



Appeal Decision

Site visit made on 2 September 2020

by P Mileham BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th September 2020

Appeal Ref: APP/L2630/W/20/3251965

2 Malthouse Farm Barns, Malthouse Lane, Gissing IP22 5UT

- 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 and Mrs Bradley and Cathy Smith against the decision of South Norfolk District Council.
 - The application Ref 2020/0003, dated 19 December 2019, was refused by notice dated 05 March 2020.
 - The development proposed is described as two new attached garages and change of use of land from farmland to residential.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council and third parties have made reference to the potential commencement of work on site in the form of the placing of some hardstanding at the site access. The appellant has indicated this relates to the need for construction vehicles to access another approved development on the site for the conversion to a residential dwelling. As such, these activities are a separate matter between the Council and the appellant.

Main Issue

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

Reasons

4. The appeal site is a strip of farmland adjacent to the property known as No.2 Malthouse Farm Barns. The site is an area of farmland located to the northern extent of a small cluster of dwellings along Malthouse Lane. The area is predominantly rural in character with only the small sporadic cluster of dwellings to the south of the appeal site and another dwelling (Hall Green Cottage) is located a moderate distance along Malthouse Lane to the east. There is an existing mature hedge boundary of approximately 2 metres in height adjacent to No.2 which is interspersed with a number of small trees which forms a boundary between the dwelling and the adjacent farmland. The appeal site has no hedge boundary or other screening to its northern extent and is otherwise open to the remainder of the field.

5. No.2 Malthouse Farm Barns and the adjoining building (which is currently being converted) form a distinct boundary to the cluster of development on this side of Malthouse Lane. The existing hedge provides a clear boundary to the small cluster of residential development in this part of Malthouse Lane. The proposal would introduce additional buildings in the form of the two proposed garages northwards of the existing dwelling and the further dwelling that is currently under construction. Although the site is relatively narrow at around 10 metres in depth, it is of a significant length and as a result, the change in the nature of the land would result in the encroachment of residential use further to the north beyond the existing buildings into the open countryside.
6. The introduction of additional residential use would change the character of the appeal site from agricultural land to residential, and in doing so would likely result in the domestication of the appeal site. In addition to the proposed driveway surfacing and fencing, this domestication would likely include the introduction of domestic paraphernalia into an area where this has not previously been present. The appellant has indicated that the appeal site was historically part of a former farmyard with activity taking place on the land in question. However, the appellant's statement indicates this was a considerable number of years ago and there were no visible remnants of this former use present. As such, I consider the proposal would introduce domestic features and activity into the area that would harm the rural character of the area.
7. The proposal indicates that a new wood rail fence would be erected along the northern boundary of the appeal site. However, the formality and regularity of a fence would compound the sense of domestication of the site and would be out of character with the area where hedges are predominantly used as boundary treatments. The nature of the boundary treatment to the north could be addressed through the imposition of a planning condition requiring hedging instead of the proposed fencing. However, in light of my concerns regarding the additional extent of domestication in the countryside, I do not consider a condition in relation to the boundary treatment would be sufficient to address my concerns in regard to the effect of the proposal on the character of the area.
8. The appellants have indicated that the proposal would provide improvements by virtue of the creation of the new access drive and thereby improve the setting of No.1 and No.3 Malthouse Farm Barns. Whilst the separation of accesses would remove some vehicles from around No.1 and No.3, there is no indication of what any existing harmful effects in this part of the site might be. Whilst the proposal would remove parked vehicles from the setting of No.1 and No.3, this would have a very limited benefit as only a small number of vehicles might be removed. As such, this would not be sufficient to outweigh the harm I have identified to the character and appearance of the area.
9. In light of the above, I conclude that the proposed development would result in harm to the character and appearance of the area. As such, it would be contrary to policies DM2.8 and DM4.5 of the South Norfolk Local Plan Development Management Policies Document (2015) which state respectively that proposals to change the use of agricultural land to land ancillary to residential dwellings will be permitted subject to no significant adverse impact on the character and visual appearance of the countryside and development proposals that would cause significant adverse impact on the distinctive landscape characteristics of an area will be refused.

Other matters

10. The proposed development is in proximity to Malthouse Farm Barn which is a Listed Building. Due to the separation of the proposal from the main farmhouse, I consider that the proposal would not result in harm to the setting of the nearby 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.
11. The appellant has indicated that the proposal would not result in harm to the adjacent footpath, however, this would be expected of any such development and as a result has a neutral effect on the scheme. As such, this has not altered my decision.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

P Mileham

INSPECTOR