



Appeal Decision

Site visit made on 22 February 2023

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 APRIL 2023

Appeal Ref: APP/X3540/W/22/3290957

Middle Barn, Ferry Road, Bawdsey IP12 3AS

- 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 Miss Karina Morton against the decision of East Suffolk Council.
 - The application Ref DC/21/1822/FUL, dated 14 April 2021, was refused by notice dated 7 September 2021.
 - The development proposed is to extend and convert redundant agricultural buildings to form a single dwelling.
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Decision

1. The appeal is allowed, and planning permission is granted to extend and convert redundant agricultural buildings to form a single dwelling, at Middle Barn, Ferry Road, Bawdsey IP12 3AS, in accordance with the terms of the application, Ref DC/21/1822/FUL, dated 14 April 2021, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The proposal is an amended scheme following the grant of planning permission ref. DC/20/02934/FUL. At the time of my visit work had commenced on the conversion of the barns under the existing planning permission. I have therefore focussed on the proposed amendment, which relates to the increased width and height of the single storey link extension proposed between the two barns.

Main Issue

3. The effect of the development on the character and appearance of the site and the existing barns.

Reasons

4. The appeal site is located in the countryside and the designated Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). It comprises a pair of traditional red brick and timber clad barns with red clay pantile roofs, which are linked by a high red brick boundary wall. It is evident from the historic maps provided that this pair of barns previously formed part of a larger range of agricultural buildings, including a building or covered structure linking the two of them.
5. It is proposed to increase the width of the previously approved link extension from a 1m wide corridor to a 6m wide garden room. The height would also be marginally increased by approximately 300mm.

6. The link extension would be located between the two existing barns and directly behind the existing red brick boundary wall that runs between them. The eaves height of the extension would not exceed the height of this existing wall, which is to be retained. The shallow pitched roof would slope away from the wall, and as such, would not be visually prominent in any public views from the road.
7. Even if the extension was visible, its height, width and external materials would respect those of the existing buildings and would not over dominate them. It would reflect the scale and form of a traditional range of agricultural buildings and what historically existed on the site.
8. Although the link extension previously approved would provide internal access between the two parts of the proposed dwelling, it would not reflect the agricultural scale and proportions of the existing buildings or those that historically formed part of this range. Moreover, it would not provide any usable space.
9. Although the proposed extension would be a significant alteration to the existing buildings, considering what has already been approved and the fact that the extension infills a gap between three existing walls and would partially reinstate the historic form of this range of former agricultural buildings, it would not result in any harm to the character and appearance of the site or the wider AONB.
10. There is nothing within the policies before me to suggest that residential conversions cannot include extensions or that they must be essential. I have had regard to the supporting text referred to by the Council, but this does not carry the same weight as policy. In any event a link is essential to enable the two buildings to function effectively as a single dwelling. Moreover, the design of the proposed link better reflects the traditional scale and form of the buildings being converted than the previously approved narrow corridor link, which is not a feature or characteristic of a range of historic farm buildings.
11. I therefore conclude that although the proposed link extension would be a significant alteration, and therefore would not accord with criteria c of Policy SCLP5.5 of the East Suffolk Council Suffolk Coastal Local Plan (September 2020) (the Local Plan), the proposals when considered as a whole, would not result in any harm to the character and appearance of the existing barns, the wider site or to their surroundings, including to the AONB. The proposal would accord with the remainder of Policy SCLP5.5, and the overall purpose of this policy. It would also accord with Policy SCLP 11.1 of the Local Plan, which seeks to ensure that new development is of high-quality design that amongst other things, responds to local context and the form of surrounding buildings.

Other Matters

12. The Parish Council have commented that they would prefer to see the roof of the link extension finished in clay tiles rather than slate. I have not been provided with any further information to support this preference. I note that the link extension on the extant planning permission was approved with a slate tile roof and that the shallow pitch of the roof may make it unsuitable for clay pantiles. In the absence of any further information on this matter, I see no reason why the proposed slate roof would result in any harm to the character and appearance of the site or its surroundings.

Conditions

13. The Council suggested numerous conditions that should be imposed in the event the appeal is allowed. The appellant's comments were sought on these in light of the fact that development has already commenced under the original planning permission. I have not been advised that any of the conditions on the original planning permission have been discharged. However, I have been provided with a copy of the licence obtained from Natural England. Accordingly, the Council's suggested condition 9 is unnecessary.
14. Although work has commenced on the existing planning permission, allowing this appeal would grant a whole new permission for a different scheme. I have therefore re-imposed the standard time limit condition, together with a condition listing the approved drawing numbers, in the interests of certainty. A condition relating to external materials is necessary to ensure the character and appearance of the original buildings and the surrounding area is preserved.
15. Conditions relating to access, visibility splays, parking, turning, and bin storage are necessary in the interests of highway safety. Given the historic use of the site, an unexpected contamination condition is a reasonable and necessary precautionary measure. Conditions to ensure compliance with ecological surveys and to restrict works to structures and landscape features during nesting season are necessary to protect local wildlife.

Conclusion

16. For the reasons given above and having had regard to all issues raised, I conclude that the appeal should be allowed.

R Bartlett

INSPECTOR

SCHEDULE OF 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: the site location plan and drawing Nos. 6158.01C, 6158.02D and 6158.04A.
- 3) The external materials and finishes of the development hereby approved shall be in accordance with the details shown on the approved drawings listed above.
- 4) The development hereby approved shall not be occupied until the vehicular access crossing to it has been improved, laid out and completed with a minimum entrance width of 3 metres and a bound surface of 5 metres from the edge of the carriageway. The access shall thereafter be retained as such for the life of the development.
- 5) The development hereby approved shall not be occupied until visibility splays have been provided in accordance with drawing Nos. 6158.01C and 6158.04A. The visibility splays shall thereafter be retained as such

- for the life of the development and maintained clear of any obstruction exceeding 0.6 metres in height.
- 6) The development hereby approved shall not be occupied until the access drive, parking, turning and bin storage areas have been completed in accordance with the details shown on drawing No. 6158.01C. These areas shall thereafter be retained for their intended purpose, for the life of the development.
 - 7) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.
 - 8) The development hereby approved shall be undertaken in accordance with the ecological avoidance, mitigation, compensation, and enhancement measures identified within the Preliminary Ecological Appraisal and the Nocturnal Bat Survey Report, submitted with the application.
 - 9) No trees, hedgerows or shrubs shall be removed, or works to structures that may be used by breeding birds undertaken, between 1st March and 31st August inclusive, unless a competent ecologist has provided written confirmation to the local planning authority that no birds would be harmed and/or that appropriate measures will be put in place to protect nesting birds on the site.