
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: 4th December 2020

Appeal Ref: APP/D3125/W/20/3254468

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 Nutbourne for THHK Ltd. and JRN Properties Ltd. against the decision of West Oxfordshire District Council.
 - The application Ref 20/00516/FUL, dated 19 February 2020, was refused by notice dated 8 June 2020.
 - The development proposed is the conversion of existing steel framed barn to form one new 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/20/3254467. Both were submitted as separate planning applications for separate proposals and determined by the Council 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;
 - whether or not the barn is in open countryside and outside the development limits of Chipping Norton, and if so, the suitability of the location for a residential conversion.

Reasons

Character and appearance

4. The site is within the Cotswold Area of Outstanding Natural Beauty (AONB). The West Oxfordshire Landscape Assessment identifies the site and its environs within an area characterised by semi-enclosed valleys and ridges.

The site itself is indeed on such a ridge and includes a barn amongst the various buildings associated with Heythrop Hunt Yard. It is steel framed and adjacent to a group of natural stone buildings with brown tiled roofs which have permission to be converted to dwellings. The Council have identified these buildings as non-designated heritage assets, which have a distinctive closely knit grouping reflecting their particular use.

5. The existing barn has a simple functional appearance which is appropriate in its rural location. The proposal would use a curved roof which would be frequently associated with an agricultural barn. However, the conversion would also have substantial glazing particularly on the most visible elevation. This proposed glazing would appear overtly domestic and suburban which would conflict with the rustic barn like curved metal roof. This glazing would also enclose the walls whereas the existing structure has some openness in keeping with a rural storage use. The proposal would also include two projecting bay windows which would be at odds with the simplicity of the shape of the current agricultural barn. The overall building would have very differing elements, which would not provide a cohesive appearance. Moreover, it would not look like an agricultural barn and therefore would appear out of keeping with the adjacent countryside.
6. The appellant provides various illustrations of the proposed design in context with the adjacent buildings. Whilst the proposal would remove some utilitarian structures to the side, the domestic and agricultural elements of the conversion would look awkward when seen against the traditional buildings. Kennels Lane is on rising ground, which allows a wide-ranging open view across the yard to the distant hills. The proposal would draw attention away and detract from the foreground for this extensive view, undermining the complimentary relationship of the traditional rural buildings with the landscape.
7. The appellant has also provided photographs of other barn conversions in West Oxfordshire and Cotswold District. However, I have not been provided with any background to these buildings and in any event, they are in other locations and I have determined this appeal on its own merits.
8. I therefore conclude that the proposal would harm the character and appearance of the area, including the AONB. West Oxfordshire Local Plan (LP) Policy OS2 promotes design which is sensitive to the surroundings including the AONB whilst OS4 promotes design quality and respect of the landscape and built context. The West Oxfordshire Design Guide provides detailed criteria on the conversion of agricultural buildings including the retention of the roofs, the avoidance of new windows and respect for the integrity of the building. National Planning Policy Framework (the Framework) paragraph 172 places great weight on the conservation and enhancement of the landscape and scenic beauty of AONBs. 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 Chipping Norton Neighbourhood Plan also promotes sensitive design. The proposal would conflict with these policies and guidance.

The conversion to residential use in such a location

9. The reason for refusal refers to the location being unsustainable. The Council make reference to policies H2 and OS2. Policy OS2 allows for new development on the edge of the main service area of Chipping Norton (CN) town centre and elsewhere the conversion of buildings to non-residential uses is preferable unless otherwise justified and Policy H2 seeks to ensure that new houses are appropriately located. The Council in its statement explains that the purpose of the policies is to reduce reliance on private vehicles.
10. The Council describe CN 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. However, the appeal site is segregated from CN by a wedge of countryside including a pronounced valley which bisects the A44 connecting route placing the town on its own hilltop. Furthermore, on my site visit, I walked from the site to the town centre and noted it took 24 minutes, a considerable distance. Given the above factors I consider that the appeal site is within the countryside and not even on the edge of the town.
11. The above policies allow for conversions where they would enhance the immediate setting and the building is not capable of re-use for business or community uses, tourist accommodation or visitor facilities or where the proposal will address a specific local housing need which would otherwise not be met. The proposed dwelling would only be acceptable if the other preferred uses have not been proven, but in any event as I have found above, it would be harmful to the immediate setting. Similarly, it would not meet a specific local need but rather general housing.
12. There is disagreement between the parties whether the proposed additions and changes, whilst re-using the steel frame, would be tantamount to a conversion or a replacement building. The resulting building would be visibly different from the existing but in any event the appeal does not turn on this point.
13. The yard has a recent permission for the conversion of the buildings to residential use. However, this does not mean that this particular barn would be acceptable for residential use as the Council's committee report balances the location with the need to retain and maintain those notable buildings which were regarded as non-designated heritage assets, whereas there would be no such impetus with this Dutch barn. The site is also suggested as previously developed land, but this would not outweigh the harm to the AONB.
14. I therefore conclude that the site is in the countryside and there is no justification for this residential use in a location which would be overly reliant upon the use of private motor vehicles. Policy OS1 of the LP promotes sustainable development. Policies OS2 and H2 seek to ensure that new houses are appropriately located. The proposal would therefore conflict with these policies.

Other matters

15. The decision notice includes a reason that the barn is not suitable for conversion due to the substantial levels of development required. However, this has been an integral part of the consideration of both of the issues above rather than a stand alone factor.
16. The proposal 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

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

John Longmuir

INSPECTOR