



Appeal Decision

Site visit made on 11 February 2022

by R Walmsley BSc, MSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 March 2022

Appeal Ref: APP/T3725/W/21/3282757

Clattylands Barn, Haseley Knob, Haseley CV35 7NJ

- 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 Craig Wood against the decision of Warwick District Council.
 - The application Ref W/20/1828, dated 9 November 2020, was refused by notice dated 18 May 2021.
 - The development proposed is conversion of existing barn and stables into a dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing barn and stables into a dwelling on land at Clattylands barn, Haseley Knob, Haseley CV35 7NJ in accordance with the terms of the application Ref W/20/1828, dated 9 November 2020, subject to the conditions on the attached schedule.

Procedural matter

2. The site is within the Green Belt. The Council raised no objection to the proposal on these grounds and there is nothing within the evidence before me to suggest that I should take a different view. The main issue, therefore, is as detailed below.

Main Issue

3. This is whether the proposal would provide for an isolated dwelling in the countryside and, if so, lead to an enhancement of the appeal building's immediate setting.

Reasons

4. The appeal site is located outside of the village boundary of Haseley Knob and outside a village envelope as defined by Policy H1 of the Local Plan (2017). The appeal site is, therefore, in the open countryside. On this basis, Policy H1 along with Policy BE4 of the Local Plan (2017) and paragraph 80 of the National Planning Policy Framework (2021) (the Framework) are relevant. These policies support housing development in the countryside provided a number of criteria are met. The dispute between main parties is whether the proposed development would lead to an enhancement of the building's immediate setting and the character and appearance of the countryside. On the basis of the evidence before me, I concur with this position.
5. The appeal building sits comfortably behind a boundary line which clearly separates the building and its grounds from land beyond which is more open

and rural in appearance. West of this boundary line is the appeal building and Clattylands Barn. The curtilage of Clattylands Barn is domestic in character and the curtilage of the appeal building is not dissimilar; surrounded by areas of hardstanding and open storage. The appeal building, therefore, in functional and visual terms, is more closely associated with the Clattylands Barn and the original farm than the open countryside beyond. This is not surprising given that the appeal building was previously developed for ancillary use relating to Clattylands Barn.

6. The proposal would result in modest changes to the external appearance of the appeal building and as there would be no material changes to form and scale, the building would continue to be appreciated within the context described. Much of the building would be surrounded by a meadow grass area with native hedgerow. This would create a more rural setting to the building compared with the current use of this area for open storage and purposes ancillary to the barn. Furthermore, as domestic paraphernalia would be confined to a private inner courtyard, the building's immediate setting would be visually enhanced.
7. Space would be made available within the site for the manoeuvring and parking of vehicles. Space already exists within the site for this. The introduction of native hedgerow would help screen the visual impact of vehicles and therefore the proposal would be a visual improvement on what exists already.
8. And so, whilst the proposal would provide for an isolated dwelling in the countryside, it would not be a prominent and dominant feature and therefore would not cause harm on the basis that it would adapt an existing rural building and lead to an enhancement of its immediate setting and the character and appearance of the countryside. The proposal accords with Policies H1 and BE4 of the Local Plan (2017) and with the Framework.

Conditions

9. I have considered the Council's suggested conditions against the Framework's tests, making amendments where necessary to improve precision, clarity and enforceability. I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans.
10. A condition regarding bat mitigation has been included in light of the ecological evidence before me and to ensure that protected species are not harmed by the development. A condition regarding parking and turning areas has been included in the interests of highway safety. There is nothing within the evidence before me or in the reference to Policy NE5 to justify a condition regarding an electric charging point. I have, therefore, not included a condition to this effect. In light of Policy FW3 and the Council's water efficiency standards, I have included a condition re water efficiency.

Conclusion

11. I have found that the development would be compliant with the Local Plan (2017) and the Framework and so, having regard to all matters raised, I conclude that the appeal is allowed.

R Walmsley 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: Proposed Site Plan; Proposed Elevations; Ground Floor Plan; First Floor Plan; and Landscape Plan – Clattylands Barn, Proposed Scheme.
- 3) The development hereby permitted shall not commence until a detailed schedule of bat mitigation measures (to include timing of works, replacement roost details, monitoring and further survey if deemed necessary) has been completed in consultation with a suitably qualified bat worker and submitted to and approved in writing by the District Planning Authority. The approved mitigation measures shall thereafter be implemented in full.
- 4) The development hereby permitted shall not be occupied until the car parking and manoeuvring areas indicated on the approved drawings have been provided in accordance with the approved details and shall be retained thereafter.
- 5) The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved works have been completed. These works shall be retained thereafter and maintained strictly in accordance with manufacturer's specifications