



Appeal Decision

Site Visit made on 10 August 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Monday, 13 September 2021

Appeal Ref: APP/W3520/W/21/3270331

Riverside Barn, Kettle Lane, Creting St. Mary IP6 8LL

- 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 M. Ames against the decision of Mid Suffolk District Council.
 - The application Ref DC/20/04903, dated 2 November 2020, was refused by notice dated 31 December 2020.
 - The development proposed an erection of pool building and home gymnasium; single storey extension to dwelling house.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Following the submission of this appeal, a revised version of the National Planning Policy Framework (the Framework) has been published. I have considered the proposals in the light of this revised document, having first given the parties an opportunity to comment on its content.

Main Issues

3. The main issues are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - the effect of the development upon the character and appearance of the Listed Building.

Reasons

Character and appearance

4. The appeal site consists of a linear building constructed from traditional materials to a comparatively simple and traditional design. The dwelling is also near to an outbuilding, which is also constructed to a traditional design. Owing to this building being of smaller proportions, it has an ancillary relationship with the dwelling.
5. The appeal site is located outside of settlement boundaries and the buildings that are located within the vicinity of the appeal site are generally of limited sizes and are appropriate towards the rural surroundings. Whilst the proposed development would not result in an encroachment into the countryside, it would result in the erosion of the site's more open character. This is because it

- would create of a significant increase in the level of floor space at the appeal property.
6. The proposed extension would result in the dwelling projecting forward of the main elevation of the existing dwelling. This would conflict with the predominantly linear form of the dwelling. In addition, the proportions of the extension would mean that the outbuilding would be enveloped by the proposed extension. This means that the proposed extension would not represent a subordinate addition to the original dwelling.
 7. Therefore, the proposed development would result in a significantly larger dwelling, which would mean that the dwelling would no longer be characterised by its traditional and rural design and character. This would occur irrespective of the fact that the proposed development would be located on land that is within the curtilage of the appellant's dwelling.
 8. In addition, the proposed extension would feature several projecting elements and in particular, several gables would be visible. This form of development contrasts with the style of architecture that is utilised on the original dwelling. In consequence, the proposed extension would appear discordant.
 9. This is a concern given the relative prominence of the appeal site. In particular, views of the proposed development would be visible from the neighbouring properties. In addition, some elements of the development would be visible, at least in parts, from the nearby road and a footpath. In result, the proposed development would be a strident addition.
 10. Whilst the proposed development includes some detailing that is consistent with the style of the existing dwelling, this does not overcome the harm arising from the increase in built form.
 11. I understand that planning permission has previously been granted for an outbuilding near to the site of the proposed development before me. However, this would not be as prominent as the appeal scheme and therefore would not have the same adverse effects. I therefore find that this permission does not allow me to disregard my previous concerns.
 12. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with Policies SB2, GP1 and H18 of the Mid-Suffolk Local Plan (1998) (the Local Plan). Amongst other matters, these seek to ensure that new developments are appropriate for their surroundings; maintain or enhance the character of their surroundings; and are in keeping with the size and design of the existing dwelling.

Character and appearance on the Listed Building

13. The appeal site is near to the Grade II Listed Building comprising the former farmhouse. For the purposes of this appeal, the significance of the listed building is, in part, derived from the presence of a significantly sized dwelling surrounded by open areas indicative of the former use of the site and the presence of subordinately designed buildings. In result, the setting of the Listed Building contributes to its significance.

14. In addition, elements of the Listed Building are visible from the appeal site, which highlights the inter-relationship between the appeal site and the listed building.
15. The proposed development would result in a significantly larger dwelling close to the Listed Building. This would therefore erode the relationship of the Listed Building and subordinate buildings nearby. In consequence, there would be an erosion of the Listed Building's open character.
16. Whilst physically separate, the significance of the Listed Building is, in part, derived from the presence of open areas, which would be diminished by the proposed development. Furthermore, parts of the Listed Building are viewable from the appeal site. Therefore, the proposed development would result in an erosion of the Listed Building's prominence, which would represent an adverse effect upon its setting.
17. In addition, the proposed development would result in a loss of the open space in the vicinity of the Listed Building. This would therefore erode the character of the Listed Building as it would be surrounded by a more urban character.
18. Although other developments have been carried out in the vicinity of the Listed Building, the farmhouse retains its position as the predominant building within the wider environment. The proposed development would conflict with this owing to its scale. This also means that the sense of open space around the Listed Building would be reduced by the proposed development.
19. Owing to the positioning of the appeal site, this level of harm would be less than substantial. However, the positioning of the appeal site contributes to the overall setting of the Listed Building.
20. Whilst the proposed development is unlikely to have an adverse effect upon other heritage assets within the surrounding area, this does not overcome my previous concerns.
21. I therefore conclude that the proposal would have an adverse effect upon the character and appearance of the Listed Building. The development, in this regard, would conflict with the requirements of Local Plan Policies H18 and HB1. These, amongst other matters, seek to ensure that developments do not adversely affect listed buildings; and protect the character and appearance of buildings of historic interest.

Planning Balance

22. The harm that would occur to the setting of the Listed Building would not be severe and therefore it would be 'less than substantial' within the meaning of the Framework. Paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal.
23. The proposed development would generate some economic benefits due to the construction process and support of businesses of occupiers of the dwelling. However, such benefits, by reason of the size of the development would be small scale and limited in impact.
24. Therefore, when giving significant importance and weight to the special attention I must pay to the desirability of preserving or enhancing the setting of the Listed Building, I find that the harm that would arise from the proposal

would not be outweighed by its limited public benefits. Accordingly, there would be a conflict with Paragraph 200 of the Framework as harm to designated heritage assets would not have clear and convincing justification.

Conclusion

25. The proposal would therefore have an adverse effect upon the character and appearance of the surrounding area and the setting of the Listed Building. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR