
Appeal Decision

Site visit made on 6 December 2016

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 December 2016

Appeal Ref: APP/X1545/W/16/3156248

Woodham Mortimer Lodge, Lodge Road, Woodham Mortimer, Essex CM9 6SJ

- 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 Philip Garvin against the decision of Maldon District Council.
 - The application Ref FUL/MAL/15/00146, dated 6 February 2015, was refused by notice dated 18 May 2016.
 - The development is brick pier and metal entrance gates to barn site. Internal arrangement and relocation of access door to barn.
-

Decision

1. The appeal is allowed and planning permission is granted for brick pier and metal entrance gates to barn site. Internal arrangement and relocation of access door to barn at Woodham Mortimer Lodge, Lodge Road, Woodham Mortimer, Essex CM9 6SJ in accordance with the terms of the application, Ref FUL/MAL/15/00146, dated 6 February 2015.

Preliminary matter

2. The development has already been carried out and completed on site. I have therefore determined the appeal under S73A of the Act.

Main Issues

3. The main issue is the effect of the brick pier and metal entrance gates on the character and appearance of the area.

Reasons

4. The appeal site sits within the open countryside and is an area of land containing an agricultural barn and some enclosed pens. It is accessed from Lodge Road via an entrance about 4.6 metres in width which is marked by the gates which are partly the subject of this appeal.
 5. The Council state that the site is within the Woodham Scarp Special Landscape Area but offer no further explanation of the reason for this designation. I saw that the landscape was gently undulating fields enclosed by hedgerows. While the area therefore has a rural character and appearance sporadic housing development is sited along Lodge Road enclosed by hedges and gates.
 6. The gates on the appeal site constitute two 2.7 metre high brick piers topped with stone capping and ball finials with black iron entrance gates
-

with elaborate decorative ironmongery. They are designed to match the entrance gates to Woodham Mortimer Lodge which are sited directly opposite the appeal site.

7. While the gates are ornate therefore, they are not unique within the local area. Furthermore, they reflect the examples of gates I saw in the surrounding area many of which incorporated brick piers and metal gates. I acknowledge that most of those were gates to residential dwellings rather than agricultural land. Nonetheless, they contribute to the overall character and appearance of the area. Moreover, while I saw gates of a simpler design serving fields, the gates the subject of this appeal serve a substantial agricultural barn. The building is of an attractive design incorporating traditional materials and detailing. As a result the gates when viewed in conjunction with the barn do not compete with it or dominate it to an unacceptable degree.
8. The gates are set slightly back from the road behind the existing hedge and low fence to each side of the brick piers. As a result therefore views of the gates from the wider area are very limited. I saw that the immediate view of the gates is in conjunction with those they are designed to match on the opposite side of the road. As a result they reflect the local context of boundary treatment and do not appear out of place or obtrusive.
9. The relocation of the access door to the barn has also been undertaken. I saw nothing on my site visit that would lead me to disagree with the Council's view that the alteration would not be harmful to the character and appearance of the barn or its wider rural setting.
10. For the reasons above I conclude that the brick piers and metal entrance gates are not harmful to the character and appearance of the area. There is therefore no conflict with saved Policies BE1 and CC6 of the Maldon District Replacement Local Plan 2005, emerging Policy D1 of the Submitted Local Development Plan 2014-2029 and the guidance contained in the National Planning Policy Framework. These require that development is of high quality design that is compatible with its surroundings, does not cause harm to the landscape character of the locality and respects and enhances character and local context.

Other matters

11. Woodham Mortimer Lodge to the south west of the appeal site is a listed building grade II. The gates are viewed in the context of the matching gates and piers to the listed building. I would concur with the Council therefore that they are not harmful to the setting of Woodham Mortimer Lodge.

Conclusion

12. For the reasons set out above, and having regard to all other matters raised, including the comments of the Parish Council, I conclude that the appeal should be allowed.

Zoe Raygen

INSPECTOR