
Penderfyniad ar yr Apêl

Appeal Decision

Ymweliad â safle a wnaed ar 16/09/16

Site visit made on 16/09/16

gan **Richard E. Jenkins BA (Hons) MSc MRTPI**

by **Richard E. Jenkins BA (Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

an Inspector appointed by the Welsh Ministers

Dyddiad: 27.10.2016

Date: 27.10.2016

Appeal Ref: APP/E6840/A/16/3153651

Site address: Green Tree Orchard Store, Coed-Chambers Road, Glascoed, Monmouthshire, NP4 0TF

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- 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 Lyn Hill against the decision of Monmouthshire County Council.
- The application Ref DC/2015/01516, dated 5 December 2015, was refused by notice dated 4 January 2016.
- The development proposed is: Proposed extension to the existing storage building and the change of use of the existing building on the land of Green Tree Orchard to residential, which will incorporate alterations to the existing entrance. This is a re-submission of planning No. DC/2015/00280.

Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal relates to an irregular shaped parcel of land known as 'Green Tree Orchard', located to the south of the village of Glascoed. The site incorporates an existing single storey storage building which would be extended under the appeal proposal. Alterations to the existing entrance are also proposed, with gates and pillars proposed at the site access. Such developments would form part of the wider proposal to change the use of the premises to form a single detached residential dwelling.
 4. Whilst there is no doubt that the appeal site is located within close proximity to residential properties, it was clear at the time of my site visit that the surrounding area is undoubtedly rural in character. This is corroborated by the fact that it is located outside of the settlement boundaries identified within the adopted Monmouthshire Local Development Plan (LDP) (2014). Accordingly, the site is classified as 'open countryside' for the purposes of planning where development, including the change of use of buildings to residential use, is subject to strict control.
-

5. In this respect, whilst the appellant would like to bring the building back into use as a small holding, I have not seen anything to indicate that the residential use of the property has been justified for the purposes of agriculture or any other rural enterprise permissible under national policy set out in Planning Policy Wales (PPW) (Edition 8, 2016) and Technical Advice Note 6: *Planning for Sustainable Rural Communities* (TAN 6) (2010). Nevertheless, proposals to convert or rehabilitate rural buildings are identified as a policy exemption within the adopted LDP and, as such, Policy H4, which relates to the conversion and rehabilitation of buildings in the open countryside for residential use, is an important material consideration.
6. Criterion (e) of Policy H4 is of particular importance to the development proposed in this case. Specifically it states that "*buildings of modern and/ or utilitarian construction such as concrete block work, portal framed buildings clad in metal sheeting or buildings of substandard quality and/or incongruous appearance will not be considered favourably for residential conversion*". Criterion (a) is also pertinent given that it requires "*the form, bulk and general design of the proposal, including any extensions, to respect the rural character and design of the building*". Criterion (f) is equally applicable, requiring all buildings proposed to be converted to be "*capable of providing adequate living space within the structure*", before going on to clarify that "*only very modest extensions will be allowed*".
7. In terms of criterion (e), the appellant asserts that the existing building is not of modern construction, specifically stating that the external appearance, design and scale of the building is traditional and that the building is not out of character with the vernacular of residential dwellings. Nevertheless, the premises comprises rendered block work and, as such, it is quite clearly not the type of building that Policy H4 seeks to preserve, with criterion (e) stating that buildings incorporating concrete block work should not be considered favourably. Indeed, it was clear at the time of my site visit that the structure is clearly of utilitarian appearance and not typical of the type of traditional agricultural or other rural buildings that, for historic or architectural reasons, merit preservation.
8. The appellant also contests the Council's assertion that the structure could not be converted without extension, quoting specifically from an appeal decision which is alleged to have concluded that the premises could provide acceptable living accommodation for a retired couple. Nevertheless, despite such conclusions, the appeal proposal clearly seeks to substantially extend the existing building. Indeed, whilst the existing building comprises modest proportions at approximately 9.9 metres by 5.8 metres, the proposed extension would almost double the volume of the building.
9. Within this context, I do not consider that the extension proposed can be reasonably considered to be 'very modest' as referred within the policy tests set out in criterion (f) of Policy H4. Indeed, by virtue of its scale and design, the proposed extension would fail to respect the modest simplicity of the existing store, with the overall effect of the proposal resulting in the transformation of the premises from a simple rural store to a modern residential bungalow. As a consequence, the development would incrementally and injuriously alter the rural environs of the site and, thereby, cause material harm to the character and appearance of the area. Furthermore, whilst I acknowledge the appellant's flexibility in relation to such matters, the aforementioned impacts would be further exacerbated by the other residential style alterations proposed, including the provision of parking for some 5 vehicles and the erection of residential style gates and pillars.

10. For this reason, I find that the development would run counter to criteria (a), (e) and (f) of Policy H4. It would also be contrary to the general aims of Policy DES1 which, amongst other things, seek to ensure that all development should respect the local character and distinctiveness of Monmouthshire's built, historic and natural environment.
11. I note the fact that the appellant has listed in excess of 25 conversion schemes that have been successful through the planning process. However, I have not been provided with full details of these schemes. Indeed, a number of these developments have simply been listed within the evidence without context and, as such, I am not in a position to provide a response to each and every example. Nevertheless, the appellant does make specific reference to the conversion schemes at Bridge House in Glascoed, Little Mill in Shirenewton and Barn 1 at Brookside Farm. However, it would appear that the Bridge House scheme was considered under a different planning policy framework to the current proposal, whilst the other developments appear to incorporate a materially different set of circumstances. Specifically, the scheme at Little Mill comprised a traditional stone building that did not need to be extended whilst, unlike the appeal proposal, the scheme at Brookside Farm did not propose any external alterations.
12. I acknowledge the appellant's reference to a number of recent developments that are considered to have changed the character of the area. However, it was clear at the time of my site visit that, despite such recent developments, the site and wider area remains predominantly rural in character. I note the various references to replacement dwellings, agricultural workers dwellings and residential garages that are considered to be more prominent than the development proposed in this case. However, I have not been provided with full details of these schemes and, in any event, the policy context for such proposals would be materially different to that applicable in this case. Notwithstanding this, it is a well-established principle of planning that each case should be determined on its own particular merits and it is on this basis that I have considered this appeal.
13. I note the appellant's reference to a relaxation of government policy in relation to the re-use of rural buildings. However, I am not aware of the specific changes to which the appellant refers. Indeed, I have not seen anything to indicate that the provisions of the Monmouthshire LDP are inconsistent with the aforementioned national planning policy documents and, notwithstanding this, the LDP remains the statutory development plan for the area and should, therefore, be afforded substantial weight in the decision making process.
14. I recognise that the proposal would make a positive contribution to the local housing stock. However, I have not been provided with any evidence to indicate that the LDP is not delivering residential properties at the rate intended and no information has been submitted to demonstrate a lack of a five year housing land supply, as required by national policy. As such, I have not afforded such matters significant weight in coming to my decision. Moreover, for the avoidance of any doubt, it is important to note that the complicated planning history at the site has not in any way influenced the result of this appeal.
15. Based on the foregoing, I conclude that the appeal proposal would cause material harm to the rural character of the area. Moreover, having regard to all matters raised, I have not found anything to indicate that the scheme should not be determined in complete accordance with the statutorily adopted development plan.

16. For these reasons, and having considered all matters raised, I conclude that the appeal should be dismissed.

Richard E. Jenkins

INSPECTOR