
Appeal Decision

Site visit made on 22 November 2016

by Jacqueline Wilkinson Reg. Architect IHBC

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

Decision date: 6 December 2016

Appeal Ref: APP/W0340/D/16/3155053

Grimms Dyke, Aldworth, Reading, RG8 9RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs John and Margaret Shinkwin against the decision of West Berkshire Council.
 - The application Ref 16/01049 dated 18 April 2016, was refused by notice dated 21 June 2016.
 - The development proposed is erection of ancillary garden room.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the natural beauty of the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and the character and appearance of the area.

Reasons

Natural beauty of AONB, character and appearance

3. Grimms Dyke is located in a distinctly rural location in the North Wessex Downs. It is part of an isolated small group of dwellings which, with the exception of the large house, Foxborough, to the south, are vernacular in character. The grounds of this recently built large neo-Palladian replacement dwelling are spacious and there is also a three car garage with the architectural character of a coach house in the foreground of the house, set at a lower level. The site is served by a long rising circular driveway accessed through two separate entrances, one of which has a set of imposing brick piers and walls under construction. The site was previously an agricultural enterprise with a collection of chicken sheds and other outbuildings, now all removed.
4. The main house stands high above road level and holds an imposing position in the landscape, which perfectly encapsulates the "*Downland with woodland*" landscape category¹ of this part of the Downs. It comes into a full angled view when approaching along the road from the northwest and is seen against a backdrop of extensive beech woodlands, with rolling chalk fields to the north west.

¹ North Wessex Downs Area of Outstanding Natural Beauty Management Plan

5. The proposed garden building would be set at the same level as the patio of the main house and would be 7.5m from the side wall. It would be similar in size and design to the garage, but would be seen above it, at the higher level. As checked on site, it would project well beyond the line of the rear of the garage, so it would be clearly visible from the road. Partly due to its size and projecting position, and partly due to its solid design approach, it would significantly add to the bulk of the existing buildings and would adversely increase their impact on this attractive open landscape setting.
6. Whilst it is evident that mature vegetation has recently been removed, a new boundary hedge has recently been planted, along with a cordon of beech trees at the lower level. That said, the differences in level are so great that even if the new hedge was grown to the height of the existing tall hedge along the boundary with the field, it would not be likely to adequately screen the proposed garden building. Moreover, the use of landscaping to screen a development cannot be relied upon in the long term, even through the use of a condition, as it can be altered or die.
7. The large chicken sheds on the site before were probably no things of beauty, but they were part of the rural scene. That said, they have now been removed as part of the overall proposal to replace the former dwelling, granted planning permission in 1999. Whilst there was a detached garage at a higher level behind the house, this has also been removed and replaced by the garage which has been erected to the foreground of the house. This appeal must therefore be assessed on the basis of the current relationships of the buildings on the appeal site. The adjacent properties have detached outbuildings, but I have assessed this appeal on the basis of the impact of this specific proposal, in the light of the current development plan policies, as I am required to do.
8. I therefore conclude that the proposed garden building, because of its size, location and design, would harm the natural landscape beauty of the AONB and would be at odds with the distinctive landscape character of the area.
9. This would be contrary to the aims of the West Berkshire Core Strategy, July 2012, ADP policy 5 *North Wessex Downs Area of Outstanding Natural Beauty*. This policy sets out the requirement that in recognition of the national landscape designation, development will be required to conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark skies. Policies CS14 *Design principles* and CS19 *Historic environment and landscape character* both express intentions to protect the character and appearances of areas. These aims are also taken forward in Policy C6 of the emerging Housing Site Allocations Development Plan Document, which is still under examination. However, as it reflects the requirements of the Framework this policy can be given some weight.
10. Saved policy ENV 24 of the West Berkshire District Local Plan 2007, accepts in principle the construction of ancillary buildings within the curtilage of an existing dwelling, subject to criteria, one of which is that the impact of the proposed development, taken together with the existing buildings, would not be materially greater or more harmful than that of the existing buildings on the rural character of the area. The proposal would not satisfy this criterion.

Reason for refusal 2

11. The Council is concerned that the proposed building could be used as a separate dwelling and that a condition would not prevent this. The second reason for refusal is dependent on the outcome of the first and the third reasons (the assessment of which I have combined), so as it would make no difference to the outcome of this appeal, I do not need to address this issue.

Discussion

12. The appellants have stated that the building is needed for their disabled son. They point out that the Council's Supplementary Planning Guidance *House Extensions* 2004 (Section 8) states that if an extension is required for a disabled member of the family there may be special requirements to consider and exceptions to the normal rules may be appropriate. The appellants explain that their son has an acute medical condition and in particular he is highly sensitive to noise and needs a quiet place where he can recuperate away from the noise and activities of family life.
13. The appellants have considered building an extension, but have concluded that this would not satisfy their son's needs, stating that the location of drains and windows makes this option impractical. However, I have no information before me as to why it would not be possible to provide an acoustically insulated room within the house. The quiet room would only be a small part of the proposed garden room, so the specific needs of their son could be satisfied by a much smaller building. A fresh design approach would be likely to reduce the visual impact on the wider landscape. I cannot therefore conclude that there are no options at all for an alternative scheme which has a lesser impact whilst fully meeting the needs of their son.
14. The appeal scheme is a third attempt to satisfy the concerns of the Council and I note the amendments, changes to siting and the offer to change the internal layout that have been made in an effort to find a satisfactory solution. However, for the reasons I have set out above, I conclude that this scheme would harm the natural beauty of the AONB and would be at odds with the landscape character of the area.

Conclusions

15. Paragraph 115 of the Framework requires me to give great weight to the conservation of the landscape and scenic beauty of the AONB. I am satisfied that the special needs of the appellants' disabled son would be able to be fully met using a fresh approach to the size and design of the building. I do not therefore find that these needs would outweigh the harm I have identified to the natural beauty of the AONB and the rural landscape character of the area.
16. For the reasons given above I conclude that the appeal should be dismissed.

Jacqueline Wilkinson

INSPECTOR