



Appeal Decision

Site visit made on 20 November 2024

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2024

Appeal Ref: APP/F1610/W/24/3344528

Perryfield, Wyck Lane, Lower Slaughter, Cheltenham GL54 2EX

- 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 and Mrs DG and RJ Hedges against the decision of Cotswold District Council.
 - The application Ref is 24/00401/FUL.
 - The development proposed is conversion of existing barn to form 1no. dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for an award of costs made by Mr and Mrs DG and RJ Hedges against Cotswold District Council is the subject of a separate decision letter.

Preliminary Matter

3. Since the appeal was lodged, the Secretary of State has issued a written ministerial statement entitled "Building the homes we need". I have had regard to the main parties' comments on this statement in my assessment.

Main Issues

4. As part of the appeal, the appellants have provided a Transport Statement that was not with the Council at the time of its decision. In light of this, the Council advises that it no longer has concerns over the safety and suitability of the access. I find no reason to take a different view on the matter.
5. Therefore, the main issues are (i) the effect of the development on the character and appearance of the area and whether it would conserve or enhance the scenic and natural beauty of the Cotswold National Landscape Area of Outstanding Natural Beauty (the AONB), and (ii) whether it would be in a suitable location having regard to the Cotswold District Local Plan 2018 (the LP) and the National Planning Policy Framework (the Framework).

Reasons

Character and appearance and AONB.

6. The appeal site lies in the AONB. The wider area consists mainly of open fields with hedgerows and small parcels of woodland. Wyck Lane is narrow with hedgerows on either side, although there are occasional buildings including dwellings. The busy A429 road is a short distance from the site. Further along

the main road is the start of a public bridleway that runs along the edges of fields, including a paddock to the rear of the appellants' land.

7. The barn subject of the proposal is of simple, modern design. It is on the front part of the appellants' holding where there is also a workshop and a separate wood store. On my visit I saw a shipping container and items being stored externally on the land. Despite these, the holding has an agricultural and rural feel that is reinforced by the typical style of the barn.
8. The barn is not prominent within Wyck Lane as it is largely screened by roadside hedgerow and only seen through the site entrance. However, there are clear medium-distance views of the subject building from the bridleway. From these vantage points the barn is seen with the paddock in the foreground and against a backdrop of trees. These views include the appellants' buildings and an adjacent dwelling. Even so, the bridleway provides an attractive outlook of the surrounding countryside. The vista is sensitive to change as it is of the AONB and it is appreciated by users of the bridleway.
9. The large, proposed window to the southern elevation would allow views of the inside of the dwelling and internal lighting from the bridleway. Also, domestic paraphernalia kept outside the dwelling may be seen, even though the extent of the garden would be tight to the building. From Wyck Lane, the proposed entrance porch and front garden would be visible through the access. I am unconvinced from the information provided that additional planting would entirely conceal the development from public vantage points. In any event, vegetation cannot be relied upon as permanent screening.
10. As such, the development would lead to an obvious change in the appearance of the building and the nature of the appeal site. The residential use would be noticeable and it would undermine the agricultural feel to the land. Also, the changes would detract from the rural views and the scenic qualities of the AONB that are appreciated from the bridleway. The simplistic form of the dwelling would not reflect the traditional style of other nearby residences.
11. The proposal would not generate significant additional trips compared to the existing use of the barn. Also, the site is affected by traffic noise from the A429. Therefore, the comings and goings and general activities associated with the proposed residence would not undermine a strong sense of tranquillity. The appellants suggest various visual improvements such as the removal of hardstanding, the shipping container and other materials as well as new planting could be secured through the imposition of planning conditions. However, the benefits of such measures would be limited and they would not fully address nor overcome the harmful effects of the development.
12. For the above reasons, I conclude the development would cause significant harm to the rural character and appearance of the area and that it would not conserve nor enhance the scenic and natural beauty of the AONB. In these respects, the scheme would not accord with LP policies EN4 and EN5. These resist significant detrimental impacts on the landscape and seek to safeguard the special qualities of the AONB.

Suitability of location.

13. The site is outside any settlement as defined in the LP and is in a rural area. LP policy EC6 allows the conversion of rural buildings to alternative uses

provided it accords with listed criteria. The Council considers the proposal would accord with LP policy EC6 and I find no reason to arrive at a different view on the matter. LP policy DS4 is not relevant as it specifically relates to new build housing rather than the conversion of an existing building.

14. Unlike paragraph 84 of the Framework, LP policy EC6 allows the conversion of buildings that are not disused or redundant and it does not require enhancement to the setting of buildings. However, decisions should be made in accordance with the LP unless material considerations indicate otherwise. The Framework is a factor but it does not supersede LP policies. Even if the proposal does not fully accord with paragraph 84 of the Framework, this conflict fails to override compliance with LP policy EC6. As such, I conclude the development would be in a suitable location.

Other Matters and Planning Balance

15. The proposal would be acceptable in respect of the second main issue but it would cause harm to the character and appearance of the area and the qualities of the AONB. It would not accord with the LP when read as a whole. It follows to consider whether other factors justify allowing the appeal.
16. Limited information has been provided on planning permissions that the Council has granted for the conversion of other rural buildings into dwellings. As such, I am unable to draw accurate comparisons between these schemes and the appeal proposal. Therefore, these other decisions fail to influence my assessment of the appeal.
17. I am unconvinced the barn would fall into disrepair if the appeal were dismissed as it appeared to be in good condition when I visited the site. However, the proposal gains support from paragraph 124(c) of the Framework that promotes the development of under-utilised buildings. The Council is able to demonstrate in excess of a 5 years' supply of housing land but the development would add to the housing stock. The benefits in these regards attract modest weight as the scheme is for only a single dwelling.
18. Proposed planting and bat and bird boxes would provide biodiversity enhancement and the development would include measures to reduce water consumption and to generate renewable energy. These are only minor benefits given the scale of the proposal. Overall, the advantages of the development attract moderate weight.
19. The scheme would cause only localised harm to the character and appearance of the landscape. However, the Framework at paragraph 182 states that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB. Accordingly, the benefits of the scheme provide insufficient justification to grant planning permission contrary to the development plan.

Conclusion

20. For the reasons given above, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR