



Appeal Decision

Site visit made on 18 October 2022

by David Jones BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2022

Appeal Ref: APP/C1625/W/22/3300820

Southend Farm, Wick Lane, Stinchcombe, Dursley GL11 6BD

- 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 Will Farmer against the decision of Stroud District Council.
 - The application Ref S.21/2337/FUL, dated 28 September 2021, was refused by notice dated 14 January 2022.
 - The development proposed is the demolition of three redundant agricultural buildings. Replacement of agricultural barn with 5-bedroom dwelling house and garage. New boundary wall to site.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Policies DES1 and CP15 of the Stroud District Local Plan Review Pre-Submission Draft Plan 2021 (LPR) have been referred to in the appellant's statement of case. Policy DES1 relates to the conversion of redundant agricultural, forestry and rural buildings, whilst Policy CP15 relates to proposals outside of identified settlement development limits and seeks to add additional exceptions to those already included within Policy CP15 of the Stroud District Local Plan (adopted November 2015) (SDLP). The LPR has not yet been subject of a full examination by the appointed Inspector and is at a relatively early stage in the process. The latest consultation on the LPR has only recently closed and I am unaware if there are any unresolved objections. Consequently, it carries little weight in my decision.

Main Issues

3. The main issues are:
 - whether the proposed development would be in a suitable location, having regard to the relevant policies of the development plan which seek to manage the location of new development and access to services; and
 - the effect of the proposed development on the character and appearance of the area, with regard to the Cotswolds Area of Outstanding Natural Beauty (AONB).

Reasons

Suitable Location

4. Policy CP1 of the SDLP states that when considering development proposals, a positive approach will be taken reflecting the presumption in favour of sustainable development in the National Planning Policy Framework (the Framework). Policy CP1 also reflects the Framework with regard to approving development which accords with the development plan.
5. The site is located outside of the settlement development limits as identified on the policies map in the Stroud District Local Plan (adopted November 2015) (SDLP), and therefore the site is considered to be in the open countryside. Policy CP2 of the SDLP only allows for limited development outside of settlement development limits in accordance with other policies of the plan, including policy CP15 which deals specifically with development in the countryside.
6. Policy CP15 states that in order to protect the separate identity of settlements and the quality of the countryside, proposals outside identified settlement development limits will not be permitted except where they meet at least one of the six named exceptions. The proposal would result in the construction of a dwelling in the open countryside, and as it fails to meet any of the named exceptions, the proposal would conflict with Policy CP15 of the SDLP.
7. Policy CP13 of the SDLP relates to demand management and sustainable travel measures and seeks that, in all development cases, schemes should have a choice in the mode of transport available which minimise the distance people need to travel. Policy CP14 seeks to achieve high quality development which protects, conserves, and enhances the built and natural environment. Proposals will be supported where it meets a set list of criteria, including being located near to essential services and good transport links to services by means other than motor car, and with safe and convenient accesses on foot and by cycle with suitable connections with existing footways, local facilities, and public transport.
8. The site is located a short walking distance from the village of Stinchcombe. Stinchcombe is identified in Policy CP3 of the SDLP as being a 'Fourth Tier' settlement, which is described as settlements with a very limited range of employment, services, and facilities. My observations during my site visit confirmed that there were indeed very few facilities and services present within the settlement. I therefore find it highly probable that future occupiers would need to travel to larger towns and villages nearby to find suitable services and facilities to support their day-to-day activities. Additionally, from my own observations and the information available to me, there are no bus stops or other modes of public transport available near to the appeal site. Therefore, whilst I acknowledge that rural lifestyle is likely to result in an element of reliance on travel by private car, in this case there would be a genuine lack of alternatives available to future occupiers.
9. Despite being within walking distance, the proposed development would only be connected to the settlement of Stinchcombe via an unlit road with no footpath available. I therefore do not consider that a safe or convenient means of access to the nearby settlement is available. Due to this lack of connectivity and the lack of services and facilities available within the settlement, I consider

that it would be highly probable that future occupiers would be heavily reliant on the private car. Therefore, whilst the proposal would include the re-use of previously developed land as supported by criteria 6 of CP14, the proposed development would fail to accord with the overall aims of Policies CP14 and CP13.

10. For the reasons set out above the proposed development would not be in a suitable location having regard to the relevant policies which seek to manage and control the location of new development in the interests of good access to services. The proposal would therefore conflict with Policies CP1, CP2, CP3, CP13, CP14 and CP15 of the SDLP, the aims of which are set out above.
11. The appellant has referred to Policy DES1 and CP15 of the Stroud District Local Plan Review Pre-Submission Draft Plan 2021 (LPR). Policy DES1 relates specifically to the conversion of redundant agricultural, forestry and rural buildings subject to named criteria being met, including the original building being worthy of conversion without the need for substantial reconstruction. Similarly, CP15(8) supports the re-use of an existing rural building outside of identified settlement development limits subject to several criteria, which also includes that the building being re-used should be capable of conversion without substantial reconstruction.
12. As detailed above, the LPR is at an early stage in the process and therefore carries very little weight. However, the proposed development would see the existing barn replaced with a new dwelling constructed in Cotswold stone with the upper floor and roof in standing seam zinc. Although the new dwelling would be of the same size and volume as the existing barn, I find that the proposed development would amount to a substantial reconstruction and therefore would not accord with the aforementioned policies in any event.

Character and Appearance

13. The appeal site is located in the Cotswolds Area of Outstanding Natural Beauty (AONB) and forms part of Southend Farm. The site is located a short distance to the south of the settlement of Stinchcombe and consists of a row of four agricultural barns constructed in corrugated metal. To the north of the site are a small collection of residential properties, including converted stone barns. Notwithstanding a small timber stable block to the south, the site is otherwise surrounded by open agricultural land to the south and east. A Public Right of Way (PRoW) also passes directly in front of the site to the south.
14. The appeal proposal seeks the demolition of three of the four metal corrugated barns with the remaining barn, shown as 'barn 2' on the submitted drawings, being replaced with a new 5-bedroom dwelling. The new dwelling would be the same shape and volume as the existing barn, with its walls constructed in Cotswold Stone at ground floor level, with the first-floor level and roof constructed in standing seam zinc. The dwelling would also incorporate several large, glazed openings on both the north-west and south-east elevations.
15. Paragraph 176 of the Framework states, among other things, that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads, and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues, and that the scale and extent of development within these designated areas should be limited.

16. The appeal site is located within a farmyard setting and the existing agricultural barns retain a close relationship with the residential buildings immediately to the north, some of which utilise the same vehicular access as the appeal site. The proposed dwelling, which would be constructed on the same footprint as 'barn 2', would not therefore appear isolated or set away from the existing built form.
17. While the buildings to the north of the site are now in residential use, due to a combination of their age and in some cases their former use as agricultural buildings, they have retained a traditional rural appearance and design. The same can also be said for many other nearby properties, including those on the opposite side of Wick Lane. Given the appearance of the existing built form and the surrounding expanse of open countryside, the appeal site is set within an area which has an attractive and rural landscape quality.
18. I acknowledge that the existing metal corrugated barns are of little architectural or aesthetic merit, however they are inherently agricultural in design and appropriate to the site's rural setting. Though the proposed new dwelling seeks to be an attractive take on the existing barn through its shape and metal clad roof and gables, I find that by virtue of its materials and design, and in particular the large expanse of glazed openings on the north-west and south-east elevations, the proposed dwelling would be overly domestic in its appearance. As a result, the proposal would appear out of keeping and represent an insensitive addition causing harm to the character and appearance of the area.
19. The visual impact of the proposed dwelling would be further exacerbated by the surrounding flat land and the PRow which runs to the south and east of the site, both of which would afford long distance views of the development. The demolition of 'barn 1' situated nearest to Wick Lane would also greatly increase the prominence of the proposed development when viewed from the adjacent highway. Although the stone boundary wall would provide some screening for any associated domestic paraphernalia within its curtilage, it would not sufficiently mitigate the impact of the dwelling itself. Consequently, the proposed development would appear as an intrusive feature in the landscape causing harm to the landscape and scenic beauty of the AONB.
20. For the reasons given above, I conclude that the proposed development would cause harm to the character and appearance of the area, having particular regard to the site's location within the AONB. Consequently, the proposal would conflict with CP14 and ES7 of the SDLP which seek, among other matters, to ensure that priority is given to the conservation and enhancement of the natural and scenic beauty of the landscape, and that developments make a positive contribution to the area's character and appearance including through their location and materials being sympathetic and complementing the landscape character.

Other Matters

21. The site is located within the 7.7km core catchment zone of the Severn Estuary SPA and SAC. Policy ES6 of the SDLP states that development proposals must not result in significant adverse effects on these internationally important nature conservation sites, either alone or in combination with other projects and plans. It is also expected that development proposals will demonstrate and

contribute to appropriate mitigation and management measures to maintain the ecological integrity of the relevant European sites.

22. Both the Council's decision notice and officer report refer to the need to provide a mitigation package or a contribution to the Council's avoidance mitigation strategy, however I have been provided with no details of any mitigation package or contributions that would be necessary. I note that the appellant has indicated a willingness to make the necessary contributions towards any appropriate mitigation, however there is no planning obligation before me. In any event, as I have found against the appellant on the main issues, and therefore planning permission is to be refused, these matters need not be considered any further.
23. The appellant has drawn reference to other nearby former agricultural and equestrian buildings which are said to have previously been granted planning permission for their conversion to residential use. Whilst I do not have the full details of these cases in front of me, given the design and appearance of nearby properties including those on the wider farm site, there would appear to be significant differences between those cases and the appeal proposal. In any event, I have dealt with this appeal on its own merits.
24. I also note that the appellant alleges that were the proposal located a short distance to the south-west, then the agricultural building could be converted to a dwelling though permitted development rights afforded under Schedule 2, Part 3, Class Q of the Town and Country (General Permitted Development) (England) Order 2015. Whilst that may be the case, the presence of permitted development rights outside of the AONB does not justify the harm I have identified would be caused by the appeal proposal.
25. Representations were received from the Parish Council and three members of the public, all of which were in support of the proposal with particular reference to its design and its potential to bring new people into the community. Whilst I have given these comments due consideration, I have found that the proposal would cause harm to the character and appearance of the area and the AONB. Although I acknowledge that the proposal would bring about benefits to both the community and the local economy through the contributions of future occupiers, given the scale of the proposal these benefits would not outweigh the harm identified.

Conclusion

26. For the reasons given above and taking into account the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

David Jones

INSPECTOR