
Appeal Decision

Site visit made on 2 June 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th July 2020

Appeal Ref: APP/W0340/W/20/3244815

Chantry House, Hill Green, Leckhampstead, Newbury, RG20 8RA

- 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 A&V Esam against the decision of West Berkshire Council.
 - The application Ref 19/02266/FUL, dated 3 October 2019, was refused by notice dated 6 November 2019.
 - The development proposed is construction of a storage barn and apron together with highway access and landscaping.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In relation to the second reason for refusal, I note that further survey work has now been undertaken and a supplementary report submitted by the appellants. The Council have confirmed that they have considered this additional information and concluded that, subject to conditions, they now have no objection on highway grounds. I am also satisfied that the Transport Statement does now adequately deal with highway matters. On this basis, it is considered that reason for refusal 2, as set out in the decision notice, has been overcome.

Main Issue

3. The main issue is the effect of the proposed development upon the rural character of the area, which lies in the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and whether the proposal represents a suitable use in the countryside.

Reasons

4. The appeal site lies within the open countryside and in the AONB. It is to the north-west of Chantry House, which is a Grade II Listed Building. To the east is the existing farm complex of Chapel Farm. The boundaries of the site are identified by existing landscaping. The site occupies a relatively high position within the surrounding landscape, with the topography of the site being relatively flat, although the land does drop away slightly towards the east.
5. The appeal proposal is for the erection of a residential storage barn, associated with Chantry House. It is proposed to be used for the storage of the appellants' helicopter, classic car collection and other domestic paraphernalia. Access to

the barn would be via a new track, along the northern boundary of the field. This access would carry on up to the main dwelling and would include a turning area. A concrete apron would surround the new storage barn.

6. Within the AONB, great weight should be given to conserving and enhancing the landscape and scenic beauty of the area. West Berkshire Core Strategy (CS) Policy AADP5 deals with the AONB and requires development to conserve and enhance the local distinctiveness, sense of place and its setting. Policy CS14 seeks to deliver high quality and sustainable design that respects and enhances the character and appearance of the area.
7. As a residential outbuilding, the size of the building would be substantial and as a result, it would not appear subservient to the main dwelling on the site. I acknowledge the intended use of the building, which would suggest the potential need for a large structure, however, no evidence has been put to me to justify the overall size of the building. Whilst the design of the building would be similar to those which make up the existing Chapel Farm complex and, from public viewpoints, it would be viewed against the backdrop of the existing agricultural buildings, the introduction of a large, residential outbuilding within the countryside would appear as an incongruous feature within the AONB. Moreover, the proposed access route and apron would introduce a significant amount of hardstanding into what are currently open agricultural fields. This, along with the proposed activity associated with the residential use and the visual impact of the building, would have an urbanising effect, which would detract from the rural character of the area.
8. Overall, when taken together, despite the agricultural design of the building, its intended residential use and the associated activity would harm the character and local distinctiveness of the surrounding area.
9. For the reasons outlined above, I therefore conclude that the proposed development is harmful to the character and appearance of the area and would fail to preserve the natural beauty of the AONB and, in this respect, is contrary to Policies ADPP5 and CS14 of the CS and the Policies contained within Part 12 and Paragraph 172 of the National Planning Policy Framework.

Other Matters

10. In support of the case, it has been put to me that there is a need for the building to enable the appellants to store the identified items securely and conveniently close to their property. However, due to the fact that the property is a Grade II Listed Building, it is submitted that it is not possible to locate a building of sufficient size within the existing residential curtilage, as it would harm the heritage asset and have an adverse impact upon the rural character.
11. These submissions are however unsubstantiated, with no specific evidence before me to demonstrate that alternatives to the appeal proposal have been explored and subsequently discounted. Given the residential use of the proposed building, neither has any evidence been provided to discount the re-use of any of the existing outbuildings which lie within the Chantry House complex and are within the control of the appellants. Without this evidence, I am unable to conclude that the proposed extension to the residential curtilage and the proposed use of existing agricultural land for residential purposes is

justified. On balance, I therefore do not find that the potential need for the proposal outweighs the harm that I have found.

12. As suggested by the appellants, I have considered attaching a condition to reduce the proposed concrete apron. However, the suggested wording for such a condition is not before me. Therefore, without an indication of what level of reduction would be appropriate, it would be unreasonable to attach such a condition. Moreover, it would be likely to change the scheme so significantly that it would become something other than what planning permission was sought.
13. I note the appellants' case with regard to alleged support from Policy C8 of the Housing Site Allocations Development Plan Document (DPD). This Policy is primarily concerned with curtilage, which, by its nature is fairly tightly drawn around its host, whereas in this case, the building and the outer reaches of the access would be well removed from the house. Whilst the proposed use of the appeal site would be ancillary to the main house, this is a different matter, it does not follow that it is curtilage simply because it is an ancillary use. I therefore find that Policy C8 does not support the appeal scheme. In any event, even if it did in the terms claimed by the appellants, given the harm to the AONB, this would be outweighed by the harm.

Conclusion

14. I conclude, for the reasons outlined above, and having considered all matters, that the appeal should be dismissed.

Adrian Hunter

INSPECTOR