



Appeal Decision

Site visit made on 5 March 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 March 2024

Appeal Ref: APP/C1625/W/23/3323414

Lodge Farm, Hampton Fields, Minchinhampton, Gloucestershire GL6 9AX

- 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) Order 2015
 - The appeal is made by Mr N Moffatt against the decision of Stroud District Council.
 - The application Ref is S.23/0062/AFPA.
 - The development proposed is described as an agricultural storage building.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The name of the appellant on the appeal form differs from that used in the application form. However, it has been confirmed that it was misspelt on the appeal form. I am satisfied that the appellant is eligible to make the appeal and I have used the corrected name in the heading above.

Background and Main Issue

3. Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (the GPDO) permits the erection of a building on agricultural land where it is reasonably necessary for the purposes of agriculture within that unit. Paragraph A.1.(d) states that development is not permitted where it would involve a building that has not been designed for agricultural purposes. These are matters of dispute between the parties. Accordingly, the main issue is whether the proposal complies with the description of permitted development at Schedule 2, Part 6, Class A of the GPDO.

Reasons

4. The proposal would use metal corrugated roofing, timber cladding and black uPVC guttering which would be functional in appearance. It is common for the size, massing and height of barns to vary within an agricultural complex. Nevertheless, in contrast to the utilitarian shape of many agricultural buildings, the low ridge height, eaves and squat form of the proposal would appear domestic in scale. The proposed installation of solar panels would add to this impression.
5. Openings are proposed on only one side of the building. They are said to be large enough to accommodate tractors. Even so, their relatively narrow width and low height would also appear domestically proportioned, rather than

providing the flexibility and versatility needed to accommodate for example the large machinery associated with agriculture.

6. In addition, compared to the simple plan form of many agricultural buildings, the proposal would have an unusual T-shaped footprint, which would seem to result in an unnecessary hinderance to its use as an agricultural building. For these reasons, regardless of its lack of visibility from public viewpoints, the proposal would have the form of a domestic building, rather than one designed for agricultural use.
7. The Council's first refusal reason relates to whether the building would be reasonably necessary for the purposes of agriculture within an agricultural unit. However, even if I were to accept the contention that the proposal complies with these requirements, for the reasons given I am not convinced that it has been designed for agricultural purposes. Consequently, the proposal would not comply with the description of permitted development at Schedule 2, Part 6, Class A of the GPDO.

Other Matters

8. The Council's second and third reasons for refusal refer to the effect of the proposal on the character of existing buildings and on the wider Cotswolds National Landscape¹. However, as I have found that the proposal does not benefit from the permitted development right under Schedule 2, Part 6, Class A of the GPDO, I do not need to consider these matters further.
9. References have been made to other developments approved or proposed at the site. However, few details of these have been provided to me. In any case, I have considered the proposal on its own merits.

Conclusion

10. For the reasons given above, and taking into account all other matters raised, the appeal is dismissed.

O Marigold

INSPECTOR

¹ Previously known as the Cotswolds Area of Outstanding Natural Beauty.