



Appeal Decision

Site visit made on 11 January 2022

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03rd February 2022

Appeal Ref: APP/W0340/W/21/3278275

Foxlee Farm, Watery Lane, Holtwood, Hamstead Marshall, Newbury, Berkshire RG20 0JH

- 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 Patrick Earley against the decision of West Berkshire District Council.
 - The application Ref 21/00256/FUL, dated 3 February 2021, was refused by notice dated 12 April 2021.
 - The development proposed is erection of storage barn for agricultural purposes.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are i) the effect of the proposal on the character and appearance of the area, with particular regard to its location within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), and ii) whether any harm in this respect would be outweighed by other material considerations such that a grant of planning permission would be justified.

Reasons

Character and Appearance

3. The appeal relates to an open field within the countryside to the south of the village of Hampstead Marshall and within the North Wessex Downs AONB. The field forms part of a wider holding of the appellant which includes another largely grassed field to the north where a dwelling is under construction to the eastern side. A recently constructed barn also exists between the dwelling and the main site entrance.
4. The proposed storage barn would be located to the eastern side of the field, some 10 metres from the field boundary. This is one of the highest parts of the field, with the land falling generally from north-east to south-west towards the River Enborne which forms the western boundary. The barn would have a square footprint, with each side measuring 12.3m long. It would stand 6m to the ridge of the shallow pitched roof, with two large door openings to the front elevation. The stated purpose of the barn is to store hay grown on the land.
5. Policy ADPP1 of the West Berkshire Core Strategy (2006-2026) Development Plan Document (July 2012) (the WBCS) sets out the spatial strategy for the district. It states that in the open countryside, only appropriate limited

development will be allowed, focused on addressing identified needs and maintaining a strong rural economy.

6. The National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs which have the highest status of protection in relation to these issues. Policy ADPP5 of the WBCS recognises this and requires that development responds positively to the local context, conserves and enhances the local distinctiveness, sense of place and setting of the AONB and respects identified landscape features and components of natural beauty. Policy CS14 further requires high quality and sustainable design that respects and enhances the character and appearance of the area, including the way it functions.
7. The AONB covers the majority of the district. The WBCS notes its legacy of historical associations and richness in historic sites, but also its primarily agricultural landscape. The field where the barn would be located is typical of this landscape. It is relatively enclosed within the landscape by mature treelines to its boundaries, but there are views over other fields to the south and south-west and the site forms part of the wider landscape.
8. The barn would be a typical portal framed agricultural building, and in terms of its form, it would not be uncharacteristic of a rural setting. However, it would be located in a detached position at a considerable distance from the other buildings within the appellant's holding on what is an undeveloped, open piece of agricultural land. The barn would stand near the highest point of the field and some 10 metres in from the boundary, in a conspicuous and somewhat awkward position that would intrude considerably into the productive area of the field. This would be exacerbated by the proposed drainage infrastructure around the barn and the possibility of an access track or hardstanding being added. This would undermine the potential agricultural function of the land and would diminish the field's contribution to the natural landscape of the AONB.
9. The barn would be close to existing structures at the adjacent Enborne Valley Farm; however, these are separated by a tree line to the field boundary, and would not be viewed as a single agglomeration of buildings. Rather, the barn would stand as an isolated structure within an open field that would be noticable from the neighbouring farmstead.
10. I accept that the barn would be subject to limited visibility from the adjacent farm buildings and fields, and that the effect on the AONB as a whole would not be significant, but in view of the high level of protection afforded to the AONB, I find that the proposed barn would represent a harmful incursion of development into an open field where no built form exists. In locating here, the proposal would fail to respond positively to its surroundings or the way in which the area functions, and it would not conserve or enhance the landscape and scenic beauty of the AONB. For these reasons I conclude that the proposed barn would harm the character and appearance of the area, contrary to the aforementioned aims of Policies ADPP1, ADPP5 and CS14 of the WBCS and the Framework.

Other Material Considerations

11. The appellant advances that the proposed barn is required in connection with agricultural operations on the land, specifically cultivation and storage of hay for a future stock of sheep. The Council refers to the recently approved barn on

the land and questions why another is required in such a short space of time. The evidence before me from the appellant in this respect is limited and unconvincing. It is conceded that the appellant has been unable to engage in meaningful agricultural work due to his focus on completing the dwelling on the land, a still incomplete self-build project of some ten years' gestation. On the information put to me, including the comments of the parish council and local residents, there is little to suggest an agricultural enterprise has operated on the land in recent years, even if the appellant has an agricultural holding number and flock number.

12. Indeed, there was no evidence of livestock on the land, nor any confirmed details as to when any may be acquired. In the absence of livestock, there would appear to be no reasonable need to store hay on the site for animal feed, as it could otherwise be sold. There is also no evidence that the barn needs to be in this particular location, where it would erode a significant area of potentially productive agricultural land.
13. The appellant states that the newly constructed barn is only marginally larger than one it replaced and would be taken up by farm vehicles and equipment. However, permission for this was only granted eight months before the application was made for this proposal, and it is unclear why, if the appellant intended to resume farming as stated, that a larger barn was not sought at the time, or why the proposed location would be more practical than one closer to the other barn storing related machinery and equipment.
14. The appellant refers to flooding and drainage issues due to rainwater run-off from the adjacent farm. The details of this are limited, but there is no clear evidence before me that the construction of a barn would be the only effective means of addressing the problem, as the proposed drains would seem capable of being constructed independently to address these issues.
15. I note reference to permitted development (PD) rights; however it is common ground that given the size of the holding, a new building could not be erected under PD. Therefore there is no potential fall-back position for the appellant to be taken into account. The appellant also refers to other barns in the vicinity but I have no details of their planning circumstances to establish if they are comparable to the appeal scheme, which I have considered on its own merits.
16. Overall, I afford no more than limited weight to the evidence of need advanced as justification for the proposal. This would not represent a material consideration sufficient to outweigh the harm identified to the AONB. I have also had regard to other matters raised by interested parties, but given my findings, it is not necessary to consider these further, as none raise potential benefits to be factored into the planning balance.

Conclusion

17. For the reasons given, the proposal would conflict with the development plan, taken as a whole. Material considerations in this case do not indicate that permission should be forthcoming in spite of this conflict. Therefore, I conclude that the appeal should be dismissed.

K Savage

INSPECTOR