



Appeal Decision

Site visit made on 11 June 2024

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2024

Appeal Ref: APP/A2470/W/23/3328979

Land at Braunston Field, Braunston Road, Oakham LE15 8UH

- 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 Emma Watts against the decision of Rutland County Council.
 - The application Ref is 2023/0227/FUL.
 - The development proposed is for the erection of a temporary wood shed to provide shelter for dogs during dog walking activities.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a temporary wood shed to provide shelter for dogs during dog walking activities at Land at Braunston Field, Braunston Road, Oakham LE15 8UH in accordance with the terms of the application, Ref 2023/0227/FUL, and the plans submitted with it, subject to the following condition:
 - 1) The shed shall only be used in conjunction with the dog walking use on site and shall not be used for any other purpose.

Preliminary Matters

2. The original application form and the decision notice detail a different person than the appellant noted in the banner heading above. However, the appellant did sign the original application form and I am therefore satisfied that the appeal can proceed.
3. The National Planning Policy Framework (the Framework) was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments.

Main Issues

4. The main issues are:
 - a) Whether the proposed development is an essential form of development in the countryside, and
 - b) The effect of the proposed development on the character and appearance of the area.

Reasons

Whether essential development

5. Planning permission was previously granted by the Council¹ for the use of the field for dog walking. The shed in question was subsequently erected to provide on site facilities for this use. Policy SP7 of the Rutland Local Plan Site Allocations and Policies Development Plan Document 2014 (RLP) states that sustainable development in the countryside will be supported where, amongst other things, it is a rural enterprise comprising small scale development ancillary to an existing established use which is appropriate to the countryside.
6. The Council have already indicated their satisfaction with the use of the land for dog walking through the prior grant of planning permission. The shed is used for the storage of dog walking items, for equipment for maintenance of the land, for shelter in inclement weather and for the health and safety of on-site staff. The shed is of a very modest size and is clearly of the minimum size needed to cater for the dog walking use. A multi-purpose shed of this nature would allow essential items linked to the maintenance of the land and the operation of the use to be safely and securely stored at the site and support the effective and efficient operation of the business. It would further provide a basic shelter for staff during inclement weather. There are no other structures on the land that could be converted or used for its purpose.
7. Therefore, given the size of the structure, which is in connection with an authorised use that is suitable in this location; I conclude that it accords with the provisions of RLP policy SP7 and policy CS4 of the Rutland Core Strategy 2011 (RCS) insofar as it is sustainable and appropriate development in the countryside which is essential for this established rural enterprise and would support the rural economy.

Character and appearance

8. The shed is located in a field to the south of Braunston Road on the outskirts of Oakham. The area is formed of rolling fields with boundary trees and hedging. There are sporadic farmhouses and barns in the immediate locality, but the area remains one that is largely undeveloped and rural.
9. The shed is of a modest size and presently finished in a natural wood/grey colour. It is discreetly positioned adjacent to boundary hedging and adjacent to the site access. Due to its low profile and secluded position with the hedge backdrop, it is not prominent in the landscape nor is it readily visible from the public realm along Braunstone Road. Longer views into the site from fields beyond would not offer any notable views of the structure given its size and position.
10. Accordingly, I conclude that due to its size, location and use of materials, the shed is not harmful to the character and appearance of the area and complies with policies SP7 and SP15 of the RLP, policy CS19 of the RCS and policy 2 of the Oakham and Barleythorpe Neighbourhood Plan. These policies, read together, require development to contribute positively to local distinctiveness and sense of place.

¹ Council Ref 2022/0540/FUL

Conditions

11. I have considered the conditions proposed by the Council. I have imposed a condition restricting the building to be in connection with dog walking use on the site as this forms the basis for the grant of permission here and as the structure may not be acceptable in any other circumstances.
12. I have not imposed a condition relating to adherence to the approved plans as the structure has been built and no further alterations to it are proposed.
13. Likewise, I have not imposed a condition requiring the painting of the shed. The existing structure is already finished in a muted colour which blends in with its rural surroundings. Therefore, whilst the proposed colour (RAL 6005 Moss Green or equivalent) is equally acceptable, it is not a requirement of this permission.

Conclusion

14. The proposed development would accord with the development plan and the material considerations do not indicate that a decision should be made other than in accordance with it. Therefore, for the reasons given above the appeal should be allowed.

Nick Bowden

INSPECTOR