
Appeal Decision

Site visit made on 22 February 2021

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 April 2021

Appeal Ref: APP/P1615/W/20/3264293

Honeyfield Barn at Rock Farm Bungalow, Coldharbour Road, Brockweir, Gloucestershire NP16 7NN

- 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 Robert Harrison against the decision of Forest of Dean District Council.
 - The application Ref P0421/20/FUL, dated 2 April 2020, was refused by notice dated 23 September 2020.
 - The development proposed is for the conversion and extension of existing stone barn and dairy and demolition of modern barns to reflect historic layout and provide one dwelling with garage and store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (1) whether, having regard to development plan and national policies, this is a suitable location for a new dwelling; and (2) the effect of the proposed dwelling on the character and appearance of this area and the designated Wye Valley Area of Outstanding Natural Beauty (AONB) landscape.

Reasons

3. The site is in a rural landscape in a hilly area within the Wye Valley. This is a former farm with a dwelling onsite already. This proposal relates to a complex of farm buildings of varying age, including an older stone barn. It is proposed to keep the older barn buildings, which the appellant states have a heritage value. However, the majority of the existing agricultural buildings, many of which appear to be in a state of disrepair, are to be demolished. Only a small element of the overall cluster of farm buildings would remain and so I would not regard this as a conversion, but more of a new build development to form a dwelling.
4. The site is not within any designated settlement boundary, with the plot being set a significant distance from the core of the village of Brockweir by the River Wye. Being outside of a settlement boundary the site is within the open countryside insofar as development plan policy is concerned.

5. Policy CSP.4 of the Forest of Dean Core Strategy (CS) sets out the principle of development in settlements and elsewhere. This policy states that most changes in towns and villages will take place within the existing settlement boundaries. Exceptions include affordable housing or conversions. The proposed development is not in a settlement boundary but is neither a conversion nor a form of affordable housing. The Core Strategy policies (CSP4, CSP5 and CSP16) do not state that there should be no housing development in the countryside, but it is clear that their strategic thrust is for new housing development to be concentrated in larger settlements with good employment access, for example. They set a strategy for managed growth of development which links to public transport and the accessibility of services.
6. Whilst I acknowledge that these Core Strategy policies pre-date the National Planning Policy Framework (the Framework), I would still attribute them significant weight as their general focus is to direct development to more sustainable settlements which accords with the Framework. However, I do acknowledge that paragraph 78 of the Framework seeks to promote sustainable development in rural areas, with housing to be located where it will enhance or maintain the vitality of rural communities. I have taken this into account with this Decision.
7. Further to the above, policy AP1 of the Allocations Plan (AL) (2018) requires that development be sustainable, with the aim of improving economic, social and environmental conditions in an area. Within the supporting text to this policy is Table 4, which sets out different aspects of a development which can contribute towards sustainable development. A section of this refers to accessibility, which includes key questions of whether a development can be accessed by modes of transport other than a car, and whether the location makes best use of existing facilities and services.
8. The supporting text to policy CSP.16 refers to areas of very small villages and hamlets, which I would consider are much like the site location. Paragraph 7.75 describes such settlements as looking like part of the countryside, with a dispersed built form which is not intensively developed. In this case, the core of Brockweir within the settlement boundary has a density of a typical rural village, whereas the site appears remote from the village and could be described as being within a dispersed area of housing across a primarily agricultural landscape which has a strong countryside characteristic. Paragraph 7.75 goes on to state that such settlements will not generally be suitable for new market housing, which I would consider to be the case for this appeal site, given the lack of easily accessed public transport links and a range of services.
9. The site is not totally isolated being that there are a scattered number of dwellings within this rural area with some limited services on offer, such as the community centre and the village shop. Various public right of way routes would help reduce this distance, but they would be less of a likely option in non-daylight hours or in inclement weather. I also note the road network in the area is predominantly country lanes, often with no footways or street lighting. There are bus services, although the stops are close to the village core and not the site, from the information I have.
10. It is my conclusion that whilst there are some limited services and facilities in walking distance to the site (albeit a longer walk in some instances) it is likely that future occupants of the proposed dwelling would be heavily reliant on

private vehicles to access a good range of the most frequently needed services. Whilst I acknowledge that in rural areas there is less likely to be the range of services and transport links that may be found in urban areas, this particular site has a level of accessibility that is lower than many other rural locations. Therefore, this development would not be considered as a form of sustainable development in all regards.

11. As the site is not what I would consider as being isolated then paragraph 79 of the Framework does not apply. However, even if it was isolated then the re-use of redundant and/or disused buildings is dependent on the enhancement of its immediate setting. As can be seen in the next section, I do not consider that the proposal would bring about an enhancement.
12. The Framework also, in Paragraph 78, states that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities and help villages to grow and thrive, especially where this will support local services. This does allow for some new build housing in rural areas, in the right circumstances which should be sustainable. However, in this case the proposed dwelling would add to a scattered and dispersed number of dwellings in this rural area of the countryside, set a substantial distance away from the village core. This is not a suitable location for a new house to support the village to grow or reinforce existing settlement patterns. Additional future occupants of the proposed development could have some small benefit such as supporting the few services such as the shop, as well as being part of the local community, but this benefit does not outweigh my conclusion that this would be an unsustainable location for a new housing development.
13. As such, the proposal is contrary to Core Strategy policies CSP.4 and CSP16 of the Core Strategy, and policy AP.1 of the Allocation Plan. These policies, for example, seek to reinforce existing settlement patterns when delivering development in order to help protect the open countryside. These Development Plan policies are broadly consistent with the sustainability aims of the Framework, including mitigating and adapting to climate change, moving to a low carbon future, and the social sustainable objective of having accessible services for development (paragraph 8 of the Framework). As such, although these policies pre-date the Framework, which does allow for some rural housing development in certain circumstances, I would still give them significant weight.
14. Policies AP.4 and CSP.1 is focussed on design and environmental enhancements and so I do not regard the proposal as being in conflict with this policy based on its location alone. Furthermore, policy CSP.5 sets out a settlement hierarchy but does include some provision for housing outside settlement boundaries. Therefore, I do not find that the proposal is contrary to this policy.
15. The lack of a demonstrable sufficient housing land supply is noted and will be discussed later in the Planning Balance section.

AONB impact

16. The site is within the Wye Valley AONB. The cluster of agriculture buildings is on a hill side and appears visible within the landscape, from distanced views and also some closer views, such as by the site entrance off Coldharbour Road.

Currently, the buildings appear as typical agricultural structures, which are common within countryside settings.

17. In contrast, the proposal would appear clearly as a large new dwelling within this countryside rural setting. Whilst I acknowledge there are other scattered dwellings throughout this rural landscape, adding a further large new house in a prominent location would significantly change the character of this site, urbanising this area from what is currently agricultural in character. The existing agricultural buildings, although not in themselves of any particular visual merit as they currently stand, are typical within rural and agricultural landscapes such as this and so does not harm the AONB qualities. I would regard the existing buildings on site as being of a neutral visual impact within the landscape.
18. The proposed dwelling with its 'U' shape layout and the proposed traditional materials with the incorporation of some rural design aspects would be positive. I note also that the car parking would be in a less prominent location and that there would be less reflective materials used than existing. However, even with the reduction in 'footprint' and building volume compared to the existing buildings (with no additional height over existing), the proposed dwelling would be clearly viewed as a new house in the countryside and result in a domestic character with likely associated paraphernalia which would erode the rural attractiveness of this landscape.
19. The submitted Landscape and Visual Appraisal (LVA) points out the poor state of some of the existing buildings, but this is not so evident from outside of the site where the views are more distanced. Furthermore, I acknowledge that the proposed house would have a reduced 'footprint' from the existing cluster of barns. However, the existing structures has a neutral visual impact within the landscape, being that they are typical agricultural buildings in this rural area, whereas the proposed dwelling would have more of an adverse impact within the landscape as it would be a relatively large new dwelling with domestic curtilage within this countryside setting.
20. The proposal would better reveal the older stone barn element that exists and would remain. This is an interesting old barn building, but I would not regard it to be of such heritage value that its revealing and associated improvements would outweigh the adverse visual impacts outlined above. Furthermore, I note the proposed landscaping in the LVA, which would provide some screening over time for the proposed house. Nonetheless, it would still be visible in the landscape and I am not convinced such screening would be sufficient to overcome the AONB impacts.
21. Whilst the LVA concludes that the proposed dwelling would have no significant change to the character or quality of the local views, I would disagree. To my mind it would have a significant change in character and an associated visual impact. This impact would, however, be mitigated to some extent by the design of the proposed house, its materials and also the planting plan for new landscaping that has been put forward. The harm to the AONB overall would therefore be modest. However, at paragraph 172 of the Framework it states that *"Great weight should be given to conserving and enhancing landscape and scenic beauty inAreas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues."*

22. The proposal would fail to preserve the AONB scenic beauty, even if the harm would be modest. Given the great weight that must be attributed to conserving the AONB then I find that the proposal would be contrary to policies CSP.1 and CSP.4 of the Core Strategy, and policies AP.1 and AP.4 of the Allocations Plan. These policies require development to consider the effect on the landscape, including the AONB, and take account of the local character in terms of design approach, amongst other things.
23. I am not persuaded, however, that the proposal is in conflict with policy AP29, which appears to be primarily related to a cycle route in the Wye Valley, with regards to this main issue.

Planning Balance

24. It is clear that the Council cannot demonstrate a sufficient five year land supply. In this regard, paragraph 11 of the Framework states that plans and decisions should apply a presumption in favour of sustainable development. In respect of paragraph 11 d) of the Framework with regard to decision-making, this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (including cases involving housing where the Council cannot demonstrate a five year housing land supply), permission should be granted unless one of two criteria apply.
25. The first criterion is whether the policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development. Footnote 6 clarifies what these protected areas or assets are and includes AONBs. As set out above, the Framework states that great weight should be given to the conservation of AONBs, though I have concluded that the proposed development would fail to conserve the landscape and scenic beauty of this area of the Wye Valley AONB. As such, the 'tilted balance' under paragraph 11 of the Framework does not apply, as the harm to the AONB is a clear reason for refusal.
26. Whilst there may be no 'tilted balance' I do recognise that the proposal would introduce a new dwelling into the district which would go towards housing land supply. The proposal would also make a modest contribution to the local economy during its construction phase and thereafter, through future occupiers use of services and facilities in the area. They could also be beneficial to the vitality of the community locally. The proposal would introduce additional landscaping and incorporate some sustainable and environmentally beneficial aspects to the building work proposed, which could also provide some enhancements for wildlife.
27. I have had regard to the other appeal decisions and planning permissions that have been raised by the parties, but consideration of this proposal has been mostly specific to its location and the proposed development, which differs in various ways from these other cases. As such, I have considered this proposal primarily on its own merits.
28. I have also taken into account the preservation and better revealing of the older and more historic elements of the existing agricultural buildings, with much of the more modern structures to be removed. However, I would agree with the Council that this is not a non-designated heritage asset, although clearly an old barn of historical note. Furthermore, I am not satisfied that there

are no other options to better reveal the older barns other than the development of a large house on the site (which would be much larger than the stone barns that would remain). I therefore give this matter only modest weight.

29. There has also been a significant number of supporting correspondences received from local interested people for the proposed development, all of which have been taken into consideration.
30. Overall, I consider that the benefits cumulatively would be modest, especially as this development is only for a single house.
31. Conversely, the location of the proposal beyond the settlement would undermine the Council's plan-led approach to the delivery of housing, being a proposed new dwelling in the countryside on a site lacking a range of accessible services and facilities. Furthermore, it would harm the character, appearance and scenic beauty of the AONB, to which I must attribute great weight. These matters attract substantial weight and significantly and demonstrably outweigh the benefits associated with the proposed development.
32. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.

Special Area of Conservation

33. The site is a short distance from the various Special Areas of Conservation (SAC) and Sites of Special Scientific Interest (SSSI). I note that neither the Council nor Natural England raised any objection to the proposal relating to these designated sites. As the appeal is to be dismissed, I have not pursued this issue further.

Conclusion

34. For the reasons outlined above, I conclude that the appeal should be dismissed.

Steven Rennie

INSPECTOR