

Appeal Decision

Site visit made on 28 August 2024

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2024

Appeal Ref: APP/P1560/W/24/3338236

Blue Barns Farm, Old Ipswich Road, Ardleigh, Essex CO7 7QL

- 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 Mr George Mitchell against the decision of Tendring District Council.
 - The application Ref is 23/01051/FULHH.
 - The development is the retention of an outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for the retention of an outbuilding at Blue Barns Farm, Old Ipswich Road, Ardleigh, Essex CO7 7QL in accordance with the terms of the application, Ref 23/01051/FULHH, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos 2318-1101, 2318-1102-P1 and 2318-1201-P1.
 - 2) 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 Blue Barns Farm.

Preliminary Matters

2. The application was submitted retrospectively, and I saw during my site visit that the building has been fully constructed and was in use. I have therefore considered the appeal on a retrospective basis.
3. The development subject of this appeal is described on the application form as an outbuilding. However, the planning statement submitted as part of the planning application indicates that the building is to be used as an annexe/ancillary living accommodation. The submitted floor plan confirms that the building has the separate kitchen and bathroom facilities which would be associated with such a use. I saw during my site visit that the building, and the land directly surrounding it, was being used in association with the host dwelling for storage and for the keeping of dogs. Therefore, I have considered the appeal on this basis.

Main Issue

4. The effect of the development on the setting of the grade II listed building, Blue Barns Farmhouse.

Reasons

5. The appeal site is occupied by the grade II listed building, Blue Barns Farmhouse, a two-storey detached residential dwelling. The site is also occupied by a number of single storey outbuildings, hardstanding for the purposes of vehicle parking, extensive garden space and several large paddocks for the keeping of animals. Directly adjacent to the appeal site is a business park comprised of large scale industrial buildings. However, the wider surroundings are generally rural in nature with open fields and several residential properties.
6. Limited information has been submitted in relation to the listed building, Blue Barns Farmhouse. However, it appears that its significance is derived, at least in part, from the antiquity of its structure and from its status as a well preserved example of a vernacular building of its age and type. The open and rural setting of the surrounding area contributes to how this asset is appreciated and this setting makes a positive contribution to the significance of this listed building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for the development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest.
7. The appeal building has a large footprint, similar to that of the host dwelling. However, it is single storey in height and therefore appears duly subservient to the two-storey listed farmhouse. Due to the substantial size of the overall site, it is well separated from the host property, with other outbuildings located between the two. Furthermore, as it is located on the southern boundary of the appeal site, the building is largely viewed against the much larger industrial buildings on the neighbouring business park. Therefore, the building does not appear overly large in context to the site, its surroundings and the setting of the listed building.
8. The appeal building has uPVC windows and soffits with black timber effect cladding on the external walls. Whilst these are modern materials, contrary to the historic nature of the host dwelling, the design of the building has an agricultural appearance with the black timber style cladding giving the building a barn like effect, which is appropriate for this rural location. Furthermore, its appearance and use of materials are similar to other outbuildings on the appeal site and therefore the development is in keeping with its surrounds. As such, the development does not appear out of context with the historic setting of the listed building.
9. Therefore, for the reasons above, the development does not harm the setting of the listed building, Blue Barns Farmhouse, and does not conflict with Policy SP7 of the North Essex Authorities' Shared Strategic Section 1 Plan (2021) and Policies SLP3 and PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 2 (2022). These policies collectively seek to ensure that proposals affecting a listed building or its setting will only be permitted where it will protect its special architectural or historic interest, its character and appearance and its fabric, with the design and layout maintaining important existing site features of heritage and the development protecting assets of

historical value. It would also comply with the general heritage objectives of the National Planning Policy Framework.

10. Policy GDP of the Emerging Ardleigh Neighbourhood Plan 2020-2033 is not relevant to this appeal as this relates to housing development and development in relation to the settlement boundary, neither which are relevant to the development or the appeal site.

Other Matters

11. Third party concerns have been raised with regard to the felling of trees prior to the construction of the development. However, this is not relevant to the appeal or the main issue before me. Concerns have also been raised in relation to the erection of a bund on the appeal site to conceal the proposed development, however, this does not form part of the appeal and I saw no evidence of any such concealment during my site visit.

Conditions

12. I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision. A condition has also been included, as recommended by the Council, to ensure that the building is used ancillary to the residential use of the main dwelling.
13. The Council has suggested a condition requiring the appellant to provide details of a scheme for the provision and implementation of water, energy and resource efficiency measures. However, although the development is for a residential annexe with a bathroom and kitchen, I do not consider that such details are necessary to make the development acceptable in planning terms.

Conclusion

14. For the reasons given above the appeal should be allowed.

E Grierson

INSPECTOR