- 1.22 The Court of Appeal has recently stressed the importance of visibility when assessing setting but acknowledged that other factors should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgment (referring to an earlier Court of Appeal judgment):

‘But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56).

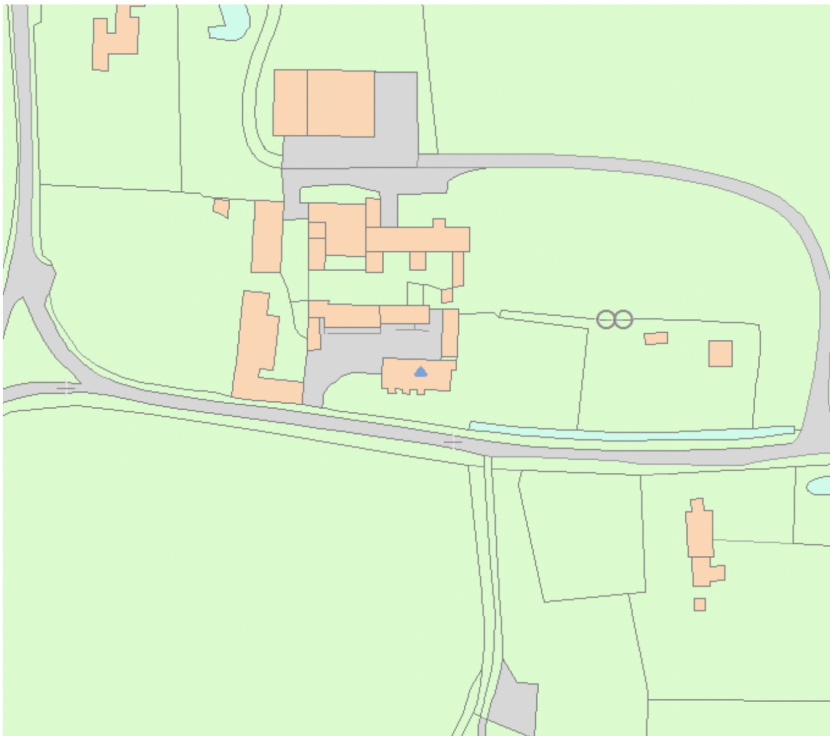
This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be

concentrating on visual and physical considerations, as in *Williams* (see also, for example, the first instance judgment in *R. (on the application of Miller) v North Yorkshire County Council* [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognises the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.’

- 1.23 What follows, therefore, is an assessment as to the likely impacts and effects that the development would pose upon nearby heritage asset Chandos Farmhouse.

Assessment

Chandos Farmhouse (denoted by blue triangle)



- 1.24 Chandos Farmhouse is a Grade II listed building (entry number: 1181187) with the following list description:

'Farmhouse. c.1600, extended, altered and reroofed early C18 for E. Simons, altered and extended mid C19. Timber frame, plastered. Red brick casing and additions. Steeply pitched plaintiled roof. A 3-cell lobby entry plan slightly extended to 8 bays and turned around with additions behind later service end to right to form a

large L on plan. 2 storeys and attic. Ground floor: entrance to right of centre between hall and service end, a C19 gabled porch with a 6-panelled door, architrave with hoodmould, blank shield of arms, finialed bargeboards, small lights in returns with Gothic glazing, hoodmoulds. Hall and parlour to left have C19 canted bay windows with 1:3:1 light casements with Gothic glazing, tiled heads, service bay to right has a similar 3-light casement with a hoodmould. First floor similar 3,3,2 and 3- light casements, cornice to boxed eaves. Rebuilt ridge stack to right of centre. Left end all early C18 brick, offset plinth, moulded kneelers to gable parapet, 'ES' in iron, axial internal stack. Right end 2,3 and 4-light casements, exposed plates and purlins, bargeboards. To rear centre and left a 2 storey continuous C19 lean-to, rat trap bonded red brick, kneelers to parapet, glazing bar casements with ground floor gauged brick flat arched heads, a door with a gabled hood. To rear right a lower 1 storey and attic C18 service bay with an outer 2-light casement and a dormer. A C20 link to formerly detached early C18 kitchen/dairy block of 5 bays, plastered timber frame with red brick gable end towards house, moulded kneelers to parapet, internal stack, doors to both sides, casements, pentice board to rear. Interior: frame largely concealed in C19, chamfered binding beam, mid-rail and storey posts, runout chamfered joists, some close studding, later tension bracing in right end wall, removed arched braces to tie beams. Staggered tenoned purlin roof with some reverse curved windbraces. Kitchen block has a stop chamfered binding beam and jowled posts.

- 1.25 As a Grade II listed building, Chandos Farmhouse has a greater significance than non-designated assets but less significance than those rated as Grade II* or Grade I. It is of special interest but around 91% of listed buildings fall within the GII category of significance. It still warrants, however, every effort to preserve that significance and is afforded statutory protection under the listed buildings Act.
- 1.26 Chandos Farmhouse remains situated within a generous plot whilst its orientation and architectural emphasis is focused to the wider southern prospect. The significance of Chandos Farmhouse is principally derived from its evidential, historic, and aesthetic value due to its historic fabric; its visual representation as a late sixteenth-century farmhouse with specific features of architectural interest; and its historic, functional and legible relationship to agriculture. In that regard its immediate setting clearly has a southern emphasis, however, the range of adjacent buildings, which formed part of the historic farmstead, also contribute to its significance in respect of how the asset is experienced. Over time, that context has changed considerably, exacerbated by a severing of ownership and occupation between the various buildings on the farmstead and physical changes to the landscape.
- 1.27 There is limited to no intervisibility between the application site and Chandos Farmhouse and the historical maps and aerial photos show that this has been the case for a significant period. The application proposes a dwelling within the boundaries of a site that has undergone a significant amount of change, including, most notably, the erection of substantial modern farm building. That building having already been subject to planning permission for conversion to a dwelling, which remains capable of implementation (in the event that the development subject to this application is not progressed). That of itself is an important consideration.

1.28 The development will not be read from within the curtilage or immediate setting of Chandos Farmhouse and *vice versa*. There is no visual relationship and no legible experience to be derived from the asset when considering the siting and presentation of the proposed development and the connection between those areas which has been fractured for a significant period of time. Accordingly, the development would not affect the setting of Chandos Farmhouse and thus does not register any element of “harm” to assets significance.