

Appeal Decision

Site Visit made on 20 April 2021

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2021

Appeal Ref: APP/W0340/W/20/3256559

Blacknest Farm, Hockford Lane, Brimpton Common, Reading, RG7 4RN

- 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 Bucklebury Developments Ltd against the decision of West Berkshire District Council.
 - The application Ref 20/00581/FULD, dated 28 February 2020, was refused by notice dated 14 May 2020.
 - The development proposed is the development of 4 dwellings, through conversion of existing buildings, with ancillary car ports/storage and residential curtilages together with access, landscaping and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, work had commenced on development of the appeal site. The Council has provided details of commencement notices submitted in respect of previous schemes that have been approved on the site. In addition, there were differences between the development that I observed and that which is proposed within the appeal scheme. As a result, I have approached the appeal on the basis that the scheme before me has not been commenced.

Main Issues

3. The main issues are:
 - i) Whether the appeal buildings are suitable for conversion having regard to development plan policy, and
 - ii) The effect of the proposal on the character and appearance of the area.

Reasons

Suitability for conversion

4. Policy C1 of the West Berkshire Housing Site Allocations Development Plan Document (adopted May 2017) (the Site Allocations DPD) sets out the Council's approach to new housing development in the countryside, in that most development is to be accommodated within settlements, with existing facilities and services. Within this context, outside settlement boundaries, new residential development will only be permitted in a limited number of exceptions, which includes the conversion of redundant buildings. This exception is subject to compliance with other policies of the Plan. In particular,

- policy C4 sets out further criteria that must be met for the conversion of existing buildings outside of settlement boundaries to be permitted. Of particular relevance is criterion i), that the proposal involves a building that is structurally sound and capable of conversion without substantial rebuilding, extension, or alteration.
5. The appeal site comprises of five individual buildings, which are proposed to be converted to four residential units with associated ancillary structures. The appeal is supported by two structural reports (dated June 2017 and February 2020). The most recent report concludes that the majority of the structural elements of each of the buildings is in good condition and that they can be converted into habitable accommodation. It is further highlighted that all buildings will require some remedial works to restore their full structural integrity.
 6. From the information before me, I am satisfied that the works to the buildings identified as H1, H2(A and B) and H3 would comprise mostly repair works and that the main structure of the buildings could be retained. Thus, I find that these buildings remain structurally sound and that works to them would not rise to substantial rebuilding, extension, or alteration.
 7. However, I find that I cannot say the same in respect of the building identified as H1 Ancillary. The 2020 structural report identifies that part of the building has collapsed to the northern leg and would need to be re-built. In addition, it also states that any elements that have become misaligned as part of this collapse will need to be replaced, as well as the floor slab being in poor condition and needing replacement. In my view, from the information that is before me, the works required to allow this building to be utilised as part of the scheme would go beyond repair works and would amount to a substantial amount of rebuilding. Moreover, given the collapse of a significant part of it, the building cannot be considered to be structurally sound. Thus, the proposed conversion of this building would be contrary to policies C1 and C4 of the Site Allocations DPD.
 8. In failing to accord with these policies, the scheme would also conflict with policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy (adopted July 2012) (the Core Strategy), insofar as they seek to limit development in the countryside to that considered appropriate in line with other specific policies.
 9. I am conscious that the appellant contends that the conversion of building H1 Ancillary is not in conflict with policy C4 as its proposed use is not residential. However, the use of this building for ancillary storage/workspace, as set out in the appeal statement, would comprise part and parcel of the residential use of dwelling H1. Thus, it would comprise part of the residential accommodation that would be delivered by the scheme and the provisions of policy C4 are relevant.
 10. There has been the previous approval of a scheme for the conversion of the buildings to three live-work units. While this is noted, I am particularly cognisant that the Council have raised concerns over whether or not this previous scheme can be lawfully implemented and completed. As a consequence, in the absence of substantive evidence demonstrating that this previous approval can be lawfully implemented, this matter is not sufficient to outweigh the conflict with policy that I have identified.

11. The appellants statement confirms that structure 6, to be used as a car port, involves the demolition and replacement of the existing structure. At the time of the planning application, the Council raised no objection to this. As a result, I have not considered this matter further.

Character and appearance

12. The appeal scheme retains the original scale and form of the buildings within the site and as a result, the visual effect of the structures themselves would be comparable to that which currently exists. I note that also included is the alteration of the fenestration patterns on the buildings, together with some change to roof materials and the inclusion of timber cladding to external walls. There would also be the addition of porches and solar panels within the scheme. Overall, I find that the alterations would improve the appearance of the buildings and this is accepted by the Council also.
13. The changes would be cosmetic and, in my view, would not substantially alter the appearance of the site. The timber cladding and brick detailing below would be an appropriate external treatment and would ensure that the buildings remain sympathetic to their context. The Council refer to the site being in the open countryside and while outside of a settlement boundary, it shares a close affinity with a number of nearby buildings, most notably those comprising a business park with buildings that have a somewhat residential appearance, as well as dwellings located on the opposite side of Hockford Lane. Within this context, the alterations to the buildings would not be intrusive and would be appropriate. Given the enclosed nature of the site, together with the former commercial use, any domestic paraphernalia that may be present would not intrude into the countryside and would not result in any demonstrable harm.
14. Thus, I find that there would be no harm to the character or appearance of the area. Accordingly, in this respect, the scheme accords with policy C3 of the Housing Site Allocations DPD, as well as policies CS14 and CS19 of the Core Strategy. Together, and amongst other things, these seek to ensure development has regard to the landscape character of an area, that the design of development respects the character and appearance of an area, as well as that the landscape character of the district is conserved.

Other Matters

15. I acknowledge that the scheme would result in a contribution towards housing provision, and that there would be social and economic benefits arising from it. The scheme would also utilise previously developed land. However, these matters are insufficient to outweigh the identified conflict with the adopted policies of the development plan.
16. Reference is made to two of the buildings benefiting from a prior approval for conversion to residential use. However, the appeal scheme proposes the conversion of additional buildings, one of which I have found to be unsuitable for conversion. As such, this matter has little bearing on my decision.
17. While the Council did not consult with its Building Control Team, this does not undermine the conclusions of the Council in refusing the planning application, which involved the use of planning judgement, based on the evidence before it at that time.

18. I have had regard to the appeal decisions cited by the appellant; however, I find nothing contained within these that dissuades me from my findings above.

Conclusion

19. I have found that there would be no harm to the character or appearance of the area. However, part of the scheme proposes the conversion of a building that is not structurally sound, and which requires substantial rebuilding, in conflict with adopted policy; this matter is decisive. For the reasons given above, I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR