



Appeal Decision

Site visit made on 16 August 2022

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2022

Appeal Ref: APP/P1615/W/22/3295156

Stable building adjacent to Paisley House, Brockhollands, Lydney, Gloucestershire, GL15 4PP

- 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 R Mizen against the decision of Forest of Dean District Council.
 - The application Ref P0740/21/FUL, dated 12 April 2021, was refused by notice dated 31 January 2022.
 - The development proposed is the restoration of unauthorised stable building as domestic outbuilding for Paisley House and re-integration of the surrounding land back into the garden of Paisley House.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site description from the submitted appeal form, as this is a more concise description.

Main Issue

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

Reasons

4. The appeal site lies to the north of two existing dwellings, in a rural location, surrounded by fields, albeit that some buildings are present; the surrounding land can therefore be described as countryside. The land lies directly adjacent to the existing garden area associated with Paisley House and contains an existing building, which was formerly to be a stables, which is partially complete.
5. The building is clearly visible from vantage points within the locality of the site, as evidenced by photographs provided by the appellant. This is in part due to its elevated position. As a consequence, it is an overly obvious and intrusive feature within the landscape. I note that the appellant contends that the building would have no more visual impact than a previously approved stable building, however the currently proposed building has a more residential character. The roof pitch is steeper, and the arrangement of windows is more reflective of a residential use than an equestrian one. As such, that a stable building was previously approved on this site does not convince me of the acceptability of the current scheme.

6. The distance from the main house would also result in a divorced building, that does not relate well to the dwelling. As such, the scheme would result in an inappropriate intrusion and proliferation of domestic buildings in the countryside.
7. In terms of the use of the land as garden, I note that the appellant asserts that the appeal site was historically part of the curtilage of the adjacent Paisley House. However, curtilage is not a land use, it is the use of the land as garden which is relevant. The appellant further asserts that the site was formerly part of the garden, albeit a more "informal part". Nonetheless, the site has been separated from Paisley House and the appeal seeks permission to revert the land back into the garden, which concedes that it is currently not part of the garden. As such, the proposal would result in the extension of a residential garden area into the countryside, diminishing the rural character of the area. This would be further compounded by the inevitable residential paraphernalia that would result from the proposed use of the land.
8. It is asserted that a similar building could be erected under permitted development rights within the vicinity of the site. There is nothing substantive before me to show that this is achievable, and it is not a matter before me to determine whether this would be possible. Furthermore, there is nothing that convinces me that such an occurrence is likely. As such, this matter has little bearing on my decision.
9. Accordingly, I find that the proposal would be harmful to the character and appearance of the area. Thus, it conflicts with policies CSP.1 and CSP.4 of the Forest of Dean Council Core Strategy (adopted February 2012), as well as policies AP.1 and AP.4 of the Forest of Dean Council Allocations Plan (adopted June 2018). Together, and amongst other things, these policies seek to ensure that development respects the environment, protects the rural character of the district, is of a high design quality and accords with relevant policies.
10. Policy CSP.5 is referred to by the Council, but the scheme does not propose new housing. Similarly, policy CS.16 refers to development within a village, however the site is located within the countryside. Thus, I do not consider these policies to be directly relevant.

Other Matters

11. I note comments in respect of the history of the building and surrounding land, as well as the reasons for the building being unauthorised. However, these are not matters that lead me to consider differently than my findings above. There is also mention of the sustainability of potentially demolishing the building and the waste materials that would result. However, such reasoning could be applied to justify any built development and thus this does not persuade me in favour of allowing the appeal.

Conclusion

12. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR