



Appeal Decision

Site visit made on 12 July 2022 by Mr Sibley

Decision by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2022

Appeal Ref: APP/Y3425/D/22/3300565

Grange Barn, Broadhill, Gnosall, Stafford ST20 0ED

- 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 E Murray against the decision of Stafford Borough Council.
 - The application Ref 21/34152/ANX, dated 26 March 2021, was refused by notice dated 16 March 2022.
 - The development proposed is demolish existing timber double garage, replace with new double garage and granny annexe.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposal upon the character and appearance of the host dwelling and the former farmstead; and whether the personal circumstances of the appellant would outweigh any harm in respect of the proposed development.

Reasons for the Recommendation

Character and appearance

4. Grange Barn is one of a pair of conjoined agricultural buildings that have been converted into residential dwellings. The two dwellings form an 'L' shape, and each dwelling has a narrow linear form. The buildings have retained their original form and many of their features, including the decorative brick detailing below the eaves of the roof and above some of the windows and doors. Whilst clearly in residential use, the converted buildings retain much of their traditional agrarian character and appearance.
5. Lindore Farm is located to the south of these barns and is built from similar materials but is substantially larger than the barns, indicating its historical role as the principal building on the former farmstead. There are smaller outbuildings located around the farmstead, and these are generally brick built. A modern timber garage has been erected on the site of the proposed

garage/annexe building (hereafter referred to as the annexe), but the Council indicates that planning permission was not granted for this.

6. The Council refers to section (h) of Policy E2 of the Plan for Stafford Borough (PSB) (Adopted 2014) which seeks to ensure that a building is large enough to be converted without the need for additional buildings, new extensions or significant alteration. Grange Barn has already been converted to a residential dwelling and the proposal is for an ancillary building and does not seek to make the host building capable of conversion. Accordingly, subsection (h) of the policy is not directly relevant to this proposal.
7. Grange Barn and the attached barn are physically connected and as a result, the scale of the two buildings is intrinsically linked. Accordingly, the scale of any associated outbuilding would be viewed alongside the pair of converted barns. The proposed annexe would be similar in width to the host dwelling, but shorter in length. Grange Barn is a two-storey building with windows located on the first floor alongside sky lights within the roof. In comparison, the proposed annexe would only have openings on the ground floor of the building as well as sky lights within the roof. This would emphasise the smaller scale of the annexe in comparison to the host dwelling.
8. The building would consequently be subordinate in scale to the host dwelling and would be a limited addition to the overall amount of built form associated with the wider group of buildings. Accordingly, the scale of the proposal would not appear out of character with the host dwelling or the former farmstead group.
9. The annexe would be built using similar materials to the host dwelling and would include decorative brick detailing below the eaves and a brick soldier course above the doors. These elements would visually link the annexe with the dwelling. This, alongside the siting of the annexe to the rear of Grange Barn as well as using a shared vehicular access, would highlight the ancillary use of the annexe in relation to Grange Barn as the principal dwelling.
10. The openings in Grange Barn are generally white painted timber windows and doors and whilst there are large areas of glazing in place of what would have been the original barn doors, these are within timber casements. In comparison, the utilitarian design and scale of the roller shutter garage door on the proposed annexe would appear alien within this group of former farm buildings. Moreover, the large number of windows and other openings and the porch canopy would give the building a domestic and suburban appearance, that would fail to respect the traditional and agrarian character of the surrounding buildings.
11. Given the siting of the proposal, the garage door, porch canopy and other openings would be clearly visible when viewing the annexe alongside the converted buildings. The building would also be visible from the public right of way that passes near to the site and would appear incongruous alongside this group of converted traditional buildings.
12. Therefore, whilst the scale and siting of the proposal would not appear out of character with the host dwelling, the annexe would fail to respect the traditional and agrarian character and appearance of the converted buildings. Consequently, the proposal would be contrary to Policy E2 of the PSB insofar as it states that development within the rural areas must be of a high-quality

design and should not harm the historic fabric or character of any traditional building or historic farmstead.

13. Moreover, the proposal would conflict with Policy N1 which states that designs must have regard to the local context. Whilst not referred to in the reasons for refusal, the Gnosall Neighbourhood Plan (made 2015) forms part of the development plan. Policy 6 of the NP expects new development proposals to be well designed and to respond to local context and the form of surrounding buildings. Moreover, the proposal also would not accord with the aim of the National Planning Policy Framework (The Framework) to ensure development creates high quality, beautiful and sustainable buildings and places and is sympathetic to local character and history.

Personal circumstances

14. I have had due regard to the Human Rights Act 1998 (HRA) and to the Public Sector Equality Duty (PSED) under the Equality Act 2010. Age is a relevant protected characteristic to which the PSED applies. Article 8 of the HRA requires that decisions ensure respect for a person's private and family life, their home and their correspondence. In reaching my decision, I have kept these interests at the forefront of my mind. However, they are qualified rights and interference may be justified where it is in the public interest. The concept of proportionality is key.
15. The proposal would provide living accommodation for the appellant's parents to live close to the appellant's home to allow them to provide care without having to travel a long distance to the parents' current residence. No information has been submitted with regard to the level of care required, but it is noted that a level of assistance is required. The proposal would therefore address the appellant's parents' needs now and in the future. If the appeal is dismissed, the appellant's parents may have to move into Grange Barn itself or the appellant may have to move closer to their parents' current home. This would not be ideal for their parents evolving health concerns and this would result in some harm to someone with a protected characteristic.
16. It is appreciated that the appellant's parents' needs are likely to continue to evolve. However, whilst the appellant has said that Grange Barn would not be capable of providing living accommodation for their parents, no specialist accommodation is sought in the annexe that could not reasonably be integrated into a residential building, with living accommodation proposed over two floors. It has not, therefore, been demonstrated that this proposal, and the resulting harm, are necessary to meet the current or potential future needs of the appellant's parents. Whilst this reduces the weight that I can give to the personal circumstances of the appellant, those circumstances carry moderate weight in favour of the proposal.
17. Dismissing the appeal would interfere with the appellant's and their family's right to peaceful enjoyment of their possessions, and to a private and family life and home under Article 1 of the First Protocol and Article 8 of the HRA. However, these are qualified rights; interference with them in this instance would be in accordance with the law and in pursuance of a well-established and legitimate aim of the need for development to achieve high quality design to protect and enhance local character and distinctiveness.

18. Given the importance placed upon the need for development to achieve high-quality design to protect and enhance local character and distinctiveness in both the development plan and the Framework, in this case, the appellant's personal circumstances and the benefits to them and their parents would not outweigh the harm to character and appearance and the conflict with the development plan identified above. To ensure that the development would not harm character and appearance, I conclude that it would be proportionate and necessary to dismiss the appeal.

Other Matters

19. Lindore Farm is a large, detached building and its appearance is significantly different from Grange Barn. Whilst an extension was granted for that dwelling, given the differences between the scale, appearance, and character of that building and the appeal property, the circumstances of the two sites are not directly comparable. Similarly, the circumstances of annexes or extensions permitted elsewhere would not necessarily be comparable with the appeal scheme, which I have assessed based on the specific circumstances of the appeal site and the details of the proposal before me.
20. The proposal would reduce the travelling distance for the appellant to provide care for their parents, and the annexe would incorporate sustainable construction and technologies which would be a limited benefit of the scheme. Additionally, the construction of the annexe would lead to benefits to the local economy, but given the scale of the proposal, I give this consideration very limited weight.
21. The proposal would allow the appellant's parents to move out of their current house which would potentially deliver an additional house onto the market. This would boost the supply of homes in accordance with the Government's aim set out in the Framework. I have not been made aware that the Council cannot identify a 5-year housing land supply and because this would only deliver a single dwelling, this would be a very limited benefit of the scheme.
22. Insofar as the site is within the garden of a dwelling outside of the built-up area, the proposal would be on previously developed land. However, as the extent to which the annexe would be within garden or agricultural land is disputed by the parties, this limits the weight I give in favour of the appeal arising from the use of previously developed land. Moreover, there is some uncertainty about the lawfulness of the existing timber garage on the site which limits the weight I give in favour of the appeal arising from the replacement of that building.

Conclusion and Recommendation

23. I have had regard to the appellant's personal circumstances and the impact on them of my recommendation. Taken alongside the other considerations forwarded by the appellant, the PSED considerations would not outweigh the harm that the proposal would cause to the character and appearance of the host dwelling and the former farmstead and the conflict with the development plan in that regard. Therefore, having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

24. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Sarah Housden

INSPECTOR