

Appeal Decision

Site visit made on 29 November 2022

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2022

Appeal Ref: APP/D3505/D/22/3302344

The Cottage, Withindale Lane, Long Melford, CO10 9HS

- 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 Aidan Powlesland against the decision of Babergh District Council.
 - The application Ref DC/22/01996, dated 14 April 2022, was refused by notice dated 26 May 2022.
 - The development proposed is demolition of existing portakabin. Erection of a two storey library extension including stairwell in the Neo-classical Georgian style plus a joining section with Neo-classical windows and doors.
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Application for Costs

1. An application for costs was made by Mr Aidan Powlesland against Babergh District Council. This application is the subject of a separate decision.

Decision

2. The appeal is dismissed.

Main Issue

3. There is one main issue which is the effect of the proposed extensions on the character and appearance of the host dwelling and the surrounding area, including the Special Landscape Area.

Reasons

4. The appeal site lies within a small estate bounded to the north by the River Stour and to the east by the built up area of Long Melford. The estate is occupied by The Mill House, a large, well proportioned, two storey house of Georgian style, a range of outbuildings and the small appeal dwelling. The former mill has been converted to a dwelling and is within a different ownership. With the exception of driveways and areas around the house and outbuildings the surrounding land is mostly wooded. The appeal dwelling lies apart from The Mill House on a slightly elevated site, adjacent to lower land which, according to the evidence, is believed to have been a shallow quarry. This area forms an open dell that is grassed. The appeal site, which is undefined on the ground, and surrounding land are rural in character and have an
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attractive, tranquil quality despite their proximity to Long Melford. The site lies within a Special Landscape Area.

5. The appeal dwelling comprises a small, single storey building, believed to date from the interwar period. There is a modest projection to the rear, occupied by a kitchen and a lobby which provides access to a portacabin extension. The dwelling appears well maintained but the portakabin is in a poor state of repair and appears not to be in use as habitable accommodation. Its removal would enhance the appearance of the site.
6. The proposed extensions would occupy the footprint of the demolished portakabin and extend beyond it both to the rear and side. Overall, they would add about a further 66 square meters of floorspace. They would be double storey with roof and eaves heights considerably above those of the host dwelling. The architecture would be Neo-classical, echoing the style of The Mill House. It would have little in common with the host dwelling. The extension would finish in a hexagonal section, proposed to be a library. This, and the adjoining stairwell, would extend into the dell and be set on lower land than the host dwelling, reducing the impression of height. Nevertheless, they would rise well above it and their considerable scale and bulk would result in them becoming the dominant element of the building. Although set mainly to the rear and side of the host dwelling the extensions would overwhelm it and fail to blend with either the dwelling or the wider setting.
7. The submitted plans indicate that the existing narrow gravel access road would be widened across the front of the dwelling and hard landscaping, including paving and walls, would be introduced to the south-east of the extensions. In addition, the dell would be redeveloped as lawn.
8. Overall, the proposals would introduce a substantial amount of built development into a currently rural and mainly undeveloped site. This would have a considerably urbanising effect on the site and its surroundings, detracting from the attractive, tranquil, rural quality of the area, including the Special Landscape Area.
9. The appellant argues that the existing dwelling is ugly and inadequate and that this justifies the very large and differently designed extension which, he suggests, is in keeping with The Mill House which should be viewed as the host dwelling. In addition, he suggests that the fact that the site is well hidden would avoid or minimise harm from the development. However, there would be a significant gap and little intervisibility between the proposed extensions and The Mill House or its outbuildings. This clear separation means that, in my view, The Mill House could not be judged to be the host dwelling. Moreover, the extensions would be seen from dwellings backing onto the site in Long Melford. From these properties, especially during the winter when the trees lost their leaves, they would appear as a large and incongruous addition in what is currently an undeveloped and attractive site. In abstract the extension has clearly been carefully designed and has some architectural merit but as an addition to the small host dwelling and in the proposed location it would be oversized and unsympathetic.
10. The appellant points out that no mature trees would be lost and suggests that this would mean there was no harmful effect on the landscape or surrounding

area. I cannot agree. Although the site and its surroundings do have, as the appellant suggests, a character reminiscent of a small estate it does not follow that the addition of a large building within this setting would amount to a "natural evolution" of the site.

11. The appellant further suggests that the proposed extensions would have a noticeably smaller footprint than the outbuildings associated with The Mill House. That may be so, but those buildings are sited close to The Mill House and are generally single storey, thereby having a clear relationship with it as subordinate structures. The more distant extensions, owing to their siting and design, would have little in common with these outbuildings and a limited relationship with The Mill House.
12. The appellant argues that many new dwellings have been permitted within Long Melford and that these are of a rather uniform design. He suggests that this provides scope for the proposed extensions which, he suggests, are "unique and private", in the context of a small dwelling that is "an anomaly" and to which a proportionate extension would not be worth adding. However, the policy framework controlling built development within settlements differs from that controlling development in the rural area.
13. It is concluded on the main issue that the proposed extensions would have a materially detrimental effect on the character and appearance of the host dwelling and the surrounding area, including the Special Landscape Area. In consequence, they would conflict with Policies CS1 and CS15 of the Babergh Core Strategy and Policies, 2014, Policies CN01 and HS33 of the Babergh Local Plan (LP), 2006 and with the National Planning Policy Framework (NPPF) 2021. Taken together and amongst other things these policies support sustainable development which respects the landscape and wider setting and is sympathetic to and makes a positive contribution to local character through scale, form, design and materials which are appropriate to its location and blend with the host dwelling.
14. Turning to other matters, the appellant suggests that the extensions have been designed to provide a dwelling that would suit a wide range of people, including families, older people, who make up a significant proportion of the local demographic, and those requiring an accessible building. However, whilst I do not doubt that the extension would suit the needs and aspirations of the appellant and although some features to aid accessibility are incorporated into the design, such as a lift, the scale, layout and location of the proposed dwelling would make it unsuitable and unattractive for many people. Although the existing dwelling is small and room sizes limited that does not provide a justification for making it very much larger when more modest additions could achieve a modern standard of accommodation.
15. The appellant suggests that the LP, adopted in 2006, is out of date and hence NPPF paragraph 11 d) ii) would apply. However, whilst the plan is old the relevant policies accord with the thrust of the NPPF and thus remain up to date. In particular, LP Policy CN01 is supportive of innovation in appropriate locations.
16. The appellant cites procedural issues such as confused advice on the Council's pre-application service, the apparent loss of a submitted document and the appellant's belief that the Council did not read or had insufficient regard to the

submitted Planning Statement. However, I have no evidence that these matters had a direct bearing on the Council's refusal of planning permission, the reasons for which are set out clearly in its delegated report and refusal notice.

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

KE Down
INSPECTOR