
Appeal Decision

Site visit made on 25 February 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th March 2020

Appeal Ref: APP/F3545/W/19/3243028

Lilley Barn, Turnpike Hill, Withersfield CB9 7RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr A. J. Cocks against the decision of West Suffolk Council.
 - The application Ref: DC/19/1675/OUT, dated 14 August 2019, was refused by notice dated 15 November 2019.
 - The development is a proposed new dwelling on land to the south-east of Lilley Barn.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline, with all matters reserved. I have had regard to the submitted plans on an indicative basis only.

Main Issues

3. The main issues are:
 - the effect of the development upon the character and appearance of the surrounding area, with particular reference to the setting of the Withersfield Conservation Area (the CA); and
 - the effect of the development upon the setting of the neighbouring property at Lilley Barn.

Reasons

Character and appearance

4. The appeal site is located adjacent to the CA. Development within the CA is typically arranged in a linear form with gardens surrounding each dwelling. This gives the built form a more verdant and open character and allows for glimpsed views of the countryside beyond the settlement. Buildings are generally constructed in more historical forms of architecture, which adds to the significance of the CA. Whilst some more modern buildings are present, these maintain the character of the area as they are generally of limited heights and retain a degree of openness.
5. The proposed dwelling would be situated in between the dwelling of Lilley Barn (which is a converted barn), and the neighbouring dwelling of Blackberry Cottage. Whilst I acknowledge that these are set back from the highway, they

- do feature a gap between them that contributes to the general character of openness within the CA and provides views of the countryside beyond the settlement.
6. In consequence, the proposed dwelling would close this visual gap between the two buildings. The development, in this regard, would erode one of the defining features of the character of the area and, in consequence, have a detrimental effect upon the setting of the CA.
 7. In addition, as discussed, the character of the immediate environs of the appeal site is defined by the presence of linear forms of development. The proposed development would conflict with this prevailing characteristic owing to the indicative details showing that the front elevation of the proposed dwelling being set behind the rear elevation of the neighbouring dwelling of Lilley Barn.
 8. This form of development and the relationship between the proposed and existing dwellings is of concerns as the site, and the gap between the existing dwelling and Blackberry Cottage, is clearly visible from the road. In consequence, the proposed development would have an undue level of prominence within the vicinity. Accordingly, the proposed development would have a prominent position within the surrounding area, thereby exacerbating the incongruous form of development.
 9. I therefore conclude that the proposed development would have an adverse effect upon the setting of the CA. The development, in this regard, would fail to accord with the requirements of Policies DM2, DM17 and DM22 of Rural Vision: 2031 (2014) (Rural Vision). These policies, amongst other matters, seek to ensure that new developments recognise local distinctiveness; preserve or enhance the setting of conservation areas; and utilise characteristics of the locality to create buildings that have a strong sense of place and distinctiveness.

Effect on Lilley Barn

10. The site contains an existing dwelling (known as Lilley Barn). The submitted evidence indicates that this building was originally constructed as an agricultural barn. The dwelling is attached to a further dwelling (Summerwood Barn), which also appears to have originally been a barn. At an angle to these dwellings is Hill Barn, which is of a similar design and construction. In line with this, is the listed building of Lilley Farm House. Together these buildings, by reason of their design, layout and form have a significant inter-dependent relationship.
11. In particular, a key element is the fact that their strong linear form creates a sense of enclosure in between the aforementioned buildings which highlights their past related uses. Furthermore, additional buildings and boundary treatments within this space are generally of lower heights and smaller footprints, thereby maintaining the original setting of these buildings.
12. The introduction of the proposed dwelling would erode this distinctive setting. This is due to the details of the proposed building being of an architectural style and palette of materials that differ from the listed building and particularly, the former barns. Given their relative proximity, this juxtaposition would appear unduly strident and incongruous.

13. As the proposed dwelling would be set further back than the existing dwelling, it would be located within the area that has a strong sense of enclosure emanating from the relative positions of the rear elevations of the former barn buildings and the listed farmhouse.
14. In addition, the proposed dwelling would have a height of two storeys. It would therefore appear to be noticeably taller than the current boundary treatments and outbuildings that are sited within this space. Accordingly, the impacts of the proposed development are much greater and therefore there would be a greater erosion of the setting of Lilley Barn, and the other inter-related buildings.
15. The area adjacent to the various former barns and the Listed Building also form a transitional space between the built form of Withersfield and the countryside beyond. Therefore, the significant change that would emanate from the construction of the proposed dwelling arising from a loss of openness, would have an adverse effect on the setting of Lilley Barn. This would be in addition to an adverse effect on the interdependent relationship between the existing dwellings and the listed building.
16. There is some debate as to whether the barn is a curtilage listed building, however, if I were to agree that it did benefit from this status, my concerns would be enhanced. In any event, I have identified harm to the setting of the barn and that of the interdependent former barns and farmhouse.
17. I therefore conclude that the proposed development would have an adverse effect upon the setting of the building at Lilley Barn arising from the erosion of the character of the space that forms an interdependent relationship between the neighbouring dwelling, other converted barns and the listed building. The development would therefore fail to accord with the requirements of Policy DM15 of Rural Vision. This policy, amongst other matters, seeks to ensure that new developments should not detract from the listed building's architectural or historic features that contribute to its special interest.

Planning Balance and Conclusion

18. I have identified harm to the CA. This harm is less than substantial. In line with the requirements of the National Planning Policy Framework, I am required to balance this harm against any public benefits that might exist. I acknowledge that the proposed development would result in an increase in the local supply of housing, in addition to any economic benefits that would arise from the construction process. However, such benefits are small-scale and relatively localised in impact. Accordingly, I do not believe that the harm would be outweighed.
19. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR