



Appeal Decision

Site visit made on 16 April 2024

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th May 2024

Appeal Ref: APP/P1615/W/23/3327819

New House, Woolaston Common, Woolaston, Gloucestershire GL15 6NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Mackay against the decision of Forest of Dean District Council.
 - The application Ref is P0319/23/FUL.
 - The development proposed is described on the application form as, "Change of use for a segment of land currently un-used under the applicants' ownership to be included within the residential curtilage of the main house".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Differing to the description of development in the banner heading above, the Council's decision notice accurately describes the development as shown on the supporting plans as, "Change of use of land to create additional residential curtilage and erection of a double carport with enclosed store and first floor study. (Part retrospective)". I have used this description in my consideration of the appeal since it best describes the proposed development in precise and concise terms.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. New House is an attractive detached traditional stone cottage located in Woolaston. New House is orientated side-on to the road. The appeal site comprises an area of land adjacent to, and to the rear of, New House, which is described on the planning application form as 'wasteland'. The appellants have elaborated that, despite the site not being farmed or used for agriculture, it is described as agricultural because this is the *de facto* use of the site due to it not being part of the residential garden of New House and not having any other formal planning use. The local area is predominantly characterised by sporadic development of farm houses and outbuildings located amongst broad areas of fields, which exhibit designs which are in-keeping with their countryside location.
5. The side elevation of the proposed outbuilding facing the road would not be significantly shorter in comparison with the side-on elevation of New House which is adjacent to the road. Much of its first floor element would rise above

the existing hedgerow. Hence, due to its noticeably off-set position from New House (which the appellants have calculated as being approximately 15 metres to the rear of New House) behind an existing accessway, its siting in a prominent location so close to the existing hedgerow which lines the road, and its large scale, it would appear as an imposing feature in the street scene.

6. In this prominent location, whilst its materials would be appropriate in its context, its functional domestic design, which would be augmented by the proposed staircase and door at first-floor level, would detract from the otherwise predominantly agricultural character of the area. Due to its scale and siting it would also not be visually subservient to New House but rather would compete with it, thereby diluting New House's contribution to the countryside aesthetic of the area. All this would harm, rather than complement, the site's contribution to rural character and appearance of the area.
7. The Google Earth Pro Aerial Imagery submitted by the Council demonstrates that the area of land upon which the outbuilding would be sited was historically agricultural land, which was separated from New House by a clearly defined boundary. The site appears in those older images as being part-and-parcel of an agricultural field with a separate access, which itself had a close affinity with the wider agricultural land extending beyond the site to the north-west.
8. I observed that the works undertaken relating to the change of use, whilst only partially visible from public vantage points due to the position of the roadside hedgerow, have nevertheless introduced an element of urbanisation which in all likelihood has eroded a measure of the contribution which the site previously made to the agricultural character of the area. Therefore, formally extending the residential curtilage as proposed to encompass an area around the outbuilding and an access towards it, whilst not being overly extensive in terms of its footprint, would nevertheless not assist in supporting a strong sense of place in the local area.
9. Considering the scale of the proposed development as a whole, the adverse impacts identified above would not extend beyond the local area. The proposed development would accordingly have a neutral effect on the wider landscape. Thus, it would not be at odds with the guidance given in the Landscape Character Assessment (November 2002), which includes a reference to the shiny roofs of barns being highly visible when viewed from neighbouring uplands.
10. It follows that no conflict would arise with the first bullet point of Policy CSP.1 of the Core Strategy (adopted 2012) in this respect, which provides that, amongst other things, the effect of the proposal on the landscape should be considered. This matter, and that the 3 silver birch trees adjacent to the vehicular access would not be felled, thereby merely retaining their existing positive contribution to the character and appearance of the area, would not however mitigate the adverse impacts identified above.
11. I therefore find that the proposed development would have an unacceptable and harmful effect on the character and appearance of the area. It would conflict with the first bullet point of Policy AP 4 of the Allocations Plan 2006 to 2026 (adopted 2018) which provides that, amongst other things, development should establish or support a strong sense of place.

12. The proposed development would also conflict with paragraph 135 d) of the National Planning Policy Framework (the Framework) which provides that, amongst other things, planning decisions should ensure that developments establish or maintain a strong sense of place.

Other Matters

13. I note that alternative locations for the outbuilding have been considered. These alternative locations have been discounted for various reasons, including (amongst others) considerations of highway safety, the potential visual impact of the proposed outbuilding on New House, environmental impacts to the orchard area, and access difficulties for less-abled and elderly people. Mention has also been made of 'surrendering' an area of land as agricultural land or providing a legally enforceable Undertaking. Nevertheless, whilst these reasons are understood, this appeal decision has been determined solely on the basis of the scheme applied for, and I note that no Undertaking has been provided. Accordingly, these matters do not alter my findings on the main issue above.
14. The proposed development would bring benefits in terms of providing an area of enclosed off-street parking for vehicles, and would incorporate a gym / study and storage areas. However, as these benefits would mainly be private in nature, and the biodiversity enhancements mentioned relate to land outside of the red line of the appeal site, in combination they attract little weight in support of the proposed development.

Conclusion

15. For the reasons given above, the proposed development conflicts with the development plan taken as a whole. Having considered all relevant material considerations, including the approach in the Framework, the other considerations in this case do not indicate that the appeal must be determined otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

Alexander O'Doherty

INSPECTOR