

Appeal Decision

Site visit made on 19 September 2024

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2024

Appeal Ref: APP/F1610/W/24/3341634

Land at Mill Lane, Mill Lane, Little Rissington GL54 2PD

- 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 Mrs Maddy Firth against the decision of Cotswold District Council.
 - The application Ref is 23/01502/FUL.
 - The development proposed is stables, tack room and associated fields barn.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. In November 2023 all designated Areas of Outstanding Natural Beauty (AONBs) in England became National Landscapes and I have therefore replaced references to AONBs with National Landscapes.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area including the Cotswolds Natural Landscape (NL).

Reasons

4. The appeal site lies within the Pastoral Lowland Vale character area of the NL. It is a gently undulating landscape fringed by the distinctive shallow form of farmed slopes. The area has a strong rural character with sparse settlement patterns.
5. The site comprises an irregular shaped field located on a farmed slope associated with Church Farm set within an agrarian landscape. It is characteristic of the Pastoral Lowland Vale and its open and unspoilt nature positively contributes to the verdant character of the NL.
6. A country lane runs along the western edge of the site providing access to the field, sewage works and Rissington Mill. Intermittent vegetation of varying maturity extends along the roadside and the northern boundary. When travelling along Rissington Mill Lane the site is visible through gaps in the vegetation.

7. NL is a statutory national landscape designation and local authorities have a duty to have regard to the purpose of conserving and enhancing their natural beauty. Paragraph 182 of the National Planning Policy Framework (the Framework) sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in NL, which have the highest status of protection in relation to these issues. It goes on to state that the scale and extent of development within such designated areas should be limited.
8. I acknowledge that the hay barn would not be an untypical example of agricultural buildings found in rural areas and the stables would reflect the Cotswold vernacular. However, the proposal and the quantum of development would introduce extensive built form into an undeveloped pastoral field spread over a considerable area of the lower part of the slope resulting in unacceptable physical intrusion into the landscape. It is likely that any associated infrastructure and paraphernalia would further compound this harmful impact.
9. The proposal would introduce unduly large and prominent features into an unspoilt landscape that would result in the unacceptable erosion of open countryside adversely affecting the character of the Pastoral Lowland Vale area landscape and undermining the natural beauty of the NL.
10. Despite the presence of boundary vegetation, the built form would be a conspicuous feature within the landscape resulting in a visually obtrusive form of development. Whilst the extent of the area from which the harm would be appreciated would be localised, I still find that the proposed development would be unacceptably prominent.
11. As such, the proposed development would adversely affect the character and appearance of the area including the Cotswold National Landscape contrary to Policies EN1, EN2, EN4 and EN5 of the Cotswold District Local Plan (2018), Section 85 of the Countryside and Rights of Way Act (2000) and paragraphs 180 and 182 of the Framework which, amongst other things, seek high quality design that respects the character and distinctive appearance of the locality and the protection and enhancement of valued landscapes and the scenic beauty of NL.

Other Matters

12. The appellant has drawn my attention to an appeal decision for stables and a hay barn which they consider relevant to this appeal. Based on the information before me it is evident the Acres View site is more contained and has a physical and visual connection with the village. This is not the case for the appeal site and I am of the view that this development is not comparable to the appeal scheme before me. In any event every application and appeal must be considered on its own merits, as I have done.
13. There is nothing substantive to dispute the appellant's need for the buildings and I acknowledge that the proposal would result in some economic benefit during construction and its life span in respect of suppliers and commercial services. I also note that the proposal would not interrupt important views of the NL. However, these matters do not alter my findings on the main issue.

14. It is likely that any external lighting would be limited. I am satisfied that the details of the external lighting could be secured through the imposition of a condition in order to protect the dark skies of the NL, if I was minded to allow the appeal.

Conclusion

15. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR