



Appeal Decision

Site visit made on 1 October 2019

by P Mileham BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2019

Appeal Ref: APP/Z1510/W/19/3232964

Barn B, Highfields Farm, West Street, Coggeshall CO6 1NT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 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 D Rudd against Braintree District Council.
 - The application Ref 18/02117/FUL, is dated 23 November 2018.
 - The development proposed is the erection of a detached garage/carport building.
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Decision

1. The appeal is dismissed and planning permission is refused for the erection of a detached garage/carport building.

Application for costs

2. An application for costs was made by Mr D Rudd against Braintree District Council. This application is the subject of a separate Decision.

Procedural Matter

3. The appellant has drawn my attention to concerns raised by the Council which suggest that the part of the appeal site where the garage/carport building would be located is not residential garden land. Notwithstanding that, it is clear that the proposal is associated with a barn conversion for residential use which from the evidence before me has been commenced. Furthermore, the appeal application is a full application for planning permission and to my mind it is clear that the development proposed is associated with a residential use. That said, given that a change of use of the land has not been applied for I have treated the proposal as being purely for the erection of the garage/carport and associated access and not for any other development (including any change of use) within the defined application site.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site has distinctly rural character to it and there are opportunities for views to/from the site into the open countryside across to the A120 road to the north and west as well as from West Street. The appeal site itself is an area of paddock land which includes several mature trees located to the north east of what is referred to as 'Barn B', Highfields Farm. There are a number of other

barns within this part of Highfields Farm that have been converted to residential accommodation or are currently under conversion, although at the time of my visit, very little work had been done to convert Barn B into its intended new use. From the evidence before me, the permitted conversion of Barn B including a double garage within the converted barn. The appeal development would in effect relocate the parking approved for Barn B into a new location separate from the main barn.

6. Policy RLP2 of the Braintree District Local Plan Review (2005) ('the BDLPR') seeks to confine new development to within town development boundaries and village envelopes. Policy RLP90(v) of the BDLPR indicates that planning permission will only be granted where, amongst other things, the layout of buildings shall be in harmony with the character and appearance of the surrounding area.
7. The site is located outside the village envelope and proposed carport/garage building would introduce a new building into the open countryside. Whilst there are a number of other converted barns in the vicinity at Highfield Farm, these are contained within a relatively compact area. The siting of the building directly adjacent the northern boundary would have the effect of increasing the amount of built development into the open countryside beyond neighbouring building to the east (part of The Old Milking Barn). As such, the proposal would increase the quantity of built development in this location and would result in further development into the open countryside beyond the existing enclave of buildings.
8. As part of the planning submission, a hawthorn hedge of (initially) 80 centimetres high is proposed along the boundaries to the appeal site along with some tree planting to the west and south of the appeal building. However, I consider that such landscaping would not provide a suitable level of screening, nor would such screening justify an additional building in the location proposed. With that in mind, I consider that a planning condition requiring additional landscaping would not be appropriate should I be minded to allow the appeal. This is particularly the case as there is little opportunity for suitable planting along the northern boundary to the site owing to the proximity of the building.
9. Taking these factors into account, I consider the siting of the proposed building would result in harm to the rural character and appearance of the area by introducing additional development in the open countryside.
10. Turning to the design aspects of the proposal, the building would have a brick plinth base with black weatherboard finish and a tiled roof. The proposed external materials would accord with the brick and weatherboard used on the adjacent buildings (The Old Milking Barn and Nos 1 and 2 The Grain Store) which have similar black weatherboarding. However, the proposed building would use uPVC guttering which would not be sympathetic to the older buildings on site. However, the use of alternative materials for the guttering is a matter that could be addressed via a planning condition requiring submission of details of alternative materials. A number of photovoltaic (PV) panels are also proposed on the southern roof slope and these have been set in from the eaves and ridge. This provides an acceptable relationship between the PV panels and the visibility of remaining roof slope. However, these positive aspects do not outweigh the overall harm I have found.

11. It has been brought to my attention that Highfields Farmhouse located to the south of the site is a Grade II Listed Building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving the building or its setting, to which I attached considerable importance and weight.
12. The appeal building would be approximately 50 metres north of Highfields Farmhouse, and there are other intervening buildings between the Farmhouse and the appeal site, including Barn B (which has been approved for residential conversion), and another converted barn known as The Grain Store. The proposed development would be at the very northern extent of the former farmyard, and due to its single storey height would not be visible from Highfields Farmhouse. In my view the proposal would not affect any views to or from the farmhouse which is also the view of the Councils consultees on this matter. Considering all of the above, I therefore consider that the development would not affect the setting of this listed building.
13. For the above reasons the development would harm the rural character and appearance of the area and would conflict with Policies RLP2 and RLP90 of the BDLPR which amongst other matters seek to restrict new development in the open countryside and ensure the layout of buildings is in harmony with the character and appearance of the surrounding area.

Other matters

14. In addition to the above, and in the absence of a detailed consideration of the planning merits of the proposal by the Council, I have also considered whether the development would give rise to any other harm. However, from all the evidence before me I have not found any material planning harm other than that I have identified above which would provide a further compelling reason why planning permission should be withheld.

Conclusion

15. Taking all matters into consideration, I conclude that the appeal should be dismissed.

P Mileham

INSPECTOR