
Appeal Decision

Site visit made on 6 February 2024

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th March 2024

Appeal Ref: APP/Q3115/W/23/3327205

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 P22/S3363/FUL, dated 14 September 2022, was refused by notice dated 6 February 2023.
 - The development proposed is conversion of existing barn into a single 4 bedroom dwelling, construction of new car port and renovation of existing stables. Demolition of all other site buildings and upgrade of existing vehicular entrance (as amended to detail the extent of the domestic garden and to reduce the areas of glazing).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken into account the revised version of the National Planning Policy Framework ('the Framework') published in December 2023. While there have been changes to paragraph numbers since the previous iteration, the parts of the Framework most relevant in this case have not significantly changed. I am satisfied, therefore, that the revised version of the Framework does not raise new considerations necessitating further submissions from the parties.
3. On 22 November 2023, all designated Areas of Outstanding Natural Beauty in England and Wales became 'National Landscapes'. However, the legal designation and policy status of these areas are unchanged, so I have proceeded on this basis.

Main Issues

4. 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 National Landscape Area of Outstanding Natural Beauty (the AONB); and
 - whether the appeal site would be a suitable location for housing with regards to the accessibility of services and facilities for future residents.

Reasons

Character and appearance

5. The appeal site is located within the open countryside on the northern side of the Patemore Lane (B480) and includes several agricultural buildings that the appellant advises are vacant. The buildings are of utilitarian agricultural appearance and comprise a mix of sizes, materials, and conditions. Most of the buildings are clustered either side of an existing vehicular access at the eastern end of the site. A public right of way (The Chiltern Way) crosses the site from the vehicular access northwards to an ancient and semi-natural woodland (Shambridge Wood). The site is adjacent to an open pasture field to the north and west, with woodland located to the east, and a limited number of roadside dwellings across Patemore Lane to the south.
6. The site is located within the Chilterns AONB and the Framework requires that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB. The landscape local to the site comprises an intimate valley, farmland, rolling fields, extensive woodland cover, buildings using local materials, and a regional public route. The relative isolation of the site and its surrounding area provides a sense of tranquillity and remoteness. These characteristics are noted within the AONB Management Plan as special qualities of the AONB. The area surrounding the site, therefore, positively contributes to the distinctiveness and beauty of the AONB.
7. The removal of most of the existing buildings on the site would enhance the appearance of the area. This benefit is, however, limited given the site is currently read as agricultural buildings of the type commonly associated with the surrounding rural working landscape. The utilitarian appearance of the barns is, therefore, accepted in the landscape given the requirements of agriculture.
8. Whilst the development would retain the overall form of the large steel portal framed barn to be converted, the installation of doors and windows would relate poorly to the existing appearance the barn. In particular, the massing, rhythm and symmetry of the fenestration on the eastern and western elevations is evidently domestic in its arrangement, appearing wholly discordant with the utilitarian agricultural appearance of the building. Although the dwelling is set down from Patemore Lane, the effect of the glazing on the eastern elevation would be very prominent from the public right of way, jarring with the character of the building and of the wider area. Furthermore, the proposed carport, new parking area, and new domestic activity with its associated paraphernalia, would exacerbate the discordant domesticating effect of the development.
9. I note that the conversion would use materials sympathetic to the AONB, including traditional black stain featheredge boarding. Furthermore, I note that blinds, electro chromatic glazing, and new planting would soften the domestic appearance of the development. These features would not, however, fully address nor overcome the adverse effects of the scheme.
10. For these reasons, notwithstanding the benefits noted above, the development would be read as an incongruous residential encroachment into the countryside, detrimental to the visual amenity and landscape character of the site and its surroundings. It would undermine the area's rural natural

appearance, its tranquil character and its contribution to the rural qualities of the AONB.

11. The development would not preserve or enhance the landscape character and scenic beauty of the AONB. In these regards, it would be contrary to Policies H1, STRAT1, ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2011-2035 (the Local Plan) and Policy P3 of the Watlington Neighbourhood Plan. Amongst other things these look to ensure development enhances and respects its surroundings with the highest level of protection to the landscape and scenic beauty of the AONB. Also, the proposal would fail to recognise the intrinsic character and beauty of the countryside as required under paragraph 180(b) of the Framework.

Access

12. The site is not identified to lie within a defined settlement as set out in the settlement hierarchy of the Local Plan. The nearest settlement (Watlington) with any notable services and facilities is a significant distance away from the site. The route from the appeal site to Watlington is along the B480 and is without a separate footway, lighting or regular public transport. It would be an unattractive route to be undertaken on foot or by cycle. The lack of suitable walking and cycling routes would result in future residents relying on the private motor car to access regular requirements such as schools, shops, employment and health services. This would significantly reduce the likelihood of sustainable journeys.
13. The development would, therefore, conflict with Local Plan Policies DES1, TRANS2, and TRANS5. These policies, taken together, amongst other things, seek to encourage access to local services and facilities by walking, cycling and public transport, encouraging environmentally sustainable travel habits. Furthermore, the development would conflict with Section 9 of the Framework which promotes managing patterns of growth to maximise sustainable transport opportunities.

Planning Balance

14. The proposal would result in some economic and social benefits, including through the dwelling's construction and as a result of a slight increase in spending and patronage of services in the local area. The proposal would also make a limited contribution to the Government's objective of significantly boosting the supply of homes. However, as the proposal is for only a single dwelling, the benefits identified attract limited weight.
15. I note that a range of ecological enhancements are proposed including additional hedgerow, wild flower, and tree planting. Subject to these matters being secured by condition, I acknowledge that a biodiversity net gain could be achieved and afford this benefit limited weight given the limited area of improvements. The dwelling would also include a range of energy efficiency measures, representing a limited environmental benefit. I have had regard to the proposed highway improvements to the site access and afford that benefit limited weight.
16. There would, however, be environmental and social harms arising from the poor accessibility to necessary day-to-day facilities by sustainable transport modes. This would not promote sustainable development in rural areas or

encourage the healthy lifestyles and community building supported by the Framework. The proposal would not comply with the spatial strategy of the development plan and would harm character and appearance, detrimental to the AONB. I give these harms and the consequent conflict with the above noted development plan policies significant weight.

17. The Framework dictates that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB. The identified detriment to the AONB caused by the proposal would outweigh the benefits of the scheme. Therefore, policies of the Framework that protect assets of particular importance provide a clear reason for refusing development. The circumstances as set out in paragraph 11(d)(i) exist and the so-called tilted balance does not apply.
18. In reaching my conclusion, I have taken into account the recent appeal decision¹ at this site. My findings are consistent with that decision with regards to the benefits of demolishing the existing buildings. I have also had regard to the permissions granted at Maidensgrove Farm² referred to me by the appellant. However, the details of the current appeal are materially different in terms of design and location, and I have assessed this appeal based on the evidence before me.
19. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations, including the Framework, indicate otherwise. The proposal would conflict with the development plan when read as a whole and there are no other considerations that outweigh that identified conflict.

Conclusion

20. For the reasons above, the appeal is dismissed.

S D Castle

INSPECTOR

¹ Appeal Ref: APP/Q3115/W/22/3298876

² P22/S2823/FUL & P20/S2823/FUL