
Appeal Decision

Site visit made on 30 November 2020 by A J Sutton BA Hons DipTP MRTPI

by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2020

Appeal Ref: APP/F1610/D/20/3259655

Westrip Barns, Westrip Farm Lane, Cherington, GL8 8SL

- 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 R Maggs against the decision of Cotswold District Council.
 - The application Ref 19/03994/FUL, dated 28 October 2019, was refused by notice dated 25 August 2020.
 - The development proposed is extension to a dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Application for Costs

3. An application for costs was made by Mr R Maggs against Cotswold District Council. This application is the subject of a separate Decision.

Preliminary Matters

4. Planning permission was granted for an extension to the rear elevation of the dwelling (2018 Permission)¹. The appellant's statement states that works permitted under this consent have not commenced and he will be seeking to discharge pre-commencement conditions. I see no reason as to why the extant permission would not be implemented.
5. The recommendation in the officer's report states 'Permit'. However, the Officer's Assessment of the proposal, in the report, reflects the reasons for refusal stated on the Decision Notice and I have assessed the proposal accordingly.

Main Issue

6. The appeal property is within the Cotswolds Area of Outstanding Natural Beauty (AONB). The Council has concluded that, in light of the appeal property's location, the proposed new addition would not encroach into the countryside and as such would not harm the landscape and scenic beauty of

¹ Ref 18/00428/FUL

the AONB. I have observed nothing which would lead me to dispute this conclusion.

7. The property is near to Westrip Farmhouse which is a Grade II listed building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the setting of the listed building or any features of special architectural or historic interest which they possess. The Council has concluded that the appeal property is a sufficient distance from the heritage asset and the proposal would not detrimentally affect its setting. I observed nothing on the site visit to dispute this view.
8. Therefore, the main issue in this case is the effect of the proposed development on the character and appearance of the host property and the area.

Reasons for Recommendation

9. The appeal dwelling comprises two converted barns linked by a relatively modern addition, which was a former stable block. A walled garden is positioned to the front and abuts the corner of the north elevation of the property. The remainder of the large plot is laid principally to lawn, bound by hedges to the rear and side where there is an unconverted barn building, with areas of grazing on the opposite side and a stable block to the front near the access. The dwelling is set back from the road on a relatively flat area of land which falls away beyond the boundary at the rear. It is viewed as part of a small group of properties in an open rural setting.
10. The host property has been sensitively converted and fits well in its rural setting, with its previous agricultural use discernible. The new extension would extend the front elevation of the dwelling the full width of the existing walled garden which would materially change its compact footprint, and result in development which would significantly alter the 'H' shaped form of the building, which the 2018 permission respects.
11. Furthermore, the design would both physically and visually integrate the walled garden into the dwelling, and, in doing so, would create a layout which would be uncharacteristic of a barn conversion; a matter accepted by the appellant in his representations. The resultant effect would be a property with an overly sprawling appearance which would be out of character with its rural setting. The use of local stone and roof tiles and the screening of the development from public vantage points would not address the harm identified.
12. I have had regard for the image which shows a stable block extending from the original north barn, which appears in a similar location to the appeal proposal. The supporting information confirms the block was demolished in the 1990s. At this time, it appears that the central part of the existing dwelling had not been constructed and the buildings were of a different form to that which currently exists. The presence of a structure in this location in the past does not provide justification for similar development as proposed because the building has significantly evolved since this time, having a different use and overall form to when the stable block was attached.
13. In light of the foregoing, it is concluded that the proposed development would be harmful to the character and appearance of the host property and the area,

contrary to Policy EN2 of the Cotswold District Local Plan 2015 (Local Plan) which requires proposals to be of a design quality that respects the character and distinct appearance of the locality and accords with the Cotswold Design Code, in terms of the requirement for extensions to dwellings appearing as a natural part of the evolution of the building and looking 'right', and for extensions to barn conversions retaining the overall massing and form of the historic buildings. Whilst referencing historic buildings, the Code does not explicitly state that the key considerations for barn conversions should be limited to heritage assets, and it is therefore applicable to this property.

14. Although not referenced on the Decision Notice, the conclusion of the officer's report referred to Policy EN1 of the Local Plan. Given my findings above I concur that there would be conflict with the aims of this policy which requires new development to protect, conserve and enhance the historic and natural environment by, amongst other matters, ensuring design standards that complement the character of the area.
15. Moreover, there would be conflict with the design aspirations of the National Planning Policy Framework which sets out that good design is a key aspect of sustainable development.

Other Matters

16. The officer's report summarises matters to which regard was had in assessing the application. I observe nothing in the submitted information which would indicate that there was any bias or undue matters influencing this assessment.
17. Whilst the dwelling may not currently serve the needs of the existing occupants, it is unlikely that the proposal before me is the only option to provide the appellant's needs. This has not been determinative in this case.

Conclusion and Recommendation

18. For the reasons given above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR