
Appeal Decision

Site visit made on 5 January 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2021

Appeal Ref: APP/P1615/W/20/3260684

Rock House, Popes Hill, Gloucester, GL14 1LD

- 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 Cameron Swaine against the decision of Forest of Dean District Council.
 - The application Ref P0475/20/FUL, dated 14 April 2020, was refused by notice dated 18 June 2020.
 - The development proposed is the erection of a product development kitchen with associated works. Demolition of existing barn and store.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a product development kitchen and associated works and demolition of existing barn at Rock House, Popes Hill, Gloucester, GL14 1LD in accordance with the terms of the application, Ref P0475/20/FUL, dated 14 April 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location/Block plan, Proposed Drawing Planning Proposal, Existing Drawing.
 - 2) No retail sales shall take place from the site.

Procedural Matters

2. The site address and description above are taken from the appeal form since they are succinct and the latter tallies with the decision notice.
3. I have been made aware of a recently approved scheme with different dimensions and cladded walls, but I have considered this appeal on the details submitted for the original refused application only.

Main issue

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

Reasons

5. Popes Hill is a hamlet characterised by its dwellings scattered over an extensive area on steep hillsides. The surrounding fields have a sense of openness which contrast to woods on the skyline.

6. The appeal site is just off and visible from a narrow undulating and circuitous lane, The Slad, which provides a through route. Rock House has a two-storey frontage to The Slad, but to the rear are a series of offshoot extensions, which end with a barn. This barn is very conspicuous due to its red metallic walls. The Council describe it in very poor condition.
7. The existing barn would be replaced by the proposed new building, which would be an improvement given its unsightly state. Moreover, the proposal would be in stone and slate which would be more muted materials rather than the existing red corrugated walls. The proposal would appear as an extension and more in keeping with the domestic character of the house whereas the existing barn infers an agricultural use.
8. The proposed building would have a small footprint, only 9sqm over 2 floors more than the existing. Additionally, the proposal would be 5.2m, higher than the 4.6m of the existing barn but this would not be significant. The proposed structure would be subservient to the main house and a continuation of the offshoots: its siting would mean that the main house would still remain the dominant feature from the through road.
9. The proposal would have large windows on the south elevation, which would be visible. However, these would be seen as a domestic extension rather than an agricultural building so the glazing would be appropriate. Moreover, there is substantial glazing to the other parts of the existing house. Whilst there would be some light spillage from the glazing, it would not be significant.
10. The proposed use would be commercially orientated, but the building would appear as an extension to the house, a continuation of its existing offshoots and would be within its back garden. Accordingly, it would not appear out of place.
11. The Council in their statement refer to the impact of additional parking. However, this would be to the rear of the site and not prominent.
12. I therefore conclude that the proposal would not be harmful to the character and appearance of the area.
13. Policies CSP.1 and CSP.4 of the Core Strategy and Policies AP.1 and AP.4 of the Allocations Plan and Local Character Assessment 2002 Severn Vale 6b seek to promote sustainable development, high quality design, and positive contribution to the area. I find that the proposal would not be in conflict.
14. The proposal would allow the existing business to develop product lines which may well help local suppliers and outlets. It would make a contribution to the rural economy and I therefore give this some weight in the support of the proposal.
15. Whilst the Council indicate that they would prefer the use to be on an industrial estate to avoid impact on the countryside, I have not found this to be a necessity in the absence of any adverse impact.
16. The parties agree that the dilapidated barn offers no habitat for bats.

Conditions

17. Paragraph 55 of the Framework and the Planning Practice Guidance (PPG) provide the tests for the imposition of conditions. The list of approved plans provides clarity and certainty and is therefore warranted. A condition preventing retail sales would be appropriate in this rural area and is therefore necessary.
18. The Council suggest a restriction for only one employee at a time to protect the living conditions of Rock House, however this would hinder the economic operation of the proposal and its employment benefits; in any event the use would not be harmful to the occupants. It is also suggested that the use could be limited to the Rock House occupants, however such a condition is not on the existing building and would therefore be unreasonable. Whilst the appellant has made some justification for the proposal on the personal circumstances, I have considered it on its wider implications and merits. I note that the new building would be connected to Rock House but do not find that to be a necessity.

Conclusion

19. I therefore conclude that the appeal should be allowed.

John Longmuir

INSPECTOR