



Appeal Decision

Site visit made on 22 July 2020

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2020

Appeal Ref: APP/F2605/W/20/3249717

Pudding Poke [adj. A1066], Lodge Farm Estate, Gasthorpe, Diss IP22 2TL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Paul Rackham Ltd against the decision of Breckland Council.
 - The application Ref 3AG/2020/0001/AG, dated 6 January 2020, was refused by notice dated 3 February 2020.
 - The development proposed is a new agricultural building.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Article 3(1) and Schedule 2 Part 6 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) for the siting, design and external appearance of a new agricultural building at land at Pudding Poke [adj. A1066], Lodge Farm Estate, Gasthorpe, Diss IP22 2TL in accordance with the terms of the application Ref 3AG/2020/0001/AG, dated 6 January 2020, and the plans submitted with it.

Background and Procedural Matters

2. The Lodge Farm Estate comprises over 400 ha of mostly arable and grazing land with some woodland. The proposed building is intended to house machinery, bagged fertilisers, seed, produce and equipment.
3. Part 6 Class A of the GPDO grants planning permission for the erection of a building on an agricultural unit of 5 hectares (ha) or more, which is reasonably necessary for the purposes of agriculture within that unit. This is subject to a number of stated exceptions as set out in paragraph A.1. There is no dispute between the parties that the proposed building would meet these requirements and that it would be permitted development.
4. Paragraph A.2 of Class A imposes conditions on the permission granted. Condition (2) requires an application to be made to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building. The Council's decision is that prior approval is required and that such approval has been refused on the basis of the impact of the proposal on the character and appearance of the area.
5. In accordance with paragraph A.2 (2) (iv) of the GPDO, the appellant displayed a site notice for a period of 21 days from 11 August 2020.

Main Issue

6. The main issue in the appeal is the acceptability of the siting, design and external appearance of the building.

Reasons

7. The principle of the development is not an issue in the appeal. The only matters for my consideration are the siting, design and external appearance of the building. Because the GPDO grants planning permission for the building, there is no statutory requirement to determine the application in accordance with the development plan. Policy ENV05 of the Breckland Local Plan (2019) is, however a relevant consideration. The policy requires that regard is given to landscape character and that the intrinsic character and beauty of the countryside is recognised.
8. The site is roughly triangular in shape, formed by the field boundaries adjacent to the main road and The Street. Immediately adjacent to it and to the road frontage there is a cabin and container. There is also a telecommunications mast on the road frontage. The site would be enclosed by new hedge planting. I noted on my visit that planting has taken place along the frontage with The Street. A new access to the site would be formed from The Street, and existing accesses from the A1066 and The Street would be fenced off.
9. I saw that the landscape on both sides of the main road is open farmland with some trees on field boundaries and areas of woodland. The appeal site is currently open to view from the adjoining roads, the trees near to the road providing limited screening. The new hedge, when grown, would enclose the site. This would be about 2m high in the Council's view. A significant proportion of the building, which would have an eaves height of 7m, would remain visible above the hedge.
10. The site has been chosen because it is centrally located within the farm holding and adjacent to the main road, enabling easy access. The building would be sited as far back from the main road as possible within the site, thereby minimising its visual impact. The new hedging would help to mitigate the visual impact of the building, and the green colour of its cladding would be sympathetic to the rural surroundings.
11. Two alternative locations within the farm unit have been suggested by the Council. These would be further to the north, away from the A1066 and screened by wooded areas. While the site has water and electricity services available, the alternative locations would require investment in extending those services, and one would also require access improvements. The appellant has provided details of the costs of these works which would be significant. This casts doubt on the feasibility of the suggested alternatives.
12. While much of the building would remain visible, this would not be unacceptable given that the principle of the development is not at issue and permitted agricultural buildings will inevitably have some impact. The siting, and detailed design measures are consistent with the requirement of Policy ENV05 to recognise the intrinsic character and beauty of the countryside. For

these reasons I am satisfied that the siting of the building, its design and its external appearance would be acceptable.

13. The appellant should note that any planning permission granted under Article 3(1) and Schedule 2, Part 6, Class A of the GPDO is subject to conditions set out in Paragraph A.2. In particular, condition (2)(d)(v) requires that the development must be carried out in accordance with the details approved, which are plans ref. 19188 1B and 19188 2A. Condition (2)(d)(vi) requires that the development must be carried out within a period of 5 years from the date of submission of the application to the local planning authority. Condition (7) requires the developer to notify the local planning authority in writing of the date on which the development is substantially completed, within 7 days of such substantial completion.

Conclusion

14. For the reasons given, I conclude that the appeal should be allowed, and prior approval should be granted.

Nick Palmer

INSPECTOR