



Appeal Decision

Site visit made on 16 January 2024

by Jonathan Bore MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2024

Appeal Ref: APP/C1570/W/23/3326784

Eastfield Stables, May Walk, Stansted, Essex, CM24 8SS

- 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 NB Investments UK Limited against the decision of Uttlesford District Council.
 - The application Ref UTT/23/1105/FUL, dated 2 May 2023, was refused by notice dated 13 July 2023.
 - The development proposed is the erection of the third agricultural building approved under planning application reference UTT/1282/93/FUL in a different location and completion of the internal access road.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the scheme on the character and appearance of the countryside.

Reasons

3. The site is in the countryside outside the development limits between Stansted and Elsenham. Saved policy S7 of the Uttlesford Local Plan seeks to restrict development in such areas to that which is required to be there, or that which is appropriate for a rural area.
4. The proposed building would be sited in the north eastern corner of the site near a group of former stables and agricultural buildings which have been converted to residential occupation, together with some other structures. An examination of the planning history shows that the group has grown up and expanded over recent years; none of the buildings is very old and the amount of residential occupation has grown incrementally with each permission for conversion.
5. The appellant argues that the site remains as agricultural land and that the proposed building would be used as an agricultural store to supplement another store building on the other side of the site. However, there is little substantive evidence of productive agriculture being carried out on or from the site. The former stables and agricultural units have been converted to residential use and the manège is no longer in use. The appellant claims that the site has a large area of grass and numerous trees, shrubs and fences to maintain. But the site is not especially extensive and appears essentially as a flat grassed area with the converted residential buildings and other structures

at one end and a “wellness hub” at the other. Given the extent and nature of the site, the suggestion that the proposed building is required for operational needs is not convincing.

6. The appellant also argues that the proposed building would amount to the construction, in a different location, of the third building granted under planning permission UTT/1282/93/FUL, which was for the construction of three buildings for rabbit breeding. However, the rabbit breeding enterprise no longer exists and the two buildings that were built under that permission have been converted to residential use. The third building cannot be constructed in its originally intended position because it would be too close to the converted stables and the adjacent converted rabbit breeding building, thereby intruding into gardens and seriously affecting living conditions. Permission UTT/1282/93/FUL is therefore virtually impossible to complete, and it provides no justification for a building to be erected in a different location on the site. I concur fully with the conclusions of the Inspector who dismissed appeal APP/C1570/W/22/3303304, which was for the removal of a condition attached to UTT/1282/93/FUL to enable the building to be constructed elsewhere on the site.
7. The building would be single storey and screened from outside the site by bunding and planting, and would not conflict with the Local Plan general design policy GEN2. Nevertheless, despite the proximity of the M11 and various individual developments in the surrounding area, this site remains part of the countryside. The proposed scheme would be substantial in footprint and would amount to an inappropriate addition to the proliferation of buildings in this otherwise rural site. It would consequently erode the character of this part of the countryside, contrary to the objectives of saved policy S7 of the Uttlesford Local Plan, which aims to protect the character of the countryside, and those of the National Planning Policy Framework, which seeks to ensure that development recognises the intrinsic character of the countryside.

Other matters

8. In view of this decision, it has not been necessary to address the ecological issue raised in the Council’s second reason for refusal.
9. Any benefit from the completion of the internal access road would be significantly outweighed by the harm caused by this proposal.

Conclusion

10. I have considered all the other matters raised but they do not alter the balance of my conclusions. For the reasons given above I dismiss the appeal.

Jonathan Bore

INSPECTOR