

Appeal Decision

Site visit made on 24 January 2017

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

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

Decision date: : 8 March 2017

Appeal Ref: APP/B3410/W/16/3158914

Rolleston Park Farm, Lodge Hill, Tutbury, Staffordshire DE13 9HQ

- 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 Mr C Thompstone against the decision of East Staffordshire Borough Council.
 - The application Ref P/2016/00725, dated 23 May 2106, was refused by notice dated 17 August 2016.
 - The development proposed is the demolition of cattle sheds and the erection of a B8 storage building.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site forms part of the overall farm complex at Rolleston Park Farm and currently contains 20th Century agricultural buildings. The farm complex contains a mix of traditional and modern agricultural buildings and an attractive farmhouse. It is located in an isolated, low lying position between Bushton Lane and Tutbury Road with access drives to each of these roads.
4. I noted at my site visit that there is a public footpath sign at the entrance on Bushton Lane pointing along the access drive. The surrounding landscape is undulating and has clusters of woodland and mature hedgerows within it. There is no dispute between the parties that the site is not within the settlement boundary for Tutbury and that for planning policy purposes the site is within the countryside.
5. The proposal comprises the demolition of the agricultural buildings and their replacement with a substantial building of around 3550 square metres in floor area and approximately 64 metres (m) in length, 55 m in width, 9.3 m in height to the eaves and 12.4 m to the ridge.¹ It would be clad in metal sheeting and Yorkshire boarding. The building would be used in connection with an existing document storage business that currently operates from a number of buildings within the farm complex.

¹ Measurements taken from Planning, Design and Access Statement – page 9.

6. There is reference to a possible fallback position as the appellant has stated that he could erect an agricultural building up to 12 m in height as permitted development. However, the floor space of such a building would be substantially less than that proposed and it would need to be used for an agricultural purpose and not a document storage facility. As such, it has limited weight as a fallback position.
7. The proposed building would have an appreciably larger floor area than the existing buildings. It would also be in close proximity to the farmhouse and in views from Bushton Lane and the associated access drive the proposal would be seen with the farmhouse. I recognise that the appellant has sought to reduce the height of the building from that which was previously refused and it would be built at a lower finished floor level than the adjacent retained buildings. However, the development would introduce a building of a bulk, scale and mass that would be substantially larger than any of the other buildings in the immediate vicinity.
8. Although existing clusters of trees and hedgerows are present and the landscape is undulating, these would be insufficient to significantly screen the building and it would be readily visible from higher ground within the surrounding countryside, particularly when viewed from the access drive from Bushton Lane and Bushton Lane itself. Moreover, the access drive also appears to be used as a public footpath. The proposed hedge and tree planting would relieve the hard edge of the development to some extent. However, the landscaping would take time to mature.
9. The existing agricultural buildings have various roof heights and are built at varying ground levels. As such, when viewed from the Bushton Lane direction the farmhouse is visually the most prominent building with the remaining structures either being screened from view or appearing subservient to it. In contrast, the unremitting eaves and ridge heights of the proposal would compound its bulk and mass. Moreover, the proximity of the proposal to the farmhouse in combination with its bulk, scale and massing would mean that the proposal would appear visually dominant in relation to the farmhouse in views from the Bushton Lane direction. As such, the proposal would not be well related to its site and setting.
10. Furthermore, the building is industrial in design and has little detail that would assist in providing it with a more rural or agricultural appearance. I accept that the Yorkshire Boarding would be of some benefit and that agricultural buildings are becoming more industrial in appearance but this building would appear as a considerable urban form in this rural setting. The removal of the existing buildings, due to their state of repair, would have a limited visual benefit but it would not outweigh the harm that I have identified.
11. Consequently, the proposed building would introduce a considerable urban form that would not be visually well related to the site and its rural setting. As such, it would significantly harm the character and appearance of the area.

Other Matters

12. The Council refer to Strategic Policies (SP) SP5 and Detailed Policy (DP) DP2 of East Staffordshire Local Plan (LP) in its reason for refusal. LP Policy SP5 relates to the distribution of employment growth and it allocates land to meet the employment provision. I note that the Council have stated that the site is not

allocated for employment purposes. However, LP Policy SP8 covers development outside of settlement boundaries including employment proposals. As such, I do not consider that LP Policy SP 5 is relevant in this case.

13. LP Policy DP2 relates to designing in sustainable construction. I note that the proposal would incorporate a Sustainable Urban Drainage System and it would be constructed using modern and efficient methods resulting in buildings that are well insulated and energy efficient for their proposed purpose. As such, I consider that the proposal would comply with this policy.
14. I acknowledge that the proposal would be used in connection with the existing document storage business and would provide additional storage space for up to 15 years approximately. As such it would support the continuing viability of that business. I also note that the relocation of the whole business to another site would affect the financial viability of the existing business and to split the business with the new storage facility on another site would increase trips and be impractical.
15. Moreover, the existing buildings on the site are in a state of disrepair with floor levels at differing heights and the appellant has stated that it would not be viable to convert them for document storage. The appellant anticipates that, initially with the completion of the building, two full time jobs would be created with potentially more as the building fills up. This would be a limited economic and social benefit to the rural area of the Borough.
16. I acknowledge that LP Policies SP8 and SP14 support the rural economy and existing rural businesses subject to a number of criteria. Moreover, the National Planning Policy Framework (Framework) states that the Government is committed to securing economic growth. As such, significant weight is to be given to the limited economic benefits of the scheme.
17. Nevertheless, for the reasons already stated, the proposal would significantly harm the character and appearance of the area and as such it would conflict with the environmental dimension of sustainable development as outlined at paragraph 7 of the Framework. In this regard, the Framework states that good design is a key aspect of sustainable development. Accordingly, the environmental harm would outweigh the economic and social benefits associated with the scheme. Given that the 3 roles of sustainability are mutually dependent and should not be undertaken in isolation, I conclude that the proposal would not comprise sustainable development.

Conclusion

18. Taking into account all of the above, the development would result in significant harm to the character and appearance of the area. It follows that the proposal would conflict with LP Policies SP1, SP8, SP14, SP24, and DP1 which collectively include, amongst other matters, requirements for high quality, well designed, sustainable development that would be compatible with the character of and contribute positively to the area in which it is proposed.
19. Furthermore, it would conflict with two aspects of the core planning principles set out within paragraph 17 of the Framework which amongst other criteria, seek to secure a high quality of design and recognise the different roles and

character of different areas recognising the intrinsic character and beauty of the countryside.

20. In accordance with S38(6) of the Planning and Compensation Act 2004, and as set out in paragraph 12 of the Framework, development which conflicts with the development plan should be refused unless other material considerations indicate otherwise. In this case there are no material considerations which indicate that the proposal should be determined other than in accordance with the development plan.
21. For these reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

D. Boffin

INSPECTOR