



Appeal Decision

Site visit made on 21 July 2024

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 21 August 2024

Appeal Ref: APP/D3505/D/24/3343438

1 Rodbridge Hill Long Melford Sudbury CO10 9HL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Helen Read against the decision of Babergh District Council .
 - The application Ref is DC/23/05892.
 - The development proposed is Erection of ancillary granny annexe.
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Decision

1. The appeal is allowed and planning permission is granted for Erection of ancillary granny annexe at 1 Rodbridge Hill Long Melford Sudbury CO10 9HL in accordance with the terms of the application, Ref DC/23/05892, 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: CS-23094-01-PO; CS-23094-02-PO.
 - 3) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1 Rodbridge Hill Long Melford.
 - 4) Notwithstanding the requirements of condition 2, prior to the construction of any walls above ground level samples of materials to be used in the external cladding and roofing of the development hereby approved shall be submitted to, and approved in writing by, the local planning authority. The development shall proceed in accordance with the details approved.
 - 5) Other than for the purpose of containment of animals and the protection of infants no part of the land known as 1 Rodbridge Hill shall be enclosed by gate or fence or otherwise separated from the remainder of that land. The existing caravan and it associated enclosure shall be removed prior to occupation of the development hereby approved.

Preliminary Matter

2. Although the appellant refers to a 'fallback' position, it appears that subsequent to the Council's decision and preparation of the appellant's case that a Caravan, or mobile home, has been installed in the location proposed for the annex pursuant to the grant of a certificate in March 2024 for use as ancillary accommodation. The proposal would replace that with a larger single storey

building, but the Council's certificate confirms that what is proposed is not larger than that which could be lawfully placed at the site as a caravan in ancillary use.

Main Issues

3. The main issues are:

- the effect of the development on the character and appearance of the area, and
- whether the development would be ancillary to the existing dwelling.

Reasons

Character and appearance

4. No.1 Rodbridge Hill (No.1) is an established two-storey semi-detached dwelling at the end of a row of similar dwellings within the established settlement of Long Melford. No.1 enjoys good-sized gardens with a foregarden and an area of parking to the side, all slightly raised above road level. The plot contains a number of structures or sheds in use for purposes incidental to the occupation of the main house including chicken pens and garages or workshops which extend along one side of the linear plot alongside a pathway and continuous grassed area. The end of the garden is currently occupied by a mobile home beyond which lies open agricultural land.
5. Unlike most suburban areas where the intensity of use in larger plots often tapers with distance from the main house, the whole of the appeal site exudes an informal rural character both by dint of the open field surroundings to the settlement and from the nature of the incidental structures I have referred to.
6. No.1 lies at the end of a row of 8 similar properties, however a more recent development lies to the north¹, such that four detached houses which are of a 'chalet' design featuring upper floors within roof voids, look across the site from behind this tall-hedged northern side boundary. The proposed building would be a single-storey structure, broadly consistent with, albeit taller than, the incidental structures and caravan which are found in the existing garden. I note that the appellant proposes that the building would be weatherboarded; external treatments such as this are suggestive of a lack of permanence and therefore, as is the case with the other timber-build structures in the garden, present a degree of visual subordination to the seemingly solid masonry construction found in the main dwelling house.
7. Although what is proposed would be additional residential accommodation set at some distance from the main house, it would appear as part of a continuum of structures ancillary or incidental to the existing residential use of the appeal site. Consequently, having regard to the setting and positioning and the way the site is currently occupied, I consider the degree of visual change from what is currently found would not be widely apparent and, consequently, neither intrusive or prominent.
8. I therefore conclude that the proposal would not conflict with Policy LP24 of the Babergh and Mid Suffolk Local Plan Part 1 2023 (BMSLP) which seeks high quality design that responds appropriately to location and character.

¹ 'Westropp'

Ancillary use

9. The proposed building would replace an existing mobile home or caravan currently occupied by members of the appellant's family, consequent upon a grant of a Certificate of Lawfulness² which acknowledged there would be a shared use of facilities, including of the garden, within a single curtilage. Although the Council refer to the permanent nature of what is proposed in comparison with the existing caravan, it is material that within the bounds of continuing ancillary use a caravan such as that found may remain without time limit.
10. Policy LP02 of the BMSLP is directed at ensuring annexes do not become independent dwellings. Facilities within the building would include one bedroom, an open plan living room/kitchen and a shower room. The proposed building appears to include all the facilities for day-to-day domestic existence without the need for any reliance on facilities within the main dwelling, however the information provided makes clear that there is intended to be a familial connection between the uses of the two buildings and a shared use of the garden and parking area.
11. The circumstances explained are that the son and his family would occupy the main house and the appellant will benefit from the proposed accommodation being more suitable to needs of the appellant's husband. That such provision allows for a degree of independence does not of itself indicate that a separate dwelling is being created. Moreover the linear configuration of the garden area with an intervening grassed area and incidental buildings arranged along its length would not readily be subdivided for use by a separate household.
12. My observations of the site frontage indicate no reasonable prospect of separate access or parking area being provided. Moreover, that there is no realistic prospect of integration with the host dwelling if the annex is no longer needed is not determinative of the annex ultimately becoming a separate dwelling. Overall, given the development currently on the site and materials proposed taken with its discrete location, the building would appear to be subordinate and not a separate dwelling.
13. All of these matters consistently point towards the ancillary nature of the proposal which can be secured by conditions. From my inspection of the plans, the use of the site, in its entirety, would remain for single-family occupation. This could be ensured by conditions such that the proposal would not have a separate garden or parking.
14. I therefore conclude, for the reasons set out, that the proposal would support an existing provision for multi-generational use of a single dwelling by the erection of a building which would not conflict with Policy LP02 of the BMSLP which seeks to ensure residential annexes remain ancillary to the host dwelling.

Conclusions and Conditions

15. I have concluded that the proposal would not harmfully detract from the character and appearance of the area due to its appearance, location and setting. I have also concluded that, subject to conditions to prevent subdivision of the curtilage, to ensure continued ancillary use of the approved building and subordinate appearance through the selection of materials, the proposal would

² DC/23/05893

accord with the development plan taken as a whole. Consequently, taking all matters raised into account the appeal should succeed subject also to the usual plans and timing conditions.

Andrew Boughton

INSPECTOR