



Appeal Decision

Site visit made on 23 June 2025

by U P Han BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 July 2025

Appeal Ref: APP/P2114/W/25/3362893

Woodhouse Farm, Barton Estate, East Cowes, Isle of Wight, Hampshire PO32 6NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Allard against the decision of Isle of Wight Council.
 - The application Ref is 25/00147/6PA.
 - The development proposed is Agricultural Prior Notification for two barns.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Appeal Form and the Council's Decision Notice as it is more accurate and concise than the description given in the Application Form.
3. Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) permits agricultural development on units of 5 hectares or more. This is subject to various limitations and conditions set out in paragraphs A.1 and A.2 of that Class.

Background and Main Issue

4. There is no dispute that the proposal would be carried on agricultural land comprised in an agricultural unit of 5 hectares or more.
5. The Council refused the application on the basis that the proposal failed to qualify as permitted development on the grounds of necessity, proximity to protected buildings and excessive landscape impacts.
6. Therefore, the main issues are:
 - whether the proposal would be permitted development under Article 3(1) and Schedule 2, Part 6, Class A of the GPDO, and if so,
 - the siting, design and external appearance of the proposed buildings.

Reasons

7. The appeal site relates to part of an existing farm which breeds pedigree rare cattle. The farm contains a range of agricultural buildings and is surrounded by

open fields. The proposal seeks to extend the existing isolation barn in the southern end of the appeal site and erect a new hay barn in the northern part of the site.

Proposed Isolation Barn

8. Under Part 6, Class A, paragraph A.1., the GPDO states that development is not permitted by Class A if, amongst other criteria: (i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building.
9. The proposed isolation barn would be used to keep animals separate from the rest of the herd in order to protect the health of the whole herd. In my view, this would constitute the accommodation of livestock. The proposed isolation barn would be within 400 metres of the curtilage of Ludham Cottage, a residential dwelling.
10. Part 6, paragraph D.1. of the GPDO defines 'protected building' as any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed; but does not include—(a) a building within the agricultural unit; or (b) a dwelling or other building on another agricultural unit which is used for or in connection with agriculture. There is no evidence before me that Ludham Cottage is a building within an agricultural unit or a dwelling on another agricultural unit which is used for or in connection with agriculture.
11. As such, the isolation barn element of the proposal would not comply with paragraph Part 6, Class A, paragraph A.1. (i) as it would consist of the erection or construction of a structure to be used for the accommodation of livestock within 400 metres of a protected building. Consequently, the proposal would not constitute permitted development with respect to Article 3(1) and Schedule 2, Part 6, Class A of the GPDO.
12. Even if I were to accept that the proposed isolation barn was reasonably necessary for the purposes of agriculture, it would not benefit from permitted development because of its failure to comply with paragraph Part 6, Class A, paragraph A.1 (i).
13. As considerations in relation to prior approval under paragraph A.2 are a follow-on condition stage, they can therefore only apply if the development is otherwise permitted development. As the proposal would fail to constitute permitted development, there is no need to consider the conditions in paragraph A.2. Therefore, comments in relation to paragraph A.2.(1)(a) and paragraph D.1(3) are not relevant.

Proposed Hay Barn

14. The hay barn element of the proposal would comply with criteria (a) to (l) of paragraph A.1., including criterion (i) because it would not be used for the accommodation of livestock.
15. Based on the evidence before me and my site observations, I do not doubt that the hay barn is reasonably necessary for the purpose of agriculture within the unit.

16. Part 6, Class A, paragraph A.2. requires development consisting of the erection, extension or alteration of a building to be subject the conditions listed in (i) to (vi) of paragraph A.2.(2). This includes the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be.
17. The appeal site is within the Isle of Wight National Landscape (formerly known as the AONB – Area of Outstanding Natural Beauty). Section 245 of the Levelling-Up and Regeneration Act (the LURA) amended the duty in respect of National Landscapes, strengthening the statutory purpose of conserving and enhancing the natural beauty of National Landscapes. Guidance¹ on furthering the purposes of Protected Landscapes (including National Landscapes) was published in December 2024.
18. The Guidance makes clear that decision-makers will need to apply the duty when undertaking any function in relation to, or so as to affect, land in a Protected Landscape. This may include development undertaken through permitted development rights where prior approval on relevant planning matters is required.
19. The Isle of Wight National Landscape (IWNL) was designated for its landscape and scenic beauty. The Isle of Wight AONB Management Plan 2019-2024 (the MP) seeks to ensure the conservation and enhancement of the IWNL, as well as encourage and support appropriate rural economic development that conserves and enhances the IWNL. The MP highlights that the impact of development on the character of the landscape and settlements within the IWNL is one of the most significant issues for its management. The landscape character of this part of the IWNL is characterised by traditional enclosed pastures with large hedges, copses and woodlands.
20. The appeal site forms part of an open field bounded by mature hedgerow. The field is largely surrounded by other open fields. The site's topography falls in a south easterly direction as it sits near the crest of a hill. The proposed hay barn would be sited in the open field, approximately 70 metres north east of the existing farm buildings. While the barn would have an appropriate agricultural design and be constructed of materials typically used for such buildings, its exposed siting and isolated position away from the existing group of farm buildings would result in a conspicuous and isolated structure, appearing incongruous within its largely undeveloped surroundings. Moreover, the proposed hay barn's prominence would be exacerbated by its position near the crest of the hill.
21. During my site visit, the appellant sought to justify the reason for the siting of the hay barn. However, any substantive information or justification should have been submitted within the prescribed timeframes of the appeal procedure. The weight I have afforded these submissions is not determinative and is not a basis to reach a different view.
22. For the reasons given, while the design and external appearance of the proposed hay barn would be acceptable, its siting would fail to conserve and enhance or further the purposes of the IWNL, contrary to the LURA. Consequently, the siting

¹ Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes, Department for Environment, Food and Rural Affairs, 16 December 2024.

of the proposed hay barn would not be acceptable and so it would fail to satisfy Part 6, Class A, paragraph A.2.(2)(i) of the GPDO.

23. Insofar as it is relevant to the prior approval matter, the proposal would conflict with Policies SP5, DM2 and DM12 of the Island Plan Isle of Wight Core Strategy and Development Management Development Plan Document (March 2012) which amongst other things, require proposals to protect, conserve and/ or enhance the Island's natural and historic environments, particularly in the IWNL, and reflect the aims and objectives of the MP.

Other Matters

24. The appellant has referred to large scale gravel extraction and works at Kings Quay in support of their appeal. However, I do not have full details of these schemes so cannot be certain that they represent a direct parallel to the appeal proposal. In any case, I have determined the appeal on its own merits.
25. The appellant has referred to other development in the area and has invited me to investigate why planning permission was granted for those schemes. However, I am not in a position to review or revisit the justification for planning permission granted by the Council for other proposals. My role in this appeal is to assess the appeal proposal only.
26. Support from the National Farmers Union is noted but this does not alter or outweigh my findings on the main issue and my overall conclusion.

Conclusion

27. For the reasons given above, the appeal should be dismissed.

U P Han

INSPECTOR