



Appeal Decision

Site visit made on 7 January 2025

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 January 2025

Appeal Ref: APP/J3720/W/24/3345392

Land to the North of Shuckburgh Road, Opposite Dog Lane Fisheries, Napton-on-the-Hill, Warwickshire

- 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 Ms Julie Beasley against the decision of Stratford-on-Avon District Council.
 - The application Ref is 24/0227 FUL.
 - The development proposed is for an agricultural pole barn for the use as an animal shelter during lambing by client's flock of 34 sheep together with the storage of hay/straw & agricultural vehicles & machines.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my visit the development had already taken place. The appeal therefore seeks retrospective permission for the development, and I have determined the appeal accordingly. However, I have removed the phrase "retrospective application to retain" from the header above as this retrospective is not a description of development and the phrase as a whole is superfluous to the description.
3. The site addresses used by the appellant and Council in their submissions are wholly different. Typically, I would take the address from the planning application form, however, in this case the description used by the Council on their Notice of Decision is more accurate in describing the appeal site's location. The address in the header above has, therefore, been taken from this rather than the application form.

Main Issues

4. The main issues are (i) whether the proposal has been suitably justified by an agricultural need and, the effect of the proposal on (ii) the character and appearance of the surrounding area and (iii) highway safety.

Reasons

Agricultural Need

5. The appellant submits that the barn is used for the storage of hay and straw as well as vehicles and machinery used in connection with the agricultural use. The barn is also to be used during the lambing season for their 34 breeding ewes. Beyond this I have been provided with only very limited information, especially with

regard to the extent of the agricultural unit and the intensity of the barn's use. At the time of my visit there was no evidence of what, if any, activity was taking place on site other than the presence of vehicle tracks.

6. The appeal building is comprised of two distinct sections. The first is the larger of the two and is of a height typical for modern barn buildings. The second, is much smaller, and lower in height. Collectively, it is a sizeable building. I do not find the information before me to be sufficient to demonstrate that an agricultural use is being carried out at the site at such a scale to justify the appeal building. Moreover, I am not convinced from the justification before me that the modest uses of the barn outlined by the appellant would require such a large building.
7. In light of the above, the appellant has not suitably justified that the building is required for an agricultural need and as such it would introduce a new building in an area where the Council's spatial strategy seeks to limit their provision. The proposal would therefore conflict with Policy AS.10 of the Stratford-on-Avon District Core Strategy 2011 to 2031 (the CS) which supports agricultural buildings in the countryside where it has been demonstrated it is required for this purpose.

Character and Appearance

8. The appeal site is located away, and downhill, from Napton-on-the-Hill and is primarily surrounded by agricultural fields. The main exceptions to this are Shuckburgh Road, which passes along edge of the site, and Dog Lane Fishery, on the opposite side of the road. A public right of way passes through the appeal site and relates closely to the appeal building. The appeal site is also located within the Ironstone Hills Fringe Special Landscape Area (the IHF), comprising a rolling, predominantly rural, landscape with tight settlements set on rising ground where buildings are characterised by local materials such as ironstone.
9. The appeal building itself is finished in a mixture of materials including, garage doors and, what appears to be, a garden shed. As noted above, the building comprises two sections, these both have pent rooves, although the shed-like element is served by a dual pitched roof.
10. The overall shape of the building and its rooves appear akin to an industrial unit, with the exception of the potential shed element which reads as more domestic. Further, the use of garage doors and the general mixture of materials across the walls and rooves of the building further disconnects it from any agricultural character or appearance. Therefore, I do not find the overall building to read as particularly agricultural as a result of both its form and the use of materials.
11. The building, by way of its siting and relationship to the wider area, is readily visible in close views from the footpath and road. From these it is possible to appreciate the detailed appearance and finish of the building, including its materials. More distant views are also provided from Napton-on-the-Hill where, given the above, its form would present an incongruous feature detrimental to its surroundings. As such, the building does not sit comfortably within the primarily rural IHF landscape area that forms its context and, instead, it is harmful to its appearance.
12. I am mindful that the building has reused or recycled materials and that such activity can be beneficial to the environment. However, I cannot be certain of the extent to which new materials have been avoided. Moreover, I do not find that the

reuse of materials necessitates a poor quality of design and so this potential benefit does not outweigh the harm outlined above.

13. In conclusion, the design, finish and form of the appeal building is not agricultural in character or appearance and, as such, is harmful to the character and appearance of the surrounding area, including the Ironstone Hills Fringe Special Landscape Area. The development therefore conflicts with CS Policies CS.5 and CS.9 which collectively, and amongst other matters, seek for developments to be attractive, sensitive and connected to their context and maintain the character and quality of the surrounding area and landscape. Although the Council have also referred to CS Policy CS.20, this relates to housing and so is not particularly relevant to the appeal before me.

Highway Safety

14. I understand that the vehicular access serving the appeal site existed prior to the development of the appeal building and that the field is likely to have generated some vehicular movements to and from the site. From the information available to me I cannot be certain of the level of movements the field would have generated but, it is likely to be low given the modest use described, for a small number of sheep. The appellant has submitted that now the typical number of daily visits would amount to 2 and that this increases during lambing season to 4. They further submit that these are made in one vehicle.
15. I am mindful of the concerns raised by the Council as to the effect of increasing the number of movements associated with the site on highway safety, particularly regarding the transference of mud and debris to the road, and poor visibility. Whilst the proposal would likely result in an increase in movements to and from the site, I find it unlikely that this increase, or indeed the total number of movements, would be significant. This is especially so given that the existing access could have already been used to support any agricultural use, including by larger vehicles for the transporting of hay, straw or livestock.
16. The development therefore does not unacceptably affect highway safety and as such complies with CS Policies CS.9 and CS.26 which require developments to generate a commensurate level of traffic to the road network and minimise any danger from traffic.

Conclusion

17. The proposal would conflict with the Council's spatial strategy and harm the character and appearance of the surrounding area in conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR