
Appeal Decision

Site visit made on 4 February 2020

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 9 April 2020

Appeal Ref: APP/J3720/W/19/3239119

May Barn, Croft Lane, Temple Grafton, Alcester B49 6PA

- 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 Peter Knauff against the decision of Stratford-on-Avon District Council.
 - The application Ref 19/02106/FUL, dated 16 September 2019, was refused by notice dated 26 July 2020.
 - The development proposed is a change of use of agricultural land to residential use, erection of garage and hardstanding.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has submitted an amended plan for the proposed garage to include doors that enclose the garage for security purposes. Although the proposed change is minor, having regard for the surrounding context the addition of doors could potentially have a more harmful effect than as originally proposed. This in mind, and in the interest of not prejudicing any interested parties, I have carried out my assessment of this appeal based on the original plans considered by the Council, as an open garage.

Main Issue

3. The main issue is whether the proposed development is appropriately located within the countryside, having regard for the development strategy under the Stratford-on-Avon District Core Strategy 2011-2031 (CS) and the landscape character and appearance of the surrounding area.

Reasons

4. The appeal site includes the access driveway and a portion of land adjacent to "May Barn", a dwelling house recently converted from an existing agricultural building¹. The appeal site is currently raised above the ground level of the converted dwelling, covered with hardcore material and laid out as a formal parking and turnaround area for the occupants of May Barn. This area currently appears to fall outside of the curtilage for May Barn and separate to the access driveway permission granted². The appeal site and surrounding

¹ LPA Ref: 16/01497/COUQ - granted planning permission under Class Q of the Town and Country Planning (General Permitted Development) Order 2015.

² LPA Ref: 16/03761/FUL

- area are wholly located within the countryside, with open fields and paddocks defining the immediately surrounding landscape characteristics. The proposed change of use would expand the residential curtilage of May Barn to include the parking/turnaround area identified, and would facilitate the erection of a proposed double garage for parking and storage purposes.
5. Policy AS.10 of the CS defines the types of development which are considered appropriate within the countryside to minimise potential impact to the character of the local landscape. The conversion of land to a residential use and erection of a detached garage are not identified under this policy. The proposed garage would represent an unjustified increase in residential development on the site, prominently located in front of May Barn and along the public right of way immediately to the north of the appeal site. Whilst, the design and materials of the proposed garage appear to replicate the surrounding rural character of development, the overall prominence of the proposed garage would in my view harm the open landscape characteristics of the surrounding countryside.
 6. The appellant refers to Policy CS.20 of the CS, which relates to development associated with existing housing stock and buildings, as justification for the proposed garage and expansion of residential curtilage. However, the policy prefaces that the acceptability of alterations and modifications to existing buildings must be balanced with the cumulative impacts of development and the surrounding character of the area. Where this policy may have been appropriately applied to justify the planning permission granted for the hardcore covered access driveway³, it does not follow that it would equally justify the appeal proposal before me. As such, the appeal proposal has not been adequately justified, no significant benefits to the local area have been identified, and it would be contrary to the overall development strategy as specified under Policy AS.10.
 7. Accordingly, the proposed development would not be suitably located within the countryside, having regard for the development strategy under the CS and the landscape character and appearance of the surrounding area. It would conflict with Policies CS.5, CS.9 and AS.10 of the Stratford-on-Avon CS 2011-2031 (adopted July 2016). These policies seek, amongst other things, to limit the types of development that occur within the countryside and to ensure that development which occurs is appropriately designed to enhance and protect the surrounding landscape characteristics.

Other Matters

8. I note the appellant's reasons for the proposed garage includes improved security and protection for parked vehicles, and storage of general domestic items. Notwithstanding this, such personal circumstances would not outweigh the harm identified in this instance.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed.

J Gibson

INSPECTOR

³ LPA Ref: 16/03761/FUL