



Appeal Decision

Site visit made on 28 June 2022

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th June 2022

Appeal Ref: APP/V3120/W/21/3289526

Land off Hinton Road, Hinton Road, Longworth OX13 5EE

- 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 Marius Kynaston-Pearson against the decision of Vale of White Horse District Council.
 - The application Ref P21/V1245/FUL, dated 27 April 2021, was refused by notice dated 24 June 2021.
 - The development proposed is for the erection of an agricultural building and retaining wall.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, a building and retaining wall were present on site. Notwithstanding what has been erected on site, the appeal has been determined on the basis of the submitted drawings.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the site and the surrounding area.

Reasons

4. The edge of the built form of the small village of Longworth is clearly delineated by the roads at a crossroads. The site is located just outside the village built form and consists of a small narrow section of land between the roads at the crossroads and a large agricultural field. Prior to the construction of the building and wall the site would have appeared to be part of the large field that it adjoins and its character would have been open and undeveloped like the surrounding countryside.
5. The building is a modest size, but large in proportion to the size of the site. It is finished in wooden cladding with green felt roofing. It includes double patio style glass doors at one end and a large full height window along around half of the elevation facing into the field. The scale, design, detailing and extensive use of glass gives it the appearance of a domestic garden building rather than an agricultural shed. The retaining wall is constructed of stacked sleepers which also have a domestic appearance. As such, the scale, type, and details of the development are domestic in character and appearance and do not physically or visually integrate with the surrounding landscape.

6. The site has a long boundary onto the road so is highly visible. The encroachment of this domestic built form into the open countryside is at odds with and harmful to the surrounding landscape character and does not preserve local distinctiveness.
7. The site is outside the built area of Longworth so is classed as being within the open countryside. The Vale of White Horse Local Plan 2031 (LP) states that in the open countryside development will not be appropriate unless specifically supported by other relevant local or national planning policies. Such policies allow for certain development necessary for the purposes of agriculture or rural business.
8. Inside the building at the time of my site visit there was a large table with dining chairs and bench, soft chairs with a side table, and a gas powered heater. There was also a built in kitchen area with units and worktops, gas hob, sink, electric sockets and a glass fronted fridge stocked with drinks. There were a few garden tools hung on a wall and garden type seed packets on a shelf but otherwise the building seemed set up to be used for leisure purposes, much like a garden room, rather than as a shed or any form of agricultural building.
9. At the time of my visit, the site was overgrown and uncultivated, but the appellant states they intend to use it to grow fruit and vegetables and keep chickens. Regardless of whether or not the site could be classed as 'an allotment', use of the site for growing purposes does not require planning permission and would not be a change of use. However, the small scale of the site would seem to preclude any kind of agricultural or rural business use and no such business use is proposed. Consequently, the site cannot benefit from the support for the rural economy set out in the LP and in paragraph 84 of the National Planning Policy Framework (the Framework).
10. On the information presented to me and from the observations of my site visit I have no substantive evidence which would lead me to conclude that the building is for agricultural purposes. Regardless of this, even if the building was for agricultural purposes, it would still need to be of an acceptable design, appropriate to its setting. As set out above, that is not the case with this development.
11. I conclude that the development causes unacceptable harm to the character and appearance of the site and the surrounding area. Consequently, it would not comply with Policy CP37 and CP44 of the LP which require that development will be of a high-quality design that responds positively to the site and its surroundings and protects the landscape. Furthermore, it would not accord with aims of the Framework, including Paragraphs 130 and 174, which set out that development should be sympathetic to local landscape setting and recognise the intrinsic character and beauty of the countryside.

Other Matters

12. Clearing up a neglected piece of land would improve the appearance of the site. However, such clearance and using the site for growing fruit and vegetables and keeping chickens could take place without a building. Any such improvement to the upkeep of the land does not outweigh the harm caused by the building.

13. Questions have been raised about the status of the access to the site, but creation of a new access does not form part of the development proposed. I noted the presence of a vintage tractor on site and the appellant states they may purchase a ride on mower to assist in the maintenance of the land and this would need to be stored in the buildings. It is unclear, given the nature of the building entrance, how a ride on mower would be accommodated. However, these matters have not impacted on my decision.

Conclusion

14. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

Helen Davies

INSPECTOR