

Appeal Decision

Site visit made on 10 September 2024

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th September 2024

Appeal Ref: APP/Q3115/W/24/3343923

Cedar House, Woodperry Road, Beckley, Oxford, Oxfordshire OX3 9SZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Ring against the decision of South Oxfordshire District Council.
 - The application Ref is P23/S2979/FUL.
 - The development proposed is a Barn Conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's evidence refers to Policies contained within the emerging Bexley and Stowood Neighbourhood Plan. However, I have not been provided with details of the precise status of those policies, the status of the plan nor details of whether there are any unresolved objections to them. As such, I have not afforded these policies any significant weight in the determination of this appeal.

Main Issues

3. The main issues are:
 - whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan Policies;
 - whether the appeal site is an appropriate location for the development having regard to development plan policies, and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal site is located within the Green Belt. Paragraph 143 of the Framework sets out the purposes of the Green Belt which are; to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
5. Paragraph 154 of the Framework sets out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions. New buildings within the Green Belt are inappropriate unless, amongst other things, they relate to the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
6. The Framework does not provide a definition of 'disproportionate additions' and therefore an assessment of whether a proposal would amount to disproportionate additions over and above the size of the original building is a matter of planning judgement.
7. The existing building is modest in size and the proposal would extend the building to be approximately double in size. While I acknowledge the original building is small, the proposal would nonetheless represent a substantial increase from the original size which I find to be disproportionate.
8. Paragraph 155 of the Framework lists further forms of development that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include paragraph 155 d) the re-use of buildings, provided that the buildings are of permanent and substantial construction.
9. It is clear that the building is of a permanent and substantial construction, and this is not a matter that is disputed by the Council. Therefore, in order to determine whether the proposal would be inappropriate development I am required to consider the effect on openness.
10. The extension proposed would introduce built form which would therefore have a physical effect on reducing openness. The proposed use as a dwelling would also introduce associated domestic paraphernalia as well as the potential for new enclosures and parking facilities which would be more intensive than the existing agricultural use, which would also reduce openness both physically and visually.
11. Therefore, the exemptions at paragraphs 154 (c) and 155 (d) of the Framework are not met. Accordingly, the proposal would comprise inappropriate development in the Green Belt. As far as relevant, it would be contrary to Policy STRAT6 of the South Oxfordshire Local Plan 2011-2035 Adopted December 2020 (LP), which seeks to maintain the extent of the Green Belt. I am required to attach substantial weight to this harm.

Whether an appropriate location

12. The appeal site is a large plot of land which contains the dwelling known as Cedar House and is accessed from Woodperry Road which continues to the village of Beckley. The appeal building is located in an open field to the east of the dwelling. The appeal site is located outside of the built up limits of Beckley and is therefore regarded as the open countryside.
13. Policy STRAT1 of the LP relates to settlement hierarchy and seeks to protect and enhance the countryside, particularly those areas within the Green Belt by ensuring that outside of the towns and villages any change relates to very specific needs, such as those of the agricultural industry or enhancement of the environment.
14. Policy H1 of the LP permits residential development on sites not allocated in the Development Plan subject to certain criteria. There is no dispute between the parties that the proposal would not meet any of the criteria apart from vii) which relates to bringing a redundant or disused building into residential use and would enhance its immediate surrounding.
15. The appellant states that the building is redundant which is not disputed by the Council. In this regard, an assessment is required in order to establish whether the building would enhance its immediate surrounding.
16. I noted during my site visit that the appeal building appears to be in use and is in a good condition with the land surrounding it being well kept, open and landscaped. The overall result is that the appeal site has an open and verdant character and appearance that the appeal site positively contributes to.
17. The appeal proposal would increase the overall size of the building and through the use as a dwelling, would have the potential to introduce domestic paraphernalia which would erode the open character and appearance of the area. I acknowledge that conditions could be imposed to remove permitted development rights, however, this would not prevent domestic paraphernalia such as washing lines, seating and landscaping features associated with a dwelling which would all have an effect on the verdant and open character and appearance. For these reasons, the proposal would not enhance the immediate surrounding and would therefore fail to meet the criteria of vii).
18. I therefore conclude that the proposal would not be appropriately located. It would be contrary to Policies SRAT1, H1, DES1, DES2 and ENV1 of the LP. Amongst other things, these seek to ensure that residential development is appropriately located, respect the existing landscape character and physically and visually enhance and complement the surroundings.

Other considerations

19. The appellant has suggested that as part of the existing agricultural use that structures, machinery, vehicles and mobile homes could be placed on the land which they consider would be more harmful than the proposed development. However, I have very limited evidence before me that these would be required for the current use on the site, particularly in light of that the appellant is seeking other uses, such as through the appeal proposal before me. As such, this attracts limited weight as a consideration.

20. The proposed development would meet the minimum building regulation standards. However, this is a neutral matter.

Green Belt Balance and Conclusion

21. In summary, the proposal would be inappropriate development in the terms set out by the Framework and would result in a harmful loss of openness to the Green Belt. The Framework requires that substantial weight should be given to any harm to the Green Belt. The proposal would also not be appropriately located.

22. For the reasons set out above the harm to the Green Belt would not be clearly outweighed by the other considerations and, therefore, the very special circumstances required to justify a grant of planning permission have not been demonstrated. Consequently, the appeal is dismissed.

D Wilson

INSPECTOR