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## Appeal Decision

Site visit made on 13 June 2017

**by JP Roberts BSc(Hons), LLB(Hons), MRTPI**

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

**Decision date: 27<sup>th</sup> July 2017**

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**Appeal Ref: APP/W0340/W/17/3168319**

**Woodside, Wantage Road, Leckhampstead, Newbury, West Berkshire  
RG20 8QT**

- 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 Savill against the decision of West Berkshire District Council.
  - The application Ref 16/02508/FULD, dated 5 September 2016, was refused by notice dated 17 November 2016.
  - The development proposed is for the replacement of an existing dwelling and associated buildings, change of use of part of the land from agricultural to residential and the change of use of part of the land from residential back to agricultural.
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### Decision

1. The appeal is dismissed.

### Procedural matter

2. The West Berkshire Site Allocations Plan was adopted in May 2017, after the making of the appeal. I have not sought the parties' views on this, as it does not alter my conclusions.

### Costs application

3. An application for an award of costs was made by the appellants against West Berkshire Council. This will be the subject of a separate Decision.

### Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the surrounding countryside, which is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

### Reasons

#### *Character and appearance*

5. The site forms agricultural land, mostly occupied by a wooden barn, to the rear of a modest sized bungalow and outbuildings, sited close to the road frontage. It is proposed to demolish the existing buildings and to return the land to agricultural use, whilst erecting a new two storey dwelling in a slightly smaller sized curtilage to the rear.

6. The site lies within the AONB, not far from the outer limits of Leckhampstead. The level of the land rises gradually from the road, and trees line the northern and western boundaries of the site, whilst open fields with some sparse intervening planting lie to the south of the site. The existing bungalow has a functional design and is typical of farm workers' accommodation built in the latter part of the 20<sup>th</sup> century.
7. The site lies in the open countryside, where West Berkshire Core Strategy (CS) Policy Area Delivery Plan Policy AADP 1 says that only limited development will be allowed focussing on addressing identified needs and maintaining a strong economy. CS Policy AADP 5 deals with the AONB, and takes a measured approach towards development within the AONB, but, amongst a number of detailed provisions, requires development 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 night skies, particularly on the open downland.
8. Saved West Berkshire Local Plan Policy ENV23 allows the replacement of existing dwellings in the countryside, subject to criteria being met. One of these is that the dwelling is not disproportionate in size to the dwelling being replaced. The Council's Supplementary Planning Document (SPD) *Replacement Dwelling and Extensions to Dwellings in the Countryside* says that additional volume will not normally be allowed for the removal of existing outbuildings which are not part of the original dwelling. It goes on to say that where permanent and substantial outbuildings are to be removed, their effects will be considered. In this case, the outbuildings are well screened, and make little impact on the appearance of the site, and thus I consider that they should not be counted in the volume allowance.
9. Whilst the floorspace of the proposed dwelling would not be disproportionate to that of the existing dwelling, the Council's undisputed assessment is that the volume of the replacement would be about double that of the existing dwelling.
10. The proposed replacement dwelling would not be located on the existing site; it is acknowledged by the Council that the current siting suffers from poor surface water drainage and flooding, which in turn has an adverse impact on the operation of a septic tank. Instead it is proposed to locate the new dwelling some 50m to the rear, on the site of a large dilapidated agricultural building. A replacement barn has been approved on nearby land to the north, which is well screened by belts of trees.
11. In terms of residential curtilage, it is proposed that the existing curtilage be returned to agricultural use and that the proposed curtilage would be smaller than that of the existing dwelling. This could be achieved by the imposition of conditions, and I consider that there would be no net harm arising from this part of the proposal and that there would be no conflict with Policy C8 which deals with extensions to residential curtilages, and aims to protect local character.
12. The dwelling would also be sited on higher land in relation to the road, so that, potentially, it would be more intrusive in the landscape. It would also require some excavation to cut the dwelling into the sloping landform. The appellants suggest that the fall across the site of the proposed dwelling would be about 1m. However, there is no measured survey drawing to substantiate this, and

the submitted drawing number 2477/06 suggests that an excavation would be required as deep as 3.23m.

13. Whilst floorspace is a good indicator as to size, height and volume are also relevant considerations and to my mind the doubling of the volume of a dwelling is disproportionate. However, more importantly in this case is the impact of the proposed dwelling on the landscape of the AONB. The existing bungalow is unobtrusive, and benefits from screening by roadside hedges. The outbuildings to the rear are largely screened from public views by the bungalow and planting. Buildings sited fairly close to the road are generally more characteristic of the scattered built development in this part of countryside.
14. The proposed replacement would be located well away from the road, in a more exposed and more uncharacteristic location. It would be sited on rising land and would have two storeys, which would make it far more noticeable in the landscape compared with the bungalow, and would have large feature chimneys which would accentuate its height. It would sit on an excavated plot, which would create an engineered landform; the proposal provides no details of how the earth banks would be retained, but it is likely that whatever treatment is proposed, it would appear as a man-made feature, at odds with the natural landscape. In taking all of these things together, and taking into account the potential for landscaping to help screen the dwelling, I consider that the proposal would fail to conserve the landscape and scenic beauty of the AONB.
15. I have had regard to the houses at Egypt Hill, to the south of the appeal site, which are fairly prominent in the landscape. I do not know the full planning circumstances which led to their approval, but they do not stand in an isolated position, but are an obvious extension to the village of Leckhampstead, which readily distinguishes that development from that now proposed. I saw on my visit that there was some variety in the design and size of houses in the area, and I find that the design of the dwelling would fit in with the diversity of designs in the area, and thus I do not consider that the proposal would be unsatisfactory for this reason. However, it does not alter my strong concern about the effect on the AONB, which attracts great weight in view of its highest status of protection.
16. The disadvantages of the current dwelling in terms of its poor physical condition, its exposure to roadside noise and its susceptibility to drainage problems do not outweigh the harm that I have found.
17. I therefore conclude on the main issue that the proposal would result in significant harm to character and appearance of the area, and would fail to conserve the landscape and scenic beauty of the AONB. It would also conflict with saved Policy ENV.23 to which I have referred above, as well as with West Berkshire Core Strategy Policies CS14 and CS19, both of which include aims to protect character and landscape, and with Policy AADP 5 which specifically deals with the AONB. It would also conflict with Policy CS 3 of the West Berkshire Site Allocations Plan which deals with design of housing in the countryside and requires proposals to have regard to local building and landscape character. Policy CS 1 deals with housing in the countryside, but relates to infill development which is not relevant here. The proposal would also conflict with the SPD to which I have referred above.

### **Conclusion**

18. I conclude that the conflict with the policies to which I have referred above is sufficiently serious to amount to a conflict with the development plan as a whole, and thus, for the reasons given above, the appeal should be dismissed.

*JP Roberts*

INSPECTOR