



Appeal Decision

Site visit made on 18 January 2022

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 3rd February 2022

Appeal Ref: APP/W3520/D/21/3278165

Harrys Barn, Brown Street, Old Newton IP14 4QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Frankland against the decision of Mid Suffolk District Council.
 - The application Ref: DC/21/02207, dated 13 April 2021, was refused by notice dated 9 June 2021.
 - The development proposed is described as conversion and extension of cartlodge to form annexe.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal relates to listed buildings, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. Since the Council's decision, a new version of the National Planning Policy Framework (the Framework) was published in July 2021. The parties have had opportunity to comment on the engagement of this new policy document in relation to the appeal, and so will not be disadvantaged by my consideration of it.

Main Issues

4. The main issues in this case are:
 - Whether the proposal would preserve the setting of a) the Grade II curtilage listed building Harrys Barn and b) the Grade II listed building Ivy Cottage; and
 - Whether the proposed development would constitute a suitable residential annexe to meet special family needs, that is ancillary in function, modest in scale and in keeping with the original dwelling.

Reasons

Heritage assets

5. The appeal building is a cartlodge which provides garage accommodation with attic-level storage room for the Harrys Barn residential conversion. It is located among a cluster of detached dwellings, towards the northern end of Brown

Street. This cluster includes several historic, listed rural dwellings and some more recent properties. This results in an evolved character along this part of the country lane, the historic, rural roots of which are noticeably and importantly manifested in older buildings. The entrance to a countryside public footpath is located on Brown Street, near the driveway access to the appeal site.

6. Harrys Barn and the appeal building are part of a group of buildings located within the foreground of the Grade II listed building Browns Place Farmhouse. Garden space, divided by a post and rail fence, runs between the farmhouse and Harrys Barn buildings, retaining some visual connection between the two. Single-storey outbuildings, and a group of orchard trees which straddles the post and rail boundary, are also located between the farmhouse and barn conversion. Together with the neighbouring neathouse building, these elements further articulate the historic farmstead presence in this rural locality.
7. The special architectural and historic interest of the listed two-storey, rendered Browns Place Farmhouse, insofar as it relates to this appeal, is primarily associated with the legibility of its seventeenth century Suffolk farmhouse architecture within its evolved farmstead context.
8. Due to its physical proximity and former functional relationship to Browns Place Farmhouse, the Harrys Barn building may be considered as a curtilage listed building in accordance with Section 5(2) of the Act.
9. The exterior of Harrys Barn includes a combination of honey-coloured render on much of the lower part of the building, timber cladding at higher level and a zinc-coated pitched roof. As such, Harrys Barn reads as a chic modern residential reimagining of traditional agricultural architecture. The relatively unfussy landscape palette of the front garden areas of Harry's Barn, including its grassed areas and retained orchard trees, further helps integrate the older and newer elements.
10. The curtilage listed building's combination of modern architectural self-confidence and traditional rural undertones results in it 'holding its own' architecturally, without detracting from the historic presence of the Browns Place Farmhouse.
11. Furthermore, the existing cartlodge's simple rectangular footprint, noticeably smaller bulk than Harrys Barn, subordinate garage function and rustic style profile and timber cladding together give the appeal building sufficient architectural modesty and subservience to avoid the appearance of an over-proliferation of modern residential development on the appeal site. Also, its garage function provides capacity to help visually contain the modern presence of residential parking. The above helps the existing cartlodge to assimilate within the context of the country lane and historic farmstead.
12. Thus, the Harrys Barn building contributes to the evolved residential dimension of the historic farmstead's character, and is sympathetic to the special interest of the listed farmhouse. The character balance in the locality is delicate, given its rural and historic characteristics.
13. Given the above, the special interest of the Harrys Barn curtilage listed building, insofar as it relates to this appeal, is primarily associated with its evolved character balance, which helps to preserve the special interest of the

listed Browns Place Farmhouse. Moreover, the relative architectural modesty and subservience of the existing cartlodge on the appeal site, and its vehicle garaging capacity results in it contributing sympathetically to the setting of the Harrys Barn curtilage listed building.

14. Ivy Cottage is a Grade II listed, timber-framed, pantile roofed cottage. It dates from the fifteenth century, with some seventeenth century and later remodelling. The hedging in the locality, and the gap between Ivy Cottage and the appeal building which includes the road, provide some separation and screening between these buildings. Nonetheless, as I saw during my site visit, the front elevation of the listed cottage is visible within various viewpoints that include the appeal building, from the grounds of Harrys Barn, and Brown Street. This includes some views over, between and through mainly deciduous vegetation, the screening effect of which is lessened by seasonal leaf fall, gaps and pruning.
15. Given the above, the special interest of the Ivy Cottage listed building, insofar as it relates to this appeal, is primarily associated with the historic legibility of its front elevation in illustrating its pre-nineteenth century rural Suffolk cottage architecture. The relative modesty of footprint, function and mass of the existing cartlodge helps to retain, and avoid distraction from some local views of the cottage, from Brown Street and the grounds of Harrys Barn. In these respects, the existing appeal building contributes sympathetically to the setting of Ivy Cottage.
16. The proposal would add one-bedroom residential accommodation to the site. It would also entail approximately doubling the footprint and mass of the appeal building, such that its footprint would be of a similar size to that of Harrys Barn. The proposed enclosure of its open, ground floor western facade would further accentuate this increased bulk. Furthermore, the proposed ground floor toilet extension would expand the building's footprint and bulk closer to the street, eroding the architectural simplicity of the cartlodge's exterior. Together, the above would draw attention to the proposed residential accommodation which would be located uncharacteristically far forward and close to the street, compared to the greater prevailing set-back of dwellings on this stretch of Brown Street. It would also undermine the subservience of the appeal building to Harrys Barn.
17. Furthermore, the proposed conversion and extension of the cartlodge would lose vehicle garaging capacity on the site, and entail three additional uncovered parking spaces. This would increase the visible proliferation of the modern domestic paraphernalia of vehicle parking on the site. Also, the parking would encroach onto some of the lawned areas.
18. Moreover, the proposed southward extension of the appeal building would erode the space between the cartlodge and northern boundary of the listed farmhouse's garden. This, together with the above impacts would reduce the verdancy and spaciousness of the Harry's Barn property, and increase the modern residential architecture and occupation on the site. This would result in the appearance of an over-proliferation of modern residential development on the appeal site. It would also distract from the historic rural roots of the locality, and upset the delicate character balance on the site. This would impact negatively on the setting of the Harrys Barn curtilage listed building.

19. Furthermore, the proposed southward extension of the appeal building would substantially cut off views of the front elevation of the listed Ivy Cottage from Harrys Barn and its grounds. Also, the intensification of modern residential architecture and occupation on the site, would, to a limited extent distract from the architectural presence of the front elevation of the listed Ivy Cottage and its cottage garden surroundings, viewed from Brown Street. Consequently, the proposal would have a limited negative impact on the setting of the Ivy Cottage listed building.
20. The full rationale for, and details of residential development with planning permission on other sites, in the grounds of Ivy Cottage, and elsewhere in Mendelsham and Framdsen, as cited by the appellant, are not before me for comparison. This limits the extent to which the other schemes are analogous to the current appeal proposal. Furthermore, assessing the appeal proposal on its own merits, I find that it would harm the setting of designated heritage assets, for the reasons set out above.
21. Paragraph 199 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to its conservation. Given the scale of the proposed development, I find that it would result in less than substantial harm to the significance of the designated heritage assets, which would nevertheless be of considerable importance and weight.
22. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against public benefits of the proposal, including any contribution to securing optimal viable use of designated heritage assets.
23. The proposal would add to the supply of residential accommodation in the district in the form of one bedroom accommodation, with associated socioeconomic benefit during and after construction. This would also provide private benefit in the form of accommodation for the appellant's family members. However, the curtilage listed building and listed building have residential use that would endure in the absence of the appeal proposal. Also, such reduction in vehicle emissions by the appellants' family as may result from the proposal is not substantively shown to be major. Given the above, the scale of public benefit would be limited and not sufficient to outweigh the totality of identified harm to heritage assets.
24. In conclusion, the proposal would fail to preserve the setting of a) the Grade II curtilage listed building Harrys Barn, and b) the Grade II listed building Ivy Cottage. As such, the proposal would conflict with Policy CS5 of the Mid Suffolk Core Strategy and Policy HB1 of the Mid Suffolk Local Plan (LP), which together seek to ensure that development is of appropriate design to respect the built heritage of Mid Suffolk, including the setting of listed buildings.

Whether a suitable annexe

25. The LP seeks to strictly control the development of housing outside settlement boundaries in the countryside¹, which the proposal would be. The LP seeks to restrict housing in the countryside to exceptional circumstances². One such exception, which Policy H19 of the LP allows for, is the possibility of a self-contained residential annexe that is modest in scale and in keeping with

¹ As per supporting text paragraph 2.3.55 of the LP.

² As set out in supporting text paragraph 2.3.56 of the LP.

the original dwelling, to meet special family needs, such as the accommodation of elderly relatives or people with disabilities³.

26. In providing the stated accommodation for one of the appellants' parents, relatives' accommodation would be provided. Also, the location of the proposal reads on the ground as sufficiently visually connected, near and accessible to Harrys Barn to support its future ancillary use. Notwithstanding the modest patio area, the proposal does not include, for example, sectioning off Harrys Barn's grassed front garden for separate use, thereby allowing for shared garden use. Furthermore, the proposed sharing of a driveway with the occupants of Harrys Barn would align with the emphasis on separate vehicular access not normally being considered appropriate for annexes⁴.
27. The proposal's inclusion of its own kitchen, bathroom, study and patio indicate that it would contribute to the 'self-contained' aspect of Policy H19. That these facilities are likely to facilitate some independence for future occupants, does not preclude the possibility of them sharing their living activity, in company with the family in the main dwelling.
28. This combination of factors points to the proposal being capable of being occupied as a self-contained residential annexe, and ancillary to the residential use of the Harrys Barn main dwelling house.
29. However, the approximate doubling of the footprint and mass of the appeal building, such that its footprint would be similar to that of Harrys Barn, would contribute to the proposed residential accommodation appearing as a separate dwelling that would not be modest in scale compared to the main dwelling, within the heritage context described earlier. Also, in undermining the subservience of the appeal building to Harrys Barn and thus harming the latter's setting, as established under the heritage main issue, the proposal would not be in keeping with the main dwelling.
30. Therefore, I conclude that while the proposal would constitute a residential annexe to meet special family needs, that is ancillary in function to the main dwelling, it would not be modest in scale and in keeping with the original dwelling. As such, it would conflict with Policy H19 of the LP. This would undermine the LP's objective of controlling inappropriate development in the countryside.
31. Furthermore, the appearance of over-intensification of residential development in this rural setting that would result from the above, would fail to maintain or enhance the character and appearance of the area, in conflict with LP Policy GP1.
32. As the proposal is not within settlement boundaries, Policy SB2 of the LP is not engaged in this instance.

Other Matters

33. Neighbours have expressed concerns regarding privacy, light nuisance and loss, parking, highway safety, waste treatment and drainage which go beyond the reasons for refusal. As I am dismissing the appeal on other grounds, it is not necessary for me to consider these matters further in this instance.

³ According to supporting text paragraph 2.3.74 of the LP.

⁴ In supporting text paragraph 2.3.74 of the LP.

34. As set out above, I have determined that the public benefits of the proposal are insufficient to outweigh the less than substantial harm that would be caused to the significance of the heritage assets. Accordingly, I confirm that overall the benefits of the proposal are insufficient to outweigh the totality of harm that I have identified in relation to the main issues.

Conclusion

35. The proposal would be contrary to the development plan and there are no other considerations which outweigh this finding. It would also fail to satisfy the Framework and the Act. Accordingly, for the reasons given, the appeal fails.

William Cooper

INSPECTOR