



Appeal Decision

Site visit made on 11 August 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 September 2025

Appeal Ref: APP/J3720/W/25/3367162

Agricultural Land, Binton Road, Welford-on-Avon

Grid Ref Easting: 414213, Grid Ref Northing: 253079

- 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 Richard Wright against the decision of Stratford-on-Avon District Council.
 - The application Ref is 24/03071/AGNOT.
 - The development proposed is fodder store with lockable area.
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Decision

1. The appeal is dismissed.

Background and Main Issues

2. Article 3(1), Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development (England) Order 2015 (the GPDO) allows for the erection of a building, which is reasonably necessary for the purposes of agriculture, on agricultural land comprised in an agricultural unit of 5 hectares or more. For development to be permitted under Class A, it must satisfy the relevant limitations and conditions set out in the GPDO.
3. This includes, under Paragraph A.2.(2) of Class A, the developer to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building, amongst other matters.
4. While not specified in the Decision Notice, the Council considers that insufficient evidence has been provided to demonstrate the existence of an agricultural business on the site. In addition, the Council considers that insufficient evidence has been provided to demonstrate that the proposed building is reasonably necessary for the purposes of agriculture. The Council therefore considers that the proposal does not constitute permitted development under Schedule 2, Part 6, Class A of the Order.
5. Notwithstanding this, the Council refused the grant of prior approval on the grounds that the siting and design of the building would harm the character and appearance of the area, with specific reference to trees, archaeological interest and ecology. However, the Council has indicated that it wishes to withdraw its reason for refusal relating to ecology following comments received from Warwickshire County Council after the Decision Notice was issued.
6. Consequently, the main issues in this appeal are:

- whether the proposal would be permitted development under Schedule 2, Part 6, Class A of the GPDO; and
 - if found to be permitted development, the effect of the siting, design and external appearance of the proposed development on the character and appearance of the area.
7. There is no suggestion that the proposal otherwise conflicts with the parameters of Schedule 2, Part 6, Class A of the GPDO. I have therefore assessed the appeal on this basis.

Reasons

Whether permitted development

8. For the purposes of Part 6, Class A of the GPDO, at paragraph D.1 (1) 'agricultural land' means 'land which, before development permitted by this Part is carried out, is land in use for agriculture and which is so used for the purposes of a trade or business and excludes any dwellinghouse or garden.' 'Agricultural unit' means agricultural land which is occupied as a unit for the purposes of agriculture. There is no definition of 'agriculture' in the GPDO, but the one given in s336(1) of the Town and Country Planning Act 1990 is normally applied and this includes the breeding and keeping of livestock and the use of land as grazing land.
9. The appeal site relates to a largely open field covered with grass. During my site visit, I observed sheep actively grazing in the field, indicating current agricultural use. The Council's Officer Report noted no presence of livestock during the time of the officer visit. However, the appellant advises that it is normal practice for farmers to rotate their livestock in order to help grass regenerate and protect animal health. The absence of livestock within the site at certain times could also be attributed to lambing season, during which animals are typically housed for welfare and management purposes. As such, I am satisfied that the proposed development would be on agricultural land.
10. Given the presence of livestock on the site, the provision of a fodder store and lockable area can be considered reasonably necessary to support the day to day agricultural operations. Such facilities are essential for the proper storage of feed and equipment, providing protection from weather and theft. The principle of providing a fodder store therefore represents a practical response to the operational needs of maintaining livestock on the site.
11. Taking the above considerations into account, I conclude that the proposed development falls within the scope of Schedule 2, Class A, Part 6 of the GPDO and is therefore capable of constituting permitted development.

Siting, design and external appearance

12. The appeal site comprises a field with mature trees growing along its boundaries. Aside from some trees within the field, as well as one small and one larger corrugated metal shed, the site is relatively open. The land slopes gently towards the River Avon immediately to the south of the site, contributing to its rural, open character. The northern boundary of the site lies adjacent to a wooded strip of land containing a footpath which links to residential development.

13. The Application Form indicates that the dimensions of the proposed building would be 13.5 metres in length, 7.5 metres in breadth and 5.5 metres in height to the ridge of the roof. As such, the building would form a substantial structure with a significant presence, dominating the immediate landscape and eroding the sense of openness that characterises the site.
14. In particular, the height of the proposed building would be visually prominent, and out of keeping with the low-lying, open qualities of the field and riverside setting. The combination of its elongated footprint and considerable ridge height would result in a structure that appears disproportionate and visually intrusive within its setting.
15. Furthermore, the building would be sited close to the northern boundary of the appeal site. Despite the presence of mature vegetation near the northern boundary, its screening effect is limited, particularly during winter months when foliage is sparse – making the building, due to its significant scale, more visible from the nearby footpath and highway. As a result, it would appear visually prominent and intrusive within the rural landscape.
16. In addition, the proposed building would be clearly visible from the river, which is a popular area in this location due to the presence of moorings and a marina on the southern bank. Its visibility from this vantage point would further contribute to the building's visual prominence and impact on the character of the riverside setting.
17. The Application Form indicates that the walls of the proposed building would comprise hollow concrete blocks with natural coloured timber cladding, while its roof would be of green coloured corrugated fibre cement sheeting. No elevational drawings have been submitted, so although the building materials proposed would be similar to those used on other agricultural buildings, I cannot be certain that the building's massing, form, appearance and detailing would harmonise with the established character of the area.
18. An extract from the Historic Environment Assessment of Local Services Villages (July 2012) (the HEA) shows that the proposed building would be sited within an area identified as having 'Low-Medium' archaeological sensitivity. The HEA indicates that such areas of ridge and furrow are considered to have value as examples of past land use and development, value as physical examples of upstanding remains, and/ or a potential to conceal evidence of earlier archaeology. The HEA advises that development proposals in such areas may require a programme of pre-determination assessment comprising a basic archaeological assessment including a walk-over survey and appraisal of likely impacts from proposed development works.
19. The appellant contends that no evidence of archaeological interest has been identified. However, in the absence of a thorough and substantiated assessment, this assertion remains unverified and cannot be relied upon. The appellant has indicated a willingness to accept a planning condition, should the appeal be allowed, requiring the submission of a survey. However, this would not address or mitigate the wider adverse impacts of the proposal that have been identified.
20. The proposed building would also be sited in proximity to trees growing near the northern boundary of the site. In the absence of detailed assessments, it is not possible to confirm that these trees would remain unaffected by the proposed

development, raising concerns about potential adverse impacts on their health and longevity.

21. For the reasons given, the siting, design and external appearance of the proposed development would have an unacceptably harmful effect on the character and appearance of the area. Consequently, prior approval should not be granted.

Conclusion

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

U P Han

INSPECTOR