



Appeal Decision

Site visit made on 16 December 2025

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th January 2026

Appeal Ref: APP/C1570/W/25/3374233

Eastfield Stables, May Walk, Elsenham Road, Stansted CM24 8SS

- 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 Stuart Richardson on behalf of NB Investments UK limited against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/1902/FUL.
 - The development proposed is change of use of existing store and workshop building (sui generis) into a 3-bedroom residential dwelling (C3).
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Decision

1. The appeal is allowed and planning permission is granted for change of use of existing store and workshop building (sui generis) into a 3-bedroom residential dwelling (C3) at Eastfield Stables, May Walk, Elsenham Road, Stansted CM24 8SS in accordance with the terms of the application, Ref UTT/25/1902/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. On 16 December 2025, government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the proposed changes, and in my decision, I have had regard to the Framework published in December 2024.

Main Issues

3. The main issues in this appeal are:
 - Whether the proposed development would be in a suitable location, having regard to the local development strategy;
 - The effect of the proposed development on the character and appearance of the area; and
 - whether other material considerations outweigh any harm identified such as to justify the development.

Reasons

Whether a suitable location

4. The appeal site comprises a substantial storage and workshop building and surrounding land, including a gravelled area and mown grassland.

5. The appeal site is within the Eastfield Stables complex which includes existing residential development, and commercial leisure uses and holiday accommodation which are currently under construction. The complex is distinct from the settlement of Elsenham, being separated by the M11 motorway.
6. To the west of the site, May Walk has an unmade surface and forms a part of the public right of way network (PROW). Beyond this lies an open, agricultural landscape of fields and pockets of woodland. The site is therefore within a rural, countryside location.
7. Policy GEN1(e) of the Uttlesford Local Plan 2005 (ULP), supports development where it encourages movement by means other than driving a car. In addition, M1.2C of the Uttlesford District-Wide Design Code 2024 (UDC) advises street networks must be direct, ensuring walking and cycling routes are the quickest means possible for people to easily access local destinations.
8. A footway runs along the B1051 road, providing pedestrian access from the site to Elsenham village. The parish council notes it would take around 15 minutes to walk from the site to the small parade of shops at the village centre. In addition, there is a bus stop at the B1051 around 350m from the appeal site, and thus within a short walking distance.
9. However, the B1051 is subject to the national speed limit and, as identified in previous appeal and s62A decisions relating to proposals for new dwellings within the complex¹, fast-moving traffic and the narrow unlit footway create a hostile environment for pedestrians and cyclists. Whilst an alternative route to the village exists via the May Walk PROW due to the distance and absence of lighting neither route would be desirable to users at night or during inclement weather. Consistent with conclusions drawn in those previous decisions, I consider the proposal would offer limited accessibility via sustainable modes of travel.
10. Therefore, whilst accepting there would be some limited opportunity to access services on foot or by public transport, due to the distance and quality of infrastructure and pedestrian environment, future occupants would typically be reliant on use of a private car to meet their day-to-day needs. Therefore, having regard to the local development strategy, the proposed development would not be in a suitable location.
11. In conclusion, the proposal would fail to encourage movement by means other than driving a car and would thus conflict with ULP Policy GEN1(e).

Character and appearance

12. The workshop building is sited close to the group of dwellings at the north of the Eastfield Stables complex. The workshop shares a gravelled driveway with a nearby dwelling, and the appeal site's northern boundary abuts a dwelling plot. As identified in a S62A decision², the converted buildings to the north are regimented and form a close-knit development, and therefore the immediate area is principally residential in character.
13. To the south, a "Wellness Hub" and three holiday let cottages are currently under construction. Between the appeal site and Wellness Hub/holiday-let development

¹ PINS refs: APP/C1570/W/25/3368007 & S62A/2023/0023

² PINS ref: S62A/2023/0023

is an area of grassland which is not in active agricultural use but is described on the submitted plans as a paddock. The open character of the paddock provides a clear visual relationship between the existing residential development and the commercial leisure and holiday accommodation development, and an informal access road provides connectivity between these two areas of development. As identified in a recent appeal decision for a self-build dwelling³, the open paddock positively contributes to the rural character of the area.

14. Within the paddock, planning permission has recently been granted for changing rooms, tennis courts, swimming pool, parking areas, and commercial uses associated with the Wellness Hub. However, in a recent appeal decision⁴, the Inspector concluded that, if such approved development were implemented, the open central area would remain largely free of vertical development thereby preserving the “relatively open and rural character to the site as a whole and an appearance of being within the countryside”.
15. The Eastfield Stables complex is enclosed by a mature hedgerow boundary treatment and earth bunds, providing clear separation from the neighbouring park and ride business, public highway, and wider countryside, and has a high degree of visual containment from the surrounding landscape.
16. Therefore, the Eastfield Stables complex has a distinctive but coherent, rural character, comprising a mix of residential uses, and ongoing development of commercial leisure uses and holiday accommodation. Development within the complex emulates the appearance of traditional rural buildings, whilst undeveloped land at the centre of the complex contributes greenery and openness, and mature, vegetated boundary treatments provide enclosure.
17. The Uttlesford District-Wide Design Code 2024, at paragraph C1.1C, requires proposals demonstrate an understanding of the key contextual features such as topography, geology, landscape, nature, boundary features, the layout of streets and buildings, their typical form and details and, at paragraph ID1.1C requires proposals demonstrate a relationship to their area’s history, culture and local character. The Council confirm the presence of the workshop building as an ancillary facility to the estate is not harmful to the rural character of the area.
18. The workshop building is similar in height, form and scale to the nearby dwellings, and is alike in appearance with matching external materials such as its red pantile roof and black weatherboarding. The Council considers the proposed changes to the building, i.e. fenestration, new openings and its materials, are not of concern concluding the design and scale of the scheme would have a neutral impact on the character and appearance of the area.
19. Whilst the proposal would not increase the volume of built form within the complex, it would nonetheless extend the area of residential uses. However, the proposed dwelling would be harmonious in appearance and design with surrounding dwellings and would appear integrated with the dwelling group.
20. The proposed development would enclose a modest area of land at the western edge of the paddock to form a private garden. Enclosure with boundary treatments and introduction of domestic paraphernalia would have a small urbanising effect

³ Appeal decision ref: APP/C1570/W/25/3368007

⁴ Appeal decision ref: APP/C1570/W/25/3361367

on the paddock. However, since the proposal would not increase built form, the effect on the open character of the area would be very limited.

21. Furthermore, the site is distant from the public highway and established, vegetated boundary treatment would generally obscure the proposed development from view from the PROW. The proposed development would not have a significant visual impact on landscape from public vantage points, and landscaping could be secured through condition to provide an appropriate boundary between the dwelling plot and paddock. Consequently, the proposal would not significantly erode the rural character of the area.
22. In an appeal decision for the change of use of an animal shelter at the appeal site⁵, the building is described as modestly sized and open-sided to the south elevation with a wide opening on the east elevation. The Inspector concluded the building was of very limited scale, and not directly comparable to those around it, and found the shelter had a relationship with the open paddock, considering it an outlier in the context of the existing group of buildings. Conversely, the workshop building is of comparable height, scale, form and appearance to surrounding dwellings and the proposed dwelling would appear contiguous with the dwelling cluster. Therefore, the proposal materially differs from the previous decision relating to the animal shelter.
23. In an appeal decision for an ancillary cartlodge scheme⁶, the Inspector conclude the development would have a “large and prominent appearance within the central and most open part of the site”. In addition, in an appeal decision relating to a proposal for 11 dwellings at Eastfield Stables⁷, the Inspector notes “the impact of development on the rural character of an area is not simply restricted to whether it can be seen or not or its detailed design but about how that use would impact on the rural setting”. In this previous proposal, the Inspector identified the scheme would introduce development over a wide area of greenfield paddocks. The appeal proposal differs significantly from these schemes since it would not increase built form, and the enclosure of only a small area at the edge of the paddock would not have a significant impact on rural character.
24. For the reasons set out above, the proposal would not harm the character and appearance of the area.
25. The proposal would therefore comply with ULP Policy S7, which requires development protect the character of the countryside, ULP Policy H6 which supports conversions of rural buildings where the traditional or vernacular form enhances the character and appearance of the rural area, and where private gardens can be provided unobtrusively, and ULP Policy H4(a) which supports development that would make effective use of under-used land.

Other considerations

26. The proposal would contribute one dwelling to the area’s housing supply.
27. The proposal would provide socioeconomic benefits via potential employment for local builders and suppliers of materials during construction and spending in the local economy by future occupiers and increase footfall for local services.

⁵ Appeal decision ref: APP/C1570/W/20/3253640

⁶ Appeal decision ref: APP/C1570/W/25/3361367

⁷ Appeal decision ref: APP/C1570/W/21/3271985

28. The proposal would provide environmental benefits including ecological enhancements through the mandatory provision of Biodiversity Net Gain and would be constructed to promote energy production and conservation.

Planning Balance

29. Based on the latest available information⁸, the Council can demonstrate 3.46 years of housing land supply and a Housing Delivery Test measurement of 69%. Therefore, in the Council's area there is a significant shortfall in housing supply, and delivery of housing is substantially below the housing requirement.
30. In this circumstance, paragraph 11(d) of the Framework is engaged, whereby planning permission should be granted unless (i) policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development, and (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
31. The proposal would not conflict with the Framework's policies that protect areas or assets of particular importance. Therefore, Framework paragraph 11(d)(i) does not provide a strong reason for refusing the development.
32. As discussed above, the proposed development would fail to encourage movement by means other than driving a car and would conflict with ULP Policy GEN1(e). Paragraph 115 of the Framework requires proposal prioritise sustainable transport modes and provide safe and suitable access for all users, and therefore there is synergy between Policy GEN1(e) and the Framework.
33. However, at paragraph 110, the Framework recognises that opportunities to maximise sustainable transport solutions vary between urban and rural areas. The site is in a rural location and, despite shortcomings in the quality of pedestrian infrastructure and environment, is nonetheless served by a pedestrian footway providing access to Elsenham village, its services, and a nearby bus stop for travel further afield. Therefore, occupants of the proposed development would have some limited opportunity to access day-to-day services on foot or by public transport and would not be wholly dependent on use of a car. Consequently, the proposal would not conflict with the Framework's key policies for directing development to sustainable locations, and I afford only limited weight to the proposal's conflict with ULP Policy GEN1(e).
34. I have found the proposal would not harm the character and appearance of the area. This is a neutral factor in the planning balance.
35. The proposed development would provide one additional dwelling to the area's housing supply. In this regard the proposal would make a small contribution to government's objective to significantly boost the supply of homes, as set out at paragraph 61 of the Framework, in an area with a substantial shortfall in past delivery and supply. Due to the small scale of the development, this carries modest positive weight in favour of the development. In addition, the small-scale

⁸ As at 06 January 2025

socioeconomic and environmental benefits described above carry limited weight in the scheme's favour.

36. Examination of the emerging Uttlesford Local Plan 2021-2041 has concluded, and the Inspector's Report is pending. The Council consider the emerging plan is capable of being afforded moderate weight and allege there would be moderate conflict with draft Core Policy 16 (Stansted Mountfitchet and Elsenham Area Strategy) which includes a strategic housing allocation of 110 dwellings at the Land East of Station Road, Elsenham which is very close to the Elsenham Railway Station on the eastern side of the settlement and the M11. Since the proposal is of small scale and is situated to the west of Elsenham, I do not consider it would undermine delivery of the strategic housing allocation.
37. The parish council note the number of consented new housing applications in the parish. However, I have no substantive the proposal proposed development would place unacceptable stress on local infrastructure capacity.
38. Consequently, the limited adverse impacts associated with the proposed location would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development would apply to the proposal.
39. As discussed, the Eastfield Stables complex has an extensive planning history including S62A and S78 appeal decisions. The cumulative harms and benefits associated with the proposal differ from those other schemes. Therefore, applying paragraph 11(d)(ii) of the Framework it is logical to conclude that planning permission should be granted. Consequently, allowing the appeal would be consistent with other decisions at the Eastfield Stables complex.

Conditions

40. The Council has provided a list of conditions which I have considered against the Framework's tests. In the interests of certainty, I have included conditions to specify the time limit for implementation and to identify the approved plans.
41. In the interest of conserving and enhancing protected and priority species and habitats, I have attached conditions requiring the submission and approval of a Habitat Management and Monitoring Plan, Biodiversity Enhancement Strategy, and lighting design scheme for biodiversity.
42. To maintain the character and appearance of the area, I have included conditions requiring submission and approval of details of materials and hard and soft landscape works.
43. To ensure the development provides a suitable standard of living accommodation, I have included a condition requiring submission of an acoustic assessment, and requiring the development be designed to adhere to noise standards. To maintain living conditions of nearby occupants, I have included conditions requiring submission of details of external lighting and any air source heat pump. To improve air quality by encouraging use of electric vehicles, I have attached a condition requiring provision of an electric vehicle charging point.
44. In the interests of highway safety, I have included conditions requiring provision of the vehicular access, parking and turning areas, and specifying the siting of gates.

To protect human health and the environment, I have attached a condition specifying actions to be taken in the event contaminated land is discovered.

Conclusion

45. For the reasons given above, having regard to the development plan taken as a whole and all other relevant material considerations, I conclude the appeal should be allowed.

E Dade

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: Site location plan ES/SCU/001 Rev B; Existing site plan ES/SCU/002 Rev A; Proposed site plan ES/SCU/003 Rev B; Existing and proposed plans ES/SCU/004; Existing and proposed elevations and sections ES/SCU/005.
- 3) (a) Prior to first occupation of the development hereby approved, an acoustic assessment in accordance with British Standard (BS) 8233:2014 shall be submitted to and approved in writing by the Local Planning Authority. The acoustic assessment shall show that the following noise levels can be achieved:
 - Maximum internal night noise levels of 30dBLAeq,T for living rooms and bedrooms with windows open (or closed with provided acoustic mechanical ventilation including heat recovery).
 - For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dBLAmax.
 - Maximum living room day (07.00-23.00 hrs) noise levels of 35 dB LAeq.(b) External areas shall be designed and located to ensure that amenity areas are protected on all boundaries as to not exceed 50 dBLAeq,16hr. If a threshold level relaxation to 55 dBLAeq,16hr is required for external areas full justification should be provided.
(c) If shown to be necessary by the acoustic assessment and prior to commencement of the development hereby approved, a scheme of noise mitigation measures (SNMM) (covering façade, glazing and ventilation specifications) shall be submitted to and approved in writing by the Local Planning Authority. The SNMM should include a detailed ventilation scheme and detailed break-in calculations to demonstrate the validity of the scheme. Thereafter, the approved SNMM shall be fully implemented prior to occupation of the dwellings hereby approved and shall be retained as such at all times.
- 4) Prior to first occupation of the development hereby approved, a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Net Gain plan, shall be submitted to and approved in writing by the local planning authority. The HMMP should include:
 - a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
 - c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;

- d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the local planning authority when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the local planning authority, in accordance with the methodology specified in the approved HMMP.

- 5) Prior to first occupation of the development hereby approved, a schedule of the types and colours of the materials (including photographs) to be used in the external finishes shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented in full accordance with the approved materials.
- 6) Prior to first occupation of the development hereby approved, details of all hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in full accordance with the approved details prior to occupation of the development hereby approved. The landscaping details to be submitted shall include:
 - a) means of enclosure of the land (boundary treatments including photographs);
 - b) existing trees, hedges or other soft features to be retained;
 - c) proposed trees, hedges or other soft features to be planted, including specifications of species, sizes, planting centres, number and percentage mix;
 - d) existing and proposed hard surfacing and other hard landscaping features and materials (including photographs);
 - e) details of siting and timing of all construction activities to avoid harm to all nature conservation features;
 - f) management and maintenance details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 7) Prior to first occupation of the development hereby approved, a Biodiversity Enhancement Strategy for protected, priority and threatened species shall be submitted to and approved in writing by the local planning authority. The Biodiversity Enhancement Strategy shall include:
- a) purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs or product descriptions to achieve stated objectives;
 - c) locations of the enhancement measures by appropriate drawings;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).

Thereafter, the ecological works shall be implemented in accordance with the approved details prior to occupation of the development hereby approved.

- 8) Prior to first occupation of the development hereby approved, details of any external lighting to be installed on the site, including the design of the lighting units, any supporting structure and the extent of the area to be illuminated (lighting contours), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, only the details thereby approved shall be implemented.

- 9) Prior to first occupation of the development hereby approved, a lighting design scheme for biodiversity in accordance with General Note: 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The scheme shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Thereafter, all external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and shall be maintained in accordance with the scheme at all times. Under no circumstances should any other external lighting be installed without prior consent in writing from the local planning authority.

- 10) Prior to first occupation of the development hereby approved, a fully wired and connected electric vehicle charging point shall be provided on site for the dwelling. Thereafter, the charging point shall be maintained as such at all times.
- 11) Prior to first use of any air source heat pump(s) hereby approved, an acoustic assessment for all noise-generating fixed plant and a noise mitigation scheme, in line with the methodology of British Standard 4142:2014, shall be submitted to and approved in writing by the local planning authority.

The acoustic assessment and noise mitigation scheme shall ensure that:

- a) at any time the plant rating level calculated according to British Standard 4142:2014 shall not exceed the measured typical day and night-time LA90 background levels at any noise sensitive receptor (new or existing), and
- b) that the measured or calculated plant specific noise level (i.e. in the absence of any rating penalties) does not exceed 5dBA below the typical day and night-time LA90 levels (subject to a lower specific noise level requirement of 30dBA) at any noise sensitive receptor (new or existing).

Thereafter, the noise mitigation scheme shall be implemented in full prior to first use of the air source heat pumps and shall be maintained as such at all times and replaced in whole or in part as often is required to ensure compliance with the specified in points (a) and (b) above.

- 12) Prior to first occupation of the development hereby approved, the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway as shown on drawing reference ES/12/05/20/001 (May 2020). Thereafter, the access shall be retained as such at all times.
- 13) Prior to first occupation of the development hereby approved, the vehicle parking and turning areas indicated on the approved plans shall be provided. Thereafter, the vehicle parking and turning areas shall be retained as such at all times and shall not be used other than for the benefit of the occupants of the dwellings hereby approved.
- 14) Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway. Thereafter, the gates shall be retained as such at all times.
- 15) If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant/developer shall notify immediately and in writing the Local Planning Authority. Any land contamination identified shall be remediated to the satisfaction of the local planning authority (including a remediation strategy and validation report) prior to occupation of the development hereby approved to ensure that the site is made suitable for its end use.

END OF SCHEDULE