



Appeal Decision

Site visit made on 1 February 2021

by Gareth W Thomas BSc(Hons) MSc(Dist) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st March 2021

Appeal Ref: APP/C1625/W/20/3259703

Land at Barton End Lane, Horsley, Gloucestershire GL6 0QG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 6 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO).
 - The appeal is made by Mrs Joy Main against the decision of Stroud District Council.
 - The application Ref S.20/0751/AFPA, dated 5 March 2020, was refused by notice dated 23 July 2020.
 - The development proposed is for agricultural storage barn with wooden frame structure and timber cladding.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the 'GPDO') for an agricultural storage building at Barton End Lane, Horsley, Gloucestershire GL6 0QG in accordance with the details submitted pursuant to Schedule 2, Part 6, Paragraph A.2(2)(ii) of the GPDO via application Ref S.20/0751/AFPA, dated 5 March 2020.

Planning background

2. Schedule 2, Part 6, Class A of the GPDO enables as permitted development the erection of a building reasonably necessary for the purposes of agriculture, subject to certain limitations and conditions. Condition A.2(2)(i) is that, before beginning the development, an application must be made to the local planning authority for a determination as to whether their prior approval will be required in respect of 'the siting, design and external appearance of the building'.
3. The prior approval procedure under Part 6, Class A makes no provision for any determination to be made as to whether the agricultural building is permitted development (PD). For the avoidance of doubt this decision does not purport to address the question of whether the development is PD. I am instead addressing the question of whether, should the scheme come within the status of PD, prior approval should be granted.
4. The Council's decision notice states that the local planning authority have concerns relating to the siting and design of the proposed agricultural storage barn and accordingly prior approval is refused. At the time of my site visit, which coincided with a particularly wet period, I observed that the large field the subject of the appeal was fallow and the land completely churned by what I

could make out was the result of intensive horse grazing. In addition, there was temporary fencing that were typical of horse keeping. These observations correspond with the views expressed by local residents. However, as the Council has determined the application on the basis of siting, design and external appearance, I must conclude that there is no dispute between the main parties that the proposal would be compliant with the other relevant conditions and limitations of the GPDO, nor is there evidence before me to indicate otherwise. Accordingly, I have no alternative but to accept that the land is in agricultural use and the main issue below is framed accordingly, which relates to whether the siting, design and external appearance are acceptable.

Main Issue

5. Given the planning background above, the main issue is the effect of the development proposed on the character and appearance of the area.

Reasons

6. The appeal proposal is for a building intended to be used primarily for storage in connection with the grazing of the land which comprises some 5.2ha in area. It would measure 18 metres in length, 9.2m in width and reach a maximum height of 4.2m. The appeal site i.e. the intended location of the proposed building lies to the east of a cluster of dwellings forming Barton End. The field slopes down from the edge of the A46 and an existing natural woodland on the upper slopes. The site is accessed by a stone track, which is also a public right of way that leads from Barton End.
7. The proposed building is located within the Cotswolds Area of Outstanding Natural Beauty, as such careful consideration needs to be made as to whether the proposed building will conserve or enhance the special features and diversity of this particular landscape character.
8. The surrounding landscape is characteristically rural consisting of rolling hills, a traditional agricultural field pattern and wooded tracts and watercourses. However the actual site of the proposed building is not prominent; it lies towards the lower end of the field in question and forms a small depression in the sloping field, which offers a relatively flat area before it again dips towards the stoned track. Although the building at this location would be visible from properties located at the higher part of Barton End and from the public right of way, it would not be unduly conspicuous or out of place in the wider landscape; simply, it would be viewed in the context of what is a prevailing agricultural character. Moreover, its simplicity of design and the use of timber and green-coloured box-section sheeting would be acceptable materials at this location.
9. At the separation distances involved, I am satisfied that the proposal would not appear incongruous or overbearing and would not lead to unacceptable harm to the living conditions of occupiers of the closest dwellings. In reaching these conclusions, I have taken account of the representations received as part of the application and appeal.
10. Accordingly, although not determinative in terms of prior approval appeals, the development would comply with Stroud Local Plan Policy ES7 which requires that new development should be sympathetic to and complement the landscape character of the AONB.

11. For these reasons, I find the siting of the proposed development would not harm the character and appearance of the area or the living conditions of neighbouring occupants.

Conclusion

12. For the reasons set out, I conclude that the proposal would be acceptable with respect to its siting, design and external appearance, and prior approval should be granted. The appeal is therefore allowed.

Gareth W Thomas

INSPECTOR