



Appeal Decision

Site visit made on 22 October 2020

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal Ref: APP/W0340/W/20/3256941

Church View Barn, Back Lane, Stanford Dingley, Reading RG7 6LR

- 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 Ms C Garbutt against the decision of West Berkshire Council.
 - The application Ref 19/02522/FUL, dated 8 October 2019, was refused by notice dated 20 May 2020.
 - The development proposed is for "the demolition of the existing stable block and the construction of a three-bay replacement garage building with adjoining log store, alongside associated parking, access and landscaping works and the change of use of land to a residential use".
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing stable block and the construction of a three-bay replacement garage building with adjoining log store, alongside associated parking, access and landscaping works and the change of use of land to a residential use at Church View Barn, Back Lane, Stanford Dingley, Reading RG7 6LR in accordance with the terms of the application, Ref 19/02522/FUL, dated 8 October 2019, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, with regard for the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal site is located in the open countryside outside of any defined settlement boundaries. The surrounding area is typically rural in character with a sporadic ribbon of residential development along Back Lane and Cock Lane on spacious plots of land, framed and interrupted by open paddocks and agricultural land.
4. The appeal site currently has two access driveways, of which only the western access is used for vehicles, comprises of a large residential dwelling, and a small stable building which is located adjacent the western access driveway. To the west of the dwelling and stable building is an open area of lawn which appeared to form the garden area for the dwelling. The site is well screened from the street scene and neighbouring residential properties to the west by tall dense hedgerows, and from the surrounding landscape to the south and east by mature trees and the host dwelling.

5. The appeal site is located within the North Wessex Downs AONB. Section 85 of the Countryside and Rights of Way Act 2000 requires that I have regard to the purpose of conserving and enhancing the natural beauty of the AONB. Paragraph 172 of the National Planning Policy Framework (the Framework) specifies that great weight must be given to conserving and enhancing the landscape and scenic beauty of these areas.
6. The proposed garage and log store would be located in a similar position to the existing stable building and has been designed so that it would remain predominantly obscured by the hedgerow and proposed landscaping along the frontage of the site. Only glimpsing views would occur via the access driveway. Views of the building from the surrounding countryside would be obscured by the mature vegetation along the southern boundary of the site and the host dwelling to the east. It would appear subservient in scale and design to the host dwelling and comprise of building materials complimentary of the host dwelling and surrounding rural character of development. It is therefore my view that the proposed development would appropriately respect the character and appearance of the surrounding area and preserve the landscape characteristics of the AONB.
7. I note that the host dwelling is a replacement dwelling and is a larger built form than has historically been on the site. I also note that an attached garage previously existed before being converted to form an integrated part of the dwelling. Nevertheless, the open and spacious characteristics of the site and sporadic pattern of development would be preserved as part of the proposal and would not detrimentally erode the surrounding landscape characteristics of the AONB.
8. With respect to the proposed change of use of land to the west of the host dwelling and the existing stable building, my observations were that the subject land was laid with lawn and had the visual and physical appearance of garden area associated with the dwelling. Both parties have confirmed that a certificate of lawfulness¹ has since been granted regularising the use of this land as residential garden area. I am therefore satisfied that no character and appearance harm would result in this regard.
9. Accordingly, the proposed development would not harm the character and appearance of the surrounding area, with regard for the North Wessex Downs AONB. It therefore complies with Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (adopted July 2012), Policies C1, C3 and C6 of the Housing Site Allocations Development Plan Document (adopted May 2017), the North Wessex Downs AONB Management Plan (2019-2024), the Stanford Dingley Parish Design Statement (adopted January 2010), the Quality Design – West Berkshire Supplementary Planning Document – Part 2 Residential Development (adopted June 2006), and the House Extensions Supplementary Planning Guidance (adopted July 2014).
10. These policies and guidance seek, amongst other things, to ensure development is of a high quality design which respects the character and appearance of the surrounding area and preserves valued landscape features such as AONB. No specific conflicts with the Framework have been identified by the Council. As such, this has not been considered further in this regard.

¹ LPA Reference: 20/01454/CERTE

Other Matters

11. The appeal site is located near the Grade II listed Chalk Pitt Cottage, on the northern side of Back Lane. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be given to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which they possess. The proposed development would largely be screened from the street scene with the only clear views being along the existing access driveway. With this in mind, I am satisfied that the proposal would not be viewed in context with Chalk Pitt Cottage and as such would not harm the setting of the Grade II listed building. The Council have reached a similar conclusion in their assessment.

Conditions

12. In allowing the appeal development I have had regard to the conditions suggested by the Council, of which the appellant has had the opportunity to comment on. Where necessary I have amended the wording of the suggested conditions in the interests of precision and clarity, and in order to comply with advice in the Planning Practice Guidance (PPG) and the Framework.
13. Planning permission is granted subject to the standard three year time limit condition for implementation. In addition, it is necessary to specify the approved plans in the interest of certainty. An exception note will be included regarding the location details shown on the proposed "Plan & Elevation of Proposed Garage" plan (Dwg No JT-0090-L10, Rev C, dated 25.10.19) to maintain consistency with details on the other plans of development. It is not considered necessary to have a separate condition relating to building materials as these details are already shown on the approved plans of development.
14. It is necessary to ensure that parking and turning areas, as well as works to the access onto Back Lane, are carried out before the development is brought into use for highway safety purposes. The Council's suggested condition restricting the future use of the proposed garage is not necessary as it does not seek to limit any specific permitted development rights, and any such change of use would be subject to planning permission regardless. Furthermore, the parking and turning area condition already requires the garage to be maintained for parking purposes ancillary to the dwelling house at all times.
15. Landscaping conditions are necessary in the interest of preserving the rural landscape character and appearance of the area. A condition restricting the installation of external lights without prior approval by the Council is necessary to protect the dark night skies special characteristic of the AONB. A condition removing permitted development rights for means of enclosure and buildings incidental to the enjoyment of the dwellinghouse is necessary in order to protect the open and rural characteristics of land permitted to be used as residential garden area.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed and planning permission granted.

J Gibson

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (Dwg No JT-0090-L06, dated 30/07/2019); Existing Layout Plan (Dwg No JT-0090-L07, dated 30/07/2019); Proposed Layout Plan (JT-0090-L08, Rev C, dated 14.02.20); Plan & Elevations of Existing Stable Unit (Dwg No JT-0090-L09, dated 30/07/2019); Plan & Elevation of Proposed Garage (Dwg No JT-0090-L10, Rev C, dated 25.10.19); Roof Plan of Proposed Garage (Dwg No JT-0090-L14, Rev A. dated 14.02.20); Proposed Gates Elevation (Dwg No JT-0090-L15, dated 22/10/2019), with the exception of the location details shown on Dwg No JT-0090-L10, Rev C, dated 25.10.19 which is to be carried out in accordance with the layout shown on Dwg No JT-0090-L08, Rev C, dated 14.02.20.
- 3) The development hereby permitted shall not be brought into use until the vehicle parking and turning areas have been provided in accordance with the approved plans. The parking shall thereafter be kept available for the parking of vehicles at all times.
- 4) The development hereby permitted shall not be brought into use until the works to the two accesses onto Back Lane, including the provision of two gates, have been completed in accordance with the approved plans.
- 5) The building hereby permitted shall not be brought into use until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.
- 6) No external lighting shall be installed to the building hereby permitted, or within the land hereby subject to a change of use, unless details have first been submitted to and approved in writing by the Local Planning Authority. No external lighting shall be installed except in accordance with the approved details.
- 7) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no gate, fence, wall or other means of enclosure which would otherwise be permitted by Schedule 2, Part 2, Class A of that Order shall be erected or constructed in, on or around the land hereby permitted a change of use to residential (west of the dwellinghouse) without planning permission being granted by the Local Planning Authority on an application made for that purpose.

- 8) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Class E of that Order shall be erected or constructed on the land hereby permitted a change of use to residential (west of the dwellinghouse), without planning permission being granted by the Local Planning Authority on an application made for that purpose.

End of Schedule