
Appeal Decision

Site visit made on 1 August 2023

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25TH August 2023

Appeal Ref: APP/X3540/W/23/3316988

New Chapel Farm, Mells, HALESWORTH, Suffolk, IP19 9DE

- 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 Richard Tinkler against the decision of East Suffolk Council.
 - The application Ref. DC/22/0374/FUL, dated 4 February 2022, was refused by notice dated 10 October 2022.
 - The development proposed is described as full planning application for erection of outbuilding at New Chapel Farm, to be ancillary to barn conversion of application DC/21/4412/FUL.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application form refers to the submission of drawing nos. 304115- 001 & 002. Prior to the determination of the application, revised plans (refs. 30-001 Revision A & 30-002 Revision A) were submitted for a building which was shorter in length, omitting one parking bay and reducing the size of the storage and plant rooms. I have determined the appeal on the basis of these revised plans.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal site and the street scene.

Reasons

4. The appeal proposal would be part of a site containing a barn which is in the process of being converted. It is part of a larger building group, with the 'farmhouse' behind and a separate barn conversion to the north. The group sit within a wider open and rural landscape, but there are other sporadic buildings along this rural lane.
5. New Chapel Farm is not densely developed, and the existing buildings are set within a spacious and open site. There is an area of grassland between the barn being converted and the road, and this contributes to the setting of the building group, reflecting the undeveloped areas behind the road to the north and south. There is roadside hedging, but the barn conversion and the area of the appeal proposal are both apparent in the street scene, being seen above the hedge and across the gaps of the two access driveways. In some views, the

area of the proposed outbuilding appears to be set slightly above the road level, giving it a degree of prominence in the street scene. Although the appellant notes that the site is not within the Green Belt, the open aspect of the site is part of its context and character.

6. The simple design, form and materials of the proposed outbuilding would reflect those of the adjacent barn conversion. In that regard, it would be compatible with its setting. However, I do not share the appellant's view that the building would be negligible in its scale, mass and materiality, but consider that its footprint and height would create a sizeable addition to the street scene, exacerbated by the land levels. Although long, the barn conversion has a reasonably narrow span and shallow roof form, and next to it, the proposal would appear unduly dominant and visually intrusive. Whilst it would be set back from the roadside, the distance would not be so great as to mitigate the visual impact of the proposed building. I do not consider the existing hedging to offer the level of screening suggested by the appellant.
7. The Council indicates that previous planning permissions have sought to safeguard the open area between the road and main barn from development, but the proposal would occupy only a portion of the open space between the boundary and barn. Moreover, the removal of Permitted Development rights¹ does not prohibit development, but rather requires assessment as part of a planning application. In this context, whilst there is no historic evidence of a perpendicular building in this forward location, there is some logic in garaging being next to the existing hardstanding and vehicular access point. However, combined with the storage and plant rooms, the proposal would be an overly large building in this prominent area of the site.
8. The appellant has drawn attention to other developments in the vicinity, including a large and visible building opposite, sited close to the road. However, no planning permission has been identified for it, and although it and other local buildings are part of the street scene, the New Chapel Farm complex is set back from the road and appears less intensively developed than some of its near neighbours. This is part of its character. I appreciate that buildings have been demolished at the appeal site, but not in this prominent position. As such, their former presence would not justify the construction of a building of the size proposed in its forward position.
9. The building would provide some social and environmental benefits in terms of its support for the activities at New Chapel Farm, and the provision of solar panels to power an EV charging point. However, the provision of an EV charging point would not require a building of the size proposed. The south-facing solar panels would be an environmental benefit, but there is ample space within the complex to provide panels², and I am not satisfied that the additional benefits to power generation would outweigh the visual harm. During construction, there would be some limited support for the local economy, but this would not be sufficient to justify the long-term effects of a permanent structure.
10. I note the appellant's efforts to reduce the impact of the proposal by revising the plans prior to determination of the application. Whilst this involved a

¹ By virtue of condition 11 attached to planning permission ref. DC/21/4412/FUL

² In addition to the large array of solar panels on the converted barn within the appeal site

material reduction in length, the appeal building would nonetheless be a large addition in this prominent location.

11. I therefore conclude that the proposed building would detract from the character and appearance of the appeal site and the street scene, contrary to Policy SCLP11.1 of the East Suffolk Council Suffolk Coastal Local Plan 2020 (LP), which amongst other criteria seeks proposals which respond to local context and the form of surrounding buildings in matters including overall scale and character, with height and massing well related to that of their surroundings, and with a clear relationship between buildings and spaces and the wider street scene. It would also conflict with paragraph 130 of the National Planning Policy Framework, which seeks developments which are sympathetic to local character, including the surrounding built environment and landscape setting.
12. However, I have not found LP Policy SCLP5.5 to be relevant to this appeal, as it relates to the conversion of buildings in the countryside for housing, albeit the proposal would serve a converted barn. Although the Council indicates that the proposal would have been refused had it formed part of the barn conversion under ref. DC/21/4412/FUL, that is not the development the subject of this appeal.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

H Lock

INSPECTOR