



Appeal Decision

Site visit made on 7 January 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th March 2020

Appeal Ref: APP/V3120/W/19/3238825

Plough Inn, Eaton Road, Appleton, Abingdon OX13 5JR

- 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 REL Group Ltd against the decision of Vale of White Horse District Council.
 - The application Ref P18/V2418/FUL, dated 25 September 2018, was refused by notice dated 26 June 2019.
 - The development proposed is a reduced scheme to provide two detached homes, together with improvements and alterations to the Public House.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An area of disagreement between the parties is whether the proposed erection of the 2 dwellings constitutes enabling development to support the proposed improvements to the Plough Inn. From a review of the application documentation and the information before me, I can see no evidence to support a case that the dwellings should be considered as enabling development. I have therefore considered the appeal on this basis.

Main Issue

3. The main issue is whether the proposed development would harm the character or appearance of the Appleton Conservation Area and the setting of the Plough Inn, a non-designated heritage asset.

Reasons

4. The Plough Inn lies within the Appleton Conservation Area. The Conservation Area is mainly focused around the historic core of the village and contains a number of key buildings and spaces. These identify and define the historic development pattern and historic land use of the village. The form, scale, materials and detailing of these buildings are defining features of its character and appearance. The significance of the Conservation Area therefore lies in the way it includes a range of buildings and spaces that reflect the historic growth of this rural settlement.
5. The Plough Inn is identified as a non-designated heritage asset. The significance of the building derives from a combination of its age and the role

- the building has played as a meeting place for the community. I note that the pub was designated as an Asset of Community Value in 2015.
6. The interpretation of the past use of the appeal site and the significance of the building differs between the parties. Over the years, much has changed around the appeal site. However, it is clear that in more recent times, it comprises an open area of land, predominately used as a beer garden associated with the Plough Inn. The significance of the appeal site is therefore derived from its role as an undeveloped, open area of land within the Conservation Area and, as part of the Plough Inn, the role it plays as a meeting place for the local community.
 7. The proposed development would involve the construction of 2 detached dwellings on the existing pub garden. The proposal also includes an extension to the public house to provide improved kitchen facilities and internal toilet facilities. An existing outbuilding, which currently provides toilet facilities, would be demolished. A reconfiguration of the pub car park would also be undertaken, along with improvements to the outside space to the side of the building.
 8. It is recognised that wider views into the area are restricted by surrounding development. However, where there are views, these are seen in the context of the existing Public House. As such, these views are considered to be important to the significance of the non-designated heritage asset. The proposed housing development would almost entirely remove the existing open aspect and introduce development into the open space. I note that careful attention has been paid to the overall design of the dwellings and the proposed materials to be used. However, whilst the careful design approach is welcomed, the overall scale, bulk and massing of the new dwellings would overly dominate the views of the open area and significantly change the experience and nature of these views. Therefore, as a result of the loss of the open space and the relationship of the proposed buildings to the Plough Inn, the proposed development would constitute harm to the setting of the non-designated heritage asset.
 9. I have had regards to my duty under S72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 as to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Accordingly, I conclude the proposal would cause less than substantial harm to the significance of the Appleton Conservation Area as a designated asset. Paragraph 134 of the National Planning Policy Framework (The Framework) requires such harm to be weighed against the public benefits of the proposal.
 10. I have considered the issue of the provision of two additional dwellings, which would also help to support local services and facilities and provide investment in terms of its construction. However, given the modest scale of development proposed, and the fact that the Council can currently demonstrate a 5year housing land supply, the associated benefit carries only limited weight relative to the harm and the associated development plan policy conflict identified above.
 11. The proposed development would include a number of additions to the existing Plough Inn, which would provide an enhanced kitchen area and improved toilet facilities. Works are also proposed to provide an improved outside area to the side of the public house. Evidence has been submitted to support a case that

the improvement works are considered necessary to ensure the overall long-term viability of the public house, although I note that there are contradictory submissions with regards to the current viability of the business.

12. It is well documented that the economic conditions for rural pubs are challenging and the viability of such businesses often rests on a combination of good management, a diverse offer and their location. It is clear from the representations submitted that the Plough Inn is regarded as a valued local facility within the village. From my site visit, I noted the constraints around the current arrangement of the pub and acknowledge that the proposed works to The Plough would support the future operational viability of the pub. The works would also include improvements to the external appearance of the building and the removal of an above ground oil tank. I consider these parts of the proposals would be positive enhancements to the Conservation Area and to the setting of a non-designated heritage asset.
13. As such, I therefore consider the proposed works to the Plough Inn would deliver some public benefits, through the upgrading and improvements to the public house.
14. It is intended that these improvement works would be funded by the receipts from the development of the proposed houses. I am however, not convinced of the relationship between the need to build homes and the proposed improvement works to the Plough Inn. On the information before me, it would appear that the proposed works to the pub are relatively modest in size and scale and could be considered to be required as part of on-going maintenance and management of the building and the business. Other than through the generation of capital, there would appear to be no direct link or interdependency between the two elements. No evidence has been put to me to demonstrate that alternative methods to fund the improvement works, in isolation from the development of the 2 dwellings have been explored and discounted. For this reason, I find that a Section 106 Agreement is not justified in this case.
15. Although I recognise the need for the improvement to the Plough Inn and have concluded that these would provide some public benefit and, whilst the harm to the significance of the Conservation Area is less than substantial, this benefit is not sufficient to outweigh that identified harm to the Conservation Area.
16. I therefore conclude the proposal would fail to preserve the character or appearance of the Appleton Conservation Area and would cause less than substantial harm to its significance as a designated asset. In the absence of any significant public benefits to outweigh this harm it would be in conflict with Saved Policy HE1(Preservation and Enhancement: Implications for Development) of the Vale of White Horse Local Plan 2011, Policy CP39 (The Historic Environment) of the Vale of White Horse Local Plan 2031 Part 1, Policies DP36 (Heritage Assets) and DP37 (Conservation Areas) of the Vale of White Horse Local Plan 2031 Part 2 and the policies of the Framework which, amongst other things seek to protect the character and appearance of a conservation area, and where possible enhance, designated heritage assets and non-designated heritage assets.

Conclusion

17. For the reasons I have set out above, I conclude the appeal should be dismissed.

Adrian Hunter

INSPECTOR