



Appeal Decision

Site visit made on 25 February 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th April 2020

Appeal Ref: APP/J3720/W/19/3242348

Green Farm, Napton Road, Stockton CV47 8HT

- 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 Gary Cole against the decision of Stratford on Avon District Council.
 - The application Ref 19/02191/FUL, dated 2 August 2019, was refused by notice dated 10 October 2019.
 - The development proposed is partial change of use of stable block to residential annex.
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Decision

1. The appeal is allowed and planning permission is granted for the partial change of use of stable block to residential annex on land at Green Farm, Napton Road, Stockton CV47 8HT in accordance with the terms of the application, 19/02191/FUL, dated 2 August 2019, subject to the following conditions:
 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 2. The development hereby approved shall be carried out in accordance with drawing 218274-PL-003 A Proposed Plan & Elevations.
 3. The materials to be used in the development hereby permitted shall be as specified on the plans and the application forms.
 4. The outbuilding hereby approved shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as Green Farm. The development shall not be used, occupied or let as a separate dwelling unit and no separate curtilage shall be created.

Preliminary Matters

2. The Council are of the view that the proposed annex must be assessed as an independent dwelling. From the information before me, there is nothing in the appeal application, nor the appeal submission which would suggest that the proposal is for anything other than a residential annex. I also note that the reason for refusal makes specific reference to the proposal conflicting with CS.20 (B) of the Stratford-on-Avon District Core Strategy 2011 to 2031 (Core Strategy), which relates to annexes. I have therefore determined the appeal on this basis.

Main Issue

3. The main issue is whether the development would comprise a new self-contained dwelling in the countryside contrary to both local and national policy.

Reasons

4. Policy AS.10 (Countryside and Villages) of the Core Strategy seeks to protect the rural character of the District from inappropriate development. Part B of Policy CS.20 (Existing Housing Stock and Buildings) requires alterations and modifications to existing buildings and dwellings to provide annexes, to be of an appropriate scale and subservient in relation to the existing building, taking into account the site location.
5. The appeal site comprises a number of buildings, which include a farmhouse, detached garage and a stable block. The proposal relates to the stable block, which is a single storey, brick built detached building, with storage space provided within the roof. The block is arranged around a courtyard with two entrances. The appeal proposal would involve the use of part of the stable block as residential accommodation. The appellant contends that the residential use would be an annex to the main dwelling on the site and occupied by family members.
6. Whilst the stable block is not within the curtilage of the host dwellinghouse, they share a common boundary, access and parking facilities. There are existing connections between the two buildings. Accommodation would be provided across two floors, with a bedroom, en-suite bathroom and an office on the first floor, with a lounge and dining area, small kitchenette and WC on the ground floor. Parking and access arrangements would be shared with the main house.
7. Whilst providing suitable living accommodation, it would be of such a limited range and size that residents would still require and depend on the main farmhouse for everyday living. Evidence is submitted that the properties would share utility bills, washing facilities and that occupants of the annex would take their main meals in the farmhouse. Overall, I find that the scale of the accommodation that would be provided, to be relatively minor in size. As such, I therefore find that the level of accommodation proposed would be of an appropriate scale and would be subservient to the main building.
8. I note the Council's concern that due to the range of facilities to be provided within the annex, it could, in the future become an independent dwelling. Such a change would require the granting of a new planning permission, at which time the Council would be able to fully assess the merits of such a proposal against the appropriate development plan policies. However, to provide further control over this, an appropriately worded planning condition to restrict the occupancy of the annex could be attached to any planning permission.
9. For the reasons outlined above, I conclude that the proposal would not result in the creation of a new dwelling in the open countryside and, in this respect, would not be contrary to Policies CS.1, CS.15, CS.20 and AS.10 of the Stratford-on-Avon District Core Strategy 2011 to 2031 and paragraph 79 of the National Planning Policy Framework 2019.

Conditions

10. The conditions have been considered in light of the advice contained within the Framework and the National Planning Practice Guidance. In addition to the standard period for commencement of development, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. To safeguard the character and appearance of the area, it is appropriate to attach a condition to require the materials to be controlled as per the application form and as per the submitted drawings. To ensure the use of the building remains as an annex and to avoid unnecessary burden in terms of service provision, , it is appropriate to attach a condition to restrict the use of the building.
11. A condition has been suggested by the Council in relation to bin storage, however I do not consider this is necessary, as the annex will be sharing these facilities with the main farmhouse. A condition is also proposed in relation to the provision of a waterbutt, however this would appear to be unnecessary.

Conclusion

12. I conclude, for the reasons outlined above, that the appeal should be allowed subject to the identified conditions.

Adrian Hunter

INSPECTOR