



Appeal Decision

Site visit made on 14 January 2020

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 May 2020

Appeal Ref: APP/J3720/W/19/3238363

Coban, Gaydon Road, Bishops Itchington, Southam, Warks U.K. CV47 2QZ

- 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 Ian Postlethwaite, Postlethwaite Ground Works against the decision of Stratford on Avon District Council.
 - The application Ref 18/03418/FUL, dated 12 November 2018, was refused by notice dated 21 May 2019.
 - The development proposed is storage of plant associated with ground work company and use of mobile home.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. According to the appellant's application form, the storage of plant associated with the ground-work company and use of mobile home was started in 2004. On the other hand, based on the site's planning and enforcement history, the Council argue that this development is unauthorised. Nonetheless, neither party has provided sufficient information to support its case. In any event, this appeal is not the procedure to establish lawfulness.
3. During my visit I observed that the mobile home (office) is already at the appeal site and the remainder of the site was being used for the storage of plant and equipment. Accordingly, for the purposes of my decision, I have relied on the description of the development as given on the application form, the submitted drawings, whilst also having regard to the development as it appears at the appeal site.

Main Issues

4. The main issues are whether the appeal site is in a suitable location for the development, and the effects of the development on the character and appearance of the area.

Reasons

Suitability of the location

5. The appeal site comprises an area of land with a rectangular footprint which forms part of a larger site associated with a detached dwelling (Coban). The larger site also incorporates a stable block to the south-east of the dwelling. The appeal site is accessed via a track to the side of the dwelling and is located

to the east of the stable block. To the north are various buildings associated with Brookside Farm which are partly screened by boundary treatments along the common boundary. The remaining area to the south and east comprises fields.

6. According to the Council, for planning policy purposes the appeal site is in the countryside, and nothing in the appellant's evidence leads me to conclude otherwise. Policy CS.22 of the Stratford-on-Avon District Core Strategy (2011-2031) (CS) supports a wide range of business and commercial activity in sustainable locations in order to support and foster the growth and competitiveness of the District's economy. This includes opportunities for business development in the countryside, in accordance with Policy AS.10 of the CS.
7. Policy AS.10 identifies specific categories of business which are acceptable in principle, subject to being assessed against the principles of sustainable development, including the need to minimise impact on the character of the local landscape, communities and environmental features, and prioritising the re-use of brownfield land and existing buildings. This is consistent with the strategic aim of this Policy which is to maintain and enhance the rural character of the District. In this case, the appellant does not specifically identify any particular category to support the development.
8. Category (n) of Policy AS.10 does support an extension to a business in its established location, particularly if it would be unreasonable to expect the business to relocate in order to expand. Although the appellant employs 6 people and advises that the machines and equipment are essential to his business and need to be stored at his premises for insurance requirements, on the available information it has not been clearly shown that this supports an established business. Moreover, the development does not prioritise the re-use of brownfield land or existing buildings, and for the reasons set out in respect of the second main issue, it does not minimise impact on the character of the local landscape. The development is therefore not sustainable.
9. For the above reasons, the development is not in a suitable location and therefore conflicts with Policies CS.22 and AS.10 of the CS.

Character and appearance

10. The surrounding area comprises mainly open fields with some boundary hedge and tree planting, giving it a distinctly open and verdant appearance, which contributes to the rural quality of the area.
11. In contrast, the surface of the appeal site is largely bare ground and it is being used for the storage of a sizeable mobile home, storage unit, portacabin, a trailer and the open storage of other ground-work's related plant and machinery, with limited screening. Cumulatively, the storage of these items along with those listed in the appellant's statement, would result in an urbanising effect which would significantly erode and detract from the rural and open character of this part of the landscape.
12. The development therefore harms the character and appearance of the area. This is contrary to Policies AS.10, CS.5 and CS.9 of the CS, which collectively seek to maintain and enhance the rural character of the District. Amongst other things, this includes ensuring that development takes place in a manner that

minimises and mitigates its impact by incorporating measures to enhance the landscape and reflects high quality design.

Conclusion

13. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR