
Appeal Decision

Site visit made on 31 October 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 3 November 2017

Appeal Ref: APP/J0405/W/17/3179319

Barnwell Farm, Station Road, Marsh Gibbon OX27 0HN

- 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 Andrew & Mrs Clare Barsby against the decision of Aylesbury Vale District Council.
 - The application Ref 16/04482/APP, dated 14 December 2016, was refused by notice dated 10 February 2017.
 - The development proposed is replacement of flexible use building.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Andrew & Mrs Clare Barsby against Aylesbury Vale District Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area, and whether users of the development would have acceptable access to shops and facilities.

Reasons

Character and appearance

4. Barnwell Farm comprises an isolated group of buildings, rural in nature and surrounded on three sides by large open fields, and on the fourth side by a smaller field which separates the complex from the two dwellings at Kensington Villas. In addition to the main house at the Farm there are three outbuildings including that to be replaced by the proposal. These outbuildings are low and are screened from most public viewpoints by the hedging which runs along the north and south boundaries of the Farm. Indeed from Station Road only the roof of the existing bungalow is visible.
5. The appellant's design and access statement advises the proposed building would measure 6.9 metres at its highest and they have subsequently confirmed that this would be 1.45 metres higher than the existing bungalow. As such the proposal would be clearly visible from positions along Station Road.

6. Moreover there is a public footpath which runs close to the western boundary of the site across the fields. The development would appear prominently from here, particularly through the gap between the existing bungalow and the hedge along the south boundary of the Farm.
7. From these locations, the proposal would appear as a large building, dominating its immediate setting, including the existing bungalow. I do not consider it would appear as an organic growth of the Farm and instead would upset the existing natural composition of the group; being a farm house with a number of smaller ancillary buildings.
8. I recognise the New Buildings in the Countryside Supplementary Planning Guidance (SPG) guards against squat buildings, and that steep roofs are locally traditional. Nonetheless in this instance, due to the width and depth of the building, such a roof adds considerable bulk to the structure and, as suggested in paragraph 3.10 of the SPG, looks 'overscaled'. Furthermore, the low eaves height does little to lessen the massing of the roof and the materials, whilst more traditional and harmonious than the existing breeze block walls and corrugated roof, do not materially alleviate the visual scale of the building. The large window proposed for the east elevation would also contrast with the smaller windows of the existing rural buildings, though I accept this elevation would be the least visible from public viewpoints.
9. As such the development would appear incongruous in its setting and would therefore harm the character and appearance of the area. Accordingly, it would be contrary to Policy GP.35 of the Aylesbury Vale Local Plan which aims to ensure development complements, among other factors, the characteristics of the site and its surroundings. It would also conflict with the SPG as set out above, and the National Planning Policy Framework (the 'Framework') which, as one of its core planning principles, advises that development should take account of the character of its area and recognise the character of the countryside.
10. The site is within the area covered by the Marsh Gibbon Neighbourhood Plan. Due to the proposal's incongruity, it would fail to accord with Policy MG2 of this document which requires developments to be assets to the street scene.

Shops and facilities

11. The site is detached from the built up part of Marsh Gibbon and, whilst the distance to the village is not prohibitive to walking or cycling, the lack of any pavement or street lighting, makes it unattractive for these modes, particularly in the dark. As such, I consider the site does not have acceptable access to the shops and facilities within Marsh Gibbon.
12. However on 12 December 2016 the Council considered a change of use of the existing building from an agricultural use to a flexible use, as defined by Class R of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended), is permitted development. Whether or not that change of use has occurred is not critical to my considerations as this does not affect the ability of the building to be used for any of the uses referred to in Class R¹, subject to the basic requirements of Class R.3(1)(a).

¹ Classes A1, A2, A3, B1, B8, C1 or D2

13. Therefore, taking account of the range of uses that could readily occur at the existing building, and the dependence that future users of those uses would have on the private car to access the site, I do not consider the proposed replacement building, though slightly larger, would exacerbate this dependence further.
14. Therefore although the development would not accord with the Framework by failing to make the fullest use of cycling, walking and public transport, the harm resulting from this is offset by the potential uses of the existing building.

Other matters

15. I accept the replacement building would be more appropriate than the existing building for a range of future uses. Nonetheless this does not justify the harm that this development would cause to the character and appearance of the area.
16. Similarly I do not consider the support to the rural economy that could be provided by the development outweighs the need for the development to respect the characteristics of its locality.

Conclusions

17. Although the failure of the development to provide acceptable access to shops and facilities is counteracted by the range of readily achievable uses at the site, the harm to the character and appearance of the area is not outweighed by this or any other matters. Consequently, for the reasons given above, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR