



Appeal Decision

Site visit made on 7 October 2019

by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th October 2019

Appeal Ref: APP/D3125/D/19/3231387

1 Davenport Close, Great Rollright OX7 5AN

- 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 Miss Jennifer Hutchings against the decision of West Oxfordshire District Council.
 - The application Ref 19/00103/HHD, dated 30 December 2018, was refused by notice dated 1 April 2019.
 - The development proposed is described as a "greenhouse with metal frame 6ft by 10ft, to side of house within my boundary".
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Great Rollright Conservation Area.

Reasons

3. The Great Rollright Conservation Area is extensive, washing over the village and parts of the surrounding countryside. Consequently, its character, and the attributes which contribute to its significance, varies across the area. The appeal site forms part of a recently constructed housing development which is accessed from Old Forge Road. The gable end of the appeal property faces the road. This is set back behind a garden area which is fronted by a low stone wall.
4. Open garden areas to the front of the buildings on the south side of the road are common in this part of the Conservation Area. The general absence of outbuildings in these private open areas makes a significant contribution to the character and appearance of this part of the Conservation Area. It has resulted in an open and verdant character.
5. The provision of a greenhouse, within the garden, has introduced a building into this area in stark contrast to the established form of development in this part of the road. Regardless of its relatively modest size, and positioning, away from the front boundary, and surrounding planting, it has resulted in a form of development which is not in keeping with the character of the immediately surrounding area.
6. There is boundary fencing close to the site, however its siting and design has allowed for the retention of a sense of openness to the fronts of the buildings on the south side of Old Forge Road. Boundary structures and parked vehicles,

regardless of their colour, are also different in character to a greenhouse, which, whilst being a light weight structure and transparent, is nevertheless an outbuilding. This building has harmfully eroded the open and verdant character to this part of the Conservation Area.

7. The provision of a greenhouse in a conservation area is not expressly contrary to planning policy. I also accept that such buildings are sometimes located outside of a rear garden. However, the effect of each development on a conservation area must be considered on its individual merits. The greenhouse is not a bright colour and it was in a tidy condition. But these factors do not sufficiently mitigate the impact of the development so that it is not harmful.
8. The property opposite is bounded by a high stone wall. This is a long-established feature of the Conservation Area and it sits to the north of Old Forge Road where, in this location, open areas to the front of buildings are not a defining characteristic. The presence of this wall does not justify the appeal development or minimise its impact. Other extensions and alterations to properties in the Conservation Area has been brought to my attention. However, the nature of those developments and the context is not comparable with the appeal scheme. Therefore, this does not affect my conclusion as to the harm that has resulted.
9. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. This is a matter of considerable importance and weight. The greenhouse is seen from a small section of the Conservation Area and consequently the extent of the harm to the heritage asset is "less than substantial" in the terms of the National Planning Policy Framework (the Framework). It is apparent that the use of the greenhouse brings pleasure to the appellant and some other local residents and allows for the growing of produce which has environmental benefits. However, the scale of these public benefits is modest and does not outweigh the great weight that must be given to the conservation of a heritage asset even where the degree of harm is less than substantial.
10. For these reasons the proposal would not preserve or enhance the character or appearance of the Great Rollright Conservation Area. As such it would be contrary to the conservation and design aims of Policies OS2, OS4, EH9 and EH10 of the West Oxfordshire Local Plan 2031 adopted September 2018. The proposal would also run counter to the thrust of the Framework's aims to conserve heritage assets.

Other matters

11. I have noted there was some local support for the development, that the Parish Council did not object to the proposal and subsequently raised concerns about the refusal of the planning application. I have taken this support into account; however, I must reach my own conclusions on the planning merits of the development and this support does not outweigh the conclusion I have reached on the main issue.
12. The Council has latterly raised a concern about the effect of the development on the setting of a nearby listed building. Given the proximity of this building to the appeal site, any harm to the character and appearance of the conservation area would result in harm to the setting of this building. In view of my

conclusion on the main issue, it is not necessary to deal with this matter in any detail.

13. Despite my finding on the main issue, I consider that the scale of the greenhouse and the site's location, in a residential area, mean it would not fail to conserve the landscape and scenic beauty of the Cotswold Area of Outstanding Natural Beauty in which the site lies. This does not, however, mitigate the harm I have found.

Conclusion

14. The adverse effects of the development are sufficient to mean that the proposal would conflict with the development plan when taken as a whole. For the reasons given above I conclude that the appeal should be dismissed.

K Taylor

INSPECTOR