
Appeal Decision

Site visit made on 4 January 2023

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th September 2023

Appeal Ref: APP/F1610/W/22/3300918

Dutch Barn, Nr Hookshouse Lane, Tetbury GL8 8TZ

- 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 David Morris against the decision of Cotswold District Council.
 - The application Ref 21/00522/FUL, dated 3 February 2021, was refused by notice dated 13 December 2021.
 - The development proposed is conversion of the Dutch Barn to a restaurant/cafe.
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This decision is issued in accordance with section 56(2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 6 March 2023.

Decision

1. The appeal is dismissed.

Background

2. There have been a number of planning applications refused to convert the barn to a dwelling. However, in 2019 a prior approval application¹ was submitted under Class R² for the change of use of the agricultural building to a flexible commercial use, including Class A1 (shop) and Class A3 (restaurant and café). The Council found that the Class R change of use did not require prior approval. Hence the building already benefits from planning permission granted under the permitted development rights of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a restaurant/café/shop use in the building.
3. However, a Class R prior approval application does not allow any operational development associated with the change of use. Consequently, any proposed operational development to change the external appearance of the building would require express planning permission. Hence, the appeal before me proposes to make alterations to the external appearance of the Dutch barn to facilitate its already approved change of use to a restaurant/café/shop.

Main issue

4. In light of the above and the Council's reason for refusal, the main issue is the effect of the proposed development on the character and appearance of the building and the area, with regard to the location of the site within the

¹ LPA ref: 19/02477/OPANOT approved 15 August 2019

² Part 3, Schedule 2, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Cotswolds Area of Outstanding Natural Beauty (the AONB) and the setting of a nearby Non-Designated Heritage Asset (the NDHA).

Reasons

5. The appeal site comprises a Dutch barn, a 4-bay largely open-sided building of a metal frame construction with classic hooped roof structure, partially clad corrugated metal and Yorkshire boarding. The end elevations are largely open-sided with corrugated metal sheeting in the top half under the roof arch. A lean-to pole barn was added later to the rear (south) elevation of the Dutch barn and is linked by a metal roof. The pole barn does not form part of the conversion scheme, although the plans show it would be reduced in size to give separation between the Dutch barn to help facilitate the change of use. The elevation facing the pole barn, is open. Both the Dutch barn and pole barn are in a poor state of repair. Adjacent to the pole barn, running along the site's eastern boundary but outside the application site, is a double height, pitched roof stone barn that is the nearby NDHA.
6. The appeal site is located within the AONB. Paragraph 176 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing the landscape and scenic beauty of a nationally designated area, which includes AONBs, as they have the highest status of protection in relation to those issues.
7. In the AONB, which is a sensitive location renowned for the quality of its built and natural environment, Policy EN2 of the Cotswold District Local Plan (the Local Plan) expects development to be of a design quality that respects the character and distinctive appearance of the locality. Under Policy EN4 development that would have a significant detrimental impact on the natural and historic landscape, including the AONB, will not be permitted.
8. I saw that the site was set amongst a network of fields and hedgerows in a gently undulating landscape and formed part of the wider countryside setting. The Dutch barn is located alongside the unnamed lane behind a low lying hedge, such that it is clearly visible as an agricultural building in an agricultural landscape.
9. To facilitate the approved change of use a number of alterations are proposed to the external appearance of the Dutch barn. The roadside and west elevations would be clad in existing metal sheeting and timber Yorkshire boarding, with no door or window openings. Hence, the building's agricultural character and appearance would be retained in this prominent roadside location in the AONB.
10. The east elevation that would face towards the site entrance would be similarly clad, save for the insertion of a glazed timber door set in a deep recess. This would appear sufficiently diminutive in relation to the elevation so as not to detract from the agricultural character and appearance of the building.
11. It is the south, or rear, elevation facing the pole barn that would see the greatest change. Four large openings would be created and regularly spaced along the elevation, one per bay. Each opening would have four fully glazed timber doors of a uniform and simple design. The extent of glazing would attempt to reflect the open-sided nature of the existing elevation. The corrugated metal cladding would be continued along the top part of the

building on this elevation. Below this, Cotswold stone would be used instead of the Yorkshire boarding that would be used on the rest of the building.

12. Cotswold stone is a distinctive building material of the district and the AONB, and indeed is used for the nearby stone barn and adjacent dwelling. However, this would be at odds with the vernacular vocabulary of materials used in Dutch barns in general, which are generally left open or simply clad with metal sheeting or Yorkshire boarding as is already the case. The elevation would already be broken up by the large, glazed openings, so the use of stone is unnecessary for this purpose. The introduction of stone into a Dutch barn in this context would be a contrived and unnecessary intervention that would be visually incongruous and would erode the character and appearance of the AONB. Whilst I accept that the elevation would be largely screened from public view this does not mean the development is not capable of causing harm.
13. The NDHA stone barn's heritage significance is derived from its architectural and historic interest. Its setting is mainly informed by the surrounding agricultural fields and openness and the agricultural buildings on the appeal site. The proposal does not involve removing these agricultural buildings or eroding the fields around the building. From the evidence before me and what I saw on site the setting of the NHDA would not be harmed. Hence there would be no conflict with Local Plan Policy EN12 that seeks to ensure development is sympathetically designed with regard to the significance of the heritage asset.
14. In conclusion, the proposed elevational changes are on the whole minimal and the use of existing corrugated metal and Yorkshire boarding ensures the building would retain its agricultural character and appearance.
15. However, the use of Cotswold stone on a large south elevation, facing the pole barn, would be at odds with the local agricultural vernacular in this rural setting and hence would be visually incongruous within the area and wider AONB. Accordingly, the proposed development would be contrary to Local Plan Policies EN2 and EN4 whose aims are outlined above.

Other Matters

16. I acknowledge the appellant's concerns about the meeting of the Planning and Licensing Committee and behaviour of some of its members. This is a matter between the appellant and the Council. In reaching my decision I have been concerned only with the planning merits of the case.

Conclusion

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

K Stephens
INSPECTOR