



Appeal Decision

Site visit made on 19 September 2023

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2023

Appeal Ref: APP/D3125/W/23/3320109

The Barn, Green End, Chadlington OX7 3NQ

- 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 C Wilsdon against the decision of West Oxfordshire District Council.
 - The application Ref 22/02342/FUL, dated 15 August 2022, was refused by notice dated 14 October 2022.
 - The development proposed is described as 'Alterations and extension of dwelling approved under extant permission reference 20/00738/FUL for the residential conversion of an existing barn to dwelling.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The evidence indicates that the appeal property has planning permission for the conversion of a barn to a dwelling.¹ At the time of the site visit, work on the barn had appeared to have commenced. This included works to the external stone elevations, a roof that appeared recently tiled, and inside the barn, the construction of a first floor.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, having regard for the setting of a listed building.

Reasons

4. The appeal property is in the Cotswolds Area of Outstanding Natural Beauty (AONB), at the edge of a small rural settlement, surrounded by a gently rolling landscape. The dwellings close to the appeal property include the Grade II listed Jasmine Cottage. Although the original period of the dwellings in the settlement differs, the properties generally have a traditional rural aesthetic, in keeping with distinct local vernacular which defines settlements in the Cotswolds AONB.
5. The appeal property comprises a barn like structure. Although the evidence indicates that this building has altered, the barn largely retains its simple, historic agricultural building quality. Also, constructed in stone, the barn is in keeping with the traditional built vernacular and distinct rural character of the area. In this regard the appeal property contributes positively to the character of the area and the scenic beauty of this part of the AONB.

¹ Ref: 20/00738/FUL

6. The appeal plot is screened by mature vegetation. However, the appeal property's positive contribution to the local landscape is visible, in glimpsed views, from the surrounding lanes and from the footpath crossing the neighbouring field to the northeast of the site.
7. The National Planning Policy Framework (the Framework) states that great weight should be given to conserving landscape and scenic beauty of AONBs which have the highest status of protection in relation to these issues.
8. Also, S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act) requires in considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be had to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. Paragraph 197 of the Framework, sets out matters which should be taken into account, including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
9. The proposal would extend the original barn with the addition of a brick link building, leading to a metal clad building that would provide a large kitchen, diner and living room and an additional utility room. These extensions would appear to double the footprint of the barn and would therefore be substantial additions to the existing building.
10. The extensions would be single storey. However, the roof ridge of the clad extension would be level with the roof lights in the barn and would therefore be of a considerable height. Also, while, the brick link building would be lower than the barn, its proposed roof ridge would roughly match the lifted eaves of the barn. Furthermore, the link building's elevation and roof form would cover a considerable section of the locally distinct stonework on the side elevation of the barn.
11. The sizeable extensions would be built in a variety of materials that would differ not only with the external stone appearance of the barn but would contrast unfavourably with the largely traditional Cotswolds vernacular, in evidence at properties in this immediate setting. Moreover, when observing the north elevations of the barn, these extensions would appear, through an unsympathetic mix of materials and forms, as a discordant arrangement of structures on this relatively simple existing building. With the above insensitive features and given the scale of the extensions, the proposed development would harmfully dominate the appearance of the existing building. In turn this would significantly erode the building's existing traditional character.
12. Also, the proposed combination of a gable end, hipped roof and brick elevations would introduce a suburban quality to this distinctively rural setting. Moreover, with the exception of the glazed panel on the southern elevation, the extensions would not appear particularly contemporary in design. As such, not only would the extensions disrupt the existing design consistency in the area, but they would also not appear as a positive modern contrast to the traditional residential vernacular or agricultural buildings that characterise this area. The proposal would not be a good design at this site for this reason.
13. The extensions would form a L-shape with the existing barn, reflective of the farmstead layout shown on historic maps. I note also that the hardstanding on

the site suggests structures have been attached to other elevations of the barn previously. Be this as it may, I find nothing to indicate that the height, materials and forms proposed in this case would be reflective of the original built form at the site and its historic farmstead context.

14. Landscaping could be improved at the boundary of the plot, but the harmful appearance of the sizeable extensions could not be fully screened. As such, a condition for landscaping would not make the development acceptable from a visual impact perspective.
15. Grade II listed Jasmine Cottage is a small early 18th Century stone house. Its form and materials are the principal features providing the historic significance of this designated heritage asset. However, its distinct rural setting, and the consistency in built form surrounding it, is also important to how the historic interest of the asset is appreciated. Moreover, while it is flanked by more recently constructed buildings, the design of those buildings are generally sensitive to the local vernacular such that they appear neutral additions in this setting.
16. Although divided by a lane, the appeal property is close to the listed building. For the reasons already outlined, through scale, form and materials the design of this proposal would jar with the appearance of the existing barn. In this regard it would also contrast unsympathetically with surrounding development which is largely reflective of the Cotswolds vernacular. In turn the proposed development would appear a detracting feature that would harmfully erode the existing consistency of built form and the existing positive rural setting in which the historic interest of the asset is appreciated. The proposal would fail to preserve the setting of the listed building in this manner.
17. The harmful effect of the proposal would be localised, and the harm caused to the significance of the setting of the listed building would be less than substantial. In accordance with Paragraph 202 of the Framework, this harm needs to be weighed against the public benefits of the proposal.
18. The proposal would result in a dwelling, and this would contribute to the Government's objective to boost the supply of homes. As a small site it could be built out quickly. Also, future occupants would support local rural services and add to the vibrancy of the community. However, the appeal property already benefits from a planning permission for residential use. Even if this was not the case, these would be limited social and economic benefits given the scale of the development.
19. The proposal would increase living accommodation at the site, but this would principally benefit future occupants of the dwelling. Also, while it may result in an efficient use of previously developed land, the proposal would be at odds with the prevailing character and this benefit is significantly countered by this issue.
20. It is asserted that this proposal would ensure the optimum viable use of this building which could be considered a non-designated heritage asset.² This matter has support in Local Plan policy. However, as already outlined, the property already benefits from permission for what appears to be a viable use for the existing building.

² Ref: Planning Heritage Statement

21. It is also stated that providing additional accommodation at this stage would negate the need for extensions to the property in future. While the approved plans of planning permission ref 20/00738/FUL shows a modest property, this would still amount to three bedrooms, kitchen/diner, and separate living room, and it would therefore be a reasonable family home. Also, the approved plans of that permission do not appear to show that the living space at the first floor is unusable. Even if this was not the case, there is nothing to suggest that this harmful proposal would be the only means to address the need for additional space at the property. I attach limited weight to this matter for this reason.
22. It is contented that this proposal would result in a reduction in glazing and openings in the barn from that which has been approved under the above permission. Also, it is put to me that the L-shaped form of the building would reflect the historic pattern of development at the site and that this would screen residential paraphernalia in the plot.
23. While fewer openings may improve the appearance of the barn, the benefits to the appearance of the barn and the wider plot would be substantially countered by the harmful appearance of the unsympathetic extensions. Moreover, mindful of Historic England's guidance on this matter, I find nothing that would prevent a less harmful scheme than this, that is sensitive to the property's agricultural context, being submitted. I give these matters limited weight for this reason.
24. No harm has been identified in respect of highways, ecology, residential amenity, or trees, subject to conditions. However, development should not result in harm and therefore these are neutral factors in this case.
25. The proposal would result in limited public benefits at best. However, for the reasons outlined, even if these benefits are combined, they would not outweigh the significant harm identified to the setting of the heritage asset. Consequently, the harm to the designated heritage asset (from development within its setting) would not have a clear and convincing justification, as required by Paragraph 200 of the Framework.
26. My attention is drawn to a permission for a barn conversion which includes extensions in Chadlington. Limited information is provided. However, that approved development involved the demolition of an existing equestrian arena. The approved development is distinctly different and not directly comparable to this proposal in this regard.
27. It is highlighted that the Landscape and Visual Impact Assessment submitted with the previously approved development at the appeal property found that development would not be harmful to the landscape of the Cotswolds AONB. Be this as it may, unlike this proposal, that approved development does not include significant extensions to the barn and is therefore not directly comparable with the appeal scheme for this reason. These matters have not altered my findings.
28. In light of the above, I find that the proposal would have a significant harmful effect on the character and appearance of the area, having regard for the setting of a listed building. In this respect the proposal would conflict with Policies OS2, OS4, H2, EH1, EH9, EH11 and EH12 of the West Oxfordshire Local Plan 2031. These Policies collectively state that new development should respect the historic, architectural and landscape character of the locality and that great weight will be given to conserving and enhancing the area's natural

beauty, landscape and countryside. In respect of applications that involve the conversion, extension or alteration of traditional buildings, proposals will not normally be permitted where this would, amongst other matters, include extensions or alterations which would obscure or compromise the form or character of the original building.

29. The proposal would also be inconsistent with guidance of the West Oxfordshire Design Guide 2016 and the Framework which seek well-designed places and to conserve heritage assets and the landscape and scenic beauty of AONBs.

Other Matter

30. Reference is made to Paragraph 11 of the Framework, regarding decisions applying a presumption in favour of sustainable development. However, I find, in the application of policies of the Framework that protect areas or assets of particular importance, in respect of heritage assets and the landscape of the AONB, provide clear reason for refusing the development proposed in this case. Therefore, the presumption in favour of development does not apply.

Conclusion

31. Having regard to the development plan and other material considerations, including the Framework, the appeal should be dismissed.

A J Sutton

INSPECTOR