



Appeal Decision

Site visit made on 31 October 2017

by David Murray BA (Hons) DMS MRTPI

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

Decision date: 14th November 2017

Appeal Ref: APP/F1610/W/17/3180438

Old Silk Mill, Draycott Road, Blockley, Moreton-in-Marsh, GL56 9DY.

- 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 and Mrs D Simister against the decision of Cotswold District Council.
 - The application Ref. 17/02162/FUL, dated 25 May 2017, was refused by notice dated 11 July 2017.
 - The development proposed is the conversion of a former cowshed to ancillary residential accommodation.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of a former cowshed to ancillary residential accommodation, at the Old Silk Mill, Draycott Road, Blockley, Moreton-in-Marsh, GL56 9DY, in accordance with the terms of the application, Ref. 17/02162/FUL, dated 25 May 2017, and the plans submitted with it, 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 external walls of the development hereby permitted shall be built of natural Cotswold stone with the same stone colour and size, coursing bonding, method of bonding and mix and colour of pointing to that of the existing wall and shall be retained as such thereafter. In addition the pointing shall have a marginally recessed finish and shall be brushed or bagged to match the existing.
 - 3) The oak used in the external elevations shall not be treated in any way and shall be left to weather and silver naturally and shall be retained as such thereafter.
 - 4) The roof slope of the development hereby permitted shall be covered with natural blue slate and retained as such thereafter.
 - 5) All windows and doors of the proposed development shall be of timber construction and shall be retained as such thereafter.
 - 6) The new rooflights shall be of a design which when installed shall not project forward of the roof slope in which the rooflights are installed and shall be retained as such thereafter.
 - 7) The residential accommodation hereby approved shall only be used for purposes ancillary to the main dwelling of the Old Silk Mill, including for accommodation for employees (and resident dependants) of the

occupiers of that property, and at no time shall an independent dwelling be established.

Preliminary matter

2. The application was made for the conversion of the building into ancillary residential accommodation. However, the Council revised the description to read 'conversion of barn to residential'. This may change materially the proposal put forward and I have considered the scheme on the basis of the original description.

Main Issues

3. The main issue is the effect of the proposal on the character and appearance of the existing barn and its setting within the Blockley Conservation Area, together with the Cotswold Area of Outstanding Natural Beauty (AONB), and whether any harm is outweighed by public benefits including ensuring its optimum viable use.

Reasons

Background

4. The appeal site comprises a complex area of land which all falls within the curtilage of the 'Old Silk Mill', the appellants' dwelling, which lies within the village of Blockley. The northern part of the site comprises the access to and part of the gravelled parking area in front of the Old Silk Mill, and this is linked via a pedestrian footbridge over a narrow stream to the southern element of the site which is land locked and includes the existing former cow-shed building proposed for conversion. This building is open fronted and has a side and a rear wall of natural stone and a roof of a corrugated material. It is apparent that a certificate of lawfulness was granted in November 2016 for the use of a parcel of land, including the building the subject this appeal, as residential curtilage of the Old Silk Mill.
5. The northern part of the site lies within the Blockley Conservation Area and the southern part, including the building, lies outside but adjacent to it. All of the site forms part of the Cotswold Area of Outstanding Natural Beauty.
6. It is proposed to increase the width of the building by extending the side walls and introduce a new sloping roof with a natural slate covering, and most of the open front side would be enclosed by fenestration and feather edge board. The enlarged building would be converted to a modest two bedroom property with bathroom and kitchen/living room with part of the remaining space converted to storage.

Policy context

7. The development plan for the area includes saved policies in the Cotswold District Local Plan adopted in 2006. As this predates the National Planning Policy Framework (the Framework), weight can be given to these policies depending on their degree of consistence with the Framework.
8. I note that the Council is preparing a new local plan but given that this still appears to be at the examination stage only limited weight can be given to its provisions. The Council says that the site lies outside an existing settlement boundary and in the countryside where policy 19 applies and this allows the

conversion of rural buildings to open market housing subject to detailed criteria. I also note the appellants' agent's representation about additional development recently being allowed in Blockley that accords with the emerging plan. It therefore appears to me that there is not an objection in principle in the development plan to the proposed conversion. The Council's objection to it relates to the changes proposed to the building itself and the effect on the special character of the Conservation Area and the wider AONB.

Effect on character and appearance

9. At my site visit I assessed the existing building from the site itself; from the public footpath which runs to the south of the building and from the wider public realm around Draycott Road.
10. The rear outer wall of the building and the east facing side elevation are very apparent from the public footpath, while the other elevations of the building are well screened and currently they are largely only seen from the curtilage of the Old Silk Mill itself. Nevertheless, the simple scale, linear form and mainly natural materials result in a traditional stone building which is characteristic of both the Conservation Area and the AONB. I agree with the parties that it is a non-designated heritage asset that is worthy of preservation.
11. The proposed changes to the building to facilitate conversion to ancillary residential accommodation would be undertaken within the existing height of the main rear wall plus reused tabling on the top, but the side walls would be extended by about 1.4 m and heightened at an angle. This would have the consequence of lowering the pitch of the new roof. Although this change to the pitch would result in a roof form that would be lower than a traditional building, it would result in an overall enhancement of the roof with the change to natural slate from corrugated sheeting. Further, although the Council is concerned about the addition to the width of the structure, I do not consider that this would change materially the basic linear form of the building. The main change would be to the open elevation facing the garden but although this would be partially infilled with timber cladding and fenestration, the rhythm of vertical posts and the treatment of the spaces in between would reflect the original openings.
12. Overall in terms of the development plan, I find that the alterations proposed would not exceed what is reasonable and would accord with the details of saved Policy 14, particularly clauses (a), (b) and (d); and saved Policy 28(a). The provisions of these policies broadly accord with the Framework and should be afforded moderate weight.
13. Regarding other national guidance, the Framework indicates in paragraph 115 that great weight should be given to conserving the landscape and scenic beauty of such AONBs which have the highest status of protection and I find that the proposal would not be inconsistent with these aims. The Council also refers to the tests set in paragraph 55 of the Framework in relation to the circumstances applying to a new isolated home in the countryside, but in this case I do not consider that the residential accommodation proposed would be isolated from the other houses that make up the village. Therefore these tests do not apply in this case.
14. I am satisfied that the use and the physical changes proposed do not materially affect the overall form and character of the building which would remain as one

characteristic of the AONB nor would the conversion harm its setting within and on the edge of the Conservation Area. Further, the changes proposed would both preserve and enhance the character and the appearance of the Blockley Conservation Area, when this is considered as a whole, and therefore the statutory test is met. As the proposal would not result in harm to the heritage asset I do not need to consider issues regarding the public benefits and the optimum viable use of the building.

Planning Balance

15. On the main issue I have found that the use and work proposed would respect and maintain the form and character of the existing former cattle shed and its setting in the Conservation Area and the AONB. The proposal would therefore meet the terms of the development plan, as relevant, and the national guidance set out in the Framework. I am satisfied that the proposal constitutes 'sustainable development' assessed against the Framework when this is read as a whole. There are no other considerations which outweigh this position and I will grant planning permission in accordance with the third bullet point of paragraph 14 of the Framework.

Conditions

16. In terms of conditions, the Council recommends 5 which I will consider under the same numbering. All of the conditions suggested by the Council refer to the need for further details of the external materials involved in the conversion or the treatment of the building. These are necessary to ensure that the simple vernacular character and appearance of the host building is not harmed by the conversion work. I will therefore impose these conditions but where they refer to the materials being retained 'in perpetuity' this wording is unnecessary and I will vary it. Further, although not recommended by the Council, as the proposal is for ancillary residential accommodation and given the unsuitability of the site for the creation of an independent dwelling as it would be wholly dependent on the access, parking area and much of the garden of the Old Silk Mill, I will impose a condition similar to that put forward by the appellants' agent to ensure that a separate dwelling is not established.

Conclusions

17. For the reasons given above I conclude that the appeal should be allowed.

David Murray

INSPECTOR