

## SECTION 8: THE PREVIOUS APPEAL DECISION

- 8.0 An appeal to consider conversion of the field barn in the manner now proposed was dismissed because the inspector regarded the extent of the works to convert the building would encroach into the open countryside and would be harmful to its character and appearance.
- 8.1 The applicant did not agree with this conclusion especially having regard to the improvements listed above. He clearly wishes to ensure his activities improve rather than detract from the quality of the immediate countryside. Since that decision the planting referred to above now ensures that the field barn would be unseen from any public vantage point.
- 8.2 The Inspector also concluded that the proposal then could not be viewed as complementary to a larger tourism related scheme.
- 8.3 The business plan produced by ADAS recommends converting the other buildings into holiday accommodation to bring about profitability so moving matters on positively since the appeal decision. By 2007 Geoffrey Jordan will be operating the farm full time and the accompanying business plan sets out the objectives to that end which include the conversion of other buildings to holiday lets.
- 8.4 The use of the building has always been agricultural. In late 1999 the applicant sought determination under Part 6 and 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as to whether the prior approval of the Local Planning Authority was required for an alteration that increased the height of the existing walls, extended forward the main side walls and re-roofed the building with artificial slates. The authority replied stating that prior approval was not required so confirming the use of the building as agricultural.
- 8.5 Subsequent to the appeal being dismissed in 2000 the building has continued in agricultural use. Enforcement action would have been expected if there had been any reason to believe that the agricultural use of the building was not genuine. The circumstances of this application are therefore different with respect to the consideration of the "original" building and there is no doubt that it was properly extended and altered under permitted development rights and used for agricultural purposes.

### Visual Assessment

- 8.6 Trebandy Farm is located in a rural landscape, which is visually influenced by small settlements, farmsteads with large scale agricultural buildings and electricity transmission lines. Trebandy House, which is painted white and located on the lower western part of the farm, is a prominent feature in the local landscape in some views. The application site is situated in a slightly elevated position at the northern boundary of the farm. The application barn is a very small feature in relation to the wider landscape and its features.
- 8.7 Since the appeal decision in August 2000 the applicant has undertaken extensive planting close to the redundant building. To the east and to the south of the access track a plantation is now beginning to mature. Along, the north east, north west and south west boundaries of the site in which the building is located, dogrose and thorn hedges are beginning to mature.
- 8.8 This planting and the small nature of the proposal, combined with minimum intervention render the proposal visually unobtrusive. The sensitive siting and treatment of the new access road and parking area further minimise and mitigate any visual impact of the proposal.
- 8.9 The application site is suitable for the proposed barn conversion, which would be introduced in a manner appropriate to development within the countryside. This would be achieved through design and careful use of natural materials which reflect the character of the surroundings.

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## **SECTION 9: MATERIAL CHANGES SINCE THE APPEAL DECISION OF AUGUST 2000**

9.0 Important material changes have taken place since the appeal decision of August 2000 namely:-

- 1) A substantial decline has occurred in two national economic sectors (agriculture and tourism) upon which Herefordshire is highly dependent.
- 2) The foot and mouth crisis of 2001 has compounded an already increasing decline.
- 3) DEFRA recognised in March 2000 (Strategy for Agriculture: An Action Plan for Farming) that the growing problems facing farmers were having wider implications on the rural economy.
- 4) Subsequent to the above, the rural development programme has been initiated to stimulate an upturn in the rural economy. To date this has had little or no effect.
- 5) A Rural White Paper (November 2000) has been produced. This keynote document identified poor housing, increased unemployment, loss of social facilities and poor transport resulting in a growing sense of isolation amongst the rural community.
- 6) Initiatives such as Rural Development Agencies and Rural Priority Areas have raised awareness of the need to acknowledge a requirement for a wider based economy in rural areas.
- 7) During the period since August 2000 the UK tourist industry has been in decline and now runs a £15.2 billion deficit.
- 8) Fears of international terrorism exacerbate this situation.
- 9) A new planning policy guidance note (no. 21) Tourism has been produced (November 2000) and recognises the need to diversify.
- 10) The emerging UDP for Herefordshire recognises the parlous state of agriculture and tourism and positively encourages development that will improve the rural economy.

- 11) The UDP now refers to rural rather than agricultural buildings when considering alternative uses. This introduces a much greater degree of flexibility embracing many more buildings than those that are solely used for agricultural purposes.
- 12) The applicant has commissioned ADAS to advise on the best way forward for the business. ADAS have recommended further diversification to tourism. The field barn should now be considered in this context. The inspector concluded that because it could not be seen in this context (in August 2000) this was a shortcoming leading to one of the reasons for dismissing the appeal.
- 13) The planting referred to above has now matured to cause the field barn to be unseen in the wider landscape from any public vantage point and it must be remembered that the inspector concluded that the visual impact of the proposal would in any case be limited.
- 14) Much of what is set out in this report was not brought to the attention of the inspector when the appeal was considered.