
Appeal Decision

Site visit made on 16 November 2020

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 December 2020

Appeal Ref: APP/P1615/W/20/3258302

Owen Farm, Staunton Road, Coleford, Gloucestershire GL16 8QR

- 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 Ms Sarah Jones against the decision of Forest of Dean District Council.
 - The application Ref P1937/19/FUL, dated 11 December 2019, was refused by notice dated 26 February 2020.
 - The development proposed is described as "Conversion of 2 no. agricultural buildings into 3 no. units of holiday accommodation with associated works. Modifications to approved vehicle layout, parking arrangements and landscaping to that approved under applications P0098/18/FUL and P1176/19/FUL."
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of two no. agricultural buildings into three no. units of holiday accommodation with associated works. Also, modifications to approved vehicle layout, parking arrangements and landscaping to that approved under applications P0098/18/FUL and P1176/19/FUL, all at Owen Farm, Staunton Road, Coleford, Gloucestershire GL16 8QR, in accordance with the terms of the application, Ref P1937/19/FUL, dated 11 December 2019, subject to the conditions set out in the attached Schedule.

Main Issues

2. The main issues are whether there is sufficient justification for the proposed holiday accommodation units within this countryside location, its effect on the character and appearance of the landscape area, and whether the proposal would constitute a conversion or a new build development.

Procedural Matter

3. The description of development is taken from the submitted Appeal Form which I regard as a clearer description than that on the Application Form.

Reasons

4. The proposal is to convert two old agricultural barns to three units of holiday accommodation. This is a working farm, but from my observations on site these particular barns do not appear to be actively used for agriculture, apart from some hay stored in one of them.

5. There is already consent to form holiday accommodation units on this farm, although this does not appear to have been fully implemented as yet. The Council has concerns over whether the further units would be viable as a business. However, this is a site within the Forest of Dean near the River Wye AONB. It is clear from planning policy that tourism is an important industry to the area economically, which the proposal could contribute towards (policy CSP.7 states, for example, that tourism is a key economic sector).
6. There is no updated Business Plan or costs summary to support this particular proposal, but such viability information does not appear to be required by any Core Strategy policy. I am aware of the Business Plan which was submitted for the previous planning application for 6 holiday units of accommodation, which was approved by the Council. Therefore, the development of tourism accommodation has already been approved on the site and successfully demonstrated to the Council as a justified proposal. The appellant has also explained why tourism would be a success at the site, with the site close to Coleford and the Wye Valley for example. Whilst the appellant has not set out in detail the business plan for these specific three additional units, there is also no substantive reason to consider that this development would not be viable from a business perspective. There is also no reason to conclude that the proposed units would end up as un-restricted dwellings, with it possible to attach conditions to any approval to ensure these units remain for holiday accommodation as proposed.
7. In terms of accessibility, the site is on the edge of Coleford (although beyond the settlement boundary), with this town within possible walking and cycling distance from the site. There are also local bus routes available. Being for tourism use it is likely that future customers would have a car to use to get around the area, but this is often the case for tourism in rural areas which also brings economic benefits to the countryside. However, there are alternatives to use of private vehicles available from this site.
8. Visually, the proposed works would be an enhancement over the existing appearance of the barns. Whilst the proposals would not be agricultural in their use, they would still reflect the agricultural character of the existing barns. There would be more associated paraphernalia typical of holiday accommodation units, but this would be seen against the backdrop of a farmhouse and likely other holiday units which already have consent. In this location, the proposals would at least preserve the rural character and appearance of the site and as the development would re-use existing buildings they would not detract from the openness of this valued landscape.
9. The buildings do not appear to be in the best of condition, though there does appear to be sufficient structural elements for a conversion. There is no Structural Survey to provide evidence of this, but even if the proposal did constitute more of a re-build then there would still be no visual harm from the existing situation, and there would also be the economic benefits through tourism.
10. As stated above, the existing barns do not appear to be extensively used for agricultural purposes. This is likely to remain so if the consented holiday accommodation units are developed adjacent to these barns. As such, there is no substantive evidence that the proposals would result in need for additional barns elsewhere which could be in some way harmful to the landscape.

11. For the above reasons, I am not persuaded that the business would not succeed resulting in un-restricted dwellings in the countryside. Instead, the proposal has the potential to have an economic benefit to the area through increased tourism support. Furthermore, whilst this is a locally valued landscape, the proposal would not harm the character and appearance of this rural area. As such, the proposal is justified in its location and accords with policies CSP.1, CSP.4 and CSP.7 of the Core Strategy (2012), and policy AP 1 of the Allocations Plan (June 2018). These policies require development to take into account the important characteristics of the environment; reinforce the existing settlement pattern; sustain the development of tourism as a key economic sector; and be a form of sustainable development.
12. Furthermore, as the Council has raised with their appeal statement, on the issue of landscape impact, the proposal would not result in any discernible landscape harm and so would be in accordance with policy AP.69 of the Allocations Plan and Coleford Neighbourhood Development Plan policies CC4 and CNE2. These policies relate to ensuring that the locally valued landscape around Coleford is protected from development which would detract from its open landscape, amongst other things.

Other Matters

13. There is a public right of way (Ref: RC015) at the site. However, there is no aspect of the proposal which should impact this right of way adversely. The increase in traffic as a result of these three units would not be significant.

Conditions

14. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance (PPG) and the National Planning Policy Framework. The conditions I have included from the recommended list have been subject to some alterations to improve clarity and ensure consistency with the National Planning Policy Framework and PPG.
15. I have attached the standard time limit condition and a plans condition as this provides certainty.
16. To ensure that the proposed units are used as holiday accommodation as has been proposed, a condition to this effect has been included in the Schedule.
17. To ensure safe access and suitable parking provision, a condition requiring such works to be undertaken as per the submitted layout plan has been included. Also, in the interests of sustainable transport, a condition requiring electric charging points is also included on the conditions list.
18. I have not included the requirement for passing places on the driveway as I am not convinced this is reasonable or necessary for three units of accommodation. However, I understand this was a condition on the approval for six units, but this was a larger scale development.
19. The recommended conditions for removal of permitted development rights has not been included in the Schedule as it has not been demonstrated why these are necessary. The holiday units would be adjacent to other similar units if all are developed, rather than adjacent to a dwelling. Furthermore, any development built under permitted development entitlements would unlikely result in harm to the character and appearance of the area.

20. To achieve a biodiversity enhancement for the development, a scheme is required via condition to be agreed by the Council.
21. For biodiversity reasons (particularly in relation to bats), but also for visual amenity reasons, a lighting scheme is required via condition to be agreed by the Council.
22. To address the matter of drainage from the proposed development, a condition has been included requiring details of surface water drainage. Considering that the drainage is an important aspect of the development I would agree that it is reasonable that this condition requires information prior to development.

Conclusion

23. For the reasons given above and in considering all matters raised the appeal is allowed subject to the conditions set out in the Schedule below.

Steven Rennie

INSPECTOR

SCHEDULE – CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Site Layout Plan 1830/5; Existing details 1445-BB4/1; Existing details 1830/1; Proposed details Barn B 1830/4; and Proposed Details Barn G 1830/2.
- 3) The converted barns subject to this permission shall be used only as holiday accommodation. They shall not be used as any individual's main or sole dwelling. A register of all occupiers - detailing dates, names and usual addresses - shall be maintained by the owner (or owners) and shall be kept up to date and available for inspection at all reasonable hours by Officers of the Council.
- 4) The holiday units hereby permitted shall not be occupied until the vehicular parking facilities have been provided in accordance with the approved plans, and those facilities shall be maintained and available for those purposes thereafter.
- 5) Prior to the occupation of the holiday lets hereby permitted, each unit shall have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced, in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

- 6) Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme, and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first use of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
- 7) Notwithstanding the submitted details, prior to the occupation of the holiday lets hereby permitted, a scheme for biodiversity enhancement, such as incorporation of permanent bat roosting feature(s) and or nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
 - ii. Materials and construction to ensure long lifespan of the feature/measure
 - iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
 - iv. When the features or measures will be installed and made available.
- 8) Notwithstanding the submitted details, prior to the occupation of the holiday lets hereby permitted, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bat species using key corridors, forage habitat features or accessing roost sites. The details shall include, but not limited to, the following:
 - i. A drawing showing sensitive areas and/or dark corridor safeguarding areas
 - ii. Description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate.
 - iii. A description of the luminosity of lights and their light colour
 - iv. A drawing(s) showing the location and where appropriate the elevation of the light fixings.
 - v. Methods to control lighting control (for example - timer operation, passive infrared sensor (PIR)). All external lighting shall be installed in accordance with the specifications and locations set out in the approved details.

This agreed external lighting shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting associated with the approved development be installed.

End of schedule