



Appeal Decision

Site visit made on 8 January 2024

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 14.02.2024

Appeal Ref: APP/Y2620/D/23/3330703

The Old Workshop, Sloley Road, Sloley, Norfolk, NR12 8HA

- 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 and Mrs P and J Harper-Gray against the decision of North Norfolk District Council.
 - The application Ref. PF/23/0929 dated 21 April 2023, was refused by notice dated 28 July 2023.
 - The development is described as the retention of a garage with external alterations.
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Decision

1. The appeal is allowed. Planning permission is granted for a garage with external alterations at the Old Workshop, Sloley Road. Sloley, Norfolk, NR12 8HA in accordance with the terms of the application PF/23/0929 dated 21 April 2023, 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 plans: PL_01 Rev A Dated March 2023 and PL_02 Rev A dated March 2023.
 2. Within two months of the date of this decision, details of the samples of the materials to be used in the doors to the south elevation of the garage to be submitted for the written approval of the Local Planning Authority. Thereafter the development to be carried out in accordance with the approved details.
 3. The revisions to the development hereby permitted shall be completed in accordance with the approved plans and details not later than the expiration of 12 months from the date of this permission. Upon completion of the development the Local Planning Authority shall be notified in writing in order that the completed works can be inspected to ensure that they are fully in accordance with the approved plans.
 4. The hedge planting shown on the plans title Proposed Garage -Site Plan Drawing No PL_02 Rev A dated March 2023 and received on 13 July 2023 shall be planted during the next planting season from the date of this permission.
 5. The hedge planting shall be of a mixed native species of a double row, staggered, with 45 cm between rows at a density of 5 plants per metre.

All hedge plants shall be 30-45cm in height at the time of their planting and shall be suitably protected and maintained to maturity, each with a stake and guard.

6. The hedge planting shown on the plans title Proposed Garage -Site Plan Drawing No PL_02 Rev A dated March 2023 and received on 13 July 2023 shall thereafter retained, at a minimum height of 1.8 metres from ground level, for a period of not less than 10 years from the date of this permission. Should the hedge die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, a replacement hedge, or other agreed means of enclosure shall be planted/installed in accordance with details and timescales which shall be submitted and approved in writing by the Local Planning Authority.

Application for Costs

2. An application for costs was made by Mr and Mrs Harper-Gray against North Norfolk District Council. This application is the subject of a separate Decision.

Procedural Matters

3. In December 2023 the Government published its revised National Planning Policy Framework (the Framework). In this instance the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework and that no party would be disadvantaged by such a cause of action.
4. I have used the description of the development used by the Council in the decision notice. Amended plans were received by the Council during the determination of the application which removed a wall from the application. It is now proposed to plant a native hedge in replacement for an existing fence.
5. A garage has already been constructed on site. The appeal scheme proposes to replace the pyramid roof with a dual pitch roof with gables at the east and west ends and to move the garage doors from the east to the south elevation and to install timber garage doors. For the avoidance of doubt, I am considering this appeal on the basis of the plans before me.

Main Issue

6. The main issue in the appeal is the effect of the development on the character of the area, including the setting of listed and curtilage listed buildings.

Reasons

7. The Old Workshop is one of a number of dwellings formed from the conversion of a farm complex, located within open countryside. Permitted Development rights removing the right to erect buildings, structures, and other enclosures without the need for planning permission were imposed at the time of the granting of the permission for the conversion of the Old Workshop. A number of barns within the farm complex are Grade II listed buildings. The Old Workshop itself is classified as a curtilage listed building under section 5 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Under the provisions of the Act I have a statutory duty in considering whether to grant

planning permission to have special regard to the desirability of preserving the listed building or its setting.

8. Limited information as to the significance of the listed buildings, and the curtilage listed buildings within the complex is before me. However I note that the Old Workshop has previously been described as of relatively limited significance and not 'a principal listed building'. From my own observations on site, whilst the agricultural origin of the buildings is still evident, the conversion of the barns to dwellings has led to a domestication of the buildings and their immediate curtilages. Post and rail fencing delineates residential boundaries and formal garden areas, lawns, driveways and hardstandings have been formed. Within the garden areas themselves there is a range of domestic paraphernalia including moveable garden features, garden sheds and other more permanent features such as hard landscaping and a pond. On my site visit I also noted other detached garages/outbuildings within the complex. At the eastern end of the complex where the Old Workshop is sited, the post and rail fencing and hedges/shrubbery clearly delineate the extent of the domestic use of the buildings and their gardens such that they do not appear as part of the surrounding countryside.
9. The scheme would introduce a further domestic building in this location. However its revised roof design and style would reflect the rural heritage of the site. Its form on a linear arrangement to that of the Old Workshop, albeit extending development beyond the original farm complex, would not be dissimilar to that found in typical farmyard layouts. Its scale and relationship to the dwelling within the domestic curtilage would be acceptable, nor would it compete with The Old Workshop in design terms. As such it would not be at odds with the character of the Old Workshop, the other properties within the development or the wider rural setting.
10. The garage would add to the cluster of buildings within the complex. I acknowledge the concern of the Council that in itself there would be a suburbanising impact. However in the context of the previous barn conversions and given the factors identified above, the sum effect would not equate to harm. The garage would be located at the far side of the complex and given this location would be masked from most of the buildings within the group. It would not be a visually intrusive structure in the majority of views, nor would it impinge upon the other buildings within the complex. Hence the garage would not appear incongruous in its context and its scale and location would not significantly change the surroundings in which the listed building, and other buildings within the complex, are experienced. The submitted plans now propose for native planting instead of a wall/fence to the immediate area next to the garage and would provide a further element of screening to the site. The hedge planting could also be secured by condition. Accordingly the development as now revised would preserve the setting of the listed buildings and their significance and would have no unacceptable impact on the character and appearance of the surrounding countryside.
11. I note that the Council do not raise concerns about the effect of the development on the residential amenity of the occupiers of neighbouring properties and having regard to the distances and the layout of the complex I would concur with this assessment. I note also that no concerns have been raised with regard to parking, highway and nutrition neutrality issues.

12. Overall, I conclude that the development would therefore not cause unacceptable harm to the character of the area, including the setting of listed and curtilage listed buildings. The proposal would not conflict with Policies EN2, EN4 and EN8 of the North Norfolk Core Strategy which together require development proposals to preserve and enhance the character and appearance of designated assets and for development proposals to have high regard to their local context. The proposal would also not conflict with the design objectives, nor the historic environmental objectives of the National Planning Policy Framework.

Other Matters

13. A third party has raised concerns in relation to boundary issues and the retrospective nature of the application. However, these relate to matters which fall outside of the scope of this appeal. Concern is also raised with regard to views of the development obtained from permissive paths within the locality. No details are before me of any such paths, but as identified above, the development would not be at odds within the complex as viewed from the wider rural setting.

Conditions

14. As a garage has been constructed it is not necessary to impose the standard time condition. However, in the interests of the character and appearance of the area, I consider it is necessary for a condition to ensure that required details as to materials are submitted and approved. A condition to ensure that the development approved is carried out and implemented is also necessary. There is a strict timetable for compliance because a garage has already been constructed and the revised design as now approved is required to make the development acceptable in planning terms. I am satisfied that a 12 month time period is reasonable to complete the works required. Conditions requiring the planting and maintenance of the native hedge planting are also required in the interests of visual amenity and to ensure a successful planting scheme.

Conclusion

15. I therefore conclude that the development would not conflict with the Development Plan, nor the Framework. Accordingly for the reasons given and having regard to all matters raised, I allow the appeal as set out in the formal decision above.

K Winnard

INSPECTOR