
Appeal Decision

Site visit made on 8 February 2021

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

an Inspector appointed by the Secretary of State

Decision date: 8 March 2021

Appeal Ref: APP/C1625/W/20/3261376
Hollow Farm, Elmore, Gloucester GL2 3SG

- 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 Simon James against the decision of Stroud District Council.
 - The application Ref S.20/0148/FUL, dated 21 January 2020, was refused by notice dated 24 July 2020.
 - The development proposed is the change use to equestrian and conversion of a barn into a staff room/ commons room for Livery.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use to equestrian and conversion of a barn into a staff room/ commons room for livery at Hollow Farm, Elmore, Gloucester GL2 3SG, in accordance with the terms of the application, Ref S.20/0148/FUL, dated 21 January 2020, subject to the following 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: Proposed floor plans A104; Proposed elevations – A105; Proposed site plan – A107 (not including the sand school).
 - 3) Prior to occupation, a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provision of bird and bat boxes, shall be submitted to and approved in writing by the Local Planning Authority. The works so approved, shall be carried out in accordance with the approved programme of implementation and be retained thereafter for the lifetime of the development.
 - 4) No external lighting shall be erected unless a lighting design strategy for biodiversity has been submitted to and approved in writing by the Local Planning Authority. This strategy shall: a) identify the areas/features on site that are particularly sensitive for foraging bats; b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route. All external lighting shall be installed in accordance with the specifications and

locations set out in the approved strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

- 5) The building subject to this permission should only be used in conjunction with the existing livery use at Hollow Farm, Elmore, Gloucestershire, for uses as described in the submitted documentation (staff room/common room for livery), and not for any other purposes, including for any other independent residential, business or commercial use.

Procedural Matters

2. I have taken the description of development from the Appeal Form submitted as it better describes what is being proposed, including the change of use to equestrian use.
3. The plan 107 Revision 1 includes reference to a proposed sand school and includes a small photograph of an example of this. However, this was not initially proposed and not in the description of development. The Council has also confirmed there was no public consultation on this aspect of the proposals. There is not much more detail of the sand school than the rough location and example photograph. For these reasons I have not included this aspect of the proposal in my decision. This permission does not include consent for the sand school. Separate consent may be needed for this.

Main Issues

4. The main issue is whether the proposed development is appropriately located given its countryside location.

Reasons

5. The proposal includes using a field for equestrian purposes and also a barn within that stable as a 'common room' type facility for clients and workers at the livery. Currently, neither the barn nor the field appear to be used actively for agriculture to any significant degree.
6. There appellant has set out in detail why such a use for the existing barn would be of benefit to the expanding livery/equine business at Hollow Farm, with it being seen as an advantage that the building is set away from the central yard (by approximately 500m). I have no reason to dispute the reasons why such a facility would be useful for the appellant or why there would be benefits for the building to be set a distance from the main stable yard.
7. The issue with regards the use of the barn as proposed would be its distance from the main cluster of buildings around the yard area. However, this distance of about 500m would be a short walk or even shorter drive. There also appears to be public rights of way across the site which could possibly provide a more direct link between barn and main existing buildings. Whilst this existing barn is separate from the main cluster of buildings, I do not regard it as too far from the main cluster of livery buildings that it would be in some way inappropriate.
8. Furthermore, this is an existing building and the Council has not raised any objection with regards the proposed changes to its appearance. This would not be an introduction of a new building into the countryside but rather the

utilisation of an existing building for use in association with the adjacent livery facility. I would therefore not consider this proposal as an encroachment into the countryside that would be harmful in any way. The Council suggest using a building closer to the site or constructing a new building for this use near the main yard. However, there is a redundant building within a reasonably close distance which can be utilised and so I do not think alternatives such as building a new building is necessary or preferable.

9. There would likely be some intensification of its use, but I have no substantive reason to conclude this would be harmful to this rural area. It would have a use associated with the livery facility which is already established across the adjoining land. The barn is within a field adjacent to an industrial estate and so there should not be any particular noise and disturbance issues. Also, there is no substantive reason to consider that using this modest size building in the way proposed would lead to parking issues in the field.
10. The proposal also includes the change of use of this agricultural field for equine uses, though there is no particular objection from the Council with regards this aspect of the proposed development. I too have no concerns in this regard.
11. The proposal would potentially help this business which seems to be a significant business within the local rural economy. Furthermore, policy CP15 includes the requirement that the re-use of an existing building or buildings, should be appropriately located and capable and worthy of conversion. The barn is in good condition and is capable of conversion and also it is my conclusion that the barn is appropriately located for its intended use, especially given this proposal also includes the change of use of its field to equine use. As such, this would be a building of equine use set within an equestrian field, adjacent to an established livery/equine facility, which I would regard as appropriate in terms of its location, even within this countryside setting.
12. For these reasons, I would regard the proposals as being in accordance with policy CP15 of the Stroud District Local Plan 2015, which seeks to protect the quality of the countryside, amongst other things.

Conclusion

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

Steven Rennie

INSPECTOR