



Appeal Decision

Site visit made on 21 August 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th September 2023

Appeal Ref: APP/X1545/D/23/3320412

The Horse Barn, Latchingdon Road, Purleigh, Essex CM3 6HR

- 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 J Bathla against the decision of Maldon District Council.
 - The application Ref 22/01072/HOUSE dated 12 October 2022, was refused by notice dated 02 March 2023.
 - The development proposed is erection of a garage/home office outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for garage/home office outbuilding at The Horse Barn, Latchingdon Road, Purleigh, Essex CM3 6HR in accordance with the terms of the application, Ref 22/01072/HOUSE dated 12 October 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plan: 2226/001 Rev A - Site Location Plan, 2226/200 Rev A - Proposed Block Plan, 2226/202 Rev A - Proposed Floor Plan and Roof Plan; and 2226/203 Rev A - Proposed Elevation.
 - 2) The materials to be used in the construction of the external surfaces of the hereby approved development shall match those used in the existing building.

Procedural Matter

2. At the time of my site visit, the development had been commenced. The application form made clear that the scheme had been submitted retrospectively however had yet to be completed and I have dealt with the appeal on that basis.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

4. The site is located within a rural setting within the open countryside with properties sporadically lining Latchingdon Road within the immediate area. The appeal site is an 'L-shaped' barn conversion surrounded by fields to the north and west, a residential property with outbuildings to the east and Latchingdon

Road to the south. There is a harmony to the pattern of development and palette of materials used in the immediate area.

5. Whilst the development is located to the rear of the site behind the existing property and screened to a degree by fencing, it is visible from the road and the open fields beyond. Notwithstanding this the low height, combined with the use of weatherboarding provide a rural appearance and assimilate the outbuilding with the existing property.
6. In combination the outbuildings adjacent the site form part of the character of the rural setting. The development would therefore not appear stark or urban within the area. I find that the development would not harm the character and appearance of the area.
7. I conclude that the development would not harm the character and appearance of the existing property and the area in general. There is no conflict with Policies D1, H4, S1 and S8 of the Maldon District Approved Local Development Plan 2014-2029 (2017) which amongst other things seeks to ensure developments are subordinate to the existing property, maintain the rural character of an area.
8. I also find no conflict with the National Planning Policy Framework (2021) which seeks to ensure good design of developments.

Other Matters

9. The Council contend that the development is in breach of planning conditions attached to previous approvals relating to restricting permitted development rights and also landscaping to be carried out. Even so, my findings demonstrate that the development is acceptable.

Conclusion and Conditions

10. For the above reasons I conclude that this appeal should be allowed.
11. I have attached a plans condition as this provides certainty. I have also added conditions concerning materials to ensure a satisfactory appearance.
12. A standard time limit condition is not necessary as the development has already commenced.

C Pipe

INSPECTOR