



Appeal Decision

Site visit made on 17 July 2023

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th August 2023

Appeal Ref: APP/B3410/D/23/3320700

The Old Barn, Abbots Bromley Road, Hoar Cross, BURTON-ON-TRENT, DE13 8RA

- 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 Stewart Carter against the decision of East Staffordshire Borough Council.
 - The application Ref P/2022/00470, dated 14 April 2022, was refused by notice dated 28 March 2023.
 - The development proposed is described as the erection of a detached car port with storage above.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of the proposed development from the decision notice, since this more accurately describes the proposal.
3. For clarification only, the appeal property is described as having the address of Abbots Bromley Road. However, it is sited on an access road referred to on the location plan as Birchwood Road, which leads from Blunts Hollow and serves a small number of properties along its length. In my reasons below, I have referred to Blunts Hollow, which appears to be a continuation of Abbots Bromley Road running west from Hoar Cross.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the countryside around Hoar Cross.

Reasons

5. The appeal property is a two-storey, brick-built house situated on the south side of an access road which serves a small number of residential properties and farmsteads in open countryside to the west of Hoar Cross. The access road leads off Blunts Hollow. The house is a barn conversion and it has a two-storey extension on its western side. Vehicular access to the property is to the east of the house, between the house and a small barn that appears to be associated with the neighbouring Netherwood Farm to the south-east. The proposal would be to construct a detached double garage with storage above on the existing open parking area to the side/rear of the house.

6. Policy 1 of the Council's Local Plan (LP) indicates that in assessing the design of development proposals, the Borough Council will have regard to, amongst other things, the massing of the development in relation to the context of the development and how the height and massing of the proposed development relates to the height of surrounding development and any views.
7. Policy 3 of the LP indicates that buildings constructed within the curtilage of a dwelling for uses that are ancillary to the dwelling should be appropriately designed (especially in terms of scale) and sited for their intended ancillary use, paying regard to the size of the dwelling and its curtilage. Also, buildings for uses ancillary to the dwelling should be modest and designed specifically for that purpose.
8. Strategic Policy 8 of the LP indicates that development outside settlement boundaries will not be permitted unless it is appropriate re-use of Rural Buildings following guidance set out in the Re-use of Redundant Rural Buildings Supplementary Planning Document (SPD), and the design of the building is visually well related to the proposed site and its setting.
9. The Council's SPD includes guidance on additions to rural buildings. It notes that farm buildings, by their nature, are simple, functional structures. The open spaces or gaps between farm buildings are considered to be important elements to the character and context of a farmstead and, to this end, the retention of this visible separation is considered to be a vital attribute to their character and should be respected in any proposals for conversion and extension. Any proposed conversion use should suit the existing space available without recourse to additions or extensions. It notes that additions shall be subservient in their size, scale, and massing to the original, principal farm building and that proposals for multiple extensions or additions will be resisted. In particular, proposals to construct a new detached garage will generally be resisted unless its design, form, detailing and location does not impede or affect the character and setting of the farm building.
10. The Council contends that the proposed car port with storage above is unacceptable in terms of its height, bulk and massing and not modest in relation to the original dwelling. As such it would have an adverse impact on the existing dwelling and its setting within the open countryside.
11. The appellant contends that local planning policies, including guidance in the SPD, do not indicate that garages are unacceptable in principle and that the proposal is modest in scale and well-designed. Furthermore, it is intended for uses ancillary to the dwelling and has been designed specifically for that purpose. It is lower in height than the main dwelling and is, moreover, lower than the ground level at the entrance to the property, which effectively reduces its prominence and visibility.
12. There would not appear to be any disagreement between the Council and the appellant as to the acceptability of the principle of a garage in the position proposed, nor with the materials proposed. I concur with this. The main issue regards the scale of the proposed garage and storage building and, in particular, its height. The structure would be 2.1 metres from ground level to the floor level of the storage area above; a further 1 metre approximately to the eaves of the pitched roof, and an overall height of around 5.3 metres to the ridge. This compares with a height of around 6.2 metres to the ridge of the original barn building.

13. The appellant contends that the ground level of the proposed garage would be below that of the dwelling such that it would not appear as tall when viewed from the entrance to the site. The exact amount of the difference is difficult to judge without a topographical survey since, from my site visit, the slope down from the road appears to be greatest over the distance from the road to the front elevation of the house. Thereafter, it appears to level off somewhat, such that the ground level drops by only about 0.3 – 0.4 metres from the front elevation to the rear elevation of the house, and the ground level of the garage would be very little below that.
14. Whatever the actual figures, the proposed structure would reach an overall height above that of the eaves of the house, making it a substantial building in the context of the original building and the scale of the plot. Whilst it would be set back a little behind the rear elevation of the house, it would effectively fill the gap between the house and the adjacent farm building to the east and would be significantly higher than that adjacent building. On this basis, and given its height, it would not appear modest and would not respect the gap between the host dwelling and the buildings associated with the neighbouring farmstead to the east and south east. I accept that it would only be seen from directly in front of the site, but it is precisely this perspective, and the visible separation that it provides, that makes the gap significant.
15. From the information before me, the western portion of the appeal dwelling is an extension to the original barn structure. This extension appears to have increased the overall mass of the original building by around 50%. To this would be added the mass of the proposed garage/storage building. Which would be the second addition to the original building and would effectively result in a long, unrelieved extent of built structure from the western end of the current dwelling to beyond the adjacent farm building to the east. Its location, coupled with its height, would not respect the context of its immediate surroundings, and would conflict with the guidance in the SPD.
16. I note the contention of the appellant that there are a number of properties in the immediate area which have ancillary outbuildings and/or a garage. However, I have little background information on these and, in any case, the location, situation and scale/height of this appeal proposal is harmful to its immediate surroundings as well as the context of the host property and its neighbours, for my reasons outlined above.
17. In conclusion, I find that, by virtue of the scale and height of the proposed development; its visual impact on an important gap between the appeal dwelling and neighbouring farm buildings; and the cumulative effect of additions on the nature of the original barn, the proposal would be harmful to the setting of the original farm building and the character and appearance of the countryside to the west of Hoar Cross. On this basis, it would conflict with Detailed Policies 1 and 3, and Strategic Policy 8 of the LP, and with guidance on re-use of rural buildings in the SPD.

J D Westbrook

INSPECTOR