



Appeal Decision

Hearing Held on 26 November 2020

Site visit made on 27 November 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2020

Appeal Ref: APP/P1615/W/20/3256182

Martins Field, Awre, Newnham-on-Severn, Gloucestershire GL14 1EJ

- 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 and Mrs Greening against the decision of Forest of Dean District Council.
 - The application Ref P1854/19/FUL, dated 27 November 2019, was refused by notice dated 22 January 2020.
 - The development proposed is a live/work unit.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. Part E of the appeal form states that the description has not changed but a different wording has been entered. Neither of the main parties have confirmed that a revised description has been agreed so I have used the one given on the original application.

Main Issues

3. The main issues are (i) the effect on the character and appearance of the area, and (ii) whether the proposal would be in a suitable location having regard to development plan policies and the National Planning Policy Framework (the Framework).

Reasons

Character and appearance

4. The proposed building would be next to caravan and camping pitches. Open fields, hedgerows and nearby farms give the area a strong rural character, despite the presence of the caravan site and several dwellings.
5. Due to its position, the development would be seen as part of the camp site. It would stand out as an unusually tall 2 storey building compared to the caravans and single storey toilet block. The unit would have a curved roof but it would be significantly different to any of the local Dutch barns due to the inclusion of doors, windows, solar panels and a balcony. As such, it would be

an incongruous building that would fail to meaningfully reflect the caravan site or the agricultural nature of the area.

6. The proposal would be largely screened from the road and land to the west. However, despite existing and proposed planting, it would be seen from the footpath to the east and north of the site, particularly during times of leaf-fall. Also, there would be views of the building from within the site. As such, the proposal would be a marked visual intrusion into the rural landscape.
7. For these reasons, I conclude the development would harm the character and appearance of the area. In this regard, it would be contrary to policies CSP.1 and CSP.4 of the Forest of Dean District Council Core Strategy 2012 (CS) and policies AP4 and AP5 of the Forest of Dean District Council Allocations Plan 2018 (AP). These all aim, amongst other things, to ensure development respects and protects local character. The Council's refusal reason refers to AP policy AP1, although this has no specific provisions relating to this issue.

Suitability of the location

8. The proposal would be in open countryside and so it would not reinforce the importance of towns and settlements. Even so, the Council's development plan policies recognise that proposals in rural areas may be justified by reason of their nature. Moreover, the Framework allows isolated homes in the countryside if they are required to meet the essential needs of rural workers or are of an exceptional design.
9. The appellants manage the caravan site and live nearby. Site maintenance normally takes place during the day and most visitors arrive at pre-arranged times. Unexpected or late visitors can contact the appellants by phone and they live close enough to provide on-site customer service at short notice. At the hearing, the appellants advised of anti-social behaviour that had occurred and that may have been avoided with a more obvious on-site presence. However, it appears that such events are infrequent. Therefore, insufficient evidence has been provided to conclude that there is an essential need for a rural worker to live on the site.
10. The building would meet Passivhaus Plus standards and would incorporate a number of energy efficiency and generation measures. However, these attributes would not significantly enhance the site and indeed I have already concluded the proposal would harm the character and appearance of the area. The proposal's overall form and appearance would not be truly outstanding or innovative and so it would not be of exceptional design quality.
11. The workshop would provide a secure store for equipment used to maintain the caravan park and the proposed shop and café would mainly serve visitors and nearby residents. Consequently, there is an understandable reason for locating these facilities on the appeal site. As they would help sustain a tourism business, these elements of the scheme would accord with CS policy CSP.7.
12. However, for the above reasons, I conclude that the main residential part of the scheme and so the development as a whole would not be in a suitable location having regard to CS policies CSP.4, CSP.5 and CSP.16. These policies all aim, amongst other things, to ensure development reinforces the existing settlement pattern. Furthermore, even if I was to find the proposal would be isolated, the residential element of the scheme would fail to comply with any

part of paragraph 79 of the Framework which aims to generally restrict new homes in the countryside. The refusal reasons also refer to CS policy CSP.1 and AP policy AP1 although these contain no provisions relevant to this issue.

Other Matters

13. Listed buildings, Guy Hall Cottage and Guy Hall Farmhouse, lie to the east of the site. However, trees at these properties restrict their settings so the proposal would be largely screened. Therefore, the development would preserve the significance of the listed buildings.

Planning balance

14. There is no dispute that only a 4.8 year supply of housing land can be demonstrated, below the 5 year minimum requirement set out in the Framework. As such, paragraph 11 d) of the Framework is engaged and this is an important consideration to be taken into account in the planning balance. It is necessary to weigh the proposal's benefits against adverse impacts with regard to the policies of the Framework as a whole.
15. The development would add to the housing stock and create construction employment. Also, the Passivhaus Plus design and electric vehicle charging points would help reduce greenhouse emissions. The shop and café would provide a local community facility as well as support the caravan site business and rural economy. No viability assessment has been provided but supporting comments indicate that the shop and café would be welcomed and used by visitors and local residents. As the proposal is for a single dwelling with a small scale commercial element, these benefits altogether attract moderate weight.
16. Reference has been made to a residential development at an education retreat that was approved by the Council. However, this proposal is for visitors rather than a permanent residence and so is different to the appeal scheme. As such, this previous permission provides no justification to allow the appeal.
17. The shop/café would reduce the need for caravan site visitors and local residents to travel. Also, as it is for a single new dwelling, it is unlikely the development would lead to a significant increase in car usage. Moreover, the Framework advocates a flexible approach to live-work accommodation and recognises that development to meet rural business and community needs may have to be found beyond settlements. Therefore, little weight is attributed to the inappropriate location of the proposal in the context of the Framework.
18. However, the scheme would go against the Framework's policies as it would be unsympathetic to local character and landscape setting. It would be an incongruous intrusion into the countryside, visible from extensive lengths of the nearby public footpath. As such, I attach significant weight to the detriment that would be caused to the character of the area.
19. Overall, the identified harm would demonstrably and significantly outweigh the benefits when assessed against the Framework as a whole. Therefore, the presumption in favour of sustainable development as set out at paragraph 11 of the Framework does not apply.

Conclusion

20. The proposal would not accord with the development plan and there are no considerations that justify a decision contrary to its policies. I conclude that the appeal should be dismissed.

Jonathan Edwards

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Robin and Joanne Greening	Appellants
Nina Pindham	Counsel
David Fellows	Land Research and Planning Associates Ltd
Alan Steel	Designer
Scott Adams	Energy Specialist

FOR THE LOCAL PLANNING AUTHORITY:

Jon Hurley	Asbri Planning Ltd
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INTERESTED PERSONS:

Patricia Cowan	Supporter of the proposal
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LIST OF DOCUMENTS SUBMITTED AT THE HEARING:

1. Email from David Fellows dated 25 November 2020 including draft site visit itinerary and aerial photographs showing location of Dutch barns and the site.