

Appeal Decision

Site visit made on 3 October 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 October 2016

Appeal Ref: APP/W0530/W/16/3149651

45 North Road, Great Abington, Cambridgeshire CB21 6AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Jonathan Tilley against South Cambridgeshire District Council.
 - The application Ref S/0569/16/FL, is dated 27 February 2016.
 - The development proposed is to demolish existing outbuilding and erect a new barn.
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Decision

1. The appeal is allowed and planning permission is granted to demolish existing outbuilding and erect a new barn at 45 North Road, Great Abington, Cambridgeshire CB21 6AS in accordance with the terms of the application, Ref S/0569/16/FL, dated 27 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Proposed Plan of replacement barn, Proposed Elevations (detailing south east elevation, and north east elevation), Proposed elevations (detailing north west elevation and south west elevation).
 - 3) The materials to be used for the development hereby permitted shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority.
 - 4) The building hereby permitted shall not be used at any time other than for the purposes of domestic garaging and storage, agriculture and the keeping of horses in association with the dwelling and land holding at 45 North Road, Great Abington.

Main Issues

2. The Council has advised that the proposed new barn, for use in association with agriculture or the keeping of horses, would be appropriate in this location and not impact detrimentally upon the rural character of the area or, where proposed, harm the openness of the countryside. Had the Council been given the opportunity to determine this application the decision would likely to have been to grant planning permission, subject to conditions, including restricting the use of the building to either agriculture or for the keeping of horses, in association with 45 North Road.
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3. On this basis the main issue in this appeal is the effect of this proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal site is within an area of countryside containing former Land Settlement Association holdings. This area is generally characterised by quite widely separated dwellings sited within large parcels of land used mainly for either agriculture, horticulture or the keeping of horses, with varying amounts and types of buildings associated with these activities.
5. The appeal site contains a dwelling set back slightly from the road with a closely arranged group of timber-boarded buildings, with corrugated sheet roofing, situated to its east. These appear as if they might date back to the original Land Settlement Association development. There is an unauthorised timber fence of around 2m height along the roadside boundary of the site which is the subject of an enforcement notice, upheld recently on appeal¹. Further to the east, within the appellant's holding, is a much taller and bulkier cow-shed building, with a half-hipped pantiled roof, which has been recently built and is sited quite close to North Road, opposite the Cutting Lane junction.
6. The proposal is for a quite substantial barn, of comparable scale to the recently-built cow-shed, which would be sited to the east of, and in line with the front of the dwelling, on the site of some existing footings and unfinished block work walls, with an opening facing the house and two openings to the rear where one of the older timber-boarded buildings would be removed.
7. The barn is intended for the storage of a tractor, horse lorry, lawn mower, a trailer and associated implements, and also would house loose boxes, a tack room and hay and feed stores. It would have timber weather-boarded walls and a clay pantile roof and would be of a design and appearance similar to a traditional barn.
8. In considering the appeal over the roadside fence, the Inspector noted the open, semi-rural character of this area. He considered the fence to be an unduly prominent feature in the street scene. From my visit, I found the landscape to be open and quite rural, characterised by widely-spaced dwellings along each side of North Road. However, the Land Settlement Association area is also characterised by the varying amounts and types of buildings associated with the uses these holdings are currently put to.
9. The proposed new barn would be quite substantial and, sited further towards the road, would be visually prominent in the street-scene, more so than the older existing timber building it replaces. However, there are similar amounts of roadside development on other sites in this area and the proposal would not erode the openness provided by the intervening spaces between these.
10. Consideration has been given to relevant Development Control Policies(DCP) in the adopted development plan document of July 2007. The design of the barn would be compatible with its location in an area of small farm holdings and preserve the character of the local area in accordance with DCP policies DP/2 and NE/4. In a location outside a village framework the barn's proposed use in association with the domestic, agricultural and horse keeping uses at 45 North Road would permit its location in the countryside in accordance with DCP Policy

¹ APP/W0530/C/16/3144781

DP/7. Whilst I appreciate the concerns expressed by the Parish Council that this proposal would compound the visual impact already created by the new cow-shed, this would not alter my view that this building would be in keeping with the character and appearance of this area.

Other Matters

11. Consideration has been given to other concerns raised by interested parties. It is not considered that the vehicle storage and horse keeping uses proposed would harm the living conditions of nearby occupiers due to undue amounts of noise, smell or fumes or that the building would result in the overshadowing or over-looking of the neighbouring property opposite.

Conditions

12. I have considered the conditions suggested by the Council. In addition to the standard time limit for commencement it is necessary, in the interests of certainty and of character and appearance, that conditions require that the development be carried out in accordance with the approved plans and be built of the materials specified in the application. Notwithstanding the comments made by the appellant over the fact this application was submitted on householder forms, I consider the use indicated covers both domestic garaging and storage, as well as uses connected with agriculture and the keeping of horses, and a condition is necessary to restrict the use of the building to these purposes.

Conclusion

13. For the reasons given, and having considered all other matters that have been raised, I conclude that this appeal should be allowed.

Jonathan Price

INSPECTOR