
Appeal Decision

Site visit made on 8 June 2020

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 June 2020

Appeal Ref: APP/T3725/W/20/3244600

Meadow Croft, High Cross Lane, Rowington CV35 7BE

- 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 B Gist against the decision of Warwick District Council.
 - The application Ref W/19/1224, dated 19 July 2019, was refused by notice dated 15 November 2019.
 - The development proposed is for a new Agricultural storage building, fencing and surfacing leading up to, at Meadow Croft, High Cross Lane, CV35 7BE.
-

Decision

1. The appeal is dismissed.

Background and Main Issues

2. The Council has stated that the proposal would be harmful to the rural character of the area. This effect would be separate to the effect of the development on the Green Belt. As such, as this is a further point of dispute between parties, I shall include it as a second main issue.
3. Accordingly, the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Inappropriate development

4. The site is within the Warwickshire Green Belt. The Development Plan for the district includes the Warwick District Local Plan 2011-2029 (2017) (LP). Policy DS18 of the LP states that the Council will apply national planning policy to proposals within the Green Belt.
5. The National Planning Policy Framework (The Framework) explains that the Government attaches great importance to the Green Belt. Paragraph 133 identifies that the fundamental aim of the Green Belt is to prevent urban sprawl and keep land permanently open. Paragraph 145 establishes that new buildings would be inappropriate unless they fall within one of the listed exceptions. Exception (a), relates "buildings for agriculture and forestry". Inappropriate development is by definition harmful to the openness of the Green Belt and

substantial weight is to be afforded to any harm. Such development should only be approved if very special circumstances exist.

6. The appeal site is part of a field that includes a stable in one corner. The proposed barn would be used for hay cropping machinery and the storage of hay cultivated from the field. Paragraph 145a does not refer to a size threshold for an agricultural building or the need to consider its effect on openness. The appellant has provided an explanation as to how the field would be cropped and how the keeping of horses would interplay with the hay business. I have also noted the comments made in representation that suggest that the field may not be within agricultural use. However, there is no compelling evidence that casts clear doubt that the site is not in use for agricultural activity. Also, the Council has not questioned the lawful use of the land. Therefore, notwithstanding its concerns that the proposed barn is larger than required for its stated purpose, there is no firm evidence to show that it would be used for any purpose other than agricultural.
7. Consequently, it has been adequately demonstrated to me that the proposal would meet exception (a) in Paragraph 145 of the Framework. This would therefore not be inappropriate development in the Green Belt. Given my findings, the proposal would not, by definition, have an adverse impact on the openness of the Green Belt or the purposes of including land within it. Additionally, as the proposal does not amount to inappropriate development, there is no requirement to assess if there are other considerations that would amount to very special circumstances.

Character and appearance

8. The field is adjacent to High Cross Lane. It is on a slight gradient and this falls away from the lane towards the valley. The field and site therefore afford distant views of open countryside over a wide panorama. The roadside boundary consists of a hedge and some small trees. Views from the highway into and beyond the site can be achieved through parts of the hedge and the gateway. The three other field boundaries are also a combination of hedge and tree planting. The existing stable block is a subdued single storey structure set adjacent to trees and hedging alongside a side boundary. The field and surrounding land therefore makes a positive contribution to the character and appearance of the surrounding open countryside.
9. The barn would be two-storey in scale, albeit with one internal floor. It would have a pitched roof and include a large barn door facing into the field. The barn would be located adjacent to the stable block. Although it would be partially screened by the block and the boundary hedging, views of the barn from the highway would be relatively prominent. Moreover, distant views of the proposed structure would be overt from across the valley. Although including some sympathetic materials, the proposed barn would be substantially taller and wider than the adjacent stable. The proposal would not relate well to the stable in terms of its comparative scale. It would therefore be a prominent and harmful addition to the field.
10. The wider area includes various farm buildings and dwellings. The evidence indicates that these are largely in defined clusters and principally grouped around established farms, especially the larger scale buildings and groups. In contrast the proposal would be fairly isolated from buildings of comparable scale. It would therefore be a dominant feature in the landscape due to its

mass, the local topography and limited surrounding screening. In combination, this would therefore result in substantial harm to the rural character and appearance of the area.

11. Accordingly, the proposal would not satisfy policy BE1 of the LP. This requires, amongst other things, for development to positively contribute to the character of an area and relate well to local topography and landscape features.

Other matters

12. The Appellant has identified that the equipment and machinery is required to be stored on site in a secure building. However, it has not been adequately illustrated that there is a clear need to store all of these items on site in a secure building. Furthermore, it has not been shown that the site is especially susceptible to criminal activity.
13. The Parish Council raised no objection provided that a condition be applied to any approval to ensure that future development is prevented. However, such a condition would be unreasonable as it would prevent the fair and proper consideration of any future applications for development. For this reason, I do not find this to be a representation that provides meaningful support.
14. A previous appeal decision¹ from 2008 is reference by both parties for a smaller barn. That proposal failed to satisfy the Inspector that it was required for agricultural purposes. It was also found to be inappropriate development and harmful to the rural character of the area. However, the policy context for that decision related to previous local and national policy. I cannot draw clear comparisons to the current proposal, and the previous decision is therefore of limited weight. Accordingly, I have considered this proposal on its own merits.

Conclusion

15. For the reasons given the appeal should not succeed.

Ben Plenty

INSPECTOR

¹ Planning Appeal Reference: APP/T3725/A/08/2086263/NWF