



Appeal Decision

Site visit made on 20 March 2023

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2023

Appeal Ref: APP/C1625/W/22/3310649

Barn 1 @ Hainses, Halmore Lane, Wanswell, Berkeley, GL13 9SP

- 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 Willmott against the decision of Stroud District Council.
 - The application Ref S.22/1907/HHOLD, dated 29 August 2022, was refused by notice dated 21 October 2022.
 - The development proposed is a detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for a detached garage at Barn 1 @ Hainses, Halmore Lane, Wanswell, Berkeley, GL13 9SP in accordance with the terms of the application, Ref S.22/1907/HHOLD, dated 29 August 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Site Block Plan 4081/P2 Version C and 4081/P1 Version E.
 - 3) The materials used in the construction of the external surfaces of the garage hereby permitted shall match those used in the main building.

Preliminary Matters

2. The appellant has submitted amended plans with the appeal. Briefly, they comprise the re-orientation of the ridgeline of the proposed garage. This is partially in response to the Council's reasons for refusal. The change is not extensive and from my site visit, this is how the development has been constructed. I therefore do not consider that accepting the amended plans would result in prejudice to third parties wishing to comment. I have therefore taken the amended plans into account in making my decision.
3. The garage has been constructed, as such I am considering the appeal in retrospect.

Main Issues

4. The main issues are a) whether the proposed development is in a suitable location and b) the effect of the proposed development on the character and appearance of the area.

Reasons

Location

5. The appeal site is located in a small cluster of dwellings accessed from Halmore Lane. Adjoining the site to the east and west are residential dwellings, with Halmore Lane to the south and agricultural land to the north. The host dwelling is a barn conversion that has recently been constructed, with its garden area to its side. The development is located to the east of the host dwelling in line with its front elevation and adjoining the boundary with an adjacent dwelling.
6. Policy CP15 of the Stroud District Local Plan (2015) (LP) presumes against most forms of development in the countryside in the interests of, amongst other things, its quality. Limiting it to that associated with agriculture or forestry, essential needs, support for the economy, tourism, exception sites, replacement buildings and community facilities. The appeal scheme does not sit within any of the expressed exceptions.
7. The garage that forms the development clearly functions as an ancillary residential building. It is sat noticeably within the garden of the dwelling (as constructed) to which it relates. Whilst it may be slightly outside the red outline of the residential curtilage as approved under the permission¹ to convert the barn to a dwelling, it is located between the host dwelling and an adjoining dwelling. It is also located to the front of the site therefore appearing as part of the cluster of buildings. There is no encroachment into the open and undeveloped countryside.
8. Whilst the development does not comply with the exceptions outlined in CS Policy CP15, it does appear as part of an existing residential cluster and does not encroach into open agricultural land. As such the development ensures the separate identities of settlements and the quality of countryside is maintained, which is the purpose of this policy.

Character and Appearance

9. The appeal site is located in a small cluster of residential dwellings within an area of open countryside. Nearby dwellings vary considerably in their individual design characteristics; however, they are predominantly detached and semi-detached dwellings located on large plots. Many of the properties have outbuildings and there is no consistency to their location within the plots.
10. The development as exists was built using matching materials to the host dwelling, namely zinc roof sheets and timber cladding. The host dwelling is largely out of view from the public highway due to its positioning to the rear of the site and behind an existing dwelling. Additionally, boundary walls and gate screen the host dwelling from view. The location of the garage to the front of the site allows a small glimpse of its ridge from the nearby highway. Nevertheless, it appears as a domestic garage associated with residential dwellings.
11. Whilst the garage is located at the entrance to the site, its matching materials and single storey nature ensures that it harmonises with the host dwelling. Additionally, these elements make certain the garage remains subservient and does not compete with the host dwelling. A sizeable area for parking and private amenity space is retained, ensuring the garage and host dwelling do not have a cramped appearance.

¹ S.19/1207/P3Q

12. On this basis, the development is in accordance with LP Policies HC8 and CP14 which, amongst other things, seeks development which has an appropriate design and appearance, and which is respectful of the surroundings, and is in keeping with the scale and character of the original dwelling. The development also complies with paragraph 130 of the National Planning Policy Framework 2021 (the Framework) which seeks, amongst other things, to ensure developments are visually attractive and sympathetic to local character.

Conclusion

13. The appeal scheme would accord with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision otherwise. The appeal should therefore, subject to the conditions in the above, be allowed.

Tamsin Law

INSPECTOR