

**APPEAL BY MR C HIGNETT AGAINST THE DECISION OF THE COUNCIL TO REFUSE PLANNING PERMISSION FOR THE CONVERSION AND CHANGE OF USE OF A FORMER BARN TO RESIDENTIAL MARKET HOUSING AT MOSS HOUSE FARM, EARDLEY END ROAD, BIGNALL END**

<b><u>Application Number</u></b>	<b>13/00755/FUL</b>
<b><u>LPA's Decision</u></b>	<b>Refused by delegated powers 25<sup>th</sup> November 2013</b>
<b><u>Appeal Decision</u></b>	<b>Allowed</b>
<b><u>Date of Appeal Decision</u></b>	<b>27<sup>th</sup> August 2014</b>

The full text of the appeal decision is available to view on the Council's website (as an associated document to application 13/00755/FUL) and the following is only a brief summary.

The Inspector considered the main issues to be whether the proposal would provide a suitable site for development having regard to policies which seek to protect the countryside and achieve sustainable patterns of development, and the effect of the proposed rooflights on the character and appearance of the host building and the surrounding area. In allowing the appeal, the Inspector made the following key comments:

- The Council considers the scheme to be not inappropriate development in the Green Belt and therefore raises no objections to the scheme in terms of its impact on the Green Belt. The Inspector agreed with this conclusion.
- Paragraph 55 of the Framework indicates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. LPAs should avoid new isolated homes in the countryside unless there are special circumstances. These include development which would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.
- The proposed houses would be grouped with the existing cluster of development but they would nevertheless be isolated in the countryside in terms of their urban location in relation to nearby settlements. The site is beyond the major urban area of North Staffordshire and is not within a rural service centre. The village of Audley is some 3.5km away and Alsager around a 10 minute drive. In practical terms, opportunities for the use of public transport, walking and cycling would be limited and the future occupiers of the houses would be likely to be reliant on the use of the private car.
- That said the current run down and derelict appearance of the barn would be significantly improved as a consequence of the proposal. Additionally a former hay barn has already been removed from the site, and the proposal would result in the removal of a further substantial concrete block structure formerly used as a vehicle repair garage. Although this is generally agricultural in appearance and not untypical of a rural area, it is large and relatively modern and functional in appearance. Its removal would result in an increase in openness within the site in this part of the Green Belt. Additionally some of the existing areas of hard standing would be replaced by landscaping.
- The re-use of the appeal building and the tidying up of its appearance, along with the visual enhancements to the wider site arising from the loss of the existing building and increase in openness, would be an improvement in visual terms. This would contribute positively to the attractiveness of the site. The Inspector concluded that the proposal would result in an enhancement to the immediate setting of the barn and the wider Moss Farm complex of buildings and thus, would meet the special circumstances set out in Paragraph 55 of the Framework.
- The proposal would therefore provide a suitable site for development having regard to policies which seek to protect the countryside and achieve sustainable patterns of development.
- The originally submitted plans show the insertion of 31 rooflights and the Inspector agreed with the Council that their significant number and regular arrangement would have an unduly adverse impact on the rural character of the building and the surrounding area. The rooflights would appear too numerous and as significant and

incongruous features on the modest roof planes of the barn. This would be so despite the existing boundary planting and the rooflights permitted to the adjoining holiday accommodation.

- As part of the appeal the appellant has put forward alternative plans showing the number of proposed rooflights reduced to 20 along with the provision of 8 sun pipes. On balance, the more modest number of rooflights would not appear unduly out of place or unsympathetic to the surrounding rural area.
- The Inspector concluded that the appeal should be allowed subject to conditions.

### **Recommendation**

That the decision be noted