



Appeal Decision

Site Visit made on 29 April 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2021

Appeal Ref: APP/C1570/W/20/3264028

The Stables, Clavering Road, Manuden, Bishops Stortford CM23 1BQ

- 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 The Battlement Trust against the decision of Uttlesford District Council.
 - The application Ref UTT/20/0745/FUL, dated 4 March 2020, was refused by notice dated 6 July 2020.
 - The development proposed is described as "conversion and extension of stables to dwelling and new cart lodge garage. Alternative design to UTT/18/1169/FUL".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. There is an extant permission for conversion of the stables building into a single dwellinghouse. This is a material consideration in the determination of this appeal.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. The stables building is visible in the surrounding area due to its relative isolation from other buildings and elevated roadside position. There is some screening from the hedgerow to the front of the building, but the building is visible above this. As the only built structure in the immediate vicinity it is relatively prominent in its surroundings.
5. The building has a relatively simple rectilinear form with a single, continuous ridge line. The appeal proposals would significantly increase the height of the central part of the building and introduce front and rear gables that would further serve as visual focuses drawing attention to the building, in particular the front gable which would include a large expanse of glazing. The proposals would detract from the simple form of the building, and substantially increase its prominence in the surrounding area. The resulting building would have a domestic character not in keeping with its surroundings, and with little resemblance to the existing stables building.
6. The steeper roof pitch to the extension would reflect the Essex vernacular, and the extension would add visual interest to a relatively simple building. The introduction of additional glazing would introduce additional natural light into the building, and improve the accommodation provided. However, these

alterations would not be in keeping with the building's character, which reflects its origins as stables and is typical of such a building in a rural location.

7. The appeal proposals would therefore be harmful to the character and appearance of the area. They would conflict with Policies S7, H6 and GEN2 of the Uttlesford Local Plan 2005 (the LP). Taken together these policies require that development protects or enhances the particular character of the part of the countryside within which it is set and that conversion works respect and conserve the characteristics of the building.

Planning Balance

8. The development would result in harm to the character and appearance of the surrounding area in conflict with Policies S7, H6 and GEN2 of the LP.
9. The criteria of Policy H6 include a requirement that, prior to conversion of a rural building to a dwelling, it must be demonstrated that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses. This is at odds with the requirements of the National Planning Policy Framework (the Framework) which has no such criteria regarding residential conversions. The conflict with this policy consequently attracts significant, but not full, weight given this inconsistency.
10. Policy S7 of the LP states that the countryside will be protected for its own sake, which is contrary to the objectives of the Framework. The conflict with this policy therefore attracts moderate weight.
11. Policy GEN2 addresses general design criteria for new development. I find that this policy accords with the Framework, and the conflict with it therefore attracts full weight.
12. Where the policies that are most important for determining an application are out of date, the Framework states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
13. The development would result in the creation of a new dwelling, supporting the Government's objective of significantly boosting the supply of homes. The benefits associated with a single dwelling would be limited, however.
14. Set against the benefits would be the harm to the character and appearance of the surrounding area. Given the increase in height and change in character of the building, its relative isolation from other buildings and its relatively prominent roadside location the harm from the development would be substantial and would, in this case, significantly and demonstrably outweigh the benefits. The presumption in favour of sustainable development does not therefore apply in this instance, and there are no other material considerations to indicate that the appeal should be determined other than in accordance with the development plan.

Conclusion

15. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR