



Appeal Decision

Site visit made on 22 October 2024

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2024

Appeal Ref: APP/J3720/W/24/3341571

Alne Park, Park Lane, Great Alne, Warwickshire B49 6HS

- 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 Dan Skelton against the decision of Stratford-on-Avon District Council.
 - The application Ref is 23/02421/FUL.
 - The development proposed is erection of replacement agricultural building (retrospective).
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. A building has been erected on the appeal site. I have taken the description of the development above from the application form, which states that it was made retrospectively. However, the submissions also included plans showing changes to the building as built, including to its openings, which the Council has considered. Accordingly, I will treat the appeal as being for a proposal, as shown on the plans.
3. The Planning Officer's report refers to two reasons for refusal, the second referring to the effect of the proposal on the West Midlands Green Belt. However, the Council's Decision Notice makes no reference to this issue, with its second refusal reason repeating the first. The Council has not sought to clarify matters subsequently. I have therefore based my assessment on the one (repeated) reason in the Decision Notice.
4. The main issue is whether the proposal would accord with the strategy of the Development Plan for new buildings in the countryside, to maintain its rural character.

Reasons

5. Policy AS.10 of the Stratford-on-Avon Core Strategy (SACS), adopted July 2016, limits development in the countryside, to ensure that its rural character is maintained. Development that is acceptable in principle includes buildings related to agriculture, where required for such purposes. It also confirms that a functional need must be demonstrated for any proposed building. Similarly, the National Planning Policy Framework supports the sustainable growth of rural businesses, whilst also recognising the intrinsic character and beauty of the countryside.

6. The proposed building would be used to keep ewes during lambing, together with feed and bedding, as well as small machinery at other times. On my visit, I saw that the existing building was being used to house sheep, although this represents only a snapshot in time. From the evidence before me, I have little reason to doubt that there is a need for a new building including to house the ewes when necessary.
7. However, the elevations of the existing building have openings of domestic size and position. As part of the proposal, some of these openings would be bricked up, and others would be filled with Yorkshire boarding. Whilst this slatted boarding would allow for a greater degree of air movement within the building, the openings would retain their small domestic proportions. As such, even taking into account the potential to leave the double metal doors open during lambing, the proposal would have a poor degree of internal ventilation.
8. The proposed wider opening would provide easier access to the building for hay and machinery storage, including by the appellant's telehandler and by wheelbarrows. Even so, the relatively narrow width and low height of this opening would unnecessarily hinder and constrain agricultural use, as would the small square footprint of the building.
9. The building is constructed of bricks and tiles, with decorative details, which are not a common feature of modern agricultural structures. It also has a height sufficient for two storeys. These features would be retained as part of the proposal and its design may well seek to reflect the previous derelict building. Nevertheless, they would be unnecessary and over-engineered for a simple modern farm building.
10. For the reasons given above, I am not convinced that there is sufficient functional justification for the proposed building, given its form. Consequently, it would not accord with the strategy of the Development Plan for new buildings in the countryside, to maintain its rural character, conflicting with SACS Policy AS.10. The proposal would similarly conflict with the aim of SACS Policy CS.1 for sustainable development, including protection of the natural environment.
11. SACS Policy CS.15 seeks to distribute new development based on a pattern of balanced dispersal, in accordance with the character and function of identified locations. However, its principal focus is on development within settlements, rather than in the countryside. Accordingly, I find no conflict with this policy. Even so, this does not change my conclusions in relation to the other policies.

Conclusion

12. For the reasons given, there would be conflict with the Development Plan, read as a whole. No material considerations have been shown to have sufficient weight to warrant a decision other than in accordance with it. I therefore conclude that the appeal should be dismissed.

O Marigold

INSPECTOR