The Planning Inspectorate

Appeal Decision

Site visit made on 3 December 2019

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2020

Appeal Ref: APP/W0340/W/19/3236501
Keepers Cottage, Mill Lane, Tidmarsh, Reading RG8 8EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Andy Lusted against the decision of West Berkshire Council.
- The application Ref 19/00061/FUL, dated 7 January 2019, was refused by notice dated 6 March 2019.
- The development proposed is change of use of detached residential annexe to dwellinghouse and associated accommodation works.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

   - Whether the site constitutes a suitable location for a dwellinghouse, having regard to national and local planning policies, which seek to restrict housing development in the countryside;
   - The effect of the proposal on the character and appearance of the area; and
   - Whether the proposal would provide satisfactory living conditions for the future occupiers of the development, with particular regard to privacy, outlook, light and outdoor amenity space.

Reasons

Location

3. Policy ADPP1 of the West Berkshire Core Strategy (2006-2026) Development Plan Document[1] (CS) outlines the spatial strategy for the area administered by the Council, which includes a settlement hierarchy. The policy requires most development proposals to be within or adjacent to settlements identified within this hierarchy and to take place on previously developed land. Additionally, Policy C1 of the Housing Site Allocations Development Plan Document (2006-2026)[2] (DPD), which focuses on the location of new housing in the countryside, sets out a presumption in favour of development and redevelopment within smaller villages with settlement boundaries. Policy ADPP1, but also Policy

[1] Adopted July 2012.
[2] Adopted May 2017.

ADPP5 in respect of proposals affecting the North Wessex Downs Area of Outstanding Natural Beauty (AONB), seek to direct development towards the most sustainable areas in the district.

4. The appeal site lies within open countryside, outside of any defined settlement boundaries where, in accordance with the requirements of DPD Policy C1, development is only permitted in restrictive circumstances. Limited infill development may notably be considered acceptable, where it is within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway. CS Policy ADPP5 identifies further opportunities for infill development and for development on previously developed land. By reason of its proximity to existing dwellings, the proposal would not result in the provision of an isolated home in the countryside. Notwithstanding the above, the appeal scheme could not be described as infill development and would not form part of a cluster of 10 properties. There would therefore be clear conflict with Policy C1.

5. DPD Policy C4 permits the conversion of existing redundant buildings in the countryside to residential use subject to a number of criteria. I note that planning permission[3] and listed building consent[4] were previously approved for the conversion of the barn to ancillary residential accommodation in 1996, following which minor amendments were granted listed building consent[5] in 2002. As part of my site visit, I was able to see that the permissions had been partially implemented and the barn appeared to be largely used for domestic storage, and in this respect still serves a purpose. Whilst the barn may be seldom used, it therefore cannot be considered redundant for the purposes of Policy C4. Additionally, the submitted evidence does not enable me to conclude that the proposal would represent the optimal viable use for this designated heritage asset.

6. Paragraph 78 of the National Planning Policy Framework (the Framework) makes it clear that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The appeal site appears secluded in relation to access to local facilities and services, as it lies at some distance away from the nearest settlement. Walking and cycling are unlikely to constitute realistic alternatives to the private car, particularly in the absence of continuous footway and/or cycle path. Furthermore, there is no evidence before me to suggest that the site is served by public transport. Overall, for convenience purposes, I therefore consider that there is a greater likelihood that for the large majority of trips, residents would rely on private motor vehicles, which is the least sustainable mode of transport.

7. Changes to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO) were notably introduced as a way of increasing rural housing through the re-use of agricultural buildings. However, whilst it is likely that the barn would have originally been constructed as an agricultural building, I am not certain that a proposal seeking to convert the premises into a dwelling would accord with the requirements set under Schedule 2, Part 3, Class Q of the GPDO. Little weight is therefore afforded to this consideration in the context of a S78 appeal, which needs to be

[3] Local Planning Authority Reference 96/48814/FUL.
[4] Local Planning Authority Reference 96/48813/LBC.
[5] Local Planning Authority Reference 02/01841/LBC.

determined in accordance with the development plan, unless material considerations indicate otherwise.

8. For the foregoing reasons, I conclude that the appeal site would not constitute an appropriate location for residential development, having regard to local and national planning policy. Consequently, there would be conflict with DPD Policies ADPP1 and ADPP5, CS Policies C1 and C4, as well as the Framework.

Character and appearance

9. The appeal site lies within the North Wessex Downs AONB. As detailed above, it comprises a Grade II Listed Barn which, according to the listing description, dates from the late sixteenth century and has been subject to subsequent additions. From the evidence before me, I consider that the significance of this designated heritage asset derives from its architectural interest. No specific concerns were raised by the Council in respect of the effect of the proposal on the significance of this Grade II Listed Building and there are no reasons for me to take a different approach.

10. Although the building is already in place, it would nonetheless involve the provision of a new dwelling and curtilage, which would sit within a narrow plot. This would appear at odds with the prevailing pattern of development in the locality, where residential properties generally benefit from spacious grounds. In that respect, the development would therefore notably conflict with one of the requirements of DPD Policy C1, which states that the plot size and spacing between dwellings should be similar to adjacent properties. The harm would be compounded by the proposed forms of boundary treatments required to create a residential curtilage for the new dwelling, which would further reveal the uncharacteristic size of the plot.

11. The proposal would therefore have a detrimental effect on the character and appearance of the area. It would consequently fail to accord with DPD Policy C1, but also the design aims of CS Policy CS14 which, amongst other things, require development proposals to respect and enhance the character and appearance of the area.

Living conditions

12. Keepers Cottage lies directly adjacent to the barn. I understand that it is intended to retain the existing paved area between Keepers Cottage and the barn as a shared surface, to preserve the openness and the setting of this listed building. However, in the absence of suitable form of boundary treatment, the proposal would fail to safeguard the privacy of future occupiers, particularly by reason of the degree of proximity between the two buildings.

13. The windows to the northern elevation, which would serve the main living area of the proposed dwelling, look towards a tall boundary wall sited only a short distance away. The architecture and design of the building are such that it currently benefits from limited natural light, and this is amplified further by the size and orientation of the existing windows. As a result, levels of natural light and the outlook from the ground floor windows would be considerably restricted for future occupiers, thus creating a gloomy and unpleasant sense of enclosure, which would feel oppressively confined. The lack of light would be exacerbated by the proximity of Keepers Cottage, which sits to the South of the barn. Whilst the internal amenity space and daylighting may have been

found previously satisfactory by the Council, this was in respect of ancillary residential accommodation which would have been used in conjunction with the main dwellinghouse.

14. The Council is also concerned about the proposed outdoor amenity space. As detailed within the Council's Quality Design – West Berkshire Supplementary Planning Document[6] (SPD), a garden should be large enough to accommodate domestic paraphernalia and allow for opportunities for sitting outside in comfort. The SPD also emphasises that it is the quality of the outdoor space that matters most. Whilst the proposal would include the provision of outside space to the West and East of the barn, these areas would be particularly restricted in size. The eastern area would be directly adjacent to the vehicular access and parking areas. Moreover, it is likely that these areas would be overshadowed for prolonged periods, by reason of their orientation and proximity to existing buildings. Cumulatively, these elements lead me to conclude that the appeal scheme would not provide high quality outdoor amenity space for future occupiers.

15. The accommodation itself may exceed the minimum size requirements set by the Government's Nationally Described Space Standard[7], but the proposal would nevertheless not provide satisfactory living conditions for future occupiers, having particular regard to privacy, outlook, light and the provision of outdoor amenity space. Consequently, the appeal scheme would fail to comply with the design aims of CS Policy CS14 and the Council's Quality Design SPD. Policy CS14 notably requires development proposals to demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Furthermore, the appeal scheme would also conflict with the Framework, particularly paragraph 127, which requires new development to provide a high standard of amenity for existing and future users.

Other Matters

16. The appeal scheme relates to an existing building, and no specific concerns were raised by the Council in respect of the effect of the proposal on the AONB. Based on the evidence before me, I concur with this view and conclude that the proposal would preserve the landscape and scenic beauty of the AONB.

17. Concerns have been expressed by Natural England in respect of the effect of the proposal on Sulham and Tidmarsh Woods and Meadows Site of Special Scientific Interest, which could be adversely affected as a result of discharges from sewerage. However, as I am dismissing the appeal on other substantive grounds, this is not a matter, which needs to be considered further here.

Conclusion

18. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR

[6] Adopted June 2006.
[7] Technical housing standards – Nationally described space standard (March 2015).