



Appeal Decision

Site visit made on 14 June 2022

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 July 2022

Appeal Ref: APP/J0405/W/21/3284931

Pole Barn, Primrose Hill Farm, Preston Road, Gawcott MK18 4HT

- 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 Tracy Brown against the decision of Buckinghamshire Council.
 - The application Ref 21/00681/APP, dated 17 February 2021, was refused by notice dated 23 September 2021.
 - The development is the proposed conversion of the existing disused storage barn to provide a 5 bedroom family home.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Within their statement of case the Council have referred to development plan policies which are not referred to within the decision notice or officer report. The appellant has had the opportunity to make final comments. Therefore, they would not be prejudiced by my inclusion of the additional information within the assessment of the main issues.

Main Issues

3. The main issues are:
 - Whether the appeal site would be a suitable location for the proposed development, with particular regard to the local development strategy and accessibility to services and facilities; and
 - The effect of the proposed development on character and appearance of the area.

Reasons

Location of Development

4. The site comprises a detached building in a countryside location which the appellant advises is used as a machinery shed and for domestic storage. It forms one of a group of three agricultural/former agricultural buildings which are grouped together to the side of the original farmstead. Several fields separate the site from the village of Gawcott.
5. Policies S1 and S3 of the Vale of Aylesbury Local Plan (VALP) require developments to comply with the principles of sustainable development, and generally direct new development towards settlements to avoid new development in the countryside where it would compromise the open character

of the countryside between settlements. Gawcott is identified as a medium village for the purposes of Policy S3. Such villages are indicated to have some provision of key services and facilities making them moderately sustainable locations for development.

6. VALP Policy T1 seeks to encourage a modal shift towards the greater use of more sustainable forms of transport.
7. Notwithstanding the general settlement strategy VALP Policy C1 does permit the conversion of rural buildings where, amongst other things, the development would lead to; an enhancement to the immediate setting; the existing building is redundant; and, it would not result in either the need for a replacement building or extensive reconstruction. All criteria within the policy need to be met for the development to conform with this Policy.
8. Given the close proximity of other buildings and houses to the site, the appeal site is not deemed to be isolated. Therefore, the provisions contained within paragraph 80 of the Framework are not relevant to this appeal.
9. No clear information has been provided regarding the existing use of the building subject of the appeal. Nor is it clear what existing agricultural activities occur within site or whether there may be a potential need for a replacement building. The building is of a type, size and form which is inherently suitable for use in modern agricultural practice. Therefore, on the evidence before me I cannot reasonably conclude that the building is redundant, or that its loss would not give rise to a need for a replacement building.
10. From the information before me and my observations on site, the appeal building on the site is of sound and substantial construction. However, it is proposed that the walls and roof of the building be entirely reclad, new masonry sections be built, and new windows, doors and rooflights be inserted. Although there is no proposal to re-construct the frame of the building, when taken together I consider that the extent of external alterations proposed would amount to the major reconstruction of the building.
11. Whilst it is feasible to walk the distance between the appeal site and the village of Gawcott, due to the geometry of the road and the lack of lighting or a pavement, it is unlikely that future occupiers of the development would do so. This would be even more so during times of darkness or inclement weather. Furthermore, whilst Gawcott has some services and facilities, these are limited. Future occupiers would therefore need to travel beyond the village in order to meet their day-to-day needs. No compelling evidence has been provided to suggest that the village is well served by public transport and that this would be a likely option for future residents. Therefore, for access to both Gawcott and services and facilities beyond, future occupiers are likely to rely upon the use of private vehicles. Consequently, the site would not amount to an appropriate location for residential development.
12. For the afore mentioned considerations, the appeal site would not be a suitable location for the proposed development, with particular regard to the local development strategy and accessibility to services and facilities. The development would therefore conflict with the requirements of VALP Policies S1, S3, T1 and C1.

Character and appearance

13. Whilst of limited architectural merit, the building on the site is a good example of a basic, functional, and relatively modern structure inherently suitable for agricultural use. Despite the residential conversion and partial conversion of adjacent buildings, the area retains a quiet rural ambience and the predominant character and appearance of the wider area remains that of a managed rural environment, comprising buildings suitable for agricultural use, and fields divided by fencing and hedgerows.
14. The proposal to re-clad parts of the walls and the roof with black corrugated steel cladding would align with the agricultural/utilitarian origins of the building. However, the scheme would introduce windows, doors and large areas of glazing to all elevations of the building, at both ground and first floor level which would give it an overtly residential appearance. The alterations would detract from the buildings current simple agricultural form and appearance. The provision of a large curtilage with associated residential paraphernalia, extending into the surrounding fields would also be incongruous with the existing rural environment. This, along with the provision of external car parking and the alterations to the exterior of the building would result in the domestication of the appearance of the site and the erosion of the rural character and appearance of the area.
15. It is proposed that large expanses of glazing be incorporated within the walls of the building and that rooflights be inserted. Given the sites rural location close to but separate from the village of Gawcott and the absence of any proposals to minimise light spill from the building, the residential use of the building would result in significant light spill. Such light spill would contribute towards the blurring of the distinction between rural and urban areas during hours of darkness, which would be to detriment to the character and appearance of the area.
16. The scheme would be clearly seen from the nearby buildings/properties/yard. Despite the sites elevated position, the building is well screened by neighbouring buildings, trees and hedgerows, and no compelling evidence has been put before me that the site is readily visible from public vantages. However, these considerations do not alter my finding that the proposed development would be harmful to the rural character and appearance of the area.
17. The development would therefore unacceptably harm the character and appearance of the area. It would not accord with VALP Policy C1 which require development to enhance its immediate setting. Nor would it comply with VALP Policies BE2, NE4 or NE5 which require development to; respect and complement the characteristics of the site, its surroundings and local distinctiveness; consider the characteristics of the landscape character area; to minimise light-spill, particularly in areas with a rural character; and, to avoid blurring the distinction between urban and rural areas. In addition, it would not conform with paragraphs 126, 130 or 174 of the National Planning Policy Framework because it would not be sympathetic to the local character and landscape setting, and it would not therefore represent a good form of design. Nor would it enhance the natural and local environment by both recognising the intrinsic character and beauty of the countryside.

Other Matters

18. The initial building notice dated July 2021 and the subsequent letter from Buckinghamshire Council confirming acceptance of the initial notice do not either affirm the commencement of works on site or specifically reference the development approved under application reference 18/01391. In addition, no Certificate of Lawfulness of Existing Use or Development (CLEUD) or Proposed Use or Development (CLOPUD) under s191 or 192 of the TCPA 1990 confirming the lawfulness of implementation of the previously consented scheme has been provided. I am therefore unable to conclude that the development authorised under application reference 18/01391 has been commenced and that there is a realistic fall-back position. As such, I give this little weight.
19. I do not know the full circumstances leading to the previous granting of planning permission for the residential conversion of the barn or nearby buildings. However, the Council confirm that weight was given to a fall-back position that the building subject of this appeal could be converted to residential use utilising the prior approval process when considering the development proposal subject of application reference 18/01391. There is no compelling evidence before me to indicate that a prior approval submission still provides a realistic fallback position however. Even if there was a fall-back position, the alterations proposed to the exterior of the building subject of this appeal would give the building a more domestic appearance and result in greater light-spill than the previously approved scheme. Consequently, the fallback of the previous permission would be less harmful than the scheme before me.
20. The development would result in the creation of a family home, which would add to the local housing stock. It would include measures to secure energy efficiency, and it could deliver benefits in terms of biodiversity, as well as having a neutral effect on parking and cycle space, and flood risk. However, given scale of the scheme any identified benefits would be small.

Conclusion

21. The proposed development 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. As such I conclude that the appeal should be dismissed.

V Simpson

INSPECTOR