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## Appeal Decision

Site visit made on 04 March 2019

**by J Slominski BA(Hons) MCD**

**an Inspector appointed by the Secretary of State**

**Decision date: 9<sup>th</sup> July 2019**

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**Appeal Ref: APP/J0405/W/18/3218124**

**Land West Of Millway, Winslow Road, Wingrave, Buckinghamshire, HP22 4PT**

- 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 Dr E Ablani against the decision of Aylesbury Vale District Council ("the Council").
  - The application Ref 18/01997/APP, dated 31 May 2018, was refused by notice dated 23 January 2019.
  - The development proposed is Recladding and reroofing of Existing Barn.
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### Decision

1. The appeal is allowed and planning permission is granted for Recladding and reroofing of Existing Barn at Land West Of Millway, Winslow Road, Wingrave, Buckinghamshire, HP22 4PT in accordance with the terms of the application, Ref 18/01997/APP, dated 31 May 2018, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin no 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: Plans as Existing mp.24; Plans as Proposed mp.24.
  - 3) The materials to be used in the development shall be as indicated on the approved plans unless otherwise approved in writing by the Local Planning Authority.

### Preliminary Matter

2. The address of the site has been described differently on the application form, appeal form and decision notice. The site is accessed from Winslow Road, not Wingrave Road, so I have taken the address from the Council's decision notice as it best describes the site's location.

### Main Issue

3. The main issue is the effect of the proposal on character and appearance, with particular regard to landscape character.

## Reasons

4. The site is part of a field on the southern side of Winslow Road. It is surrounded by open fields, and there is housing to the east. There are no formal site boundaries, and the site has an unmarked curtilage within a larger field. The nearest demarcated boundaries are formed of hedgerows and trees. The concrete frame of a derelict barn stands on the site, and the proposal comprises the re-cladding of that frame with metal, brick and timber.
5. The site is located within an Area of Attractive Landscape, in which Policy RA.8 of the Aylesbury Vale District Local Plan 2004 (the "Local Plan") states that developments should respect the landscape character. Local Plan Policy GP.35 and Policy 5 of the Wingrave with Rowsham Parish Neighbourhood Plan 2013-2033 (the "Neighbourhood Plan") also require new development to respect and complement the physical characteristics of the site and surroundings, including architectural character, scale of surrounding buildings, and the topography and setting of sites.
6. The existing frame is an incongruous feature within its setting, and in its current state it does not make a positive contribution to the character and appearance of the surrounding landscape.
7. The proposal would not increase the size or scale of the structure, but it would change its appearance, resulting in a solid building. It would have the appearance of an agricultural building, with lightweight cladding materials and no windows on the elevations (other than rooflights). The site is surrounded by countryside and the cladding of the structure would not close any visual gaps, nor would it prevent views of the countryside. The proposal would not result in an incongruous feature (especially when compared to the existing structure) and the increased solidity arising from the agricultural design of the proposed cladding would not result in an unsympathetic or overly dominant appearance.
8. I therefore find that the proposed recladding and re-roofing would accord with Local Plan Policies GP.35 and RA.8 and Neighbourhood Plan Policy 5.

## Other Matters

9. The Council acknowledged that the structure exists, but treated the proposal as a new agricultural building rather than re-cladding, presumably because the frame does not currently have any cladding and does not provide any shelter. The parties disagree about whether the structure is capable of receiving the proposed cladding. The existence of that structure is a material consideration, and the application is for the cladding of that structure, not for replacement with a new building. The proposal is clearly described by both parties as recladding and not the erection of a new building; I have taken the proposal at face value and this appeal decision relates solely to the re-cladding of the existing structure.
10. In its delegated report, the Council accepted that the proposal would accord with Policy 1 of the Neighbourhood Plan, which supports development within the open countryside that is necessary for the purposes of agriculture. However, the Council went on to refuse the development on the basis that there was no need for the development and the resultant harm caused in relation to Policy 5 of the Neighbourhood Plan. The harm caused, in the Council's view, relates to character and appearance caused by the size and

scale of the agricultural building, which it felt did not result in a sustainable form of development. I have not been provided with any other policies which require the need for agricultural buildings to be justified.

11. As I have found that the development would not result in harm to landscape character, and there are no other policies before me which resist the proposal on the basis of need, it follows that there is no further requirement to justify the harm through demonstration of need.
12. The proposal would accord with the aims in the National Planning Policy Framework ("the Framework") and the National Planning Policy Guidance relating to good design.

### **Conclusion and Conditions**

13. I have found that the proposed development would accord with the development plan, and having had regard to the other matters raised, the appeal should be allowed.
14. I have imposed conditions relating to the timescale for development, and compliance with the approved plans, in the interests of clarity and good practice.
15. I have also imposed a condition requiring the development to be constructed in the materials indicated on the approved plans, in the interests of good design.

*Jan Slominski*

INSPECTOR