



Appeal Decision

Site visit made on 3 July 2020

by **G J Fort BA PGDip LLM MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 July 2020

Appeal Ref: APP/M2325/W/20/3246530

White House, Ballam Road, Westby with Plumpton FY8 4NG

- 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 Mr Christian Clayton against the decision of Fylde Borough Council.
 - The application Ref 19/0743, dated 11 September 2019, was refused by notice dated 18 November 2019.
 - The development proposed is described as "a new domestic access to the highway, and sealing off of existing access".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In the banner heading above I have used the description of development as set out on the planning application form. I have assessed the appeal on the basis of that description and the accompanying plans and documentation.

Main Issue

3. I consider the main issue in this appeal to be the effects of the proposed development on the character and appearance of the site and its surroundings, including whether it would preserve the setting of White House a Grade II Listed Building.

Reasons

Site, surroundings and proposed development

4. The appeal site consists of part of a wider agricultural field, bounded by hedges, with a gated access onto Ballam Road. Also included in the appeal site is the existing vehicular access from that highway to White House - a Grade II Listed Building. At the edge of a small cluster of buildings, the appeal site is set within surroundings comprising large and gently undulating fields, bounded by hedgerows and fences, which create an open landscape enabling long views. As a consequence, the site and its surroundings are strongly rural in character.
5. According to the Listing Description, White House was previously a farmhouse and formerly two dwellings, but now converted to one. White House is of a rural vernacular appearance; and both its unostentatious access arrangements, and the building's relationship to its plot are in evidence on the 1845 Ordnance

Survey map of the area supplied by the Council. The simple vernacular character of the building – emphasised by the historic relationship with its plot are the aspects of its significance and special interest of most relevance to the current appeal proposal. Moreover, the mature trees along and within the boundary of White House’s plot create clear visual and functional separation between the open agricultural character of the adjoining field and the leafy, more domestic appearance of the Listed Building’s grounds. These aspects are important elements of the Listed Building’s setting, which contribute to its significance and special interest.

6. Through hedgerow planting and the installation of a gate, the appeal proposal would see the partial blocking of the existing vehicular access to White House, whilst still enabling pedestrian access. In addition, the appeal scheme would construct a new vehicular access for White House through the adjacent field, which would involve changes in the vicinity of the existing field gate adjacent to Ballam Road. A gate would be set back from the edge of the field behind a splayed access surfaced in stone setts which would lead to a curved drive finished in tarmac. The drive would cross the field towards White House – allowing vehicles to access the side of its existing forecourt. Post and rail fencing would be positioned at either side of the proposed drive.

Character, appearance and setting

7. The field to which the proposed development would relate is part of a wider pattern of large regularly shaped fields. The proposed access drive, with post and rail fencing at either side, would result in a subdivision of the field imparting an appearance at odds with the field pattern and landscape character of its surroundings. This effect would be exacerbated by the alterations in the vicinity of the existing field gate, which would set the proposed gate further back in the field from the highway than the existing gate, behind a wide splay of stone setts which would impart a strongly domestic character to the roadside element of the field – an effect which the proposed planting would do little to soften. Although there is a similar vehicular access to the one proposed situated across the road from the appeal site, it relates much more closely to existing buildings, and for this reason does not intrude into the landscape to the extent that the appeal scheme would.
8. I note the appellant’s contention that the appeal scheme does not seek to extend White House’s curtilage, and that the use of stock proof fencing would retain the rest of the site for an agricultural use. However, for the reasons set out above, the proposed development would nevertheless result in a domestic intrusion that would erode both the field’s intrinsic character and the contribution it makes to its surroundings. The use of part of the field as a residential access for White House would also erode the historic integrity of the Listed Building’s layout and would obscure the visual and functional separation between its plot and the adjacent field. Consequently, for these reasons, the proposed development’s changes to the setting of White House would cause a detrimental effect to the Listed Building’s significance.
9. In reaching this view, I am mindful of the appellant’s point that the proposed development would avoid the necessity to make alterations to the existing access, which could have effects on the significance of the Listed Building. However, no definitive alternative proposals have been presented and, in any event, I have assessed the planning merits of the appeal on the basis of the

proposed development as described in the banner heading and as illustrated in the submitted plans. I also acknowledge that the proposed development would entail no change to the fabric of White House itself. However, this is merely indicative of an absence of harm in these regards rather than a positive benefit of the appeal scheme, and would not therefore justify the adverse effects that I have described. Neither would the appeal scheme's effects in these regards be mitigated by the proposed planting in the vicinity of the existing access to White House.

10. Accordingly, the above considerations, taken together, lead me to the conclusion on this main issue that the proposed development would cause harm to the character and appearance of the site and its surroundings. I also conclude, mindful of the duty imposed by s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, that the proposed development would not preserve the setting of White House. For these reasons, the appeal scheme would conflict with Policies GD7, ENV1 and ENV5 of the Fylde Local Plan (adopted October 2018) (the Local Plan), insofar as, taken together and amongst other things they seek to ensure that development has regard to its visual impact within its landscape; protects the significance and historic value of heritage assets; and is sympathetic to surrounding land uses with a siting and layout that relates well to the surrounding context.
11. Moreover, the appeal site is designated as countryside for the purposes of the development plan - a matter that is undisputed by the appellant. Policy GD4 of the Local Plan is restrictive of development in the countryside. Although the policy includes a limited number of exceptions to this general restriction the proposed development would not meet any of these – again a matter that is not disputed by the appellant. Consequently, in these terms the proposed development would conflict with Policy GD4 insofar as it seeks to protect the countryside from unacceptable development, which would harm its rural character.

Other Matter

12. I am mindful of the appellant's submitted material which shows the shortcomings of the existing access in terms of its narrowness and emerging visibility – and makes reference to a recorded accident further along Ballam Road, and references to other "loss of control" incidents. I note the Council's concerns that visibility splays recommended by the local highway authority may not be able to be achieved by the new access due to the presence of obstructions outside of the appellant's control adjacent to the appeal site. Nevertheless, according to the figures presented in the appellant's Highway Report¹ the proposed access would achieve visibility splays of 2.4 x 76m to the right, and of 2.4 x 36.5m to the left - which would be a considerable improvement on the emerging visibility available from the existing access; and the appeal scheme would also result in the cessation of use of the existing access. Furthermore, the proposed development could facilitate more convenient access for emergency service vehicles than White House's existing drive.
13. On the basis of these considerations, I readily accept that the proposed development would result in some localised improvement to highway safety. However, as the access relates to a single dwelling, vehicle movements

¹ Produced by AMNI Transportation, Dated 29 October 2019 – at Table 3

associated with it are likely to be relatively limited. Consequently, although the highway safety improvement achieved would be a public benefit, it would weigh only moderately in favour of the appeal scheme.

Planning Balance and Conclusion

14. The National Planning Policy Framework (the Framework) anticipates that once a finding of harm to the significance of a heritage asset, such as a Grade II Listed Building, has been made, that the magnitude of that harm should be assessed. It is clear in the current case that the proposed development would cause less than substantial harm to the significance of White House. However, the Framework makes clear² that “great weight” should be given to an asset’s conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The Framework also requires me to weigh such harm against the public benefits of a proposal³.
15. In the current case, for the reasons set out above, the proposed development would deliver public benefit in terms of its highway safety improvement. However, the moderate weight of that public benefit does not tip the overall planning balance in the appeal scheme’s favour when set against the great weight attracted by the harm that would be caused to the Listed Building’s significance. Consequently, the proposed development would conflict with the Framework insofar as it seeks to ensure that heritage assets are conserved in a manner appropriate to their significance.
16. Moreover, the other matters advanced in favour of the appeal scheme are not of a sufficient weight to justify a decision other than in accordance with the development plan with which, in terms of the above-referenced policies, it would clearly conflict.
17. Accordingly, for the reasons given above, and taking fully into account all other matters raised, I conclude that the appeal should be dismissed.

G J Fort

INSPECTOR

² At paragraph 193

³ At paragraph 196