



Appeal Decision

Site visit made on 24 September 2019

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2019

Appeal Ref: APP/P3040/W/19/3229425

**Land to North East of Westhorpe, Willoughby on the Wolds,
Nottinghamshire LE12 6TD**

- 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 Will Haynes against the decision of Rushcliffe Borough Council.
 - The application Ref 19/00403/FUL, dated 12 February 2019, was refused by notice dated 10 April 2019.
 - The development proposed is conversion of an existing stable block to a single holiday let.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal is consistent with the objectives of planning policy relating to housing in rural areas.

Reasons

3. The appeal site is located within the open countryside, and does not form part of a settlement. It comprises an existing wooden stable block, which from my site visit, appeared to still be in use. Areas of the larger site are fenced off and are used as equestrian paddock. Access is taken from Westhorpe. The application plans demonstrate that two parking spaces will be located close to the existing building.
4. Policy EN16 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (the NSLP) relates to conversion or change of use of buildings outside of settlements and states that schemes will only be granted where, amongst other matters, the building is of permanent and substantial construction, and suitable for use with significant extension, alteration or rebuilding. The NSLP does not form part of the development plan but is a material consideration.
5. In addition to this, it is necessary to ascertain whether the development would constitute a conversion for the purposes of Paragraph 79 of the National Planning Policy Framework. I find that the proposal would fall within the definition of an isolated new home, which in terms of Paragraph 79, should be avoided. The appeal building is visually and physically separate from the nearest residential properties and the settlement.

6. Based upon the evidence before me, and from my site visit, the building is still in active use as a stable, and therefore cannot be considered to be a redundant or disused building, and as a result, does not meet the criteria set out in Paragraph 79 of the Framework.
7. In terms of Policy EN16 of the NSLP, the appellant has provided a visual inspection report. This states that the building provides a suitable shell for conversion requiring minimal structural alterations. It is proposed that the timber walls and frame are retained with internal wall insulation added. The existing roof covering will be removed and replaced with a standing seam metal roof.
8. However, I have noted that the visual inspection report recommends an engineer to be consulted with regard to the suitability of the building to support the roof structure or advise on any strengthening works which may need to be undertaken. I have not been provided with any detailed information regarding those recommendations, therefore I cannot be certain that the building could be converted without significant extension, alteration or rebuilding.
9. Therefore, I conclude that the proposal is not consistent with the objectives of planning policy relating to housing in rural areas, given the conflict with Policy EN16 of the NSLP and Paragraph 79 of the Framework.

Other Matters

10. I have noted the comments of the appellant in relation to the sustainability aspects of the proposals, as well as the aspirations of the Framework in looking to encourage economic growth in rural areas. Nonetheless, I find that the harm that I have identified in terms of the nature of the building, and the uncertainties in relation to its conversion in relation to rural planning policies outweighs any limited benefits that can be demonstrated in favour of the appeal proposals.

Conclusion

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

Paul Cooper

INSPECTOR