



Appeal Decision

Site visit made on 3 December 2024

by **G Sibley MPLAN MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th March 2025

Appeal Ref: APP/C3105/W/24/3344701

Shelswell Inn, Buckingham Road, Newton Purcell MK18 4AU

- 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 Reuben Barney against the decision of Cherwell District Council.
 - The application Ref is 21/02058/FUL.
 - The development proposed is described as 'erection of barns.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Whilst the description of development refers to the erection of barns, based on the submitted plans and the evidence before me only one building is proposed, albeit sub-divided into two units. I have therefore assessed the appeal on this basis.

Background and Main Issues

3. The reason for refusal states that an agricultural need has not been provided for the proposal, however the appellant states that the scheme is not required in relation to any agricultural use. As such, it is not disputed between the parties that the building is not proposed to be used for agricultural purposes.
4. Therefore, the main issues relevant to this appeal are: whether the proposal would be in an appropriate location for the proposed use with regard to local policies; and the effect of the proposal upon the character and appearance of the area.

Reasons

Location

5. The appeal site is located to the rear of the Shelswell Inn, a public house. Between Shelswell Inn and the appeal site is a brick-built barn and an area of hardstanding where several caravans are located. The proposed building would be sited next to this area of hardstanding. The appeal site is surrounded by fields with sporadic development which generally consists of small groups of houses. At the time of my site visit construction work was underway on parts of the High Speed Two network near to the site.
6. It is not disputed between the parties that the use of the area of hardstanding for the keeping of caravans is the permitted use of that site. However, based on the information before me the red line plan related to this use, as identified within the

Enforcement Notice¹, does not include the site where the storage building is proposed, nor the land to the rear of it. The Council state that the land where the building is proposed is in agricultural use, although the appellant states that the land has been used ancillary to the caravan site. However, the appellant has not provided substantive evidence that the site, where the building is proposed, has been granted permission to be used for an alternative purpose. Therefore, I see no reason to conclude differently from the Council on this matter.

7. The building is proposed to be used to provide storage for the maintenance of the land associated with the caravan site.
8. It is not disputed between the parties that the site is located within the open countryside and based on the information before me I find no reason to conclude otherwise. Policy AG2 of the Cherwell Local Plan (LP), 1996, relates to, in part, the construction of agricultural buildings but given that this scheme is not proposed to be used for agricultural purposes the policy is not relevant to this proposal.
9. Policy CS8 of the LP states, amongst other matters, that sporadic development in the open countryside will generally be resisted.
10. The appellant proposes to use the building for the storage of equipment and materials related to maintaining the land ancillary to the caravan site. However, the scheme proposes a significantly sized building, and it has not been robustly justified that the identified equipment or materials would require a building of this size and particular height, considering the limited scale of the caravan site and the equipment referred to. Furthermore, there is insufficient evidence that the land where the building is proposed is lawfully used in relation to the caravan site given that it was outside of the land identified in the Enforcement Notice.
11. Given that the scale of the building has not been robustly justified, it is not evident that the building would necessarily have to be built on this particular site. No sequential assessment of alternative sites has been submitted to determine that a storage building could not be located on a more suitable site.
12. The appeal site is located in the open countryside and given the lack of robust justification for the scheme, as proposed, the development would be sporadic development and should be resisted in accordance with Policy CS8. No other policies have been identified which supports the principle of the proposal within the open countryside.
13. For the reasons given above, the proposal would not be in an appropriate location for the proposed use with regard to LP Policy CS8 insofar as it states that sporadic development in the open countryside will generally be resisted.

Character and Appearance

14. The proposed storage building would be located next to the caravans on site which themselves are located behind a barn and the Shelswell Inn which fronts Buckingham Road. The Shelswell Inn is a brick built public house that has a considerably sized frontage along Buckingham Road. To the side of the Inn is the gated access to the caravan site. The Inn is a notable building with a step level roof with three dormer windows within the front elevation. The brick-built barn to

¹ Enforcement Reference: ENF/01/22A

the rear of this is of a similar scale and is built from similar materials. The caravans to the rear of that are located sporadically around the area.

15. The field where the building is proposed is open grassland that is bound by close boarded fencing along one side and the rear boundary and has post and rail fencing along the other side. Given the siting and scale of the Shelswell Inn much of the site to the rear is screened but where the building is proposed is visible from further along the road which rises up from the appeal site, as well as from other viewpoints in the nearby countryside including either side of the Inn.
16. Around the site are open fields that appear to be in agricultural use and given the sporadic siting of the buildings nearby the area has a rural character. This rural character of the area is partly urbanised by the utilitarian and engineered appearance of the bridge over Buckingham Road and the ongoing works for HS2, but these works are only temporary.
17. The building is proposed to be utilitarian in appearance similar to modern farm buildings with roller shutter doors and the plans show it would be covered by corrugated cladding. It would have a footprint of around 100 square metres and be around 6 metres tall. This would make the building substantially larger than the surrounding caravans it is proposed to serve.
18. In isolation, barns similar in appearance to what is proposed are not uncommon on farms, however, the site is not located on a farm. The Shelswell Inn and the nearby barn are notable brick-built buildings, and the other buildings nearby are similar in character utilising comparable materials. Given the choice of materials and the use of roller shutter doors, the appearance of the proposed building would not be sympathetically designed alongside the brick-built buildings on the wider site, as well as others nearby. The proximity and juxtaposition of the appeal scheme with the brick-built structure would appear unsympathetic and discordant.
19. The appeal building would be seen alongside these other buildings on site, including the caravans and a structure in this general location would concentrate the development and thus limit urban sprawl into the open countryside.
20. However, the barn would be of a substantial size, similar in height to the Shelswell Inn and the other barn and much larger than the caravans. Whilst the building would be partly screened from some viewpoints, it would be visible from others within the nearby area given its considerable scale. The substantial size of the building combined with its utilitarian appearance would harmfully erode the rural character of the area. It has not been robustly demonstrated why such a substantially sized building would be required for the proposed use given the limited scale of the caravan site or why it would need to be designed the way it has to provide this.
21. For the reasons given above, the proposal would unacceptably harm the character and appearance of the area. Therefore, the proposal would conflict with Policy ESD15 of the Cherwell Local Plan 2011-2031 (CLP) and Policies C8 and C28 of the LP. These state, amongst other matters, that sporadic development in the countryside must be resisted if its attractive, open, rural character is to be maintained and ensure that the standards of layout, design and external finish materials are sympathetic to the character of the urban or rural context of that development.

22. Reference has been made to Policy ESD1 of the CLP in the Decision Notice, but this policy relates to mitigating and adapting to climate change and thus is not relevant to this matter.

Planning Balance

23. The development would support the ongoing maintenance of the caravan site and lead to limited short term and long-term economic and social benefits given the limited scale of the caravan site. The appellant states that the scheme would only result in a loss of an area of low value grassland but there is no substantive evidence that where the storage building is proposed is low value grassland. As such, this does not weigh in favour of the development.
24. The proposal would not be in an appropriate location and would cause harm to the character and appearance of the area. This would lead to a conflict with relevant policies in the development plan. As a result, the proposal conflicts with the development plan and I attach significant weight to the identified harms. Therefore, the limited benefits of the scheme do not outweigh the identified harms.

Conclusion

25. The proposal would conflict with the development plan, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

G Sibley

INSPECTOR