
Appeal Decision

Site visit made on 23 October 2023

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st November 2023

Appeal Ref: APP/F1610/W/23/3321548

The Paddock, Ullenwood, Gloucestershire GL54 9QS

- 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 Andrew Eastabrook against the decision of Cotswold District Council.
 - The application Ref 22/04062/FUL, dated 15 November 2022, was refused by notice dated 30 March 2023.
 - The development proposed is the change of use from agricultural storage buildings to a dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the dwelling would represent an acceptable form of development in the countryside.

Reasons

3. The proposal is for the change of use and conversion of two storage buildings to a dwelling. The two closely related buildings, erected in about 2008 and 2021 respectively, comprise galvanised steel arch structures bolted together with earth mounding over the first but not the second. The proposal would involve linking the two buildings, completing the earth mounding, installing doors/windows in the two gable ends and rooflights. The interior spaces would be subdivided to create a kitchen/dining/living area in one building and two bedrooms, bathroom and a retained storage area in the other.
4. The buildings lie in the north-western corner of a 1.9 hectare triangular site which has been planted up with about 3,000 trees over recent years and a substantial narrow gauge railway track laid out in a large loop within the young woodland. Although the application refers to the change of use of agricultural (forestry?) storage buildings, on the date of the site visit they appeared to be primarily used in connection with the narrow gauge railway rather than forestry use directly. In addition, there was a mobile home on the site just to the north east of the two buildings.
5. The site lies well outside any Principal or Non-Principal Settlement as defined by the Cotswold District Local Plan 2018 (CDLP) and thus in the countryside for planning policy purposes. As such, Policy DS4 precludes new build open market housing unless it is in accordance with other policies. Although the

supporting statement for the application refers to occupation by a site manager, no detailed case is made that a dwelling is essential for a full-time worker to live permanently on site to manage a viable forestry enterprise. Accordingly, the proposal cannot be considered as a rural workers dwelling under Policy H5 and should be assessed against Policy EC6, the conversion of rural buildings.

6. Policy EC6 states that the conversion of rural buildings to alternative uses will be permitted provided the building is structurally sound, suitable for and capable of conversion to the proposed use without substantial alteration, extension or rebuilding. However, in this instance the buildings are galvanised steel arch framed windowless storage buildings which would require substantial alteration to use for residential purposes. No detailed room layout or section plans have been submitted to show how the conversion would be carried out to provide satisfactory living conditions for the occupiers. The dwelling would certainly be unconventional, and in the absence of detailed plans it has not been satisfactorily demonstrated that the buildings are suitable for and capable of conversion to a dwelling.
7. In any event, Policy EC6 only applies to buildings which have become surplus to requirements or are no longer suitable for their original use. The application does not demonstrate that this is the case, and as the woodland matures the need for equipment and perhaps timber storage to manage the site will presumably remain. The scheme includes the retention of an area for storage, but the proposed reduction is not explained or justified.
8. The 2021 building was erected as permitted development under Class E, Part 6, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, namely the erection of a building reasonably necessary for the purposes of forestry. No satisfactory explanation is provided as to why a second building was reasonably necessary for forestry purposes in 2021 but the extra volume thus created is now surplus to requirements when the nature of the woodland has not changed.

Conclusion

9. For these reasons the dwelling would not represent an acceptable form of development in the countryside and would conflict with CDLP Policies DS4 and EC6 as explained above. Whilst the proposal would provide an additional dwelling with social and economic benefits for the area, this is outweighed by the need to protect the countryside from unnecessary development and the associated conflict with the development plan.
10. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR