

**APPEAL BY MR STEPHEN GALLIMORE AGAINST THE DECISION OF THE COUNCIL TO REFUSE PLANNING PERMISSION FOR A PORTAL FRAMED AGRICULTURAL BUILDING AT ALDERHAY LANE FARM, 58 HARRISEAHEAD LANE, STOKE-ON-TRENT**

<b><u>Application Number</u></b>	<b>13/00232/FUL</b>
<b><u>LPA's Decision</u></b>	<b>Refused by delegated powers on 17<sup>th</sup> June 2013</b>
<b><u>Appeal Decision</u></b>	<b>Allowed</b>
<b><u>Date of Appeal Decision</u></b>	<b>16th January 2014</b>

The full text of the appeal decision is available to view on the Council's website (as an associated document to application 13/00232/FUL) and the following is only a brief summary.

The Inspector considered the main issue in this case to be the effect of the proposed development on the living conditions of neighbouring occupiers, with regard to outlook. In allowing the appeal, he made the following comments:

- The appeal site comprises a farmyard located in a rural area, in the Green Belt.
- Alderhay Farm appears to be long established. It is set near a hill top and is largely surrounded by open countryside. It is accessed from Harriseahead Lane, along which there is ribbon development. As a consequence, the farm is in close proximity to a number of houses.
- As the proposed portal frame agricultural building would be required for storage purposes, it would necessarily be large and bulky. Its appearance would be typical of a modern agricultural building. The Inspector was mindful that the site is already used for storage purposes, albeit that the stacks of hay are under cover of plastic sheeting, rather than inside a building.
- The building would comply with the Council's Urban Design SPD and whilst it relates to new dwellings it provides some useful guidance with regards the impact of new buildings on existing dwellings. In particular, it indicates that new buildings should be designed so that they would not sit above a vertical angle of 45 degrees from the closest facing windows.
- The Inspector noted that both Nos. 56 and 58 would have rear-facing windows looking towards the proposed development. However, the proposed development would be set away from the boundary of the rear amenity areas of each property and there is nothing to suggest that the "45 degree rule" would be breached.
- The Inspector considered that while the proposal would appear prominently and reduce open views from the nearby dwellings, it would do so in the context of an ongoing active farm operation that would still allow for an acceptable outlook.
- It was concluded that the proposed development would not harm the living conditions of neighbouring occupiers.

**Recommendation**

That the decision be noted.