
Appeal Decision

Site visit made on 1 September 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd October 2020

Appeal Ref: APP/D3125/W/20/3254467

Heythrop Hunt Yard, Kennels Lane, Chipping Norton, OX7 5YF

- 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 Nutborne for THHK Ltd. and JRN Properties Ltd. against the decision of West Oxfordshire District Council.
 - The application Ref 20/00515/FUL, dated 19 February 2020, was refused by notice dated 4 June 2020.
 - The development proposed is the construction of new one and a half storey dwelling within the plot of an existing dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. This appeal site is very close to another appeal APP/D3125/W/20/3254468. Both were submitted as separate planning applications for different proposals and determined as such. Accordingly, they are the subject of separate decisions.

Main Issues

3. The main issues are:
 - the effects of the proposal on the character and appearance of the area, including the Area of Outstanding Natural Beauty and;
 - the principle of the proposed construction of a new house in this location in terms of accessibility to everyday services/facilities.

Reasons

The effects on character and appearance

4. The appeal site is a part of a garden to a dwelling (Huntsman's House) associated with Heythrop Hunt Yard. The appeal site is accessed from Kennels Lane, which is on sloping ground, which allows a wide-ranging open view across the Hunt Yard towards distant hills. The site is within the Cotswold Area of Outstanding Natural Beauty (AONB).
5. Kennels Lane is a cul-de-sac which ends at the Hunt Yard, which is an open space bordered on several sides by a group of visibly inter-related buildings

- predominantly in natural stone with brown tiled roofs. They appear harmonious with the landscape. Indeed, their style of architecture is distinctive, reflecting the hunt use.
6. The appeal site is adjacent to the Hunt Yard and the proposed dwelling's garden and garage/car parking would create discernible domestication, which would be perceived as inappropriate against the countryside setting.
 7. The site is partially occupied by a tall evergreen tree, which when removed would make the site and the proposed dwelling more conspicuous; the proposed building would present a harder built up edge to the countryside.
 8. The proposed dwelling would be sited very close to the adjacent 'Huntsman's House' dwelling and encroach forward of its frontage. This relationship would look awkward and competitive. Moreover, to the other side, the proposed dwelling would not be perceived to follow the discernible grain of the Hunt Yard buildings, rather it would be sited tangentially to their form and being an elongated shape, would contrast with their short length.
 9. On each elevation the proposed building would have a large box dormer. Whilst the Design and Access Statement indicates the overall intention was to avoid a pastiche design, these dormers would nonetheless spoil the simplicity of the roofline. The eye would not appreciate the building as a whole but rather would be overly drawn to these details as they are too strident and bulky. Furthermore, the Hunt Yard buildings lack dormers and have uncluttered simple rooflines, and consequently the proposed dormers would appear out of keeping.
 10. The proposal would appear at odds with the coherent Hunt buildings. It would also spoil the foreground for the extensive outward countryside view, undermining the relationship of the buildings with the landscape.
 11. On my site visit I did note the new dwelling at 32 Worcester Road, which has contemporary detailing. However, this has a different context, in terms of the surrounding buildings and relationship with the landscape, and therefore would not be comparable with the appeal site.
 12. I therefore conclude that the proposal would harm the character and appearance of the area, including the AONB.
 13. West Oxfordshire Local Plan (LP) Policy OS2 requires development to avoid harm to the surroundings including the AONB, OS4 promotes design quality and respect of the landscape and built context, H2 promotes sensitive residential development and EH1 safeguards the historic environment. West Oxfordshire Design Guide also promotes appropriate design. National Planning Policy Framework (the Framework) paragraph 172 places great weight on the conservation and enhancement of the beauty of the AONB. Paragraphs 127-130 of the Framework place importance on appropriate design and the National Design Guide requires development to respond to the local context. The Council have provided a copy of Chipping Norton Neighbourhood Plan which also promotes sensitive design. The proposal would be in conflict with these policies and guidance.

The principle of the new house in this location

14. The Council describe Chipping Norton as one of the biggest settlements in West Oxfordshire. It does provide a good range of community facilities which would meet most of the everyday needs of its occupants.
15. This western side of Chipping Norton is fragmented by a wedge of countryside and which an Inspector considering an appeal described the area as an outlier. The appeal site is within this outlier.
16. On my site visit, I walked from the site to Chipping Norton town centre and noted it took 23 minutes. There is a reasonably wide and continuous footpath along the north side of the road, but this is hilly which would discourage walking particularly when carrying shopping. The roadside lighting columns also appeared to be dispersed.
17. I have not been given comprehensive details of the buses, but I did note on my site visit the timetables at the bus stop showed a very limited service, which would be expected as the surrounding area is rural.
18. I therefore consider the site would have significant car dependency and walking to facilities would only happen if the occupants had both good fitness and time. I therefore consider the site's accessibility by non-car use would be poor.
19. The Hunt Yard buildings have a recent permission for the conversion of the buildings to residential use. However, this does not mean that the appeal site would be a suitable location for the erection of a new dwelling as the re-use of the Yard buildings, described in the Council's committee report as non-designated heritage assets, would have been a balancing factor.
20. Planning Policy OS1 of the LP promotes sustainable development, policy OS2 allows for new development on the edge of main service in Chipping Norton, OS3 minimises the need to travel and Policy H2 seeks to ensure that new houses are appropriately located. The proposal would be in conflict with these policies.
21. I acknowledge that the proposed house would bring social and economic benefits. However, these would be limited from only one dwelling. Furthermore, the Council state that it is meeting its housing land supply requirements and the Local Plan is up to date.

Conclusion

22. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR