
Appeal Decision

Site visit made on 28 November 2016

by Veronica Bond LLB (Hons), Solicitor (non-practising)

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7th December 2016

Appeal Ref: APP/C3105/D/16/3159523

Orchard Barn, 40 Yew Tree Close, Launton OX26 5AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr I Cattle against the decision of Cherwell District Council.
 - The application Ref 16/00798/F, dated 26 April 2016, was refused by notice dated 7 July 2016.
 - The development proposed is single storey extension to rear, new roof light window, summer house.
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Decision

1. The appeal is allowed and planning permission is granted for single storey extension to rear, new roof light window and summer house at Orchard Barn, 40 Yew Tree Close, Launton OX26 5AE in accordance with the terms of the application, Ref 16/00798/F, dated 26 April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1077085-16-01; 1077085/02; 1077085/03/A; 1077085/04; 1077085/05.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Application for costs

2. An application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and area, and on the setting and significance of nearby listed buildings and non-designated heritage assets.

Reasons

4. The appeal property is a converted barn, adjoining another similar property and divided from the original farmhouse by Yew Tree Close. This is an access road to a modern development sitting behind these buildings. Although not locally listed, the host property is identified by the Council as a non-designated heritage asset. It retains features characteristic of its original form including its single storey design and gabled roof. From the public domain, the asset is primarily appreciated in views of its front elevation, which faces Yew Tree Close. The main garden area to the property fronts Station Road and various domestic paraphernalia within the garden can be seen from the street.
5. The proposal would include the construction of a single storey extension to what is effectively the rear elevation of the property. It would reflect the roof form of the original barn but would be set down at roof level and set back from the side elevation, and would be narrower in width than the appeal building. Its primarily glazed elevation to Station Road would enable it to clearly appear as a later addition and would also decrease the appearance of massing. In this way it would be sensitive to the significance of the host property as an undesignated heritage asset and would not compete with its original character. The extension would be positioned to the rear of the site and close to the side boundary with The Elms, so it would not appear unduly prominent.
6. Yew Tree Farm is a Grade II listed two storey farmhouse building featuring cross windows and traditional materials. Although the host property can be seen in views of Yew Tree Farm, the presence of the access road in-between and modern development to the rear alters how its significance is experienced and means that the historic connection between the farmhouse and barn buildings is less readily apparent. Further, main views of the frontages of the two properties together would not be adversely affected by the proposed extension, which would be to the rear elevation as proposed.
7. The Elms is a traditional style dwelling adjacent to the appeal property which features a wide frontage and cross style windows in common with Yew Tree Farm. Given the boundary screening between The Elms and Orchard Barn, the former is primarily experienced separately from the appeal property. As such, although the proposed extension would be on the elevation facing this property, the boundary wall and greenery between the two would afford a good level of screening. This, coupled with the modest scale and simple design of the extension would ensure that the setting of The Elms would be preserved.
8. Home Farm House is another listed building located to the south west of the host property. On the evidence before me, this building does not share the same degree of historic connection with the appeal building as Yew Tree Farm does, and given its distance from the appeal property, its significance is not appreciated in views of the host property and I consider that the setting of Home Farm House would thus be preserved by the appeal proposal.
9. As regards the summer house proposed, this would be positioned towards the frontage of the plot as facing Station Road. However, I do not consider that it would have any greater impact than the other domestic paraphernalia which can currently be seen, in that it would be of modest size and of a common domestic design. The roof light window proposed would be of small size and positioned to the rear of the roof slope facing towards the adjoining property. Although I note the Council's comment that limited information is provided

regarding its dimensions, it would appear similar to others seen on the adjoining building. Thus, these aspects of the proposal also would preserve the character and appearance of the host property, along with the settings of the listed buildings and non-designated heritage assets identified.

10. I acknowledge that the application relating to the conversion established that the conversion was required to be of a high standard and prevented extensions or new openings without express consent. I acknowledge comments that usually buildings such as the host property would be curtilage listed, along with comments in Historic England guidance regarding minimising alterations to this sort of building. As outlined, I have found that the proposal would be of a high standard and discreet design, appropriate to the host property and its surroundings. Although the existing L shape footprint of the appeal building would be altered by the proposal, its original form would remain apparent in that the proposed extension would clearly read as a later addition. Further, main views of the principal elevation of the building would remain unaffected.
11. I have taken into account also comments made regarding the aims of the National Planning Policy Framework (Framework) seeking to emphasise the importance of heritage assets and their settings as an irreplaceable resource. I have though found the proposal to be in accordance with those aims.
12. I conclude on the main issue that the proposal would preserve the character and appearance of the host property and area, and setting and significance of nearby listed buildings and non-designated heritage assets. It would comply with saved Policies C28 and C30 of the Cherwell Local Plan (November 1996) and Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 (adopted 20 July 2015). These seek, amongst other things, new development which is sympathetic to the character of its context, extensions compatible with the dwelling and character of the street scene, and development which conserves and enhances heritage assets and their settings.
13. In the terms of the Framework paragraphs 132-135, I do not find there to be any harm to either designated or non-designated heritage assets. I find no conflict either with the underlying aims of the Council's Design Guide for the conversion of farm buildings (first published 1989 – revised 1998 and 2002) which include preserving the principal characteristics of barns and ensuring that any extensions are of a simple form. In reaching my conclusion, I have undertaken my duty pursuant to s66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 as regards development affecting a listed building or its setting. Accordingly, I have had special regard to the desirability of preserving the listed buildings cited and their settings and any features of special or architectural or historic interest which they possess.

Conclusion and Conditions

14. For these reasons, and taking into account all other matters raised, I conclude that the appeal should succeed. I have imposed the standard time limit and plans conditions in the interests of clarity. I have required that materials be approved rather than match the existing as it appears from the plans that some different materials are intended to those used in the host property.

Veronica Bond
INSPECTOR