
Appeal Decision

Site visit made on 30 May 2017

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29th June 2017

Appeal Ref: APP/M1710/W/17/3167870

**The Coach House, Stanford House, Stanford Lane, Bordon, Hampshire
GU35 8RG**

- 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 C Almond against the decision of East Hampshire District Council.
 - The application Ref 51715/006, dated 14 November 2016, was refused by notice dated 10 January 2017.
 - The development proposed is the use of the Coach House as a separate dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the use of the Coach House as a separate dwelling at The Coach House, Stanford House, Stanford Lane, Bordon, Hampshire GU35 8RG in accordance with the terms of the application, Ref 51715/006, dated 14 November 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), Schedule 2, Part 1, Classes A, B and E no extension, alteration, roof extension, outbuilding or other form of development therein defined shall be undertaken.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) Schedule 2, Part 2, no 'minor operations' shall be undertaken.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans: EH/511/IE/001; EH/511/IE/002; 899/03d; 899/04d; 899/05d.
 - 5) The car port shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors and for no other purpose.

Application for costs

2. An application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue in this appeal is whether the proposal would have a harmful effect in relation to the location of dwellings in the countryside.

Reasons

4. The appeal relates to The Coach House which stands within the grounds of Stanford House and being located within the countryside, outside any defined settlement. The Coach House was converted to provide self-contained accommodation, ancillary to the use of the main house as a result of planning permission granted in 2011. It has been occupied by family members since that time. A planning obligation would prevent the use of The Coach House as a separate dwelling and the appellants have indicated that this would be dealt with as a separate matter, if the appeal is successful.
5. Amongst other policies referred to, Policy CP19 of the East Hampshire Joint Core Strategy (JCS) operates as a general restraint in order to protect the countryside for its own sake. It states that the only development allowed in the countryside will be that with a proven need for a countryside location, such as that necessary for farming, forestry or other rural enterprises. Saved Policy C14 of the East Hampshire District Local Plan (EHDLP) relates to the change of use or conversion of buildings within the countryside and sets out a number of criteria to be met. In addition it includes a section relating to conversion for residential purposes; these refer to efforts to secure employment or community use, or the lack of suitability for the same, and a suitable curtilage being formed. Policy H7 relates to the subdivision of dwellings outside settlement boundaries and sets criteria for such proposals to meet, these include: the site being close to a town/village centre; the proposal would not result in harm in relation to amenity or the character of the area; the design of an energy efficient building.
6. Taking these and the other policies included within the documents into account, the policy context is one where a general restraint over development in the countryside exists. Certain exceptions are allowed for by other policies, including those set out above which are most relevant to this appeal. As the particular circumstances of this appeal are set out, the appeal relates to a building which is already converted and used for residential accommodation and so there are varying degrees of relevance of these policies to the proposal.
7. I note that Policy C14 allows for the conversion of buildings in the countryside but specifically applies criteria to residential conversions. Whilst it could be argued that the building has already been converted for residential purposes, the policy seeks such proposals to demonstrate that employment or community use is not possible. Whilst the Council are critical that these criteria have not been met, from my inspection of the site it seems clear that its access, parking and proximity to the main house would make it unsuitable for such uses.
8. Policy H7 refers specifically to the subdivision of dwellings and the Council considers it to be irrelevant to the appeal. In my view it could be seen as relevant as the proposal would involve the separation of ancillary

accommodation which is specifically linked to the main house, in functional terms. In this respect, I consider that the proposal does not offend against any of the criteria in Policy H7.

9. The individual planning circumstances of this case mean that the building is already present in the countryside and it is lawfully used as residential accommodation. Thus many of the policy intentions for general development in the countryside have already been addressed by the presence and use (to some extent) of the building. Other policies specifically allow for the conversion of buildings to dwellings in the countryside and in relation to C14, I am satisfied that the relevant criteria referred to by the Council are met or are not relevant, and that Policy H7 is met. Furthermore, the character of the countryside would not be altered as the building would still be occupied as a residence, potentially by similar numbers of people and any associated activities and movements of vehicles would be likely to be similar. Therefore, I am satisfied that the proposal would not give rise to any harm to the countryside or pattern of development.

Conditions

10. I have taken into account the advice in the Planning Practice Guidance in relation to the use of conditions, and the Council has suggested a number in the event that the appeal is successful. As well as the standard time limit for commencement, I agree that a plan requiring implementation in accordance with the approved plans is necessary for the sake of certainty. Due to the location within the countryside, I agree that the classes of permitted development which would allow extensions, outbuildings and other alterations should be prevented. The Council also ask for a condition which would ensure the retention of the car port for car storage only; I agree with the intention of the condition but I shall alter its wording.
11. Finally, the Council include a condition which states that the stables shall be used only for private, non-commercial purposes, incidental to the residential use. However, having inspected the appeal site, there are no stables within the red line of the defined site; the only other buildings are 2 small storage buildings, one in a poor state of repair and neither used for stables. The stables are outside the appeal site although indicated to be within the same ownership but are not affected by the appeal proposal. Therefore, I shall not include such a condition.

Conclusions

12. For the reasons set out above, I conclude that the proposal would give rise to no harm to the countryside, the pattern of development in the area or any other harm as so alleged by the Council. Therefore, the appeal is allowed.

S T Wood

INSPECTOR