
Appeal Decision

Site visit made on 3 July 2017

by A Jordan BA Hons MRTPI

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

Decision date: 13 July 2017

Appeal Ref: APP/B3410/W/17/3169322

Yeatsall Farm, Yeatsall Lane, Abbots Bromley, Rugeley, WS15 3DY

- 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 & Mrs R Hall against the decision of East Staffordshire Borough Council.
 - The application Ref P/2016/01546, dated 19 October 2016, was refused by notice dated 15 December 2016.
 - The development proposed is conversion of traditional pigsty to dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues for the appeal are:
 - Whether the proposal would provide acceptable living conditions for future occupiers of the development; and
 - The effect of the proposal on the living conditions of existing adjoining occupiers.

Reasons

The Living Conditions of Future Occupiers

3. The appeal site consists of a red brick agricultural outbuilding and an adjoining area of open land, which is laid to hard standing. The building lies adjacent to converted farm buildings, now in residential use, which formerly formed part of Yeatsall Farm. It is an attractive structure, which is single storey with a pitched roof of varying height, finished in Staffordshire blue tile. It has a number of window and door openings of varying sizes and heights, some of which have stone surrounds. Due to its original use the internal layout is cellular in form, with larger spaces in the parts of the building with a higher roofline, and a central lower section of smaller spaces with limited head height and low openings. A feeding trough within a stone boundary wall adjacent to these suggests these smaller "rooms" were the former pigsties.
4. The proposal seeks to provide a single bedroom property and uses the existing layout without extending the building. It includes some rooflights and the enlargement of one archway to form a door. In order to preserve privacy to the rear, a number of existing openings are to be bricked up or finished in obscured glass. As a result, the bedroom/dressing room and the kitchen in the

proposed dwelling would have no windows at a height which an occupant could see out of and so would have no outlook. In the case of the kitchen, which would be made up of the former pigsties with a low roof, the low windows, narrow layout and low head height would create an unacceptably dark and cramped room, which would not be effectively alleviated by the provision of conservation rooflights.

5. I accept that the proposal appears to comply with the *Nationally Described Space Standards* for a single storey 2 person, 1 bedroom dwelling. It would also have a large garden and many of the windows would face south. Nevertheless, within 2 of the 3 main rooms that make up the property, the quality of accommodation would fall short of an acceptable standard. As a result I cannot conclude that the dwelling would provide adequate living conditions for future occupiers. It follows that of the policies put forward by the Council the proposal would fail to comply with policy SP1, which seeks to ensure that new development protects the amenity of future occupiers of the development through good design. It would also fail to comply with guidance in the *National Planning Policy Framework* (the Framework), which also seeks to secure a good standard of amenity for all future occupiers of land and buildings.

The Living Conditions of Adjoining Occupiers

6. The building is immediately adjoined to the rear by the small rear yards of 2 residential barn conversions. These are relatively shallow and provide private amenity space for the occupiers. The Council are concerned that the close juxtaposition of the properties would leave both existing and future occupiers vulnerable to noise and disturbance. However, I have been provided with no convincing evidence in this regard. The new dwelling would be orientated towards the south and the privacy of occupiers would be retained by ensuring that existing overlooking openings are blocked up. There would therefore be limited scope for noise or disturbance becoming apparent through open windows in the new property.
7. Furthermore, although the adjoining rear garden of The Saddlery immediately abuts part of the proposed dwelling, it is an existing brick built structure, which could incorporate adequate insulation and normal residential activities would be unlikely to give rise to significant disturbance to either party. In relation to the effects of the proposal on adjoining occupiers I therefore find no conflict with policies SP1, SP8 DP3 and DP7 of the Local Plan, or with guidance in Appendix 1 of the East Staffordshire Design Guide, which together seek to ensure that new development protects the amenity of residential occupiers and does not result in unacceptable intensification or give rise to unacceptable levels of noise pollution.
8. The Council have also referred to policy DP1. Policy DP1 refers to light, outlook and privacy for nearby occupiers, none of which were matters of concern for the Council or matters on which I have found harm, and so is not directly relevant to the proposal.

Other Matters

9. I note the concerns of residents in relation to the loss of parking and access, however, this appears to be an informal arrangement, and taking into account the availability of other parking available on the site I concur with the views of

the County Highway Engineer, who had no objection to the scheme. Furthermore, whilst I note the views of residents in relation to the completion of schemes elsewhere on the farm complex, this does not alter my consideration of this proposal on its own merits. I have no convincing evidence that the building is not structurally sound, or that the site could be contaminated, and so am satisfied that planning conditions could be used to mitigate any potential risk in this regard. Any effects on protected species could also be mitigated by appropriate conditions. These matters do not therefore weigh against the proposal.

10. I take into account that the proposal would bring back into use a redundant building and that the scheme proposed would retain many of the attractive characteristics of the structure. It would also provide an additional dwelling which would contribute to housing supply in the district. These matters weigh in favour of the proposal. Nevertheless, the proposal would lead to harm as a result of inadequate living conditions for future occupiers which would undermine the contribution the proposal would make to housing supply.

Conclusion

11. The proposal would provide inadequate residential accommodation, which would be harmful to the living conditions of future occupiers, contrary to policies SP1 of the Local Plan and guidance in the Framework. This harm would be substantial and would not be outweighed by the stated benefits. Accordingly, having regard to all other matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR