The Planning Inspectorate

Appeal Decision

Site Visit made on 25 May 2021

by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th June 2021

Appeal Ref: APP/C1625/W/20/3265955
Sycamore, Middle Hill, Chalford Hill, Stroud GL6 8BE

- 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 and Mrs B. Heaney against the decision of Stroud District Council.
- The application Ref S.20/2212/FUL, dated 19 October 2020, was refused by notice dated 11 December 2020.
- The development proposed is conversion of existing redundant stable block to form new dwelling.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the location of the site, which is within the countryside, is suitable for the proposed development.

Reasons

3. The existing building on site to be converted is constructed of blockwork with a corrugated metal roof over a wooden frame, including a canopy. There is a wooden lean-to to the rear. The proposal would add external walls to create a cavity wall on the perimeter of the building, plus new walls under the canopy to increase the internal floor area. Also the roof would be replaced and increased in height.

4. The site is located to the north of the village of Chalford Hill and it is not disputed by the parties that it is outside the boundary of that settlement. On the land immediately to the south of the site a number of houses are currently being built. That site is also outside the settlement development boundary.

5. Policy CP15 of the Stroud District Local Plan (2015) (the 'SDLP') states that proposals outside settlement development limits will not be permitted unless they fall into a given list of principles. The parties agree the proposal would not fall into any of these principles.

6. The stated aims of the policy are to protect the separate identity of settlements and the quality of the countryside. Regarding the first aim, the re-use of the existing building would not visually reduce the gap between Chalford Hill and the neighbouring settlement of Bussage to the north and so the identity of the two settlements would be protected. Regarding the second aim; although the proposal would result in the site having a more domesticated appearance, the small scale of the development, limited increase in the building's size and the dense vegetative screening along its northern boundary means the quality of

the countryside would be protected. Indeed the Council agree that the proposal would not significantly harm the character and appearance of the site given the context of the adjacent housing. As such the proposal would meet both these aims. Nonetheless, developments that meet the aims of the policy are not absolved from needing to also constitute one of the listed principles. Indeed, if they were exempt, there would be no need to identify the principles. Consequently, the proposal would conflict with the policy.

7. The appellant suggests that the policy is not consistent with Paragraph 79 of the National Planning Policy Framework (the 'Framework'). This identifies that homes in the countryside should be avoided unless, among other things, they re-use redundant buildings and enhance their setting. However there is nothing in Policy CP15 that excludes the re-use of buildings if the re-use meets one of the listed principles. Indeed the policy goes on to give further criteria for the re-use of buildings which meet one of the principles. As such although policy CP15 is more prescriptive than the Framework, it is not inconsistent with the Framework and so its weight is not significantly diminished. Moreover, in this case, although the countryside would be protected by the development, any enhancement of the immediate setting would be limited. As such the Framework does not weigh heavily in favour of the proposal.

8. The parties have both referred to the emerging Local Plan and have advised that the submission version has been approved by the Council and will now be subject of consultation before being submitted for examination. Paragraph 48 of the Framework advises that the more advanced in the plan's preparation, the greater the weight that can be given to it. My attention has been drawn to 'new' policy CP15. This is similar to the existing CP15 policy, but adds some further principles; one of which is development that will involve the re-use of an existing rural building. This explicit inclusion of re-use is more consistent with the Framework than the existing Policy CP15, and paragraph 48 also sets out that the greater the degree of consistency with the Framework, the greater weight can be given to emerging policies. Therefore, due to its consistency with the Framework and the stage of its adoption, moderate weight can be given to this emerging policy.

9. The proposal would accord with this part of the emerging policy. However the policy adds that such buildings should be appropriately located and capable of conversion without significant alteration. The draft policy does not define 'appropriately located', although the site's location on the edge of Chalford Hill and close to a bus stop may be factors. Notwithstanding this, the works to the roof and external appearance of the building required for its conversion would be significant. As such the proposal would not be wholly in accordance with this emerging policy.

10. It is recognised that the adjacent housing development is a material consideration which has changed the context of the site since the time of the previous appeal on this site[1]. Whilst this does ameliorate the proposal's impact on the wider character and appearance of the area, as accepted by the Council, it does not render the proposal's location more acceptable in policy terms. Furthermore, although those houses are also outside the development limit of Chalford Hill, it is understood that that was an allocated site in the adopted Local Plan and so is materially different, in planning terms, from this site.

[1] Ref: APP/C1625/W/16/3148494

Conclusions

11. Overall, the proposal would not be suitably located. Although it would meet the general aims of policy CP15, it would conflict with the principles of the policy. It would also fail to accord with policies CP2 and CP3 of the SDLP which set out the Council's settlement hierarchy for growth, and therefore it conflicts with the development plan taken as a whole.

12. The other material considerations, of the Framework and the emerging policy, do not weigh decisively in favour of the proposal, and so do not indicate the decision should be made other than in accordance with the development plan.

13. Therefore, for the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

A Owen

INSPECTOR