



Appeal Decision

Site visit made on 23 June 2020

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2020

Appeal Ref: APP/V3120/W/20/3244773

Gainfield Farm, Gainfield, Buckland, Faringdon SN7 8QH

- 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 J Beasant against the decision of Vale of White Horse District Council.
 - The application Ref P19/V1596/FUL, dated 28 June 2019, was refused by notice dated 19 September 2019.
 - The development proposed is the change of use of agricultural land to private amenity space in relation to a Class Q application P19/V0747/N4B.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In my heading above I have taken the appellants' names from the appeal form as the planning application only referenced a surname.
3. Since the Council made its decision the Vale of White Horse District Council Local Plan 2031, Part 2, Detailed Policies and Additional Sites (LP2) has been adopted in October 2019. This replaces saved policies in the Vale of White Horse Local Plan 2011, July 2006 and therefore, policies H25 and NE9 as cited in the refusal reason on the decision notice are no longer in force. The policies in the Vale of White Horse District Council Local Plan 2031, Part 1, Strategic Sites and Policies, December 2016 (LP1) remain part of the development plan. As both parties have had the opportunity to refer to the LP2 as part of the appeal process, I am satisfied that neither party would be prejudiced by this change in policy circumstances.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

Character and appearance

5. The buildings of Gainfield Farm are generally in a tight-knit cluster some distance from Buckland Road. Notwithstanding that some of the buildings have been converted to residential use, the layout and form of most buildings is reflective of an agricultural function giving a rural character. In the main, this

enclave of built form is surrounded by open, fairly flat pastoral land forming part of the lowland clay vale landscape¹. To the south of the appeal site, mature trees, hedgerows and a watercourse provide some natural features within the overall spacious rural character.

6. The appeal concerns a portion of agricultural land on the southern periphery of the group of buildings. It is situated between the building and associated curtilage that has prior approval² to be used as a dwelling and the watercourse to the south. At present this generally comprises grassed land, free from built form but with trees and vegetation along the edge of the watercourse. Although relatively modest in size, it has a natural, uncultivated rural character that separates the cluster of buildings from the watercourse, thereby providing a visual break. Consequently, the site contributes positively to the rural character and appearance of the area.
7. The proposal would change the use of the land from agricultural to form an extension to the garden area for the recently approved dwelling. Such a use is likely to introduce boundary treatments and bring associated domestic paraphernalia, for example, seating, play equipment and washing lines. In addition, although a detailed landscaping scheme is not provided, it is reasonable to suppose that planting would be more ornamental and domestic in character, with areas of land demarcated for various domestic usage. Taken in combination with its peripheral location, this would be likely to reduce the sense of spaciousness and natural appearance of the land to the detriment of its rural character.
8. Moreover, it would extend up to the treeline and watercourse³, both of which are attractive natural features of the landscape. It is not certain that the planting along the watercourse would remain as future occupiers may wish to exploit views towards it or open up the proposed south facing amenity space to increased sun light. Even if trees and planting were to remain, as a boundary to garden land, it is less likely to retain its present naturalistic appearance and would therefore, be harmful to the setting of the watercourse.
9. Whilst the use of conditions might prevent or restrict domestic buildings and certain boundary treatments, it would be unreasonably restrictive to prevent future residents from utilising normal movable domestic paraphernalia such as play equipment and seating, as well as inhibiting ornamental gardening in perpetuity. Furthermore, it is doubtful that such restrictions could be practically enforced. Nevertheless, such factors would domesticate the appearance and character of the land.
10. Taking these points together, the development would be harmful to the natural character and appearance of the land and the visual role it currently plays in distinguishing the agricultural buildings from the surrounding countryside. As such, the proposal would run counter to paragraph 170 of the National Planning Policy Framework which states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

¹ Paragraph 6.108, LP1

² Reference P19/V0747/N4B

³ Paragraph 3.5.1 Appellants' Statement of Case

11. The appellants point out that the site is remote, would not be seen in longer views due to the trees and that no physical development is proposed, and, on that basis, it should not be considered harmful. However, for the reasons already outlined, the lack of physical buildings would not necessarily prevent harmful alterations to the character and appearance of the land from occurring, albeit that the degree of harm would be more localised if the boundary trees remained. Moreover, I have little before me to demonstrate that the proposal would enhance the landscape as is asserted, or even if that might be possible, that it could be adequately secured.
12. Accordingly, I find that the proposal would be harmful to the character and appearance of the landscape contrary to Core Policy 44 of the LP1. This seeks to protect key features that contribute to the nature and quality of the landscape from harmful development and specifically mentions trees, hedgerows, woodland, field boundaries and watercourses. In addition, it would conflict with Development Policy 30 (DP30) of the LP2, which, amongst other things, requires development of land that is adjacent to a watercourse not to have a detrimental impact on its setting.

Other matters

13. It is put to me that there may be ecological benefits arising from the proposal. Nevertheless, there is little substantive evidence to show this. Moreover, the Council's Countryside Officer⁴ refers to the watercourse to the south of the site as a priority habitat. This is reinforced by DP30 of the LP2 which stipulates that development adjacent to a watercourse should include a minimum 10m buffer zone along both sides of the watercourse to create a corridor of land and water favourable to the enhancement of biodiversity. Although, it might be possible to achieve such a buffer zone, based on the information provided, the proposal falls short of demonstrating an ecological enhancement.
14. The proposal would be of benefit to the occupiers of the residential dwelling in providing a usable larger garden. Nevertheless, it is not shown, given that drawing reference 208 02 shows a consented amenity space of 233sqm, that the garden area provided under the prior approval would be inadequate. This is reinforced by principle DG63 of the Vale of White Horse Design Guide Supplementary Planning Document, which recommends at least 100sqm of amenity space for houses with 3 or more bedrooms. Accordingly, this benefit is of limited weight.
15. It is suggested that the site would otherwise comprise an unworkable, unviable swathe of agricultural land. However, although the appeal site is modest, I have seen little evidence in relation to viability or to show it cannot serve any useful agricultural purpose. As such, this attracts little weight.
16. The absence of harm to the living conditions of neighbours and highway safety are mentioned. Be that as it may, these would not amount to positive benefits that weigh in favour of the proposal but rather constitute neutral factors.
17. Gainfield Farmhouse is a Grade II listed building near to the appeal site. I am statutorily required to have special regard to the desirability of preserving the special architectural or historic interest of the building or its setting. Its significance, for the most part, relates to its aesthetic appearance and

⁴ Consultation response dated 2.8.19

agricultural heritage. Given the separation distance and intervening buildings between the appeal site and the listed building, the proposal would not have a harmful impact on the significance of the setting of this designated heritage asset. Nevertheless, this does not amount to a benefit that counts in favour of the proposal.

Conclusion

18. For the reasons given above, I conclude that the appeal should be dismissed.

Helen O'Connor

Inspector