



Appeal Decision

Site visit made on 4 January 2023

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 January 2023

Appeal Ref: APP/Y3425/W/22/3300235

Jodiwell, Church Lane, Croxton, Stafford ST21 6PG

- 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 John Slater against the decision of Stafford Borough Council.
 - The application Ref 21/34793/FUL, dated 30 May 2021, was refused by notice dated 2 December 2021.
 - The development proposed is the replacement of existing two bay implement, equipment and hay barn store with a new three bay implement, equipment and hay barn store building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be essential for agriculture; and,
 - The effect of the proposal on the character and appearance of the surrounding area.

Reasons

Whether Essential for Agriculture

3. The appeal site is a long and relatively narrow plot at the end of a private road, Church Lane. To the middle of the plot is a residential dwelling surrounded by a garden and parking area. The remainder of the land within the plot is separated from the dwelling by a boundary fence and does not appear to be within a domestic use. At the time of my visit there were significant areas of scrub covering the land surrounding the domestic curtilage.
4. To the rear of the site is a small two-bay barn which is open to the front and in a very poor state of repair. There were also a number of vehicles within the existing barn and on the land between it and the house. In particular, these were a small excavator, two bucket loaders, a trailer, and a classic off-road vehicle. The barn also contained a small number of other materials and logs. Although these vehicles and materials may be used in association with an agricultural use, they could be used for a number of other purposes too and therefore do not demonstrate such a use on their own.
5. The appellant states within their submissions that a small number of sheep, regularly, and young calves, occasionally, graze on the site. However, it has

not been submitted how often this is or to whom the livestock belong. Given the significant presence of scrub which has been allowed to grow on site at the time of my visit, I find that the grazing must be fairly infrequent. The appellant has also stated within their submissions that the site does not form a small-holding or farm. From the submissions before me therefore, I find it likely that the site is used for the grazing of another party's livestock on an ad-hoc basis rather than any formal agricultural undertaking.

6. Although the appellant has referred to farming being carried out off-site, I have not been provided with any substantive evidence to demonstrate this. Moreover, without information regarding the location or use of the other land, I cannot be certain of the extent to which the proposal would reduce vehicular movements to and from the appeal site.
7. Therefore, whilst the last permitted use of this land may have been agricultural, the evidence and the appellant's submissions before me demonstrate that there is not an agriculture operation on site. Consequently, and as the appellant has stated that the appeal building would not solely be used for agricultural purposes, I do not find it would be essential for the operational needs of agriculture.
8. Given the proposal's location and the lack of any demonstrable connection to an agricultural undertaking, it would conflict with the Council's spatial strategy. The proposal would therefore conflict with Policies SP6, SP7 and E2 of The Plan for Stafford Borough 2011-2031 (the PSB). Collectively these policies seek to ensure, amongst other matters, that developments within the countryside are well related to farmsteads, are essential for agriculture and promote a sustainable rural economy.

Character and Appearance

9. The existing barn is supported by a log frame infilled with a mixture of timber and metal cladding. At the time of my site visit, the building was listing to one side and a significant portion of the cladding was falling away. Given its poor state of repair the building does not provide a positive contribution to the wider area. However, as it is relatively small in scale and has become partially enveloped by mature vegetation, it is not an overly prominent or intrusive feature.
10. In contrast, the proposed building would be significantly larger in size and bulk. Whilst it would be cut further into the slope of the hill, this would still be to only a limited degree and insufficient to reduce the overall visual bulk and size of the building. Furthermore, the overall appearance of the building, in part stemming from the use of brickwork and rooflights, would result in a building more akin to a domestic garage than a barn or agricultural storage building. Although I note the use of timber cladding, this would not be sufficient to mitigate the overall scale or domestic appearance of the building. Although the appellant has suggested that alternative materials could be required by way of a condition, this would not mitigate the increased scale of the building or its overall domestic form.
11. For the reasons outlined above, the removal of the existing barn may result in some improvement of the character and appearance of the area, however, any such benefit would be substantially outweighed by its replacement with the proposed building. Furthermore, whilst the appeal site is within a somewhat

screened position, it is still visible from neighbouring properties and in more distant views. Given the harm identified above, I find that the proposal would affect the appreciation of the rural character and appearance of the surrounding area.

12. Given the proposed building's scale and appearance it would result in a domesticating feature incongruous within, and harmful to, the rural character and appearance of the surrounding area. The proposal would therefore conflict with PSB Policies SP6 and E2 which, amongst other things, require that developments are appropriately designed for their purpose, and protect and respect the natural landscape and rural character of the area.

Other Matters

13. Although a neighbour may have carried out works without planning permission, such a matter is beyond the scope of this appeal and does not justify this proposal. Moreover, whilst there may be no objections from various consultees, this does not preclude me from finding harm.
14. I note that the Crime Prevention Design Advisor has made comments in support of the scheme. As the barn is open fronted, I am mindful that crime may be an issue. However, it has not been demonstrated that the proposal before me is necessary to minimise the risk from crime. As such, I attach this matter only limited weight.

Conclusion

15. The proposal would conflict with the spatial strategy of the development plan and would harm the character and appearance of the area, conflicting with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR