
Appeal Decision

Site visit made on 17 December 2019

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2020

Appeal Ref: APP/Y3425/W/19/3237551

Land to the north of Fairbanks Cottage, The Green, Chebsey, Stafford ST21 6JU

- 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 David and Jean Clews against the decision of Stafford Borough Council.
 - The application Ref 19/30637/COU, dated 24 May 2019, was refused by notice dated 11 July 2019.
 - The development proposed is the change of use of agricultural building to residential with minor alterations, formation of domestic curtilage with erection of fence and hedge-planting, formation of a parking area, plus demolition of pole barn.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are:
 - a) Whether the development would be consistent with local and national policies relating to the location of new housing development; and
 - b) The effect of the proposal on the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Chebsey Conservation Area (CA) and the effect of the proposal upon the setting of listed buildings and non-designated heritage assets.

Reasons

Location of site

3. The appeal site is located within the village of Chebsey and within the Chebsey Conservation Area and is visible from a number of approaches into the village. Chebsey is not classed as a settlement in the Sustainable Settlement Hierarchy and as such the appeal site is located within open countryside.
4. The site contains two buildings – a brick-built cowshed and a pole barn that occupy a prominent central position in the site and that are elevated from The Green. Both buildings are in a state of disrepair but despite their appearance do not significantly detract from the area's verdant appearance.

5. For areas outside settlement boundaries Policy E2 of The Plan for Stafford Borough (2014), (PSB) amongst other things, sets out a number of criteria for assessing the suitability for the use and re-use of rural buildings.
6. The appeal site is located within open countryside and the settlement is not well connected to the nearest Key Service Village. It is acknowledged in the National Planning Policy Framework (the Framework) in paragraph 103 that transport solutions vary between urban and rural areas. However, future occupiers would be overwhelmingly reliant on private vehicles to access services and facilities to meet their day to day needs. There are no realistic alternative modes of transport or footpaths that would be available for future occupiers.
7. The appellant has indicated that they are partially self-sufficient in terms of fruit, vegetables and eggs and that this would continue, and any surplus supplied to the village. However, this would not outweigh the conflict that I have identified in relation to this criterion of the policy. I also find that this conflict would not be overcome through the imposition of a condition for electric vehicle charging points.
8. I note the appellant maintains that a previous application¹ for a speculative business use was refused by the Council and therefore this criterion of the policy has been satisfied. The Council have advised that the application was refused on scheme specific reasons rather than the principle of a business use in this location and dispute the appellant's comments on this matter. Based on the information before me I am not persuaded that the appellant has fully satisfied this criterion of the policy.
9. The structural assessments submitted with the application indicate that there has been some movement in the timber truss bearings but that the roof is in a satisfactory condition and despite plenty of weathering of bricks and cracking around the building the walls are upright and stable. However, the reports go on to state that for a conversion to take place the left side of the front wall will require rebuilding on new foundations; re-pointing of the brickwork and replacement of bricks in poor condition, new damp course proofing, new timber lintels and a new roof covering would be required. In addition to the structural works the proposal would involve significant alterations in the form of modern glazing, timber weather boarding and steel roof covering to the wings.
10. Furthermore, having regard to my own observations at the site visit, there appears to be considerable areas of deterioration consistent with the prolonged periods of neglect and lack of maintenance including significantly weathered and damaged brickwork.
11. Taking the above into account and my observations on site I am not persuaded that the building would be capable of being converted into residential use without significant alteration or rebuilding and would be tantamount to a new dwelling in the countryside.
12. The proposal would utilise existing openings and the original form of the central element would by and large be retained. The wings would have a modern appearance with an increased ridge height, although they would still be subservient to the central element. The overall bulk and design would

¹ 18/28284/FUL

successfully juxtapose the historic form of the building and the modern alterations resulting in a pleasing appearance.

13. There is no evidence before me to indicate that the buildings on site are of historic significance, notwithstanding their location within the CA. I therefore find that the proposal would not harm the significance of a historic farmstead. Given the lack of historic significance I find that the external alterations to the building would not unduly harm the character of the countryside. Taking into account the modest increase in the height of the wings the proposal would not unduly diminish views across the site.
14. Notwithstanding the above, the cumulative impact of the driveway, parking area, pathway, the proposed garden area and boundary treatment would result in a domestication of the site that would significantly erode its verdant and rural appearance adversely affecting the character and appearance of the area.
15. Taking into account the site's prominent position in the village the scheme would not successfully integrate into the wider landscape. It would be very apparent and intrusive appearing as an incongruous form of development that would change the verdant appearance of the site to something more urban. The harm that I have identified would not, in my view, be overcome through the imposition of conditions in relation to materials, landscaping or hard surfacing.
16. The Council state the proposal would not be large enough and indicate that it falls below the standards contained in the 'Technical housing standards – Nationally Described Space Standard' for a 1 bed, 2-person house. Based on the information before me it is not apparent whether the Council have adopted the housing standards as part of the development plan. Nonetheless, I find the proposed internal layout indicated on the plans would be satisfactory and would be of a sufficient size to accommodate a residential use. The proposal therefore accords with this criterion of the policy.
17. Taking all of the above into account I find that the proposed development would not accord with the Policy E2 of the PSB in relation to the re-use of rural buildings. I also find that it would be contrary to Policy N8 of the PSB which, amongst other things, requires new development to reinforce and respect the character of the settlement and the landscape setting.

Character and appearance including effects on heritage assets

18. The CA is characterised by a surviving historic road layout and green spaces, including the appeal site, that extend through the village and surround the built form that contribute to its rural agrarian character. This agrarian landscape provides the verdant setting for a number of designated and non-designated assets in the village.
19. The parties have identified a number of listed buildings nearby the site. These comprise The Mount a two storey red brick dwelling elevated from the highway; The Green Park a 17th century cottage; Lane Cottages formerly known as the Old School House and now one dwelling that has been altered and restored; and the Anglo-Scandinavia cross a monument located in the churchyard of All Saints' churchyard.
20. Further to the listed buildings there are a number of attractive buildings along the northern side of the Green comprising cottages and former farmhouses of a

similar vernacular that collectively as a group make a positive contribute to the CA.

21. I acknowledge that the demolition of the pole barn would improve the character and appearance of the site and the CA. However, I find that the domestication of the site would unacceptably diminish the site's verdant and rural appearance which would not preserve the character or the appearance of the CA. I turn now to the effects on nearby listed buildings.
22. The introduction of the domestic build form into this attractive verdant agrarian landscape would harm the setting of nearby designated assets. The proposal in the manner shown would be very apparent and intrusive and would diminish the site's contribution to the collective setting and significance of nearby listed buildings.
23. In light of the above I find that there would be some, albeit limited harm to the CA and the setting of nearby designated assets. I also find that the proposal would result in harm to the setting of nearby non-designated assets. Accordingly, the proposal would be contrary to Policy N9 of the PSB and paragraph 127(c) of the Framework.
24. In accordance with Paragraph 196 of the Framework, it is for the decision maker, having identified harm to designated assets, to consider the scale of that harm. In this case I conclude that the proposal would lead to less than substantial harm to the significance of the CA and the setting of nearby listed buildings. This harm should be weighed against the public benefits of the proposal including, where, appropriate, securing its optimum viable use, which I now turn to.
25. In this regard, the proposal would contribute to local housing supply and employment with the construction of one dwelling, but these benefits are modest. I therefore afford these benefits limited weight. Taking into consideration the points above I find that the harm to the CA and the setting of nearby listed buildings would clearly outweigh the public benefits of the proposal.
26. As such it would fail to preserve or enhance the character and appearance of the CA and the significance of designated heritage assets and non-designated heritage assets contrary to Policies N1, N8 and N9 of the PSB which, amongst other things, requires development to preserve and enhance the character of the area, have regard to and protect the setting of heritage assets, sustain or enhance the significance of them and protect historic elements of the present day landscape. It would also conflict with the Framework.

Other Matters

27. I acknowledge that the site is located within the 15km zone of influence of the Cannock Chase SAC, however, as I am dismissing the appeal on other substantive grounds it has not been necessary for me to consider this matter further.
28. I note that representations against the appeal have been received in respect of the size of the access and highway safety, landscaping, sewerage, storage for agricultural, garden equipment or bins, precedent, and the suitability of other land for development but have not led me to a different conclusion.

Conclusion

29. For the reasons set out above the appeal is dismissed.

B Thandi

INSPECTOR