



Appeal Decision

Site visit made on 13 December 2022

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2023

Appeal Ref: APP/Q3115/W/22/3298876

Grove Farm, Patemore Lane, Pishill, Henley on Thames RG9 6HH

- 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 Country Snugs Ltd against the decision of South Oxfordshire District Council.
 - The application Ref P21/S0047/FUL, dated 23 December 2020, was refused by notice dated 28 February 2022.
 - The development proposed is the erection of 5 holiday pods, maintenance building, managers flat and associated landscaping and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Submitted on 15 May 2022, the appeal was made within the statutory period.
3. Given the site's location within an area of outstanding natural beauty (AONB), I have had regard to the purpose of conserving and enhancing the natural beauty of the AONB in reaching this decision.

Policy Context

4. Policy ENV1 of the South Oxfordshire Local Plan 2011-2035 (the Local Plan) states that the highest level of protection will be given to the landscape and scenic beauty of the Chilterns and North Wessex Downs AONB's. It also indicates that development will only be permitted in areas where it would conserve and where possible enhance the character and natural beauty of the AONB, and, where it is appropriate to the economic and environmental well-being of the area, or promotes understanding or enjoyment of the AONB.
5. Policy STRAT1 of the Local Plan indicates that development proposals should protect and enhance the AONB's by ensuring that outside of the towns and villages any change relates to very specific needs.
6. Paragraph 176 of the National Planning Policy Framework (the Framework) indicates that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB's, because such areas have the highest status of protection in relation to these issues.

Main Issues

7. The main issues are;

- the effect of the development on the character and appearance of the area, having particular regard to the landscape and scenic beauty of the Chilterns AONB; and,
- whether or not the scheme would represent appropriate small-scale development which would support the rural and visitor economy.

Reasons

Character and appearance

8. The appeal site comprises a relatively long and narrow strip of land at the base of a narrow valley in a rural area within the Chilterns AONB.
9. Within the site several agricultural buildings are located. The appellant advises that they are currently vacant. The majority of the buildings are clustered together towards the end of the site on the opposite side of the B480 road from Woodman Cottage. An area of hardstanding within the site extends beyond these buildings, but not as far as the small single storey structure which is on the opposite side of the B480 road from The End House. The buildings are of a variety of sizes, construction types and conditions. Whilst of limited architectural merit, a number of the buildings appear to be inherently suitable for agricultural use.
10. Despite the somewhat unsightly appearance of the buildings currently on site, the close proximity of the B480 road, and the presence of the houses on the opposite side of the B480, the appeal site retains a quiet rural ambience and a sense of relative tranquillity. The predominant character and appearance of the wider area is one of a managed rural environment, containing mainly buildings suitable for agricultural use; fields divided by fencing and hedgerows; woodland to the upper sections of the valley sides; and sporadic and mainly roadside dwellings. These features positively inform the distinctiveness of the area and natural beauty of this part of the Chilterns AONB.
11. The ground level of much of the appeal site is below that of the B480 which runs parallel to the site. However, several of the buildings and the open storage within the site are clearly visible when travelling past the site on this road. This is partly due to the height of the buildings, and partly because of the patchy nature of the hedgerow separating the appeal site from the road. I accept that the proposal to remove the existing buildings and to clear the site would enhance the appearance of the area. However, the removal of buildings and site clearance is not the extent of the development proposal.
12. The development would be of a lower height than some of the existing buildings within the site. Substantial soft landscaping has been proposed. In the longer term, this would shield much of the development from view from public vantages outside of the appeal site. However, due to the proposed design and orientation of the five pods, they would have a high degree of uniformity, which is uncharacteristic of the prevailing patterns of development within the area. Furthermore, and notwithstanding the high-quality materials and finishes proposed, the amount and form of development, and its coverage of almost the entire area between the existing buildings on site, would have a harmful urbanising effect upon the character and appearance of the area. In addition, and due to the number of units proposed, the subsequent use of the development would generate levels of noise and activity which are out of keeping with the relative tranquillity of the area.

13. Although electro chromatic glass would be used to minimise light pollution, this does not weigh in favour of the development.
14. Improvements to the vehicular access from the site onto the B480, and the inclusion of measures to both minimise energy requirements and secure enhancements to biodiversity, are all benefits arising from the scheme. So too, is the provision of tourist accommodation in a location where it would bring benefits to the rural economy in terms of job creation and increased custom supporting local services and facilities. Furthermore, and especially due to the direct access from the site to the Chiltern Way path and the wider public right of way network, the development would contribute towards promoting the understanding and enjoyment of the Chilterns AONB. However, given the scale of the scheme any such benefits would be small.
15. I have found that the development would fail to conserve or enhance the landscape and scenic beauty of the area, to which I accord great weight. This would not be outweighed by the benefits of the appeal scheme, identified above.
16. For the aforementioned reasons, the proposed development would have a harmful effect on the character and appearance of the area, having particular regard to the landscape and scenic beauty of the Chilterns AONB. Consequently, it would conflict with the parts of policies STRAT1, ENV1, DES1 and DES2 of the Local Plan, which seek to ensure development protects and enhances the countryside, conserves and enhances the character and natural beauty of the AONB, delivers high quality design, and enhances local character. It would also conflict with policy P3 of the Watlington Neighbourhood Development Plan 2017-2033, where it seeks to ensure that views of and from the AONB are protected.

Rural and visitor economy

17. Policy EMP11 of the Local Plan indicates that in locations which are outside of towns; within built up areas; and service areas on main transport corridors, small-scale development to support the visitor economy, will be supported where the proposals are in keeping with the scale and character of the locality.
18. The proposed development would provide high quality holiday accommodation of a small scale. This is commensurate with one of the requirements of policy AMP11. Its construction would bring short term benefits to the rural economy, and its subsequent use would bring longer term benefits by attracting more visitors to the area, and increased support for both the rural and visitor economy. However, I have found that it would have a harmful effect upon the character and appearance of the area. The total volume and footprint of buildings on the site would be reduced, as would the extent of hardstanding. However, due to the number of units proposed within a relatively small area, and the associated activity levels that would be generated, the development would not be in keeping with the more sporadic and spaced-out prevailing patterns of development within the area. Nor would it be in keeping with the relative tranquillity of the wider area.
19. Local Plan Policy EMP12 relates to caravan and camping sites. It is agreed by both main parties that the holiday pods and managers flat subject of this appeal are building operations. This policy is not therefore determinative in this appeal.

20. For the aforementioned reasons, the development proposals would not represent appropriate small-scale development which would support the rural and visitor economy. Having a harmful effect on the character and appearance of the area, the proposed development would conflict with policy EMP11 of the Local Plan, which seeks to support small-scale development to support the visitor economy where it is in keeping with the scale and character of the locality.

Other Matters

21. The application was reported to Planning Committee with a planning officer recommendation that it be approved subject to conditions. No objection was raised by the countryside officer or forestry officer. However, the Chilterns Conservation Board found that the development would create a degree of harm. The Council were not bound to agree with the planning officer recommendation. In common with the Council, I have found that the proposed development would be harmful to the landscape character and natural beauty of the Chilterns AONB. I have also found that due to its amount, scale, layout, and design, the development would harm the character and appearance of the area.
22. It has been demonstrated that the development would not cause an unacceptable increase in flood risk. Nor, on the evidence before me, would it have an unacceptable adverse effect on the living conditions of the occupiers of neighbouring residential properties. These, in common with the provision of adequate levels of car parking provision, are neutral factors.

Conclusion

23. 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 outweighs the identified harm and associated development plan conflict.
24. For the reasons given above, the appeal is dismissed.

V Simpson

INSPECTOR