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Planning Inspectorate

Appeal Decision

Site visit made on 28 December 2024

by **A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31st January 2025

Appeal Ref: APP/D3125/W/24/3348182

Land Adjacent Butterfield House Little Faringdon Lechlade GL7 3QP

- 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 Mrs Phillipa Cantwell against the decision of West Oxfordshire District Council
- The application Ref is 23/03172/FUL
- The development proposed is Erection of agricultural maintenance storage shed.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the building is reasonably necessary having regard to the scale and nature of the use of the land.
 - the effect of the development on the character and appearance of the area having regard to the significance of Butterfield House, a designated heritage asset.

Reasons

Need for the development

1. The appellant asserts that the storage shed is necessary for the storage of equipment required to maintain the field within which the development would be located. It is not before me to consider the lawful use of the land as both parties assert the land is in agricultural use, but to determine whether the building proposed is reasonably necessary for that use in the circumstances set out.
2. It is the evidence of the appellant that the field is 'topped' twice yearly by an agricultural contractor using his own, presumably agricultural grade, equipment brought to site for that purpose. Such 'topping' would be consistent with the management of grassland used for grazing or hay production, but other than an assertion of occasional use, no evidence of haymaking or livestock grazing¹ has

¹ Or other agricultural or forestry activity

been provided. The appellant goes on to suggest that the equipment to be stored in the proposed building 'is directly and exclusively related to management and maintenance of the field margins'² and that this is unconnected with the maintenance of the grounds of Butterfield House. However I attach little weight to the appellant's suggestion of biodiversity benefits from maintenance of field margins as regularly mowed grassland tends to be ecologically sterile whereas untended field margins can be a rich habitat. No further explanation of the agricultural purpose of the equipment is provided. I also note that the part of the field where the proposed building would be located lies apart from land which benefits from the Rural Payments Scheme.

3. Little Faringdon has the status of a hamlet or small village according to the West Oxfordshire Settlement Strategy³ and therefore equivalent to open countryside where development (other than as provided by housing policies) is limited to '*that which requires and is appropriate for a rural location...*'. What is proposed does not fall within what is set out in Policy OS4 of the West Oxfordshire Local Plan 2031 (WOLP) and whilst I note the appellant's suggestion that the list is not intended to be exhaustive, the objective of the policy is reflected in the examples given. It is also apparent that for a proposal to be 'appropriate' in the terms of that policy, development should support a functional relationship with the use of the land, in this case, for agricultural purposes. However, I have nothing before me to support such a conclusion.
4. The Council's observations refer to mown pathways and non-agricultural planting/seeding which would suggest an amenity rather than agricultural, purpose which aligns with the nature of the equipment to be stored, and specifically the domestic nature of the 'lawn tractor' referred to⁴. Evidence to the contrary absent, I consider the activities for which the proposed building is required appear to be more closely related to retaining the visual or aesthetic value of the field than any agricultural activity or rural business and would therefore not be appropriate development in the location proposed.
5. Even if some activities carried out by the equipment identified are connected with usual management of the land, such as fencing or tree management, the equipment sought to be accommodated in the proposed building is, other than the ride-on mower and strimmer, portable and could be readily brought to site when needed. The need to store a mower and strimmer on site has not been demonstrated as necessary for the use of the land and I therefore find that the proposal would conflict with the objectives of Policies OS2 and OS4 which seeks to limit development in the open countryside to what is appropriate and necessary.

Character and appearance

6. The proposal intends the erection of a prefabricated building of a size and proportion similar to that of a domestic garage⁵ within an open field (the Field) adjoining the Grade II listed Butterfield House which sits at the edge of the small linear settlement of Little Faringdon. Although the Council suggest historic mapping

² Which the contractor does not do

³ Set out in supporting text to Policy OS2 of the West Oxfordshire Local Plan 2031

⁴ Trade descriptions of the Lawn Tractor specified by the appellant widely refer to 'mowing', and 'lawns'.

⁵ It is not suggested that the building would house a private vehicle

indicates linkage⁶ between Butterfield House and the Field, that is not my conclusion based on the mapping provided. I consider the significance of this listed building to arise from its Tudor-Gothic design by the reputed architect William Butterfield also noting that both by its non-vernacular design and original use as a vicarage, Butterfield House originally appears to have had neither visual or functional association with the surrounding agricultural land.

7. The proposed building would be set close to the extended line of, but broadly midway along, the north-western field boundary which runs along the rear of Butterfield House and its adjacent dwelling. It would be at some distance from the heritage asset, however inter-visibility is not necessarily determinative of the extent of a heritage asset's setting and in this case an awareness of both structures would be available from limited viewpoints. Nevertheless, noting the general duty set out in Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA), I consider the extent to which the field within which the building would be located loses its undeveloped rural character, whether as a result of the development proposed or from operations which the proposal would enable or support in the way I have already outlined, is a matter to which I must have regard in this determination.
8. The proposed building would be small and more domestic in scale than buildings which might be expected in the open countryside. However, although that would minimise the visual impact in its well-screened location, the presence of a building type more usually found within a residential or urban setting would appear as anomalous. The building would be adjacent to the perimeter of residential curtilage and, to the extent its setting would present (even in part) areas of closely mown⁷ grass or non-agricultural planting there would be a change in visual character of the land from an agricultural use. Although this change would not be significant in terms of wider landscape, it would, by the introduction of such domestic characteristics, be harmful to the setting of Butterfield House as a former Victorian Rectory sitting within a defined curtilage that had little functional relationship or visual affinity with the agricultural land surrounding.
9. Whilst the building itself would not be unduly obtrusive or harm the intrinsic character of the area, I consider the development would support an undesirable change in the character and appearance of the Field and also therefore, of the setting of Butterfield House. I therefore conclude the proposal would conflict with Policies EH9 and EH11 of the WOLP which seek to protect the significance of heritage assets including respect of the historic curtilage.

Conclusion

10. Although I have found little conflict with Policy E2 of the WOLP in that the appellant does not suggest the proposal would have a benefit to the rural economy, or with EH2 having regard to landscape impact, I have identified significant conflict with Policies OS2 and OS4 in that the appellant has failed to justify the need for the development. I have further concluded that the development would inappropriately support a likely change in the character and apparent use of the land which would

⁶ Referred to in email 20 September 2024 from heritage officer with extract from 1899 mapping. The land ties thereon appear to relate to what is the current garden area and do not cross the field boundary.

⁷ Whilst 'mowing' is a term of historic agricultural practice, I use this in its usual current sense of machine cutting of grass with an aesthetic intent.

harm the setting and significance of a designated heritage asset, matters to which significant weight should be attached. Consequently, having taken all matters raised into account, I conclude the proposal would conflict with the provisions of the development plan as a whole and, being not strongly outweighed by other considerations, the appeal cannot therefore succeed.

Andrew Boughton

INSPECTOR