



Appeal Decision

Site visit made on 12 January 2022

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th January 2022

Appeal Ref: APP/W3520/W/21/3277938

Abbots Lodge, The Street, Drinkstone, IP30 9SX

- 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 J Beard against the decision of Mid Suffolk District Council.
 - The application Ref DC/21/01339, dated 5 March 2021, was refused by notice dated 4 May 2021.
 - The development proposed is described as "Erection of detached dwelling. Construction of access. Erection of Cart Lodge serving Abbots Lodge."
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Decision

1. The appeal is allowed, and planning permission is granted for erection of detached dwelling. Construction of access. Erection of Cart Lodge serving Abbots Lodge at Abbots Lodge, The Street, Drinkstone, IP30 9SX in accordance with the terms of the application, Ref DC/21/01339, dated 5 March 2021, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. Outline planning permission has previously been granted for a dwelling on this site. This appeal seeks full planning permission rather than reserved matters permission, but the outline permission remains a material consideration. Approval for reserved matters was granted after this appeal was submitted, but I have not been provided with details of the approved reserved matters.

Main Issue

3. The main issue is the effect of the proposed development on the setting of Abbots Lodge, a Grade II listed building.

Reasons

4. Abbots Lodge is a two-storey timber-framed and plastered house originally dating from the sixteenth century, and subsequently extended and altered. Its listing notes that the historic building includes an outshot of original or early origin which is a rare feature at this date. A subsequent twentieth century addition projecting towards the appeal site is not of special interest. The significance of the building derives principally from its historic architectural interest. The setting of the building comprises its surroundings, principally the grounds of the property but also the wider area in which it can be seen and experienced.
5. As Abbots Lodge is a Grade II listed building, I have had special regard to the desirability of preserving the building or its setting or any features of special

architectural or historic interest which it possesses. The National Planning Policy Framework (the Framework) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

6. The Council's reason for refusal focused on the effect of the proposed dwelling on the listed building, and no objection was made to its design. The Council also raised no objection to the proposed cart lodge. I see no reason to disagree with these conclusions.
7. The proposed house would lie at the end of Abbots Lodge's garden, which projects along The Street, and it would have a separate access onto The Street. The house would be set partly into the ground, with its highest ridgeline set below that of the twentieth century addition to Abbots Lodge, which is the closest part of the listed building to the appeal site. The house would be visible from the proposed access. However, it would benefit from screening from the retained trees and boundary fencing and would not appear unduly prominent in the street scene.
8. There would also be a considerable separation distance between Abbots Lodge and the proposed dwelling. The proposed boundary between the two houses would be around nine metres from the new house, and a greater distance from Abbots Lodge. The solid boundary and large number of mature trees along the frontage with The Street and within the site would substantially limit the extent to which the existing and proposed houses would be seen together. While the appeal proposal would reduce the spaciousness of the wider site, the house would be subordinate to Abbots Lodge due to its lower ridgeline and would be sufficiently distant that it would not appear unduly prominent within its setting. While excavations would be necessary to set the proposed house at a lower level, the distance to the listed building would ensure that these would not harmfully affect its significance.
9. The proposed house would lie to the south of Abbots Lodge, which is principally visible in the street scene from the north and west. The appeal settlement comprises houses of varied size, appearance, and separation to neighbouring properties. Within this context the proposed house would not appear out of keeping or unduly prominent.
10. The appeal proposal would not therefore be harmful to the setting of the listed building. It would consequently accord with the requirements of Policies GP1 & HB1 of the Mid Suffolk Local Plan 1998 and Policy CS1, CS2 & CS5 of the Mid Suffolk Core Strategy 2008. Collectively these require that new development maintain or enhance the character and appearance of their surroundings and respect the scale and density of surrounding development and state that particular attention will be given to protecting the settings of listed buildings.

Conditions

11. I have considered the conditions suggested by the Council. Where necessary, I have amended the wording in accordance with national planning practice guidance.
12. I have imposed the standard condition relating to the commencement of development (1), as well as one specifying the approved plans for the sake of certainty (2).

13. The appeal site lies within the setting of a listed building and the proposed external materials are not detailed on the approved plans. A condition requiring their approval (3) is necessary to ensure that the finished appearance of the building is acceptable.
14. A condition relating to landscaping of the appeal site is necessary to ensure that the site as a whole will appear acceptable, including the retention of mature trees that contribute to its appearance (4). As this condition requires submission of boundary details, a separate condition on this matter is not required.
15. While the appeal site lies within the setting of a listed building the proposed house would be separated from it by a considerable distance. Approval of details of the windows and doors to the house beyond that shown on the approved plans is not therefore necessary.
16. No justification has been provided by the Council to show why it is reasonable or necessary to remove permitted development rights from the proposed house, and therefore no condition doing so is imposed.

Conclusion

17. For the reasons set out above, the appeal succeeds.

M Chalk

INSPECTOR

Schedule of conditions: APP/W3520/W/21/3277938

Abbots Lodge, The Street, Drinkstone, IP30 9SX

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 762-1C 001 H, 762-1C 002 F, 762-1C 003 I and 762-1C 009.
- 3) No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and approved, in writing by, the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first occupation.
- 4) No development shall take place until there has been submitted to and approved, in writing by, the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include an implementation programme, any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837:2012 Trees in relation to design, demolition and construction. The landscaping works shall be carried out in accordance with these details before first occupation of the dwellinghouse hereby approved unless otherwise set out in the implementation programme.

End of schedule