
Appeal Decision

Site visit made on 28 September 2020 by A J Sutton BA Hons DipTP MRTPI

by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2020

Appeal Ref: APP/C1625/D/20/3255522

Bunnage Farm, Wishanger Lane, Miserden, Glos, GL6 7EX

- 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 T J Nicholas against the decision of Stroud District Council.
 - The application Ref S.20/0309/HHold, dated 5 February 2020, was refused by notice dated 9 April 2020.
 - The development proposed is a detached garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The decision notice references policy HN8 of the Stroud District Local Plan 2015 (Local Plan). The submitted information confirms this as a drafting error. Therefore, Policy HC8 of the Local Plan has informed this recommendation, in addition to other relevant development plan policies.

Main Issue

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

Reasons for Recommendation

5. The appeal property comprises a large dwelling set in an expansive, irregular shaped plot. The appeal site is a section of land within the plot, bound by mature hedges, near the entrance to the property. Except for an adjacent property near the dwelling, Bunnage Farm is surrounded by pleasant undulating countryside and is within the Cotswolds Area of Outstanding Natural Beauty (AONB).
6. Policy HC8 of the Local Plan states that permission will be granted for erection of outbuildings incidental to the enjoyment of the dwelling provided, amongst other matters, the height, scale, form and design of the outbuilding is in

- keeping with the scale and character of the original dwelling and the site's wider setting and location.
7. Whilst the development would be within the residential curtilage, orientated towards the dwelling and at the edge of the existing gravel drive, it would result in a large built form in a previously undeveloped portion of the plot, some distance from the house and other outbuildings. As such it would appear visually and physically isolated from the few existing buildings in the area. Furthermore, the ridge height of the roof would be in excess of 6m, and, given the scale of the proposed structure, would form an expanse of roof and pitched form which would be visible above the hedge from the road. Overall, it would appear an intrusive built form, out of keeping with an area characterised by few buildings and undeveloped countryside and would harmfully erode these intrinsic qualities. The use of materials which reflect those used nearby would not mitigate this harm.
 8. The consent for a garage granted in 2015 has now lapsed¹ (2015 consent). Local plan policies have been replaced since this time. In this case, I have found the proposed development would conflict with current local plan policies and as such I attach limited weight to the 2015 consent.
 9. I observed the property did not have an existing garage. I also note the appellant's comments regarding the effect on the dwelling and parking/turning space if the garage was to be located closer to the house, as well as the need for secure, weather-proof storage space. I have had regard for all these matters. However, there is a high probability that an alternative location for a garage could be provided on the site which would address these needs. This matter does not therefore outweigh the harm identified.
 10. The appellant submits that if the garage was lower in height it would be permitted development. Whilst this may be the case, the proposal before me requires planning permission and I have assessed the proposal accordingly.
 11. Given the harm that I have identified above, it follows that the proposal would not conserve the landscape and scenic beauty of the AONB, which, as stated in the National Planning Policy Framework (Framework), has the highest status of protection in relation to these issues. Although the harm to the AONB would be limited given the scale of the development, I am required to attach great weight to this matter in reaching my recommendation.
 12. In light of the foregoing, it is concluded that the proposed development would harm the character and appearance of the area and in this respect, there would be conflict with Policy HC8 of the Local Plan. There would also be conflict with the aims of Policy CP14 of the Local Plan which supports high quality development, which protects, conserves and enhances the built and natural environment. Moreover, the proposal conflicts with the Framework with regards to conserving and enhancing the natural environment.
 13. Comments regarding consultation with the Council fall outside the scope of this appeal and should be taken up directly with the Council in the first instance.

¹ Ref S.15/0683/HHOLD

Conclusion and Recommendation

14. For the reasons outlined above, and having regard to all other matters raised, I recommend that the appeal should be dismissed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

15. I determined an earlier appeal² at the property for a detached garage/workshop. I acknowledge that the appeal proposal differs from this earlier proposal, however having considered the Appeal Planning Officer's report and the submitted evidence I agree with the recommendation that the appeal should be dismissed.

R C Kirby

INSPECTOR

² Ref APP/C1625/D/19/3223547