



Appeal Decision

Site visit made on 10 January 2023

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 March 2023

Appeal Ref: APP/X3540/W/22/3295569

**Old Hall Farm, Bartholomews Lane, Wenham With Mells Hamlet
IP19 9DG**

- 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 Ms Eleanor Gower against the decision of East Suffolk Council.
 - The application Ref DC/21/4195/FUL, dated 7 September 2021, was refused by notice dated 8 February 2022.
 - The development proposed is installation of a timber outbuilding to be used as a farm garden office.
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Decision

1. The appeal is allowed and planning permission is granted for installation of a timber outbuilding to be used as a farm garden office at Old Hall Farm, Bartholomews Lane, Wenham With Mells Hamlet IP19 9DG in accordance with the terms of the application, Ref DC/21/4195/FUL, dated 7 September 2021, subject to the following conditions:
 - 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: 23216L01E – Location Plan Proposed; 23216B02E – Block Plan Proposed; 23216E01A – Elevations Proposed; and 23216P01 – Plan Proposed.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials set out in the application form.

Preliminary Matters

2. The red line plan submitted with the application included an area of land not within the appellant's ownership. An amended plan has been submitted showing the appeal site as including just land within their ownership. The Council has had the opportunity to comment and has not raised any concerns. I consider there would not be prejudice to any party as a result and I have considered the appeal on the basis of the amended plan.

Main Issue

3. The main issue is the effect on the character and appearance of the area including the effect on the setting of nearby listed buildings.

Reasons

4. The appeal proposes a single storey timber building with an area of covered decking to two sides. It would be sited in an area of rough grassland. The closest structure within the site is an open sided agricultural building. To the opposite side of the access road sits a cluster of buildings of a variety of designs, including two Grade II listed buildings. Beyond the proposed site to the north is a residential property also accessed from Bartholomews Lane.
5. The proposed building would be a modest structure given its limited dimensions and single storey nature. Views would be restricted due to the substantial hedgerow which runs alongside Bartholomews Lane, and the surrounding buildings which would restrict views from other directions. The limited scale of the structure is such that it would not be prominent even if it were to be seen.
6. It would be a clearly modern addition given its appearance and materials. While it is not typical of traditional agricultural buildings, such as those nearby, there are modern agricultural buildings of no particular character in proximity to the site too. As such, the appeal proposal would not appear incongruous.
7. While the proposed building would be set somewhat further away from the access road than the other surrounding buildings, it would not be an undue distance from the access road. It would be reasonably well located to one of the other structures shown as being within the appellant's land holding. The proposed building would therefore not appear unduly remote or divorced from the surrounding development.
8. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting. There are two Grade II listed buildings – Old Hall Farmhouse and Building 10m to the West of Old Hall Farmhouse - located to the south of where it is proposed to site the office. The significance of these buildings comes from their historic fabric and evolving roles and functions in supporting the surrounding agricultural land use.
9. There is a substantial wall, and intervening buildings of various age which visually sever the relationship between the listed buildings and the land on the opposite side of the access track. The Council refers to the surrounding buildings as having been granted permission for other uses, loosening the functional association with the immediate surrounding buildings. As such, the setting of the listed buildings provides a limited contribution to their significance. Taken alongside the very limited scale of the proposed building, I conclude that the appeal proposal would have a neutral effect on the setting of the Grade II Listed Buildings.
10. I therefore conclude that the appeal proposal would have an acceptable effect on the character and appearance of the surrounding area including the effect on the setting of nearby listed buildings. It would be in accordance with Suffolk Coastal Local Plan adopted 20 September 2020 Policies SCLP11.1 and SCLP11.4 which require development to respond to local context and be of an appropriate design, scale and position which complement the existing buildings.

Other Matters

11. No policies have been brought to my attention which would require the appellant to justify the need for the office building or to demonstrate that the use could not be sited within an existing building.

Conditions

12. No conditions have been suggested to me by the Council. For reasons of certainty, it is necessary to impose the standard condition relating to approved plans, a condition relating to the commencement of the development and a condition to ensure that the materials used are those specified on the application form.

Conclusion

13. For the reasons given above, and having had regard to the development plan as a whole, I conclude that the appeal should be allowed.

J Downs

INSPECTOR