
Appeal Decision

Site visit made on 26 May 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th June 2020

Appeal Ref: APP/W0340/W/19/3244084

**Nightingale Farm, 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 Collins against the decision of West Berkshire Council.
 - The application Ref 19/01837/FULD, dated 15 July 2019, was refused by notice dated 2 December 2019.
 - The development proposed is construction of replacement dwelling, driveway and associated landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. My attention has been drawn to an error on the decision notice, with the reasons for refusal referring to 'Policies CS1, CS3, CS7 and CS8 of the Housing Allocations DPD', where it should actually refer to Policies C1, C3, C7 and C8. I have determined the appeal on this basis.

Main Issue

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

Reasons

4. The appeal site includes a parcel of open agricultural land, which lies to the west of the existing farm complex. It is located within the AONB, with the land rising gradually upwards away from the road. The southern and western boundaries of the site are defined by well established tree belts. The northern boundary is more open, but contains a number of large, mature trees.
5. The appeal site and the surrounding area is relatively open, with the few buildings that are present, being low-rise and positioned on lower ground. One of the characteristics of this part of the AONB is its openness.
6. The existing farm complex includes a bungalow, which is located close to the road, although it is separated from the road by a single storey garage and parking area. It is relatively well screened by roadside planting. Immediately to the west of the bungalow is a large agricultural style barn.

7. It is proposed to demolish the existing bungalow and to erect a new dwelling on the land to the west of the existing barn. The site of the existing dwelling would be returned to agricultural use.
8. The site lies in the countryside, where the West Berkshire Core Strategy (CS) Policy Area Delivery Plan Policy AADP1 states that only limited development will be allowed, focussing on addressing identified needs and maintaining a strong economy. CS Policy AADP5 deals with the AONB and requires development to conserve and enhance the local distinctiveness, sense of place and its setting.
9. Policy C1 of the Housing Site Allocation Development Plan Document (HSADPD), identifies that, subject to a number of exceptions, there is a presumption against new residential development outside of the settlement boundaries. One of the exceptions identified in Policy C1 is proposals for replacement dwellings.
10. Policy C7 of the HSADPD allows for the replacement of existing dwellings in the countryside, subject to specific criteria being met. One of these criteria is that replacement dwellings should be proportionate in size and scale to the existing dwelling and not have an adverse impact upon the character and local distinctiveness of the rural area, individual heritage assets and their settings, and the proposed replacement building's setting within the wider landscape.
11. The current dwelling on site is a relatively modest bungalow, although it benefits from an extant permission (19/01837/FULD) which would provide first floor accommodation, along with a single storey ground floor extension. There are also a number of existing outbuildings. Whilst the main parties are not in agreement over the exact amount of the increase and whether the existing outbuildings should be included within the calculations, they both agree that the proposed replacement dwelling would be larger than the property to be replaced, even when including the extant permission and the outbuildings.
12. In assessing proportionality, the supporting text to Policy C7 identifies that the key components are scale, massing, height and layout of a development. In this case, a further consideration is the impact of the proposed replacement dwelling upon the special landscape qualities of the AONB.
13. The replacement dwelling would not be sited on the location of the existing property but rather on higher land set away from the road. By comparison to the existing dwelling, where the footprint is dispersed, that of the proposed dwelling would be greater and concentrated into a single, larger building. The proposed replacement building would therefore be of a greater scale, bulk and massing than the property to be replaced. Given the additional height of the replacement dwelling and the rising nature of the appeal site, it would be more visible in the landscape than the existing dwelling. Therefore, even when compared with the extant permission to enlarge the existing bungalow, the proposal would be disproportionate to the existing dwelling on site. As such, it would have an adverse impact on the character and local distinctiveness of the rural area.
14. Due to intervening landscaping, established tree belts and surrounding topography, visibility of the appeal site is limited. Views are principally restricted to those from the road, immediately in front of the site, and those from the site entrance. In these views, the existing dwelling is relatively unobtrusive and benefits from existing screening from roadside planting. In

contrast however, despite being set further away from the road, the location of the proposed replacement dwelling is more visible, principally due to the site being located on higher land. Furthermore, existing views are of an open, undeveloped agricultural field, characteristic of the wider AONB. The introduction of residential development and associated activity into this part of the site, would erode the existing open aspect and encroach into the countryside. I note that careful attention has been paid to the overall design of the dwelling, the proposed materials to be used and the provision of additional landscaping, along with returning the site of the existing dwelling to agricultural use. Whilst all of these together would serve to offset some of the impact, the overall scale, bulk and massing of the replacement dwelling would be overly prominent in these views, and that on balance, the proposal would fail to conserve the landscape and scenic beauty of the AONB.

15. I note the submissions with regards to the current issues with the location of the existing dwelling in terms of its exposure to road noise, its suitability for family life and its layout. Whilst these are considerations, they do not justify the significant identified harm to the AONB.
16. For the above reasons, I therefore conclude that the proposed development would harm the character and appearance of the area and would therefore fail to preserve the natural beauty of the AONB. As such, in this regard, the proposal is contrary to development plan Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies C1, C3 and C7 of the HSADPD, the North Wessex Downs AONB 2014-2019 and Policies contained within Part 12 and paragraph 172 of the National Planning Policy Framework. These Policies, amongst other things, require new development to demonstrate high quality design, which respects and enhances the character and appearance of the area and that it is appropriate in terms of its location, setting and design in its local context.

Other Matters

17. I note the comments in relation to the size and positioning of the proposed replacement dwelling when compared with other dwellings in the area, and that this lends support to the proposal. I am however not convinced by these submissions. In my view, the wording of Policy C7 is clear that the assessment of whether a proposal is proportionate relates to the existing dwelling on the site and not those around it. The impact of the proposal upon the character and local distinctiveness needs to be considered, relative to the impact of the existing property.
18. I have been referred to the positive response by Council officers to the submitted pre-application enquiry. Whilst I appreciate that the pre-application advice differs from the decision on the appeal application, it is not a matter for me, and I have determined the appeal based on the planning considerations.

Conclusion

19. I conclude, for the reasons outlined above, that the appeal should be dismissed.

Adrian Hunter

INSPECTOR