

Appeal Decision

Site visit made on 28 February 2023

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 April 2023

Appeal Ref: APP/J0405/W/22/3302584

Shorndown, Swanbourne Road, Buckinghamshire, Mursley MK17 0JA,

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Robert Tuckwell Partnership against the decision of Buckinghamshire Council.
 - The application Ref 22/01834/AGN, dated 18 May 2022, was refused by notice dated 15 June 2022.
 - The development proposed is erection of general purpose agricultural building.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The Council's original reasons for refusal, as stated on the decision notice, included that it has not been demonstrated that the proposed building would be reasonably necessary for the purposes of agriculture and would therefore not be permitted development. However, following the review of the appellant's appeal statement, the Council is now content that the proposal would satisfy the relevant conditions of Part 6 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the Order), and would be permitted development for the purposes of this part of the Order. I find nothing which would lead me to dispute this conclusion.
3. The Order requires (amongst other things) the developer to apply to the local planning authority for a determination as to whether prior approval will be required as to the siting, design and external appearance of the building. Accordingly, the main issue in this case, is the effect of the siting, design and external appearance of the proposed building on the character of the area.

Reasons

4. The appeal site is a field located at the end of a rural track. It is part of a rural landscape; the attributes of this landscape include its gently undulating landform that comprises generally undeveloped spacious countryside, bounded by hedges and interspersed with some woodlands. Development in this area is sparse and includes a few well-spaced dwellings. The few

structures near the appeal site are generally grouped close to the rural track, near the main road.

5. The proposed barn would be located at the end of the track. The barn would also be stepped in a significant distance from the track and from the boundary of the field such that it would result in a sizeable structure positioned in a relatively spacious undeveloped field. For this reason, despite the proposed agricultural architectural aesthetic, the barn would appear a standalone built form that would harmfully erode the spaciousness of the site. In this regard the proposal would fail to respect the surrounding pattern of limited development in this area.
6. The barn would also be close to a public right of way. The nearby woodland would provide some screening of the building, but this would be largely limited to when approaching from the west. The discordant structure would be clearly visible when approaching along the footpath from the east. Even painted green and with the backdrop of trees, the building, which would be approximately 30 metres in length, would significantly disrupt views of the largely undeveloped countryside at this aspect.
7. Swanbourne Road has a slightly elevated position in relation to the appeal site, and I observed, despite the appeal site sloping away from the road, that the existing spacious rural character of the appeal site can be clearly viewed from the road. The longest elevation of the proposed barn would extend a considerable amount into the field. Even with a mature hedge at the highway and with a degree of separation from the road, the bulk of the barn, which would be over 7 metres at the roof ridge, would significantly encroach into the existing relatively open rural landscape in this setting. As a consequence, the siting of this discordant structure at this location would harmfully interrupt the generally undeveloped rural landscape.
8. The appellant asserts that the images presented by the Council were taken with a telephoto lens. I find nothing to confirm this but, in any event, as outlined above, I observed that the proposal would be visible from public vantage points. At this location, only partially screened by woods and hedges, the standalone structure would harmfully dominate this attractive landscape and would be at odds with the prevailing character of the area.
9. I therefore find that the siting, design and external appearance of the proposed building would have a harmful effect on the character of the area.

Other Matters

10. The appellant highlights that the Council has not identified alternative sites. However, the appellant makes only a brief reference to an alternative site south of the woodland. With limited information presented, I am unable to consider that matter in detail. I note the preference for a central location for the barn at the land holding. However, the submitted evidence does not demonstrate that siting the building at the appeal site is the only option open to address the appellant's requirement for a building to serve this agricultural unit. Nor does the evidence demonstrate that this is the only option that would reduce vehicle movements related to the use of this land. These matters have not altered my findings for this reason.

Conclusion

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

A J Sutton

INSPECTOR