



Appeal Decision

Site visit made on 15 May 2020

by Jonathan Hockley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th June 2020

Appeal Ref: APP/F2415/W/19/3243810

Lakeside Farm Stables, Melton Road, Shangton, Leicestershire LE8 0PL

- 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 RL & BA Hook against the decision of Harborough District Council.
 - The application Ref 19/00808/FUL, dated 17 May 2019, was refused by notice dated 18 July 2019.
 - The development proposed is change of use and conversion of existing residential building and stables to dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the site is a suitable site for residential development having regard to sustainable development.

Reasons

3. Shangton is a small settlement lying to the north of Market Harborough. The main hamlet is located to the west of Melton Road. Lakeside Farm Stables is located a little to the east of the settlement and the Melton Road, and is accessed off this latter road, forming part of a small group of properties detailed as Lakeside Stables, Lakeside Farm, and Lakeside Lodge on the submitted plans; Shangton Lodge is also referred to in evidence. To the south is the former Shangton Care Centre, which was being redeveloped for residential housing at the time of my visit; the appellant states that 27 detached dwellings will be located on this site.
4. There is a large field separating Lakeside Farm and Stables from the Melton Road, with fields also located to the north and south of the appeal site. To the east lies the garden for Lakeside Farm, with a large pond set by Lakeside Lodge to the south east of this. The area is rural and has a very peaceful air and ambience, with very few services and facilities nearby.
5. As its name suggests Lakeside Farm Stables is a stable block. The building has an 'L' shape and was constructed in 2012. The majority of the building is used for what appears to be largely domestic/residential storage at present, although the northern section of the structure has been converted to ancillary residential use prior to the purchase of the property by the appellant, with plans detailing a bedroom, lounge and kitchen in this area. The Council state

that this change is unauthorised. The proposal seeks to convert the remainder of the building into residential use and remodel internally to create a three-bedroom dwelling.

6. The appellant accepts that the site is located within the countryside outside of any defined sustainable settlement. Policy GD4 of the Local Plan¹ states that in the countryside new residential development will only be permitted where, amongst other criteria, it forms the reuse of a redundant or disused building that results in enhancement to its immediate setting. Paragraph 79 of the National Planning Policy Framework (the Framework) largely mirrors this text and states that planning decisions should avoid the development of isolated homes in the countryside unless, amongst other circumstances, the development would re-use redundant or disused buildings and enhance its immediate setting.
7. The building is currently used; both in terms of the residential element of the Stables and the storage uses in the other sections of the structure. The proposal would not therefore reuse a redundant or disused building, irrespective of whether the proposal would enhance its immediate setting. The proposal is therefore contrary to Policy GD4 of the Local Plan. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
8. As above, I noted on my visit the presence of other residential properties nearby, including the redevelopment of the former Care Centre, although I have little information regarding the circumstances leading to this redevelopment. However, while the Stables may not be isolated physically due to the presence of these nearby properties, the appeal site remains physically separate and remote from a settlement and is therefore isolated in this sense. As such the proposal would also be contrary to the Framework.
9. The existing structure appears to be well maintained and used but has clearly been converted at its northern end due to the insertion of a door and a number of windows of varying sizes. These provide a domestic air to a rural building. The insertion of a significant number of further doors, including three sets of French doors and more windows, along with the filling in of the current open overhung area at the corner of the building and the change in roof type of the building would clearly domesticate the remainder of the structure and provide the appearance of a dwelling in the countryside, an effect likely to be added to by the domestication of the proposed garden for the property. While views of the building from public areas may be hard to come by, views and access can change over time.
10. The purpose of Policy GD4 is stated in the Local Plan as to reflect the concentration of housing development in more sustainable settlements and that restricting development in the countryside, where public transport is more limited and often non-existent also helps to meet the transport objectives of the Local Plan as well as contributing to the reduction of carbon emissions.
11. The appellant notes that sustainability in respect of development in the countryside operates at a different level to that expected in urban locations, and paragraph 103 of the Framework notes that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and

¹ Harborough Local Plan 2011-2031, April 2019

this should be taken into account in decision making. However, I have not been provided with any evidence of any bus services along Melton Road nor of the proximity of local services (save to acknowledge that Shangton settlement has very limited facilities), and consider it unlikely given distances involved that future residents of the proposal would walk or cycle to local services and hence there would be very little opportunity to maximise sustainable transport solutions. The proposal would therefore lead to future residents using a private vehicle for virtually all of their day to day needs. While the proposal would lead to some economic and social benefits through the construction and provision of a new home, the environmental harm caused by a dwelling in the countryside accessible only by private vehicle and the visual harm of the proposal would outweigh such considerations and I do not therefore consider that the scheme would be sustainable.

12. Above I have noted that part of the building is already in residential use. However, the existing residential element of the building is accepted to not have planning permission. The appellant is of the view that as the Council are aware of its existence and it has not been the subject of any formal action that "it has been accepted that there is evidence sufficient to suggest to officers that if formal Lawful development certificate was applied for, for a residential dwelling this is likely to be granted." However, there is no evidence of this point, from, for example, the existence of a Lawful Development Certificate or correspondence from the Council that the use is accepted. In fact, the planning officer's report notes that the current residential accommodation did not obtain planning permission and is unauthorised. There is no indication therefore that the Council agree with the appellants statement and given that the residential use of part of the Stables is unauthorised, while noting the existence of the current residential element of the building I provide little weight to this as a fall-back position.
13. I therefore conclude that the site is not a suitable site for residential development having regard to sustainable development. The proposal would be contrary to policy GD4 of the Local Plan and to the Framework, and material considerations advanced do not indicate otherwise.
14. Therefore, for the reasons given above and having regard to any other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR