



Appeal Decision

Site visit made on 7 February 2022

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2022

Appeal Ref: APP/J0405/W/21/3283722

Stables at Glebe Farm, Northcroft, Weedon, Buckinghamshire HP22 4NR

- 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 S Jones against the decision of Buckinghamshire Council.
 - The application Ref 20/03229/APP, dated 21 September 2020, was refused by notice dated 24 June 2021.
 - The development proposed is the conversion of existing stables building to create a new 4 bed dwelling and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for proposed conversion of existing stables building to create a new 4 bed dwelling and associated works at Stables at Glebe Farm, Northcroft, Weedon, Buckinghamshire HP22 4NR in accordance with the terms of the application, Ref 20/03229/APP, dated 21 September 2020, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. Since the determination of the application by the Council has adopted The Vale of Aylesbury Local Plan (September 2021) (VALP). The VALP has superseded the policies in the Aylesbury Vale District Local Plan (1994) (AVLP). Policies referencing the AVLP in the Council's decision have, so far as relevant to this appeal, been replaced by VALP Policies S1, S2, C1 and NE4. These policies were also referenced in the Council's reason for refusal and both main parties have made reference to the VALP in their appeal submissions. I have therefore determined the appeal with the newly adopted policies in mind.

Main Issues

3. The main issues are;
 - The principle of the proposed development with specific regards to the conversion of rural buildings; and
 - Whether the appeal site is in a suitable location for new housing, having regard to the proximity to local services.

Reasons

Principle of Development

4. Policy S2 of the VALP strictly controls new housing development in the open countryside. One of the exceptions where new housing is supported is through Policy C1 and relates to the conversion of rural buildings. This is considered acceptable where the building is of a permanent and substantial construction and the proposal generally in keeping with the rural surroundings. It also needs the redundant or disused status of the building to be demonstrated.
5. The appeal building is a u-shaped stable with concrete block walls, timber cladding/panels and a corrugated roof. At my site visit I observed that the building was somewhat dilapidated and was largely empty apart from an area containing hay and another with some stacked refuse bins. Fencing and building materials were located outside the building, but these appeared to have been in their position for a considerable length of time. It appeared that the building was no longer being used for stabling purposes and aside from some storage of hay was largely unused.
6. The Council considers that a lack of information to support the redundant or disused status of the building has been submitted and they consider that storage of hay within the building demonstrates that it is still in use. Whilst these comments are noted the reasoned justification for Policy C1 advises that an existing building does not need to be empty before a scheme for conversion would be considered. It appears the redundant or disused status of the building is required to be demonstrated in order to ensure that existing activities can be accommodated without the need for additional buildings.
7. During my site visit I also noted that in proximity to the site was a more modern stable building, associated hardstanding and menage. These are also within the same ownership as the appellant and are grouped together. As such, it is apparent that the stabling of horses can and is being accommodated elsewhere. To that end, the building can be considered to be redundant.
8. In terms of the proposal being in keeping with the rural surroundings it is proposed to clad the exterior of the building in timber but the roof will remain as metal cladding. The timber cladding would enhance the external appearance of the building, echoing the materials used in the nearby stables. There would be no extensions or alterations to the roof line.
9. The new openings are generally minor in scale or in areas where there are already openings, albeit that these have been blocked up with timber board and panels. However, on the eastern elevation there would be more extensive glazing.
10. Policy NE4 seeks to reduce light spill to avoid blurring the distinction between urban and rural areas. Whilst the totality of glazing and its residential use is likely to increase light spillage, the single storey nature of the building, the glazing largely being on the front elevation, and the existing mature hedgerows located to the south, west and east of the site, would screen the development from the wider area, reducing any harmful impact. Additionally, the building would retain its rural setting and would not, to my mind, blur the distinction between the rural and urban areas.

11. In addition to the above, I acknowledge that the proposal would result in some domestic paraphernalia within the site. However, from the submitted drawings this would be largely contained within a landscaped boundary which can be controlled by means of a suitably worded planning condition. I am also conscious that the proposal would result in a number of small dilapidated buildings within the curtilage of the dwelling being removed. To my mind, the overall effect of the proposal would be to reduce the amount of built development within the appeal site which would in turn enhance the character and appearance of the site and improve its setting.
12. Taking all these matters into account, I find that, the development would be in keeping with its rural surroundings and would not adversely affect the character and appearance of the area, including the Area of Special Landscape. The development would therefore comply with VALP Policies C1 and NE4 which seek, amongst other matters, to ensure that development is in keeping with its surroundings and respects local character. The proposal would also comply with the overarching aims of the National Planning Policy Framework (Framework) which amongst other matters, seeks to ensure that development is visually attractive and sympathetic to local character.

Location

13. The appeal site is not within any of the areas identified for housing growth in Policy S2 of the VALP. However, Policy S2 does allow for housing development in rural areas that are in line with other relevant policies. As identified above, one such exception is Policy C1. As this policy is supportive of conversions of rural buildings it is logical to assume that these will be in rural locations where access to services is limited.
14. Nevertheless, the appeal site is located within walking distance of the settlement of Weedon, which benefits from some local facilities and bus stops within the settlement. To that end, it cannot be said that the site is located well away from an existing settlement.
15. The site is also around 1 mile away from the A413 which has more frequent bus services to Aylesbury, meaning that future occupiers could utilise the available public transport. It would also be possible to cycle to Aylesbury where there is a large range of facilities and services available.
16. Accordingly, I find no conflict with Policies S1 and S2 of the VALP which seek, amongst other things, to concentrate development in sustainable locations. It would also meet the aims of paragraph 8 of the Framework in terms of ensuring accessible services and facilities.

Other Matters

17. I have also had regard to the concerns expressed from interested parties regarding nearby rights of way networks and the potential conflict between these and any traffic arising from the proposed development. The appeal building is one of a number of buildings that use the access. Whilst conflict can arise between rights of way and vehicular traffic, the number of movements associated with a single dwelling is unlikely to increase the traffic levels considerably. Traffic calming measures exist on the access to slow vehicles, and its single lane nature mean that any vehicles travelling the along the access would do so at slow speeds. As such, I consider that any harm which

would arise from the increase in traffic associated with a single dwelling would not warrant the withholding of planning permission.

Conditions

18. The Council has suggested a number of conditions that it considers would be appropriate and I have considered these in light of the Planning Practice Guidance (PPG). For clarity and to ensure compliance with the PPG, I have amended some of the Council's suggested wording.
19. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty.
20. For environmental reasons conditions relating to landscaping, lighting and biodiversity are necessary in order to ensure the proposed landscaping and biodiversity mitigation is completed and maintained and that lighting levels are acceptable. Conditions regarding the external materials of the dwelling and the removal of ancillary structures are required in order to ensure the character and appearance of the area is maintained. A condition regarding implementing the scheme for parking is also necessary in order to ensure appropriate parking levels are provided.
21. I have given careful consideration to the inclusion of the condition removing permitted development rights, having had regard to the PPG's advice on the inclusion of such restrictive conditions in specific circumstances. In this instance, the proposal involves the removal of small ancillary structures and outbuildings in order to improve the rural character and appearance of the area. Further extensions and outbuilding could have a harmful impact on the rural character of the area. As such, I consider the removal of permitted development rights relating to outbuildings and extensions necessary. However, I consider that it is not necessary to remove any other permitted development rights.

Conclusion

22. The appeal scheme would accord with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision otherwise. The appeal should therefore, subject to the conditions in the schedule below, be allowed.

Tamsin Law

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. PL 010 Location Plan; Drawing no. PL 200 Proposed Site Plan; Drawing no. PL 200 Proposed Ground Floor Plan and Drawing no. PL 300 Proposed Elevations.
- 3) Prior to the first occupation of the dwelling, details of two conventional bat boxes (including their intended siting) shall be submitted to and approved in writing by the local planning authority. The approved bat boxes shall be installed prior to the first occupation of the dwelling and shall be retained as such for the life of the development.
- 4) Prior to the installation of any external cladding or roofing materials full details of such shall be submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved materials.
- 5) Prior to the first occupation of the dwelling the parking and manoeuvring areas indicated on the approved plans shall be laid out and these areas shall thereafter be retained and shall not be used for any other purpose.
- 6) Prior to the first occupation of the dwelling an electric vehicle charging point shall be installed and thereafter retained.
- 7) Prior to the first occupation of the dwelling full details of both hard and soft landscape works being submitted to and approved in writing by the Local Planning Authority. For hard landscape works, these details shall include the extent of hard surfacing for the car parking area and access track. For soft landscape works, these details shall include new trees and trees to be retained showing their species, spread and maturity, proposed planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. These approved landscaping details shall be carried out prior to the first occupation of the dwelling so far as hard landscaping is concerned, and for soft landscaping, within the first planting season following the first occupation of the dwelling or the completion of the dwelling whichever is the sooner.
- 8) Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.
- 9) Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E inclusive of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting

that Order with or without modification), no enlargement or alterations to the dwelling hereby permitted nor the erection of any garage or outbuilding shall be carried out within the curtilage of the dwelling the subject of this permission.

- 10) Prior to the installation of any external lighting, full details of such shall be submitted to and approved in writing by the local planning authority. Any external lighting shall only be installed and operated in accordance with the approved details.
- 11) All buildings and structures shown as to be removed on Proposed Site Plan drawing no. PL 200 shall be demolished and all material removed from site prior to the first occupation of the dwelling.