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## Appeal Decision

Site visit made on 8 October 2019

**by G Pannell BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4th November 2019**

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**Appeal Ref: APP/C1570/W/19/3233459**

**May Walk, The Stables, Elsenham Road, Stansted CM24 8SS**

- 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 Stuart Richardson against the decision of Uttlesford District Council.
  - The application Ref UTT/19/1012/FUL, dated 30 April 2019, was refused by notice dated 25 June 2019.
  - The development proposed is change of use and conversion of existing feed store.
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### Decision

1. The appeal is allowed and planning permission is granted for change of use and conversion of existing barn into a single residential dwelling at The Stables, May Walk, Elsenham Road, Stansted CM24 8SS in accordance with the terms of the application, Ref UTT/19/1012/FUL, dated 30 April 2019, 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: 19963 PL02 (Proposed Site Plan), 19970 PL01 (Existing Plan and Elevation) and 19970 PL02 (Plans and Elevations).
  - 3) No development shall take place above slab level until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
  - 4) No development shall commence above slab level until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
  - 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

## **Procedural Matters**

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form the description has been changed to the one that the Council used to deal with the proposal and I have therefore used this in my formal decision as I consider it to better reflect the development proposed.

## **Main Issue**

3. The main issue is the effect of the proposed development on the character and appearance of the area.

## **Reasons**

### *Approach to the decision*

4. Paragraph 79 of the National Planning Policy Framework ('the Framework') allows for the re-use of a redundant or disused building which enhances its immediate setting. Policy H6 of the Uttlesford Local Plan 2005 (LP) requires such buildings to be, amongst other things, structurally sound and of a historic, traditional or vernacular form. I consider that this additional requirement is more restrictive than the Framework. Policy H6 also states that substantial building reconstruction or extensions will not be permitted. There is, however, no definition within the policy or supporting text to define what is meant by "substantial". The policy pre-dates the Framework, nevertheless, as it is substantially more restrictive, having regard to paragraph 213 of the Framework I attach this policy moderate weight.
5. In any event, there is no dispute that the building subject of the appeal is in a sound structural condition or that it would be unlikely given its scale and location to be attractive as a business use, small-scale retail outlet, tourist accommodation or community use.
6. The Council accept that it is currently unable to demonstrate a deliverable 5 year supply of deliverable housing sites, with the latest assessment putting the supply at 3.29 years. LP Policy S7 sets out the Council's approach towards the countryside, that is land outside of settlement boundaries. It is more restrictive than the Framework in that it seeks to protect the countryside for its own sake. Consequently, Policy S7 is only partially consistent with the Framework and can be afforded only moderate weight in the determination of this appeal.

### *Character and appearance*

7. The site comprises a single storey stable block, storage buildings and grass paddocks. Some of these buildings have already gained planning permission to be converted to residential use. The site is accessed from May Walk bridleway from the B1051. The site is screened from these roads by mature hedges and vegetation.
8. At the time of my visit, one of the other buildings on the site was undergoing works in association with its conversion to a residential dwelling and I was able to see how the buildings within the site form a group and how the appeal building (former feed store) relates to these. The buildings form a cohesive cluster, being arranged in a rectangular form with the access wrapping around the site. They have an agricultural character. The block plan before me

- indicates how the site would be subdivided to provide amenity space and parking areas for the former feed store and those that already have planning permission. As a result, the proposal would not be isolated.
9. The former feed store would be converted to provide a three-bedroom dwelling and extended to provide a kitchen/dining room. As part of the conversion the roof would be replaced with a pitched roof, increasing the height of the original building, but replicating the appearance of the neighbouring stable block.
  10. I consider that the feedstore, if converted, would retain its agricultural character and would compliment the appearance of the other buildings on the site with the use of timber boarding and a tiled roof. The part of the building to be extended would be sited to the rear and would be a modest addition having regard to the overall scale of the dwelling. The replacement of the flat roof with a pitched roof would improve the building's appearance and replicate the appearance of the other buildings on the site. This would enhance the uniformity of the grouping and lead to an enhancement to the character and appearance of the area.
  11. The building is redundant from its previous use as a feed store in association with the former equestrian use of the site and as such the conversion would fall to be considered under Framework paragraph 79(c). The building proposed to be converted is of some architectural merit due to its design, appearance, and siting within a group of similar buildings, which contribute positively to the rural character of the area. Whilst some alterations are proposed to the building, these would replicate the appearance of the other buildings. I therefore consider that they would enhance the building's appearance and improve the character and appearance of the area. Furthermore, in my view, the proposed conversion would enhance the immediate setting as it would prevent the building falling into disrepair by providing it with a permanent use.
  12. It has been put to me that the scale of the extension and the introduction of a pitched roof would diminish the open rural character of the site. However, the building is not visible from outside the immediate confines of the site and therefore the character and appearance is derived from the grouping of buildings within which the feed store sits. In this context, the increased roof height would be proportionate to both the feed store and the adjacent stable block. As such, the proposal in this regard would enhance the character and appearance of the area.
  13. Whilst the proposal would inevitably introduce some domestic paraphernalia associated with the proposed use, the immediate character of the area will become more residential given the other buildings on the site being converted, or which have planning permission to convert to residential use. The proposed amenity area, which would be next to the gardens for the converted stable block, is modest in size and would be bound by proposed new planting. Therefore, I consider that domestic paraphernalia will be contained within these areas and would not be visible from outside the immediate site.
  14. In conclusion, I consider that the proposed development would enhance the character and appearance of the area. The proposal would therefore accord with policies S7 and H6 of the LP and paragraph 79 (c) of the Framework, which directs development to appropriate locations, allowing for housing in rural areas through the conversion of redundant buildings.

### **Conditions**

15. The Council has suggested 2 conditions. I have considered these in light of the Planning Practice Guide and the tests of the Framework and where necessary amended them for clarity. In addition to the standard implementation condition it is necessary, for the avoidance of doubt, to define the plans with which the scheme should accord. I also consider that conditions to agree a scheme of landscaping and details of external materials, would be necessary in this case given the lack of detail on the submitted plans.

### **Planning Balance**

16. For the reasons set out earlier in my decision, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.
17. I agree with the parties that the site would give rise to some economic benefits during the construction phase and I consider that there would be modest social benefits arising from the contribution to the Council's housing supply, given the contribution that small and medium sized sites can make. There would also be environmental benefits from the re-use of a redundant building and the character and appearance of the area would be enhanced for the reasons set out above. Consequently, I have not identified any adverse impacts associated with the development.

### **Conclusion**

18. For the reasons given above I conclude that the appeal should be allowed.

*G. Pannell*

INSPECTOR