
Appeal Decision

Site visit made on 4 May 2021

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 17 May 2021

Appeal Ref: APP/Z3825/W/20/3259487

Bramble Barn, Bramble Lane, Thakeham, Horsham RH20 3DZ

- 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 Montgomery against the decision of Horsham District Council.
 - The application Ref DC/20/0720, dated 9 April 2020, was refused by the Council by notice dated 24 July 2020.
 - The development proposed is extension of residential curtilage, creation of new vehicular access, driveway and the erection of a detached outbuilding for storage and garaging and associated hardstanding.
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Decision

1. I dismiss the appeal.

Preliminary Matter

2. The proposal is for a new vehicle entry onto the lane and a driveway along the south-west edge of the site above an existing modern retaining wall, then turning at 2 right angle bends to service the outbuilding from the north-east side. An amended plan dated 8 July 2020 moved the outbuilding more in line with the older walling and ran the driveway to the rear and round to the north-east side. Having mind to the nature of the Council and other's objections to this element of the proposal, and the Wheatcroft principles, consideration of the amended plan at appeal would not prejudice any interests.

Main Issue

3. This is the effect of the proposal on the landscape character and appearance of the area.

Reasons

4. Policies 25 and 32 of the Horsham District Planning Framework are strategic policies which seek to protect, conserve and enhance the landscape and townscape character; and to require high quality and inclusive design for all development. Policy 28.3 on ancillary accommodation and garaging in the countryside seeks such buildings to be grouped with the house. Policy 33 sets out development principles which include the retention of existing important landscape and natural features.
5. The Thakeham Neighbourhood Plan was 'made' in April 2017 and hence forms part of the Development Plan for the area in which the appeal site is located. Whilst not carried forward into the Reason for Refusal, the Officer's Report

- refers to Policy 10 that supports development proposals provided that they protect, retain and, wherever possible, enhance green infrastructure and valued landscape features, including prominent ridges, public rights of way and their settings, hedgerows, copses and woods.
6. The environmental objective in paragraph 8 of the National Planning Policy Framework includes protecting and enhancing the natural environment, and chapter 15 sets out further requirements to conserve and enhance the natural environment.
 7. The residential use of the building results from the application of The Town and Country Planning (General Permitted Development (England) Order 2015, Class Q 'agricultural buildings to dwellinghouses' allowed on Appeal in October 2016 (Ref; APP/Z3825/W/16/3147881) and had to comply with the various restrictions pertaining to that Class. The main issues in that Appeal concerned the risk of contamination as referred to in Class Q.2.(1)(c) and access to services related to Class Q.2.(1)(e) and on both counts the Inspector found that the proposal met the requirements. The conversion was carried out within the required period and was in use as a dwelling by the time of the present site inspection.
 8. The Council accepts that the consent provided pursuant to Class Q and the interpretation in paragraph X provides for an insufficient incidental curtilage in order to satisfy the reasonable needs of the occupants of Bramble Barn. The barn being a small building, paragraph X would only allow a small curtilage and the quoted figures are 53m² of which 30m² is hardstanding. Hence, the issue is not over the principle of enlargement but over its extent, with further concerns over the proposed building and hardstanding. That approach is reasonable since the provisions of Class Q as interpreted at paragraph X cannot take account of all of the circumstances allowed in consideration of an application for express consent.
 9. The proposed extended curtilage is stated to allow a comprehensive package of works to allow the better functioning of the property, and a more sustainable use of the land. Be that as it may, the present arrangement within the red and blue edged land is of a small rural building set within an open plot, largely continuous with the open land as it slopes to the north and east, the tree belt to the south-west providing a natural margin to that rural character and appearance. Whilst now in residential use, the appearance of the barn is of a rural building within that landscape.
 10. As accepted by the Council, some enlarged curtilage would be reasonable and would be expected to contain domestic paraphernalia and the usual garden features of a cultivated landscape. Whilst at odds with the rural appearance on this side of the tree belt, an enlarged area could be assimilated into that landscape were it to be more clearly linked to the building and its frontage onto the lane. The proposal at appeal would risk introducing domestic uses, items and cultivated landscaping too deeply into the owned land along the tree belt and to the east of the building and would cause harm to the wider landscape seen from various publicly accessible points. The site is in a prominent location, visible from the entry to the footpath on Cray's Lane, albeit the effect is reduced by distance, and remains visible as that path approaches the site.
 11. The proposed location of the outbuilding would be similarly visible, and although subsumed to a degree within the backing of the tree belt, would

extend visually the appearance of development in the rural landscape. The outbuilding would be less visible as the footpath from Cray's Lane enters a dip, reappearing at closer quarters towards the junction with Bramble Lane. From just outside the site at the location of the proposed vehicle entry, the driveway and outbuilding would be seen as intrusive elements and without the benefit of tree backing. The curved drive introduced in the amended plan would be insufficient to soften the extent of the hard landscaping.

12. As with the amount of the proposed extension of the curtilage, the location of the outbuilding would be poorly related to the dwelling, contrary to Policy 28, causing harm to the rural character and appearance of the landscape, and failing to accord with District Framework Policies 25, 32 and 33 as well as neighbourhood Plan Policy 10 and the aims of the National Framework on the conservation and enhancement of the natural environment. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR