



Appeal Decision

Site visit made on 19 February 2008

by **G R Stewart** BSc DipTP MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.g
ov.uk

Decision date:
3 March 2008

Appeal Ref: APP/V3120/A/07/2059392

Land at 7 Long Barn, High Street, Sutton Courtenay, Abingdon OX14 4BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr and Mrs R A Cowdrey against the decision of the Vale of White Horse Council.
- The application (Ref 07/00567/OUT), dated 7 April 2007, was refused by notice dated 1 October 2007.
- The development proposed is "annexe to main building".

Decision

1. I dismiss the appeal.

Preliminary Matters

2. The proposed development was described in the planning application as an annexe to the main building. However the Council determined the application on the basis that it was an application for a single storey dwelling, and the appellants' agent refers to it as such. No case has been made to the effect that it will serve as an annexe, and I will deal with the appeal on the basis that a new separate dwelling is proposed.
3. The planning application was made in outline with only the access, landscaping and scale reserved for subsequent approval. The submitted details relating to the proposed appearance and layout of the development are therefore under consideration in this appeal.

Main issues

4. The first issue to consider is whether the appeal site is within the 'built up area' of the village. If it is, I need to consider the effect of the proposal on the appearance and character of the Conservation Area and on the setting of the Listed Building.

Reasons

5. The Vale of White Horse Local Plan countenances small scale development in villages such as Sutton Courtenay under the provisions of Policy H11, but in the countryside outside villages, Policy H13 militates against new housing unless it is essential for the needs of agriculture. It is therefore necessary to identify the built up area of the village in order to determine which policy applies. The Local Plan does not define the built up areas.
 6. The constituent parts of the appeal site are part of the garden of No 7 Long Barn, an overgrown unused area, and an area used for parking. It is fenced from the adjacent field, and contains a high brick wall which marks the present
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extent of the garden. By virtue of those features, I consider that the site has a greater affinity with the built up area of the village than with the surrounding agricultural land and that Policy H11 is therefore applicable. I saw no rationale for the Council's claim that the edge of the built up area runs along the wall of the adjacent garage block. Both to the north and south of the site, development extends further westward, but that is academic, as much of the adjacent field would fall within the built up area, if the defining line were to link the furthest extent of developments some way from the appeal site.

7. Sutton Courtenay is essentially a linear village so that at many points along the main street the proximity of the countryside setting is apparent through gaps between buildings, and the number of old farmhouses and converted farm buildings on the western side of the street is testimony to the historic links between the settlement and the countryside. This is an important part of the character of the Conservation Area. The appeal site is part of a gap between buildings which allows a perception of the agricultural land just beyond the built up area. The three garage blocks, permitted many years ago, are not, in my view, particularly sympathetic to the appearance and character of this essentially open area, but that is not a sound reason for consolidating development in this gap. From certain viewpoints the proposed dwelling would indeed be largely concealed by the western garage block, but, from other angles, it would be visible from the main street, and would erode the openness of the area, which contributes to the appearance and character of the Conservation Area. Its development would therefore conflict with Local Plan Policy HE1 which seeks to preserve or enhance the established character or appearance of Conservation Areas by (inter alia) protecting open gaps between buildings where these make a positive contribution to the Area's relationship with its landscape setting.
8. An appreciation of the Listed Building is available from the long gardens and the walkway running along the northern end of them. Much of the appeal site, that part to the north of the existing garden wall, is visually separated from the Listed Building, and does not, in my view, form part of its setting. But both the proposed building and its garden would encroach to the south of that enclosing feature, and although the proposed dwelling would reflect the design and materials of the garage blocks, it would not respect the characteristics of the Listed Building in its setting, as required by Policy HE4.
9. The appellants' agent is equivocal about whether the appeal site comprises part of the curtilage of No 7, and in those circumstances, the argument that an outbuilding could be erected under 'permitted development' rights is not a cogent one. Having taken into account all of the matters raised in support of the appeal proposal, including the matters that are said to have changed since a previous appeal was dismissed in 1990, I have found nothing that outweighs the harm that it would cause to the appearance and character of the Conservation Area and the setting of the Listed Building.

G R Stewart

INSPECTOR