
Appeal Decision

Site visit made on 3 July 2017

by V Lucas-Gosnold LLB MCD MRTPI

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

Decision date: 4th August 2017

Appeal Ref: APP/Y3425/W/17/3175191

Long Lane Head Farm, Long Lane, Stoke on Trent, ST15 8SN

- 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 David Shammas against the decision of Stafford Borough Council.
 - The application Ref 16/24832/FUL, dated 19 September 2016, was refused by notice dated 8 November 2016.
 - The development proposed is conversion of derelict barn to single residential dwelling with new extension to rear. Demolition of existing hayloft and erection of new garage and guest accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to any relevant development plan policies and the National Planning Policy Framework;
 - The effect of the proposal on the character and appearance of the area; and
 - If the proposal would be inappropriate development whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate

3. The proposal would see the conversion of an existing barn to from one residential dwelling. A new extension would also be constructed at the rear of the building. As submitted, it was intended to demolish an existing building and construct a new one to serve as a garage and guest accommodation. However, during the site visit I observed that this building has been demolished.
4. The Decision Notice issued by the Council specifically identifies policies E2 and N1 of the Plan for Stafford Borough (Adopted June 2014) (LP). Policy E2 sets out the types of development that will be supported in rural areas outside of

the settlements identified in SP3 and outside of the Green Belt. As the appeal site is located within the Green Belt this policy is therefore not directly relevant to my consideration of this main issue. Policy N1 sets out the approach to design and does not specifically refer to the Green Belt. This policy is also not therefore directly relevant to this main issue.

5. As a relevant Green belt policy from the development plan is not before me, I shall therefore determine this appeal with regard to the provisions of the National Planning Policy Framework (Framework).
6. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt. Exceptions are listed to this and include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces and; the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Paragraph 90 also states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include the re-use of buildings provided that the buildings are of permanent and substantial construction.
7. The Council have stated that there is no recorded planning history for the building on the appeal site described as a cowshed/hayloft. However, it would seem to have been in agricultural use at some point prior to its demolition. As the proposed use of the replacement building that forms part of this appeal scheme would be for a garage and guest accommodation it would not therefore be residential and not in the same use. Therefore this element of the proposal would not meet the paragraph 89 exception relating to replacement buildings. Added to that, the building has already been demolished. On that basis, I conclude that the construction of the proposed garage and guest accommodation would be inappropriate development in the Green Belt.
8. Turning to the proposed barn conversion, I have been made aware of the planning history for the site which includes planning consents for the conversion of the barn to residential use and a prior approval notification which was approved for the conversion of the barn to form two dwellings. However, it was subsequently found upon inspection by the appellant's architects that the development would provide insufficient headroom to the upper floors. These schemes have not been implemented.
9. The appellant has referred to a structural survey which states that the roof of the building is near collapse. Whilst the walls are stated as being structurally sound, the collapsing roof is causing the walls to spread outwards. It is therefore proposed to take the roof off the existing building and increase the height of the building to provide sufficient headroom on the upper floor. The alterations would include the replacement of the south facing gable wall with full height glazing and celestial windows to raise the roofline. The external surfaces of the barn are currently red brick with a slate roof. The replacement roof would be metal sheeting and the brickwork retained.
10. The planning history may have established that the principle of converting the barn to a residential use is generally considered to be acceptable. However, I understand that the previous consents did not alter the size or structure of the barn. It is clear that this appeal scheme would require significant alterations to

the existing building in order to implement the conversion and an increase in massing would result. The existing building retains a simple, agricultural form with a limited number of openings. Whilst it may be proposed to only raise the ridge height by 400mm, the alterations would result in the extensive addition of new glazing elements. Specifically, celestial windows between the replacement roof and the top edge of the exterior walls around the building and large feature windows that would replace the majority of the brick in the west elevation and also a large glazed element in the south facing elevation (as shown on the submitted plans).

11. As a consequence of the appeal proposal, the external appearance of the building would therefore be considerably altered and would have much more of a domestic residential appearance when compared with the existing situation. This would detract from the simple rural form of the existing building and would result in the urbanisation of the site as a consequence. There would also be an increase in massing of the built form on the site as a consequence of the proposal. For these reasons, the proposal would be harmful to the openness of the Green Belt and would result in the encroachment of residential development into the countryside, thereby conflicting with one of the purposes of including land within the Green Belt. It would therefore not meet the Framework's paragraph 90 exception relating to the re-use of buildings and would be inappropriate development in the Green Belt as a consequence.
12. There is an existing single storey extension to the rear of the building that is constructed from metal sheeting and has a low key visual appearance. The proposed extension would result in a two storey extension with large amount of glazing. This would therefore represent a material increase in scale when compared with the existing situation due to the height increase and substantial alteration to the form of the extension proposed when compared with that of the existing small scale extension. Furthermore, taking into account the scale of the alterations proposed to the barn building, I consider that the scheme as a whole would result in disproportionate additions over and above the size of the original barn. If the proposed garage/guest house building is also taken account of then the scale of the additions would be even more disproportionate when compared with that of the original building and taking account of the fact that the hayloft building has already been demolished. The appeal proposal would therefore also not meet this paragraph 89 Framework exception.
13. Whilst the appellant has stated that the proposal would see an increase in size of less than 70% when compared with the existing building, it is not clear how that figure was calculated. In any event, the relevant Framework exception does not identify a specific percentage above which extensions and alterations should be judged disproportionate. A purely mathematical assessment of an application based on size increase alone often fails to take account of all the factors necessary when exercising a planning judgement. In this case, I have assessed the proposal on the basis of the existing site, the submitted plans and other relevant information including Green Belt policy as set out in the Framework.
14. Paragraph 91 of the Framework is also referred to on the Council's decision notice. However as this relates to renewable energy projects which does not form part of the appeal proposal before me it is not directly relevant. The Council officer's report also refers to paragraph 55 of the Framework but this is not relevant to the issue of development in the Green Belt.

15. Accordingly, I conclude on this main issue that the proposal would be inappropriate development in the Green Belt. This is because it would involve the construction of a new building to form a garage/guest accommodation and the re-use of a barn that due to the alterations proposed would impact upon the openness of the Green Belt and conflict with one of the purposes of including land within it. The proposal would also result in disproportionate additions over and above the size of the original building. The proposal would therefore conflict with paragraphs 89 and 90 of the Framework.

Character and appearance

16. The existing barn on the site is constructed in red brick with a slate tile roof. It is rectangular in form with limited openings. There are some old stable doors along the front facing elevation. The building is simple in form and has a typical agricultural appearance. The building does have a slightly derelict appearance with openings having been closed up with corrugated metal. However, it is visually unobtrusive and fits into the rural surroundings where it is situated. It is prominent in public viewpoints when seen from the highway.
17. The appeal site is accessed down a long narrow lane. As one travels further along it from the direction of the main road, the buildings become more dispersed and views of the open countryside beyond become more apparent. The area close to the site therefore has a tranquil, rural feel with limited views of other buildings close by. The character of the area therefore has a rural, agricultural feel and the visual appearance of the appeal building is in line with this. As the hayloft building has been demolished it no longer forms part of the streetscene.
18. The appeal proposal would see the conversion of the barn to a dwelling along with an extension and the construction of a detached building that would serve as a garage/ guest accommodation.
19. I have previously described how the alterations proposed would significantly alter the simple agricultural appearance of the existing barn. This would include the introduction of large sections of glazing including a strip of celestial windows right around the top edge of the building that would separate the walls from the new roof. There would also be large picture windows in the elevation shown on the plans as 'D-D' and also the rear elevation of the proposed extension. The introduction of such extensive glazing would be at odds with the simple, traditional character of the existing building and would significantly detract from its visual appearance as a consequence.
20. The slate tiled roof would be replaced with metal sheeting which would also not reflect the existing character or appearance of the barn and would introduce a stark, industrial element that would be seen as an alien and discordant feature. The proposed use of glazing and metal sheeting for the detached garage/guest accommodation would also result in it detracting from the visual appearance of the area for the same reasons. The proposed development would be visible from public viewpoints along the highway and would significantly detract from the character and appearance of the area as a consequence. Although the existing barn may not be listed and it is in a state of disrepair, this consideration does not outweigh the harm that I have identified.
21. Accordingly, I conclude on this main issue that the development proposed would be harmful to the character and appearance of the area. The proposal

would therefore conflict with policy E2 (d), (e), (h) and policy N1 (g) and (h) of the Plan for Stafford Borough (Adopted June 2014) which together seek to ensure that all development in rural areas respects the local vernacular, is of high quality design, takes into account the local character, and has regard to the local context.

Other considerations

22. I acknowledge that the barn building on the appeal site benefits from an extant consent to convert it to residential use and that therefore the principle of a residential conversion has been accepted. Whilst I have taken account of this, I understand that the previous consents did not alter the size or structure of the barn and that the existing apertures within the barn were largely respected in terms of location and design. I have therefore assessed this appeal scheme on its own merits on the basis of what has been proposed for this particular application. Although I appreciate that the appellant considers that the previous schemes may have been undersized and that this proposal would see the conversion of a derelict barn to form one additional dwelling. I therefore attach limited weight to this consideration.
23. Whilst neighbours may have been granted permission for buildings on nearby plots, the particulars of that case are not before me. I am therefore unable to assess in what way the scheme may be sufficiently similar to this appeal proposal. Whether or not the appellant was able to object to a planning permission granted on a neighbouring plot of land is not relevant to my determination of this appeal. I attach no weight to these considerations.

Conclusion

24. Accordingly, whilst the proposal would see the re-use of an existing barn the nature and extent of the alterations proposed and the increase in massing as a consequence would result in harm to the openness of the Green Belt and would conflict with one of the purposes of including land within it. The proposed construction of the building that would serve as a garage/ guest accommodation would be replacing an agricultural building and it would therefore not be in the same use as the building it is intended to replace. In any event, the hayloft building has since been demolished. Additionally, the proposed rear extension would represent a significant increase in size and would result in disproportionate additions over and above the size of the original barn building, particularly when considered in combination with the proposed barn conversion and garage/guest accommodation building.
25. The development proposed would therefore be inappropriate development in the Green Belt as described in paragraphs 89 and 90 of the Framework. Substantial weight should be given to any harm to the Green Belt according to the Framework (paragraph 88).
26. The development proposed would also be harmful to the character and appearance of the area and would conflict with policies E2 (d), (e), (h) and N1 (g) and (h) of the LP. This adds to the Green Belt harm that I have identified.
27. On the other hand, I give limited weight to the extant consents that exist for the residential conversion of the barn and the appellant's desire to convert the barn. However, these other considerations do not clearly outweigh the totality of harm I have identified. Accordingly, very special circumstances necessary to

justify the development do not exist and the proposal would conflict with paragraphs 88, 89 and 90 of the Framework and policies E2 (d), (e), (h) and N1 (g) and (h) of the LP.

28. For the reasons given above, I conclude that the appeal should be dismissed.

V Lucas-Gosnold

INSPECTOR