



Appeal Decision

Site visit made on 8 February 2024

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24.04.2024

Appeal Ref: APP/Q3115/D/23/3332345

Manor Farm, Main Street, Forest Hill, Oxford, Oxfordshire OX33 1EB

- 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 Jack Nethercott of Prime Oak against the decision of South Oxfordshire District Council.
 - The application Ref P23/S2038/HH, dated 15 June 2023, was refused by notice dated 18 August 2023.
 - The development proposed is erection of an oak-framed garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would preserve the setting of the Grade II* listed gateway and walls to the south-west of Manor Farm, and would preserve or enhance the character or appearance of the Forest Hill Conservation area,
 - whether the proposed development represents inappropriate development in the Green Belt,
 - effect on the openness of the Green Belt,
 - whether other considerations clearly outweigh the harm to the Green Belt, and any other harm, so as to amount to very special circumstances.

Reasons

Effect on the listed building and conservation area

3. The proposal is for a detached single storey oak framed timber garage. It would be located near to an existing outbuilding described as a 'summerhouse' by the appellant and situated away from the main house.
4. The appeal site is part of the curtilage of a substantial former farmhouse. It is located within the Forest Hill Conservation Area, and within the Green Belt, near to the Parish Church and some large redundant farm buildings. The conservation area is based upon the linear historic core of the village, with development along Main Street stretching towards the village centre including

part of Wheatley Road and Polecat Lane. Stone was the predominant traditional building material.

5. In the vicinity of the proposed garage site there is a Grade II* listed building comprising an early 17th century gateway and flanking walls which served a now demolished manor house. The special interest of the structure is its semi-circular archway, moulded stone surround, pediment and architectural detailing. The Council considers that the simple design of the proposed garage would be in keeping with the character and appearance of the existing dwelling and conservation area and would conserve the setting of nearby listed buildings. Having regard to the duties under sections 66 and 72 the Planning (Listed Buildings and Conservation Areas) Act 1990 I see no reason to disagree as the proposed building would preserve the special interest and setting of the listed building, in view of its location away from the listed structure. The special interest of the conservation area is its linear form which includes the church and vernacular buildings built in stone and later incorporating brick. Although the garage would be built using oak framed weather boarding the barn-like appearance would reflect its rural location. In view of its form and design it would preserve the significance and character and appearance of the conservation area. Consequently, the proposal would not conflict with South Oxfordshire Local Plan policies ENV6, ENV7 and ENV8 regarding protection of the area's heritage.

Whether inappropriate development in the Green Belt

6. Paragraph 154 of the National Planning Policy Framework (the Framework) advises that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. The proposed building does not meet any of the exceptions which are listed under paragraph 154. It would not constitute infill development and would be a large, separate stand-alone outbuilding. Although reference is made to an Inspector's observation in an appeal at the site, dismissed in 2005, regarding the extension to a building in the Green Belt, the circumstances would have been different, and prior to the issue of the Framework. The proposed garage in this appeal would not be close to the main dwelling and would not be an extension to the summerhouse.
7. I find therefore, that the proposal would constitute inappropriate development in the Green Belt. Paragraph 152 of the Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal would conflict with South Oxfordshire Local Plan policies STRAT6 and H20, which, amongst other things, seek to ensure that buildings in the Green Belt do not represent disproportionate additions.

Effect on openness of the Green Belt

8. In accordance with the National Planning Practice Guidance, the openness of the Green Belt is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume. The proposed garage would be a large linear structure. In spatial terms the proposal would add significant volume to the built development already at the appeal site. Although the ground level slopes down from Main Street to the site, the top part of the building would be glimpsed from the public highway down the vehicular access to the property. Although there may be a

consequent reduction in out-door car parking, that would not be the case for any visitors. Consequently, I find that there would be modest harm to the openness of the Green Belt from the proposal in both spatial and visual considerations.

Other considerations

9. The appellant has referred to the history of previous proposals at the site, in particular the '2019' application which included increasing the extent of the lower ground floor storage and kennel wing to include garages detached from the summerhouse in a similar location to that proposed in this appeal. The appellant submits that the current proposal would be materially smaller. However, there are some differences between what was permitted in that previous case and what is now proposed. The permitted garages would have been built in stone to match the house and the front elevation appears to be cut into the land slope. Whether, or not, that previous permission involved a decrease in volume of the proposed extension to the summerhouse, that permission has lapsed, and does not form a potential fall-back situation.
10. The appellant has indicated that a garage could be built at the rear of the property under permitted development rights. However, no drawings have been submitted, and there is no evidence to confirm that its construction would be a realistic prospect.
11. Paragraph 153 of the Framework advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
12. I find that other considerations do not clearly outweigh the harm that I have identified. Looking at the case as a whole, I consider that very special circumstances do not exist to justify the development.

Conclusion

13. For the reasons given above, including the conflict with development plan policies STRAT6 and H20, the appeal is dismissed.

Martin H Seddon

INSPECTOR