



Appeal Decision

Site visit made on 11 August 2020

by Philip Lewis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2020

Appeal Ref: APP/F2605/W/20/3248144

The Old Rectory, Honeypt Lane, Longham, Dereham NR19 2RG

- 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 Tony Barker against the decision of Breckland District Council.
 - The application Ref 3PL/2019/1199/F, dated 17 September 2019, was refused by notice dated 31 October 2019.
 - The development proposed was originally described as 'erection of 2 bed dwelling as an annexe to The Old Rectory'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Written confirmation is provided that a revised description of development has been agreed to provide clarity that the proposal is for the development of a 2 bed annexe to the Old Rectory, rather than an independent dwelling. The Council dealt with the application on that basis and so will I.
3. Since the Council made its decision on the application, it has adopted the Breckland Local Plan (BLP). The BLP superseded the policies of the Breckland Core Strategy and Development Control Policies Development Plan Document (CS) contained in the reasons for refusal. The parties have had the opportunity to comment on the implications of the adoption of the BLP for their cases through the appeal process.

Main Issue

4. The Council refused the application for two reasons. The first reason is that the proposal is not considered to meet the aims and objectives of CS Policy DC2 due to its distance from the host dwelling and insufficient evidence provided in respect of alternatives considered. CS Policy DC2 has been superseded and the BLP does not have an equivalent policy in respect of the development of annexes. Consequently, the specific conflict in respect of CS Policy DC2 has fallen away. The Council has accepted the need for the proposed annexe and the principle of development is not contested.

5. The main issue for the appeal therefore is the effect of the proposal on the character and appearance of the area.

Reasons

6. The Old Rectory is a substantial dwelling situated in the countryside. I saw at my site visit that it sits in enclosed grounds, along with a number of outbuildings and tennis courts. The grounds are enclosed by hedges and mature trees. The settlement pattern of the area is typically one of scattered dwellings and agricultural buildings, sitting between small villages.
7. The proposed annexe would be a single storey building with a flat roof of a contemporary pavilion style design, set within landscaped mounds. The building would be predominately glazed with Tectiva panels and timber boarding. It would be sited some distance away from the Old Rectory in an area of open grassland, close to the main access.
8. The proposed development would be sited in a part of the grounds from where there would be some visibility from Honeypot Lane via the access. Whilst the building would be of an attractive design, it would not be apparent to the observer that there was a functional relationship with the Old Rectory. Consequently, the building would appear as an isolated intrusion in this countryside location.
9. The appellant has sought to justify the provision of a separate building sited away from the Old Rectory for the annexe on a number of grounds. I agree that the Old Rectory is an attractive traditional dwelling and that the provision of a separate building would ensure that its character and appearance would not be compromised. However, given that the building proposed is an annexe, rather than an independent dwelling, I give little weight to the argument that the separation proposed between the two is necessary to provide privacy and to maintain views. In addition, the personal preferences as to how the buildings would be occupied also carry little weight. Whilst CS Policy DC2 is no longer part of the development plan, the functional relationship of the annexe and the Old Rectory is still nevertheless a consideration for the appeal. Given the extent of the grounds and possible opportunities for siting subsidiary accommodation, I do not consider that the siting of the building, away from the Old Rectory in the open land close to the site access has been justified.
10. BLP Policy COM 01 Design requires new development to be designed to the highest possible standards. In this case the proposed annexe would be an attractive contemporary building with landscaping but one which would not integrate to a high degree of compatibility with the surrounding area in terms of the layout of the site and would not reinforce the positive and distinctive local character of the area. In addition, the appeal scheme does not respond appropriately to the existing pattern of development. It is therefore in conflict with this policy. Furthermore, the proposed development conflicts with BLP Policy ENV 05 which is concerned with the protection and enhancement of the landscape.
11. The Council has referred me to Policy HOU 11 of the BLP as it considers that the annexe proposal also falls within this policy. Given that it is concerned with the replacement, extension or alteration of rural dwellings, I agree. In this case, the proposal, by virtue of its contemporary design and its scale respects the character of the Old Rectory. However, it is not in keeping with the Old

Rectory in terms of its appearance and therefore conflicts with criterion C of the Policy.

12. The proposal would therefore give rise to unacceptable harm to the character and appearance of the area contrary to BLP Policies COM 01, ENV 05 and HOU 11.

Other matters

13. I have had regard to the appellants wish to live out the remaining years of their lives in close connection with family and their original home but that does not lead me to a different decision. I have also had regard to the previous appeal decision relating to the site (APP/F2605/W/18/3216004).
14. The proposal would bring some limited benefits in terms of short-term construction benefits and would provide an accessible retirement home for the appellants, with space for a live-in carer. These factors however do not outweigh the harm found.

Conclusion

15. For the reasons set out above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Philip Lewis

INSPECTOR