



Appeal Decision

Site Visit made on 21 June 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 July 2021

Appeal Ref: APP/W1525/W/21/3270031

Meapswood, Park Lane, Ramsden Heath, Billericay, CM11 1NN

- 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 Mrs M Canty against the decision of Chelmsford City Council.
 - The application Ref 20/01444/FUL, dated 10 September 2020, was refused by notice dated 5 November 2020.
 - The development proposed is change of use of existing stable block to holiday accommodation.
-

Decision

1. The appeal is dismissed.

Main Issues

2. As the site is within the Green Belt, the main issues are:
 - Whether the development proposed would constitute inappropriate development in the Green Belt, including any harm to openness, having regard to the National Planning Policy Framework and any relevant development plan policies; and,
 - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

3. Policy DM10 of the Chelmsford Local Plan 2020 (the LP) sets out specific criteria against which the conversion of existing buildings in the Green Belt are to be assessed. These include that the building is of permanent and substantial construction and must have been constructed more than ten years ago, that the building is in keeping with its surroundings, and any alterations or extensions are proportionate in size in relation to the existing building and do not harm its original character and that the use of land within the curtilage of the building, and which is to be used in association with that building, would not result in harm to the openness of the Green Belt.
4. These criteria accord with those set out in the National Planning Policy Framework (the Framework), in particular the requirements that the building be of permanent and substantial construction and that any conversion preserve the openness of the Green Belt and does not conflict with the purposes of including land within it.

5. The stable block was erected following the grant of planning permission in 2016. The proposal therefore conflicts with the requirement in Policy DM10 that any building proposed for conversion must be more than ten years old. The supporting text for the policy states that this seeks to ensure that the building must have been originally constructed and used for the purpose intended and not with a view of re-using it in the future for another use. This therefore ensures that the building is of permanent and substantial construction, so is consistent with the Framework.
6. The stable block is timber-clad and appropriate to its rural setting, and no extensions are proposed as part of this conversion. However, the proposed conversion would introduce extensive glazing of a regular form and spacing that would result in a significantly more domestic appearance harmful to the building's original character, and which would result in encroachment of the countryside.
7. The building has four stalls. Given the need for ongoing care of the horses stabled at the site there would be regular vehicular traffic to and from the site each day with vehicles parked on the site for the duration of each visit. With four horses stabled at the site, there could be multiple vehicles parked there at any time. The scale of paraphernalia associated with a three-bedroom house in use as holiday accommodation is unlikely to exceed that associated with the stables use of the scale that already exists on site. Given these considerations, the use of land within the curtilage of the building would not result in harm to the openness of the Green Belt.
8. Nonetheless, the appeal proposal would overall conflict with the criteria of Policy DM10 of the LP, which are set out above, and with those of the Framework. Consequently, it would amount to inappropriate development in the Green Belt.

Other considerations

9. The appellant considers that the appeal proposal is not inappropriate development in the Green Belt. They have not therefore identified considerations that they feel amount to very special circumstances that would clearly outweigh the potential harm to the Green Belt by reason of inappropriateness.
10. Nevertheless, the provision of new tourist accommodation would result in some benefits, including support for tourism in the district generally, with financial benefits for the rural economy and local services. Accommodation such as that proposed typically has a better-than-average rate of occupation during the low season given its rural location and proximity to outdoor activities. There is a greater demand for domestic tourism at present due to the restrictions on travel imposed because of the COVID-19 pandemic, and the effects of this may last for a considerable time. Both the LP and the Framework support the provision of such uses, in principle.
11. This consideration carries modest weight, given the relatively small scale of the proposal. It does not clearly outweigh the substantial weight that must be given to any harm to the Green Belt, and therefore very special circumstances do not exist in this instance.

Other Matters

12. The Council has referred to Policy DM6 of the LP in its decision notice. This policy relates to new buildings in the Green Belt, and therefore I have given it very little weight in determining this appeal.
13. The appeal site lies within the zone of influence for the Essex Coast Recreation disturbance Avoidance and Mitigation Strategy. If I had been minded to allow the appeal, as the competent authority it would have been necessary to determine whether the proposal would have a significant effect on protected habitat sites. However, as the appeal is being dismissed on other grounds it is not necessary to consider this matter further.

Conclusion

14. There are no material considerations to indicate that this appeal should be determined other than in accordance with the development plan.
15. Therefore, for the reasons set out above, the appeal fails.

M Chalk

INSPECTOR