



Appeal Decision

Site visit made on 1 February 2022

by Helen Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: Wednesday 2 March 2022

Appeal Ref: APP/H1840/W/21/3284614

Land Adj to Bramble Cottage, Dorsington Road, Dorsington, Pebworth

- 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 Mrs C Collins against the decision of Wychavon District Council.
 - The application Ref 21/01476/FUL, dated 10 June 2021, was refused by notice dated 26 August 2021.
 - The development proposed is for a new build dwelling to replace existing barn approved for residential conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Prior approval was granted on the appeal site for a change of use of the agricultural building into a dwelling house in 2021 (20/02498/GPDQ). This permission is extant until January 2024.

Main Issues

3. The main issues are 1) the effect of the proposal on the character and appearance of the open countryside; and 2) whether it has been demonstrated that the proposal would secure the provision of an off-site affordable housing contribution.

Reasons

Character and appearance

4. The appeal site is a parcel of land located adjacent to Bramble Cottage on Dorsington Road. The site consists of a single-storey dual-pitched roof barn and a summer house, set behind a wooded enclosure and hedged boundaries, with a gated access off Dorsington Road. The site's rural appearance has a strong connection with the surrounding open countryside.
5. Policy SWDP2 of the South Worcestershire Development Plan (SWDP) (2016) sets out the development strategy and settlement hierarchy. The site is not located within any defined development boundary and, consequently, the site is located within the open countryside. Section C of Policy SWDP2 strictly controls development within open countryside and limits only certain forms of development, such as development specifically permitted by other SWDP policies. Policy SWDP2 is consistent with the Framework, specifically paragraph 80, which seeks to avoid isolated homes in the countryside unless there are special circumstances.

6. The principle of converting the existing agricultural barn into a dwelling was established under prior approval consent reference 20/02498/GPDQ and remains extant. This has created a fallback position that is a material consideration to this appeal. As such, the principle of residential use on site has already been established. However, this proposal seeks permission for the demolition of the agricultural barn and replacement with a new dwelling in the countryside. The proposal would not meet any of the exceptions to Policy SWDP2, or paragraph 80 of the Framework.
7. The existing barn is a general-purpose storage building primarily used for agricultural machinery and equipment. It is of a functional design that is typical of a modern agricultural building that could be expected within a rural countryside location.
8. The appellant claims that the proposal has been specifically designed to appear as a contemporary barn to harmonise with the agricultural setting. However, the proposal would be a two-storey modern design that is taller than the existing single-storey barn. The floorspace would also be significantly larger. The proposal would include a number of large windows, outdoor green roof terraces at first floor level, a carport, and a detached garage. External materials would consist of facing brickwork, natural slating, timber weatherboarding, and PV panels. The resulting building would have a domestic appearance, which combined with the modern design and extended footprint, would have little resemblance to the rural character of the existing barn. In addition, the proposal's increased height would make it more visible on the site compared with existing structure. This, combined with the loss of trees due to the repositioning of the building on site, would result in an incongruous feature that would interfere with the natural appearance of the woodland and would be visually inappropriate and harmful to the surrounding countryside.
9. The prior approval consent would re-use the existing structure and retain the footprint area of the barn. In contrast, the appeal proposal would occupy more land than the prior approval barn conversion and would not re-use the existing structure, which forms part of the rural landscape. The proposal would therefore fail to reflect the form of the existing agricultural structure and would not retain any of its existing agricultural features, which are characteristic of the surrounding rural landscape.
10. The appellant argues the design of the proposal is a modern/contemporary design and that paragraph 130 of the Framework supports innovative designs. However, para 130 also states that new development should be sympathetic to local character, including the surrounding built environment and landscape setting. For the reasons given above, the proposal would represent a marked contrast to the existing agricultural barn and the extant prior approval consent. As such, it is not considered that the proposal would represent a high quality or innovative design that would integrate effectively with its rural surroundings. It therefore fails to accord with para 130 of the Framework.
11. The appellant refers to paragraph 134 of the Framework and the proposal's long-term sustainability and energy efficiency benefits. However, there is nothing persuasive to demonstrate that the passive solar gain through the re-orientation of the property, significant areas of glazing, heat-pump system or the solar pv panels, would distinguish the design as being truly outstanding or over and above what could be achieved through the existing prior approval

consent. In addition, any advantage achieved in terms of energy efficiency would be outweighed by the need to use substantial amounts of new building materials, compared to the conversion of the existing structure. The design would therefore not qualify as an exception under paragraph 80 of the Framework.

12. The prior approval consent represents the fall-back option for the appellant. There is no evidence to demonstrate that the prior approval consent could not be implemented, nor be economically viable. The appellant has also confirmed that in the event of the proposal not being approved, the prior approval consent would be implemented. In addition, the proposal does not offer any significant benefits when compared with the extant prior approval consent. I therefore conclude that the fallback position would not be as harmful as the proposal before me.
13. In summary, the proposal would have a harmful effect on the character and appearance of the open countryside. The proposal therefore fails to accord with Policy SWPD2, which strictly controls development within the open countryside. The proposal's harmful encroachment into the open countryside indicates that the proposal would not be sustainable development and therefore conflicts with Policy SWDP1. The proposal also fails to accord with Policy SWDP21, which seeks to ensure high quality design.
14. There would also be conflict with the Framework, notably paragraphs 80 and 130, which seek to avoid isolated homes in the countryside and encourage the re-use of existing buildings, and which seek to secure high quality design.
15. In addition, the proposal fails to accord with Policy P3 'Design Policy' of the Pebworth Parish Neighbourhood Plan (adopted 2019), which seeks to ensure new development preserves or enhances the distinctive local character of the parish.

The provision of an off-site affordable housing contribution

16. As the site is located within a Designated Rural Area, were the proposal to be granted planning permission, a financial contribution towards local affordable housing provision would need to be made. The appellant has submitted a satisfactory Section 106 unilateral obligation that addresses this issue. Therefore, the proposal, if granted permission, would secure the provision of an off-site affordable housing contribution. Although reasonable weight can be afforded to this benefit, it does not overcome the conflict with the development plan identified above.

Other Matters

17. The appeal has referred to other cases where demolition of barns has been permitted for new-build properties, located outside development boundaries. I do not know the planning circumstances that led to these approvals or their specific relationship with the open countryside. In any event, I have determined the appeal on its own merits.
18. The appellant claims that the proposal would create a more usable and flexible family home. This may be so, but this small benefit does not outweigh the harm identified to the open countryside.

19. I note the suggested benefits of site drainage, parking arrangements, tree planting and landscape scheme, and biodiversity. However, these are neutral advantages given that similar benefits would arise through the prior approval scheme. In addition, the proposal would result in trees being felled on site due to the repositioning of the building.
20. Although objections have not been received from the Parish Council, Highway Authority, Archaeologist Adviser, or the Council's Drainage Engineer, the lack of objections is a neutral matter and certainly does not outweigh the harm that has been found to the open countryside.

Conclusion

21. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
22. For the reasons given above I conclude that the appeal should be dismissed.

Helen Smith

INSPECTOR