



Appeal Decision

Site visit made on 23 April 2025

by **S Rawle BA (Hons) Dip TP Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 12th May 2025

Appeal Ref: APP/W0340/W/24/3354624

Westfield Stables, Tyler's Lane, Bucklebury, Reading, West Berkshire RG7 6TL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Malcolm Withers against the decision of West Berkshire District Council.
 - The application Ref is 24/01258/FUL.
 - The development proposed is the conversion of redundant stable to form one dwelling, car parking, landscaping and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although the description of development makes reference to the existing stables being redundant, that is a matter that has to be determined as part of this decision and therefore the use of the word redundant in the description is not determinative in relation to this matter.

Main Issues

3. The main issues are:
 - Whether or not the appeal site is an appropriate location for the proposed development having regard to the spatial strategy and development plan policies relating to development within rural areas; and
 - The effect of the proposal on the character and appearance of the area including the North Wessex Downs National Landscape.

Reasons

Conversion of Existing Buildings in the Countryside

4. The appeal site is located within the countryside and comprises a modern L-shaped stable block which is accessed from Tyler's Lane. It is of a mainly wooden construction with horizontal timber panels with a timber framed superstructure. The proposal would involve the conversion of the stable block to a two-bedroom dwelling with a slate roof.
5. The appeal site is outside any settlement boundary within the open countryside where Area Delivery Plan Policy 1 of the West Berkshire Core Strategy 2006-2026 Development Plan Document adopted July 2012 (WBCSDPD) sets out the spatial strategy and makes it clear that only limited development will be allowed.

6. Moreover, among other things Policy C1 of the West Berkshire Council Housing Site Allocations DPD 2006-2026 adopted in May 2017 (HSADPD) sets out that there will be a presumption against new residential development outside of the settlement boundaries with some limited exceptions including conversion of redundant buildings. Policy C4 of the HSADPD sets out that the conversion of existing redundant buildings to residential use will be permitted provided that they meet certain criteria including that the proposal involves a building that is structurally sound and capable of conversion without substantial rebuilding, extension or alteration and that the applicant can prove the building is genuinely redundant and a change to a residential use will not result in a subsequent request for a replacement building.
7. I accept that the existing stable block is a modern structure in good condition and for the existing use it is structurally sound. However, I am not persuaded that it is capable of conversion without substantial rebuilding works and alterations. I have carefully considered the structural report prepared in support of the proposed development. Although not particularly detailed, this report does set out that the addition of a new lightweight insulated roof panel system should be feasible without the need to strengthen the roof timbers, as the weight increase would be marginal.
8. However, as outlined above, the proposed roof would be slate. Such material is not lightweight, and the weight increase would not be marginal. Consequently, I consider that substantial alterations of the existing structure would likely be required to support the proposed new roof.
9. Moreover, even if the existing roof timbers would not need strengthening and the roof's supporting structure would not need to be altered, that would not have changed my view. Internal walls would be removed to create an open plan layout in significant parts of the proposed new dwelling. The structural report sets out that localised framing in the form of timber or steel wind posts would be necessary. Moreover, a floating floor would be installed above the existing concrete floor and the walls would be thickened by an internal skin, which would be materially wider than the existing walls.
10. I therefore do not agree that works necessary to convert the building would primarily involve cosmetic modifications. Rather, in my judgement substantial alterations would be required due to the proposed internal alterations to create an open plan living space, to provide suitable walls, to provide a new floating floor and in all likelihood in order to accommodate the proposed slate roof. Consequently, the existing building is not capable of conversion without substantial rebuilding or alteration.
11. Another important criterion is that the appellants need to prove that the building is genuinely redundant. As outlined, the existing stable is a modern structure. I observed at the site visit that it was in good condition and is entirely suitable for stabling horses. Notwithstanding the other cases that have been brought to my attention by the appellants, which I will return to later, I do not consider that redundant in this context should merely mean that the existing landowners do not wish to use the building for its lawful use as a stable. That of course may provide part of the necessary evidential context to prove that a certain building is redundant, but to my mind that should not be the only consideration. Such a limited interpretation would not in my judgement prove that a particular building is genuinely redundant.

12. Based on the available evidence, my understanding is that the previous owners used the stables and the adjoining four-acre paddock for stabling, storing hay and tack and for keeping horses. However, because they lived some distance away and due to the inconvenience of having to visit the appeal site twice a day to look after the horses, keeping horses at the appeal site became increasingly difficult and they decided to sell the stables and paddocks. The appellants purchased the appeal site and the adjacent paddock but had no intention of using it for equestrian use.
13. The appellant considers that the dictionary definition of redundant, which they highlight is something that is no longer needed or useful, supports their view that even though the appellants never intended to use the stables for keeping horses, they are genuinely redundant. However, in my view the key word here is genuinely and in my judgement the appellant's approach is too narrow.
14. Whether or not a particular building is genuinely redundant should be considered taking account of the particular circumstances involved. Here, the question for me is whether or not the appellant has proven that the existing building is genuinely redundant and would not be needed or useful at all. Such an approach would not conflict with the dictionary definition of redundant provided by the appellant.
15. On that basis, the appellants have not persuaded me that the existing building is genuinely redundant. In reaching that view I have taken account of the marketing exercise. I appreciate that this is not a requirement of the relevant development plan policies, but nevertheless it demonstrates that there was some interest in the stables and the adjoining paddock resulting in an offer of £120,000 being made for the property.
16. Ultimately it is of course up to the appellants to decide whether or not to accept such an offer bearing in mind how much they themselves paid for the property and the fact that their agent described it as derisory. However, to my mind the fact that an offer was made supports my view that the appellants have not been able to adequately prove that the existing building is genuinely redundant. Someone not only wanting to use the building and paddock but were willing to pay a six-figure sum for doing so. Moreover, the fact that there are other stables for sale in the area or that the Council has granted planning permission for other stables in the vicinity does not change my view on whether or not the existing stables are genuinely redundant.
17. Given that the land to the north, which is outside the appeal site is used as paddock, I cannot rule out that there could be a subsequent request for a replacement stable in association with that land. The appellant has indicated that they are willing to place a condition on the land to the north to address such a concern. However, given that the paddock does not form part of the appeal site albeit it is within the control of the appellants, I am not satisfied that a condition would be appropriate or would meet the necessary tests set out in the planning practice guidance or within the National Planning Policy Framework (the Framework) and so that suggestion has limited weight in the determination of the appeal. Moreover, the fact that such a condition has been suggested to address a concern that a replacement stable may be requested in the future indicates that this is a legitimate possibility.
18. It follows that as I have found that the proposed development would not meet the necessary criteria set out in Policy C4 of the HSADPD that deals with the

conversion of existing redundant buildings to residential use, there is a presumption against the proposed development as set out in Policy C1 of the HSADPD and consequently the proposal is at odds with the spatial strategy, which I afford significant weight.

19. I therefore conclude that the appeal site does not represent an appropriate location for the proposed development having regard to the spatial strategy and development plan policies relating to development within rural areas. Consequently, the proposal is at odds with Area Delivery Plan Policy 1 of the WBCSDPD and Policies C1 and C4 of the HSADPD for the reasons set out above.

Character and appearance

20. As outlined above, the appeal site is located within the countryside and comprises a modern L-shaped stable block which is accessed from Tyler's Lane. Although there are some houses on the opposite side of Tyler's Lane to the appeal side, these are separated from the main cluster of dwellings located further along the road. Moreover, the land surrounding the appeal site on the same side of the lane comprises open fields and woodland to the west and paddocks to the north. As a result, the appeal site and the surrounding area has a sense of verdant openness, which makes a significant contribution to the character and appearance of the area and the North Wessex Downs National Landscape (NWDNL).
21. Although in addition to the stable block there is an existing gate, access track and parking area, the existing use of the appeal site is entirely compatible with its countryside setting and does not diminish the sense of openness which makes such an important contribution to the existing character and appearance of the area.
22. I accept that the alterations to the existing building itself would not significantly harm the character and appearance of the area. Consequently, the conversion works to the stables would not conflict with sub-paragraph (iv) of Policy C4 of the HSADPD.
23. However, the proposal would also involve the creation of a residential curtilage. The proposed parking area would be a dominant feature which would be located close to the lane. Although there is parking associated with the existing use, this is different in nature and less formal compared to the permanent parking spaces associated with the proposed dwelling. This would have an unacceptable urbanising impact on this countryside setting.
24. Similarly, the proposed garden area would be located mainly to the east and south-east of the existing building which is currently largely undeveloped and open. The introduction of garden paraphernalia associated with the proposed residential use would introduce further urbanising features and would exacerbate the unacceptable harm the proposal would have on the character and appearance of the area.
25. Very little detail has been provided about any proposed landscaping and the appellant suggests that conditions requiring a comprehensive landscaping scheme could be imposed. However, I am not satisfied that landscaping would adequately ameliorate the harm. Consequently, the creation of the residential curtilage would unacceptably harm the character and appearance of the area and would fail to conserve and enhance the landscape and scenic beauty of the NWDNL to which I afford great weight.

26. I therefore conclude that the proposed development would unacceptably harm the character and appearance of the area and would fail to conserve and enhance the landscape and scenic beauty of North Wessex Downs National Landscape. Consequently, the proposal would conflict with Policies C3 and C4 of the HSADPD and CS14 and CS19 of the WBCSDPD which among other things seek to ensure that the creation of a residential curtilage associated with a converted building would not be visually intrusive, have a harmful effect on the rural character of the site or its setting and the development would have regard to the impact on the landscape character. Further development should respect the character and landscape of the surrounding area and should conserve and enhance the local distinctiveness of the landscape character. In addition, the proposal would not accord with the Framework, as although it would involve the re-use of a building that building would not be genuinely redundant for the reasons set out above and the proposed development would not enhance its immediate setting.

Other Matters

27. In relation to housing supply, the Council accept that it is unable to demonstrate a five-year supply of housing land supply. Consequently, I have determined this appeal on the basis that the Council's housing land supply position is below Government's expectations. However, although the proposal would undoubtedly be valuable in boosting housing stock in circumstances where there is an existing shortfall, given that it would only result in the addition of one dwelling that tempers its weight.
28. I accept that the proposal would have a cumulative effect on the supply of housing and would have some economic, social and environmental benefits. For example, it would provide some jobs and create demand for materials during the construction phase and would broaden the availability of housing in the area. I also accept that the proposal would make efficient use of the appeal site.
29. On that basis, taking account of the contribution the appeal scheme would make in addressing the housing land supply shortfall and other matters that weigh in favour of the proposal, I afford the totality of the benefits moderate weight.

Planning Balance

30. I have afforded some matters weight as outlined above and overall, I afford the totality of the benefits moderate weight in the determination of the appeal. On the other hand, I afford the harm that the proposal would have on the character and appearance of the area, including the North Wessex Downs National Landscape and the fact that the appeal site does not represent an appropriate location for residential development great weight and significant weight respectively.
31. As set out above, the Council cannot demonstrate an adequate supply of housing land. As a result, Paragraph 11(d) of the Framework is relevant. However, for the reasons set out above, the application of policies in the Framework that protects National Landscapes provides a strong reason for refusing the development proposed. Consequently, the presumption in favour of sustainable development, as set out in paragraph 11(d) of the Framework is disengaged and the scheme should be considered under a normal planning balance and on that basis, I find that the harm clearly outweighs the benefits.

32. In reaching my view on the appeal, I have taken account of the other cases where the Council have approved the conversion of redundant buildings in the countryside and the previous appeal decisions that have been brought to my attention.
33. In relation to the previous decisions made by the Council although there are similarities, I do not consider that the Council's approach to these other cases alters my view based on the particular circumstances of the case before me. I have fully set out my approach to why I have found that the appeal property is not genuinely redundant. In the cases brought to my attention by the appellant where adequate details have been provided to make a meaningful comparison there are material differences.
34. For example, for the site at Rookwood Farm, Stockcross¹ the building formed part of the wider farm holding, the Council did not have any concerns about the impact of the proposal on the character and appearance of the area and based on the particular circumstances accepted that the relevant building was disused and redundant. That is materially different from the situation here. Similarly, for the case at Craven Farm, Shaw ², the stables formed part of wider farm holding, they were located close to the existing farmhouse, it had an asbestos roof, and the site was not within an area designated as a national landscape. Consequently, consideration of whether the building was genuinely redundant and its impact on its surroundings were materially different.
35. Finally, for the case at Woodside Farm, Midgham ³, again the case was materially different from the situation here. That application was in relation to a barn and not stables, the applicant in that case had access to other barns to provide storage, and again the site was not within an area designated as a national landscape. So again, the circumstances of this case and the case before me are materially different and in any event the existence of this or any of the other cases does not justify harmful development at the appeal site.
36. I have also taken account of the previous appeal decisions that have been brought to my attention. Although these previous appeals are helpful as they set out how other Inspectors have dealt with the impact of a proposal on the character and appearance of the area or whether a building is redundant, they are materially different from the appeal before me.
37. For example, in the case of the appeal at Hall Court Farm, Midgeham Green⁴, the Inspector found that the proposed conversion involved part of a group of buildings within an existing courtyard, there would be negligible adverse effects on the rural character of the site and the existing buildings were generally not suitable for modern agricultural use. Moreover, in the cases of the appeal at Bere Court Farm Bungalow, Pangbourne⁵ and Greenacres, Inkpen⁶ the cases did not involve the conversion of a building at all, but rather the removal of an existing dwelling and the erection of a replacement dwelling where in both cases there was already extant permission for replacement dwellings.

¹ 20/01151/FULD

² 19/01259/FULD

³ 18/01264/FUL

⁴ APP/W0340/W/23/3332235

⁵ APP/W0340/W/18/3202871

⁶ APP/W0340/A/13/2199951

38. Moreover, none of the previous appeals involved a proposal within a National Landscape where an Inspector found that the application of policies that protects areas or assets of particular importance provided a strong reason for refusing the proposed development. As a result, the circumstances, the impact of the proposals on their surroundings and the planning balance exercise undertaken in each of these previous appeal decisions is materially different. As a result, they have limited weight in the determination of the appeal.

Conclusion

39. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, the appeal should be dismissed.

S Rawle

INSPECTOR