
Appeal Decision

Site visit made on 5 December 2016

by R C Kirby BA(Hons) DipTP MRTPI

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

Decision date: 16 January 2017

Appeal Ref: APP/H1705/W/16/3159163

Cufaude Manor, Cufaude Lane, Bramley, Basingstoke RG26 5DN

- 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 Mark Flower against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 16/0026/FUL, dated 22 January 2016, was refused by notice dated 21 March 2016.
 - The development proposed is erection of two detached barn style dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the Council determined the planning application it has adopted the Basingstoke and Deane Borough Local Plan 2011-2029 (BDBLP). The BDLP replaces the saved policies of the Basingstoke and Deane Borough Local Plan 1996-2011.
3. Although not referred to within the Council's decision notice, both parties have referred to the policies of the BDBLP that they consider relevant to the appeal proposal in their evidence. I have considered the proposal against the relevant policies of the BDBLP, national planning policy and the material considerations advanced by the parties.

Main Issues

4. The main issues in this case are:
 - the effect of the proposal on nearby heritage assets; and
 - whether or not the proposal would comprise sustainable development, having particular regard to the site's location and its relationship to local services and facilities.

Reasons

5. The appeal site is located on the southern side of the access drive to Cufaude Manor and is laid to grass with mature hedges on the south, east and west sides. A row of young trees are planted along the northern boundary. The proposal is to construct 2 detached dwellings with detached double garages upon the site. They would be constructed of weather boarding with a brick plinth and clay tiles.
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Heritage Assets

6. There are a number of heritage assets within the vicinity of the appeal site. Cufaude Manor is grade II listed and was formerly known as Cufaude Farmhouse. To the rear of Cufaude Manor is a rectangular moated site which is a scheduled monument. To the north of the appeal site is a range of former agricultural buildings including Manor Barn, a cart shed and granary which are grade II listed.
7. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be had to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.
8. When considering the impact of a proposed development on the significance of a designated heritage asset, which in this case includes nearby listed buildings and a scheduled monument, paragraph 132 of the National Planning Policy Framework (the Framework) advises that great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
9. BDBLP Policy EM10 requires, amongst other matters for development proposals to have due regard to the history of the surrounding area and neighbouring buildings and heritage assets. Policy EM11 of the BDBLP specifically refers to the historic environment and requires proposals to conserve or enhance the quality of heritage assets in a manner appropriate to their significance.
10. Cufaude Manor and Manor Barn are located in a rural setting reflecting their former agricultural use. The proposal to construct 2 dwellings on open land between Cufaude Lane and Cufaude Manor, in close proximity to Manor Barn would significantly reduce the rural setting of the respective buildings. The new dwellings would affect the open, undeveloped view of these heritage assets on the approach along Cufaude Lane, and from these buildings. This would be harmful to the significance and contribution these buildings make to the historic environment within which they are located.
11. I note that the appellant has designed the dwellings to have the appearance of barns and that they would be subservient in scale to Cufaude Manor. However, I am not convinced that they would successfully integrate into this historic group of buildings. They would be viewed as modern additions. Their detached nature with detached garages, along with relatively modest plot sizes, and parking and turning areas would have an urbanising effect upon this area of countryside, which would be detrimental to the setting of this group of former farm buildings.
12. The Council is also concerned that the proposal would have an adverse effect upon the setting of the scheduled monument. There is limited intervisibility between the appeal site and the scheduled monument as a result of hedgerows along the eastern and western boundaries of the garden to Cufaude Manor, and the presence of this property.
13. However, I observed on my visit that from the top of the scheduled earthwork, the outlook to the east was largely open across the rural landscape. The

proposed dwellings would impact on these views with the new roofs being visible in the foreground, which would adversely affect the current largely open, undeveloped views from this heritage asset. I share the view of the Council and Historic England that the proposal would cause harm to the significance of the scheduled monument as a result of the impact the proposal would have on its setting.

14. The appellant submits that the Council did not raise objections to an extension to Cufaude Manor or to a swimming pool and garden barn which were granted permission in 2003 and 2004, and which are located closer to the scheduled monument than the appeal proposal. The Council is silent on this matter; however in granting permission it must have been satisfied that such development did not have a harmful effect on the scheduled monument. This is not the case in respect of the proposal. Each planning application and appeal must be determined on its individual merits and this is the approach that I have taken in considering the appeal proposal.
15. I consider that the harm to the setting of nearby heritage assets would be less than substantial. In accordance with paragraph 134 of the Framework, this harm should be weighed against the public benefits of the proposal. The appellant has not advanced the public benefits of the scheme because he asserts that harm would not result to nearby heritage assets. He has however submitted that Cufaude Manor has been restored since he has lived at the site and that extensive clearance of the moat has been undertaken. Whilst there is no dispute that such benefits are in the public interest, such works do not comprise public benefits of the appeal proposal. On the basis of the evidence before me, I conclude that there are no public benefits associated with the proposal which would outweigh the harm that would be caused to nearby heritage assets.
16. In light of the foregoing I find that the proposal would not preserve the significance of nearby heritage assets because of the harm that would be caused to their setting. The proposal therefore conflicts with the statutory test, and BDBLP Policies EM10 and EM11.

Relationship to Services and Facilities and whether Sustainable Development

17. There is no dispute between the main parties that the appeal site is located within the countryside for planning policy purposes. It is located between Chineham, a district centre within the BDBLP and Bramley, a local centre, where reference has been made to a train station.
18. Within the countryside, outside of defined Settlement Policy Boundaries BDBLP Policy SS6 allows for development proposals in a limited number of circumstances. One of the development exceptions set out under this policy is development on previously developed land. The Council consider that the appeal site is previously developed land. In order to be acceptable under Policy SS6, amongst other matters, development proposals should not result in an isolated form of development.
19. The Framework at paragraph 55 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the countryside should be avoided unless there are special circumstances.

20. There is no definition of 'isolated' within the Framework; however both parties have referred to the BDBLP's definition of it. This is contained in the glossary and states '*In the context of new residential development in the countryside (isolated is) where there is a significant separation between the proposed dwelling and the nearest settlement. Additionally, a dwelling is considered to be isolated if it is not well served by public transport (e.g. within 500 m of a bus stop or train station) or well served by services and facilities (e.g. within 1km of a SPB¹, which generally contains facilities such as schools, post offices, doctors surgery, etc)*'.
21. The Council has calculated that the nearest part of the Bramley Settlement Policy Boundary is 1.3 kilometres from the appeal site; the appellant suggests that the centre of Bramley is 1.3 kilometres distant. Both calculations are in excess of the 1 kilometre referred to within the BDBLP's definition of isolated.
22. The appellant has calculated that the Basingstoke Town Area East and Chineham Settlement Policy Boundary is within 500 metres of the appeal site. The Council calculate that the residential development granted at Razor's Farm is located 1 kilometre to the south of the appeal site. Although I have not been provided with documentary evidence from either party as to the exact location of the Settlement Policy Boundary for Chineham, there is clearly dispute between the parties as to the distance of the appeal site from it.
23. Taking the appellant's calculations, and having regard to the distances referred to in the definition of 'isolated' as contained in the BDBLP, the site would not necessarily be isolated. However, between Chineham and the appeal site are a number of agricultural fields. I consider that they comprise a significant separation both visually and physically between the appeal site and this settlement.
24. I note that the appellant asserts that historically a bus route served Cufaudd Lane and that transport improvements are proposed as part of the Greenfield Allocations SS3.3 (Razor's Farm) and SS3.8 (Upper Cufaudd Farm). These are likely to include bus services, improved road works and cycle links. However, I have not been presented with detailed drawings of such schemes or a timetable for their implementation. I cannot therefore be satisfied that such improvements would be of benefit to future occupiers of the new dwellings, or whether indeed, a bus stop would be provided within 500 metres of the appeal site, in order to ensure that the site would be well served by public transport.
25. In addition to my findings above, I noted on my site visit that the road between the appeal site and Chineham and Bramley was narrow, with no pavements or street lighting. Given such conditions, there would be a high probability that the intended future occupiers of the new dwellings would drive to the services and facilities in these settlements, rather than walk or cycle. For those that did not have access to a car, the services and facilities in Chineham and Bramley would not be accessible.
26. Having regard to my findings above and on the evidence before me, I conclude that the new dwellings would result in an isolated form of development, remote from the services and facilities that are offered in Chineham and Bramley. No convincing evidence has been advanced that the dwellings would be acceptable under the special circumstances set out in paragraph 55 of the Framework. The

¹ Settlement Policy Boundary

intended future occupiers of the new dwellings would have a high reliance on the use of a private car. These matters would result in the proposal being in conflict with BDBLP Policy SS6 and the social and environmental roles of sustainability as set out in paragraph 7 of the Framework. Given that the 3 roles of sustainability are mutually dependent and should not be undertaken in isolation, I conclude that the relationship of the site to nearby services and facilities would not comprise sustainable development.

Conclusion

27. The proposal would result in harm to the setting of nearby heritage assets which is not outweighed by the public benefits of the proposal. Further harm would be caused as a result of the new dwellings being isolated in the countryside, remote from the services and facilities in Chineham and Bramley. For these reasons, the proposal would not comprise sustainable development for which the Framework indicates there is a presumption in favour.
28. For the above reasons, and having regard to all other matters, the appeal is dismissed.

R C Kirby

INSPECTOR