
Appeal Decision

Site visit made on 26 June 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 19 July 2017

Appeal Ref: APP/X0360/W/17/3172028

Land adjacent to Grange Lodge, Cutbush Lane, Shinfield RG2 9AL

- 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 David Dean against the decision of Wokingham Borough Council.
 - The application Ref 163561, dated 19 December 2016, was refused by notice dated 17 March 2017.
 - The development proposed is two number detached 5 bedroom houses with access and parking.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr David Dean against Wokingham Borough Council. This application is the subject of a separate Decision.

Main Issues

3. These are:
 - the effect of the proposed development on the setting of the Grade II Listed barn;
 - whether the proposed houses would be in an acceptable location, including their effect on the character and appearance of the area.

Reasons

The setting of the Grade II Listed barn

4. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for development which affects a Listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. The National Planning Policy Framework (Framework) advises in paragraph 132 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
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5. The sixteenth century timber-framed barn commands this part of the Lane to which it stands very close. Its long and imposing form features in long views from both directions in Cutbush Lane. Much of its rural setting is derived from the undeveloped and green appearance of the appeal site.
6. The house on plot 1 would stand within a few metres of the barn. The house would have a comparable height to the barn and would be a significant presence within its setting in terms of its mass. The opening of the site boundary to form access to the houses, and the lack of substantial planting on the boundary would make the house conspicuous in the barn's setting. The gravel driveways, paved areas, front garden hedging and parking associated with the house would be conspicuous, urbanising elements in the otherwise rural surroundings of the barn.
7. The house has been orientated with its end elevation, which would have few openings, facing the barn. Its nearest section would be timber-boarded in contrast to the clay of the barn. This would reduce the presence of the house within the setting of the barn. However, the barn has a long, utilitarian form, set under a simple, continuous roof, whereas the house on plot 1 would be comparatively elaborate; with a stepped element opposite the barn and return wings to the main section. Its roofscape would be relatively busy, including stepped roofs, dormers, a part-hip, and a porch canopy versus the simple plainness of the roof over the barn.
8. Because it would weaken its rural setting and because of its height and its complexity of form in such proximity to the Listed barn, the house on plot 1 would be harmful to the setting of the Listed building, and thereby the significance of the designated heritage asset.
9. The appeal¹ allowed for a house on part of this site in 2016 followed an outline application, for which the Council would control the reserved matters including access, layout, and scale. Not all of the house on plot 1 would be directly opposite the barn; however the harm I have identified above would remain. A condition for boundary planting opposite the barn may alleviate some of the harm identified to its setting. However, the house would remain visible in views towards the barn from the south-west. The overall impression of its presence would conflict with the rural setting of the Listed building.
10. Nevertheless the harm would be less than substantial, and in accordance with paragraph 134 of the Framework, that harm should be weighed against any public benefits of the proposal. There would be little public benefit arising from the development to offset the identified harm to which I must attach considerable importance and weight.
11. I conclude that the proposed development would fail to conserve the setting, and thereby the significance of the nearby Listed building. It would be contrary to policies CP1 and CP3 of the Core Strategy 2010 (CS) and policies TB21 and TB24 of the Managing Development Delivery Local Plan 2014 (MDD). These require development to conserve the special architectural or historic interest of a Listed building including its setting and views, for its form, height, and layout to be appropriate to the area, to retain or enhance features that contribute to the landscape, and to maintain the high quality of the environment. It would

¹ Appeal Ref: APP/X0360/W/16/3153362

also be in conflict with the policies of the Framework which seek to conserve and enhance the historic environment.

Location, character and appearance of the area

12. The site lies outside any development limits and in the countryside, where CS policies CP9 and CP11 and MDD policy CC02 restrict development into various categories into which this proposal does not fall. Policy 1 of the Shinfield Neighbourhood Plan 2017 (NP) permits development adjacent to the Development Limits where the benefits outweigh its adverse impacts.
13. However, the immediate context of the site has a developed albeit rural, appearance. It includes the converted barn and rear buildings, a large, research building and a terrace of three houses to the south-west, and what appear to be more terraced houses, a large conference centre and further buildings to the north-east. In these physical circumstances, and where there is no dispute that the site is close to a range of facilities and services in Shinfield, the development would not result in isolated dwellings.
14. My impression of the immediate area surrounding the site is that while it is most clearly rural it has the character of a series of developed sites, many of substantial scale, for a variety of uses. Most significantly, there is an outline consent to develop one house on part of the site. These factors weigh in favour of the location of the development.
15. I acknowledge the Council's concern about the effect of additional development on the site over that already consented, and the undermining of the rural character of the area. However, given the space around the houses close-by, their scale, and their access onto the lane, as well as the character of the immediate area which includes substantial volumes of built form, the proposed development would not appear cramped or otherwise harm the rural character or appearance of the area.
16. I can identify no adverse impacts from the proposal in regard to this main issue and conclude that its location and its effect on the character and appearance of the area would not be harmful. While I give significant weight to CS policies CP9 and CP11, MDD policy CC02 and NP policy 1, the circumstances of this proposal including the physical context and the extant consent, outweigh their restriction on this site. There would be no conflict with CS policies CP1 and CP3, and NP policy 2 which concern sustainable development and design principles for development.

Planning Balance

17. The appellant claims the Council cannot demonstrate a 5-year supply of deliverable housing sites, whereas the Council considers it has 5.27 years. Were there to be a shortfall, then policies relating to the supply of housing should not be considered up-to-date, and the proposal should be considered in the context of the presumption in favour of sustainable development. However, footnote 9 of paragraph 14 of the Framework gives examples of specific policies that indicate development should be restricted, including those relating to designated heritage assets.
18. Two additional houses in an area where there may be an under supply of housing land would be a social benefit. As would the economic benefit resulting from the construction work and future occupants' spending in the

local economy. Against this, I have found that there would be harm to the setting of the Listed building which would not be outweighed by any public benefit.

19. Therefore, even if I were to conclude that there is a shortfall in five-year housing land supply and that relevant policies for the supply of housing should not be considered up-to-date, it is clear that in this case the proposal would not comply with the restrictive policy set out at paragraph 134 of the Framework. Consequently, the proposal would not represent sustainable development.

Other Matters

20. I have had regard to the concerns raised by the residents in the barn, many of which I have considered within the main issues. Other concerns include parking provision and impact on light. However on the basis of the information presented, the development would not reduce daylight or sunlight to the barn to an unacceptable degree. Each house would be provided with at least two parking spaces and there is no objection from the highways authority.

Conclusion

21. For the above reasons and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR