



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/B3438/W/22/3301452

Land at Red Bank Farm, 158 Bagnall Road, Bagnall ST2 7LW

- 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 Stephen Lowndes against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2020/0357, dated 2 July 2020, was refused by notice dated 14 June 2022.
 - The development proposed is a hay and haylage store.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Green Belt and therefore the main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the surrounding area; and,
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

3. Paragraph 147 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
4. Subject to a number of exceptions, as listed in Paragraphs 149 and 150, the Framework makes it clear that the construction of new buildings should be regarded as inappropriate in the Green Belt. The listed exceptions include

buildings for agriculture and forestry. Policy SS10 of the Staffordshire Moorlands Local Plan (the MLP) relies, with regard to the Green Belt, on the exceptions set out within the Framework.

5. The appeal site forms a small part of a much larger field directly to the rear of the host dwelling at 158 Bagnall Road. The site currently contains a small shed. It is not clear what the field itself is used for, but it is clearly separated from the domestic curtilage serving the dwelling. I also noted during my visit what appear to be jumps within the field, and I am mindful that the adjoining field, also within the appellant's ownership, contains a large L-shaped stable block and equestrian paddocks.
6. Although the appellant has stated that the land is used for grazing in association with an agricultural use, no substantive evidence has been provided to demonstrate this. Consequently, I consider that the site is likely used, in association with the adjoining field and stable, for equestrian purposes.
7. Therefore, although the building may be used for the storage of hay and haylage, as no evidence of livestock or grazing on site has been provided, I consider the building to not be a building for agriculture. Consequently, I find that the proposal would not meet exception (a) set out under Paragraph 149 of the Framework and would be inappropriate development within the Green Belt.

Effect on Openness

8. Paragraph 137 of the Framework identifies that openness is one of the essential characteristics of Green Belts, along with permanence. The openness of the Green Belt has both a spatial and visual aspect and the absence of intrusion in on aspect does not mean that there is no impact on openness where an intrusion is found via the other aspect.
9. In this case, the proposed barn would result in the loss of a predominantly open area of field where there is only currently a small shed. This would significantly change the physical nature of the site and would be exacerbated by the bulk and scale of the building. Moreover, the building, although not overly prominent, would be visible in the surrounding area and as such would, alongside the spatial effect, erode the visual aspect of openness.
10. The proposal would therefore result in an unacceptable effect on the spatial and visual aspects of the openness of the Green Belt. Whilst this loss of openness would be limited, relative to the Green Belt as a whole, harm to the Green Belt would nevertheless occur. This matter therefore carries substantial weight.

Character and Appearance

11. The proposed location for the barn is at the end of a large driveway and turning area. The area of field it would be sited on is set lower than the driveway and consequently the barn would effectively be cut into the hill. However, this would be only by a very limited degree. I am mindful of the existing building at the neighbouring property, number 156 Bagnall Road, which is very similar to that proposed. However, I understand that it does not currently have planning permission and as such I do not give its presence weight in my considerations.
12. The proposed barn itself would be a long rectangular building set parallel to the side boundary and finished in stone with a tile roof. The front elevation would

face the field and is divided in to three bays with, what I understand to be, roller doors. Overall, the proposed barn presents an appearance more characteristic of domestic outbuildings than agricultural or equestrian ones. The barn's close proximity to the dwelling and the noticeable distance from the existing storage building and equestrian stables further contributes to this building being read as a domestic outbuilding.

13. Consequently, I find that the proposed barn would visually extend the domestic character of the site beyond the existing edge, which is clearly defined by the low stone wall, into an otherwise open and rural area. Given this, its scale and overall bulk, the proposed barn would be an intrusive and domestic feature detrimental to the rural character of the area at the edge of the settlement.
14. In light of the above, the proposed building, as a result of its appearance, scale and siting would harm the rural character and appearance of the surrounding area. The proposal would therefore conflict with MLP Policy DC3 which seeks to, amongst other things, resist prominent intrusions into the countryside and to protect the local landscape.

Other Considerations

15. I note the appellants concerns regarding their ability to store hay and haylage on site and that this has resulted in the need for weekly deliveries to be made. The proposal would therefore likely result in a reduction in vehicular movements and some environmental benefits. However, given the proposal would be otherwise harmful, and that it has not been demonstrated that it would be necessary in order to reduce the deliveries, I attach this matter only modest weight.

Green Belt Conclusion

16. The proposal would amount to inappropriate development in the Green Belt, and further harm to the Green Belt would be caused as a result of loss of openness. Further harm would also occur to character and appearance. These matters carry substantial weight. I have attached modest weight to the consideration in support of the proposal. Consequently, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist. The proposal conflicts with MLP Policy SS10 as well as Chapter 13 of the Framework as outlined above.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR