

Appeal Decision

Site Visit made on 11 May 2021

by Mr Stuart Willis MSc, BA (Hons), PGCE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 June 2021

Appeal Ref: APP/J1860/W/21/3268561

Upper Hook Farm, Hook Common, Hanley Castle, WR8 0AX

- 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 Robert Webb against the decision of Malvern Hills District Council.
 - The application Ref 20/01259/CU, dated 25 August 2020, was refused by notice dated 14 October 2020.
 - The development proposed is works to convert 4 grain silos within the curtilage of a listed building to form new visitor accommodation.
-

Decision

1. The appeal is allowed, and planning permission is granted for works to convert 4 grain silos within the curtilage of a listed building to form new visitor accommodation at Upper Hook Farm, Hook Common, Hanley Castle, WR8 0AX in accordance with the terms of the application, Ref 20/01259/CU, dated 25 August 2020, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appellant's appeal submissions included Drawing Number 20-114-SK1 showing alternative schemes with different external materials, altered footprints and designs for the proposed conversions. While submitted at the outset of the appeal, these were not before the Council at the time of their decision or when the application was consulted upon.
3. I cannot be satisfied that interested parties have had sufficient and fair opportunity to comment on the various options suggested. In addition, full elevation and floor plans have not been provided for each alternative option. I have assessed the appeal on the same plans that were before the Council at the time of their decision and upon which notification took place.

Main Issues

4. The main issues of the appeal are;
 - The effect of the proposed development on the character or appearance of the area with particular regard to the setting of nearby listed buildings; and
 - Whether the proposal would be in a suitable location for development, with particular regard to the local development strategy, proximity to services and reliance on motor vehicles.

Reasons

Character and Appearance

5. Upper Hook Farmhouse and the barn to the north west of Upper Hook Farmhouse (the Barn) are listed buildings. As such I have had special regard to the desirability of preserving the buildings or their setting or any features of special architectural or historic interest which they possess.
6. The significance of Upper Hook Farmhouse lies, in part, in its grand farmhouse proportions and materials. The significance of the Barn lies, in part, in its traditional form and design being an example of agricultural buildings of its time.
7. The setting of these buildings currently includes other agricultural buildings and features of varying age, appearance and scale. The silos are prominent in the foreground of the complex of buildings and clearly seen with the farmhouse. Given the position of the Barn and the adjacent modern agricultural building, it is mostly only the roof that is seen in views with the silos. Nonetheless, the silos form part of the setting of both listed buildings.
8. The height of the silos means they would be visible above the nearby buildings from other views. Like some of the buildings around the farmyard, the silos do not appear to be in agricultural use. However, the cylindrical shape, scale and materials of the silos gives them a distinctly functional agricultural appearance. This contributes positively to the agricultural setting of the listed buildings.
9. The close proximity of the silos means the perception of space between them is already limited even from the nearby public right of way and more so in views from the road. Therefore, linking sections would not be overly large or noticeable. Given their size, location and tubular shape the stairs would be relatively discrete and blend in with the form of the existing silos.
10. The entrance canopies would be on the more visible elevation of the silos. Nevertheless, given their scale and design, the overall shape and proportions of the silos would still be retained while their upper parts would be largely unaffected. The original agricultural function and form of the silos would still be obvious. The presence of a limited number of new openings would not detract from this.
11. I saw that there were vehicles parked in and around the appeal site with some domestic paraphernalia also present. There would be a limited number of vehicles associated with the proposed scheme and these would be transient features. The agricultural setting of the yard and farmhouse would still be clear.
12. Consequently, the scheme would preserve the character and appearance of the area and the significance of the setting of the listed buildings. The scheme would, therefore, accord with the design and heritage protection aims of Policies SWDP 6, 21 and 24 of the South Worcestershire Development Plan (the Plan) and the National Planning Policy Framework (Framework). It would also meet the requirements of Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Whether Suitable Location

13. The appeal site is located in the open countryside as defined in Policy SWDP 2 of the Plan. In such locations it states development will be strictly controlled and sets out the limited exceptions where new development will be permitted. This includes where development is specifically permitted by other policies in the Plan.
14. Policy SWDP 35 of the Plan does not prohibit proposals due to them being in the open countryside. Instead it sets out the criteria against which schemes such as the appeal proposal are to be assessed against.
15. One criterion from Policy SWDP 35 of the Plan is that visitor accommodation re-uses a redundant rural building of permanent and substantial construction. The supporting text explains that making the best use of existing accommodation through reuse, extension or alteration, will help to minimise environmental impacts.
16. The silos are not made from masonry or timber framed and have a relatively modest footprint. Although the supporting text of Policy SWDP 35 indicates that refabricated industrial buildings would be unsuitable for conversion, this is in the context of guesthouses and hotels. Nevertheless, rather than industrial, the appearance and form of the silos are overtly agricultural.
17. The Council do not dispute that the silos are permanent structures, redundant or that the holiday lets are of modest proportions. Given their scale and the time that they are said to have been in place I have reached the same finding and consider they are substantial structures.
18. The silos would require works to enable the conversion with openings and additions being introduced. Nonetheless, the overall shape and shell of the silos would be retained with structural and thermal works being said to be internal. There is no clear evidence that they are structurally incapable of conversion.
19. While Policy SWDP 4 aims to minimise the demand for travel and offer genuinely sustainable travel choices, the supporting text recognises that rural residents are more reliant on the use of cars than those in urban areas. This reflects the Framework where it states decision should recognise that in rural areas development may need to be in locations that are not well served by public transport and that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
20. The site is some distance from services and facilities. This, along with the lack of lighting or designated footways in the area would discourage walking and cycling to reach them. It is inevitable that there would be a reliance on private motor vehicles. However, the scheme satisfies the requirements of Policy SWDP 35 where countryside locations are permitted. Policy SWDP 4 acknowledges the different transport implications of rural development. Moreover, the scheme is of a small scale and would not give rise to a significant amount of additional traffic movements.
21. Therefore, the proposal would be in a suitable location for the development with regard to the local development strategy, proximity to services and reliance on motor vehicles. It would comply with Policies SWDP 2, 4 and 35 of the South Worcestershire Development Plan where they, in part, set out

exceptions to development in the countryside and seeks to minimise demand for travel.

Conditions

22. In addition to the standard time limit condition, I have imposed one requiring that the development is carried out in accordance with the approved plans. This is to provide certainty. To protect the character and appearance of the area a further condition is imposed requiring submission and agreement of the external materials.
23. To ensure appropriate drainage is provided a condition is added requiring foul and surface schemes to be implemented. The provision of parking and turning facilities is conditioned in the interest of highway safety. It is necessary to impose a condition limiting the use of the premises to holiday use only, as the proposal is applied for under this exception policy, and that a register of occupants is kept enabling effective monitoring.
24. I have not imposed a condition in relation to bat or bird features as it has not been shown that such species are present or would be affected by the proposal.

Conclusion

25. For the reasons given, I conclude that the appeal should be allowed subject to the conditions in the schedule below.

Stuart Willis

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Drawing No 20-114-LOC1; Block Plan Drawing No 20-114-BK1; Drainage Plan Drawing No 20-114-DR1A; Plans and Elevations Drawing No 20-114-GA1A; and Existing Plans and Elevations Drawing No 20-114-EX1.
- 3) Prior to their use details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.
- 4) Prior to the occupation of the units hereby approved the foul and surface water drainage scheme for the site shall be completed in accordance with the Foul Sewage Management and Maintenance Statement, Drainage Plan Drawing No 20-114-DR1A and the Surface Water Management Statement. The drainage arrangements shall thereafter be managed and maintained in accordance with the approved details.
- 5) Prior to the occupation of the units hereby approved the access, turning area and parking facilities shown on Drawing No. 20-114-BK1 shall be provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.
- 6) The holiday let units hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person or persons' sole, or main place of residence. An up-to-date register of all occupiers of the units detailing the names of all owners/occupiers and their main home addresses shall be maintained by the owner(s)/operator(s). This register shall be made available for inspection within one calendar month of a written request by the local planning authority.