



Appeal Decision

Site visit made on 26 August 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 October 2020

Appeal Ref: APP/J3720/W/20/3252063

**Farm Buildings Adjoining Sandfield Farm, Luddington Road, Luddington
CV37 9SW**

- 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 Boswell against the decision of Stratford on Avon District Council.
 - The application Ref 19/02886/FUL, dated 26 September 2019, was refused by notice dated 7 February 2020.
 - The development proposed is Amendments to Extant Planning Approval 15/01589/FUL (Conversion of Existing Barn to form One New Dwelling) to retain and re-use adjoining barn as part of New Dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) whether the appeal site is suitable for residential development having regard to the locational requirements of the development plan; and
 - ii) the effect of the proposal on local biodiversity.

Reasons

Location

3. Policy CS.15 of the Stratford-on-Avon Core Strategy (CS) establishes how development should be distributed throughout the district and sets out a hierarchy of settlements. The appeal site is not located within a defined settlement and consequently, for the purposes of the development plan, it is located within the open countryside. Accordingly, Policy AS.10 of the CS establishes the forms of development in the countryside that are acceptable.
4. When considering residential development, part 'd' of policy AS.10 is relevant to the assessment of this appeal. This enables the conversion of redundant or disused buildings in the open countryside to a residential use. However, to benefit from this allowance, the building must be constructed of brick or stone, and be listed or of local historic, architectural or other merit. In addition, residential use should be the only viable use and the building should be capable of conversion in a manner that is appropriate to its character and setting.

5. When assessing the proposal against these requirements, Barn B (the appeal building) would appear to be in a reasonable condition structurally. It is therefore plausible that the building could be converted. However, although the lower section of the walls of the building are constructed from brick, the upper sections are constructed from metal and the same is true for the roof structure. Based on the evidence before me, these features may not be original to the building and I note the building in some form has coexisted with Barn A for many years. As a consequence, it is an integral part of the broader site. Despite this, due to the prominent metal alterations to the building, its form and appearance is that of a relatively basic, utilitarian structure. I am therefore satisfied that the building has no particular historic or architectural merit.
6. In relation to alternative viable uses, it is suggested that these would be of a lesser financial value and could harm the quality of accommodation provided in an adjacent bungalow. Despite this, I have no specific evidence before me to confirm these matters. In addition, the appellant considers that marketing the building in such a manner would be a fruitless exercise as alternative uses may not coexist with the conversion allowed by the extant planning permission. The presence of the extant permission is a material consideration in my assessment of the appeal. However, it does not directly alter how the requirements of the development plan should be interpreted, and the absence of evidence in relation to alternative viable uses is a demonstrable shortcoming of the proposal when assessed against local policy.
7. Consequently, having regard to the locational requirements of the development plan, I conclude that the appeal site would not represent a suitable location for residential development. The proposal would therefore fail to accord with Policies CS.15 and AS.10 of the CS, which taken together, establish how development should be distributed within the district, having particular regard to the conversion of buildings in the countryside.

Biodiversity

8. The proposal has not been accompanied by any supporting ecological survey work. However, the extant planning permission requires Barn B to be demolished and the previous Inspector did not see the need to require survey work in relation to bats or birds. Instead, due to the sparse level of evidence, the Inspector was content to rely upon the requirements of the Wildlife and Countryside Act as a safeguarding measure.
9. On the basis of the limited evidence before me, and due to the findings of the previous Inspector, as well as the requirement to demolish the building as part of the extant permission, I have no reason to conclude that a similar approach could not be taken with this proposal. Accordingly, I conclude that the proposal would not harm local biodiversity. It would therefore comply with the requirements of Policy CS.6 of the CS which seeks to protect the natural environment.

Other Matters

10. My attention has been drawn to permitted development rights that allow for barn conversions. However, on this point, I have no compelling evidence before me to confirm that the barn could be converted without the need for planning permission. Regardless of this, even if such rights did enable the conversion of the building, this would also directly affect the ability to implement the extant

permission. I therefore do not consider that such a conversion represents any form of meaningful fallback position.

11. It is also argued that the proposal would result in a better-quality scheme, preventing the desire to extend Barn A in the future. However, the conversion of Barn A has already been deemed acceptable, and the Council would likely have control over future additions. Accordingly, I give this matter very little weight in my assessment of the appeal.

Conclusion

12. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Local policy is clear in its requirements regarding the conversion of rural buildings and based on the evidence before me, I am satisfied that there are no material considerations that would indicate an alternative approach. As a consequence, the appeal should be dismissed.

Martin Chandler

INSPECTOR