
Appeal Decision

Site visit made on 18 October 2022

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th November 2022

Appeal Ref: APP/W1850/W/22/3297120

Whitehall, Chapel Lane, Peterchurch HR2 0RX

- 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 J Olley and L Moxley against the decision of Herefordshire Council.
 - The application Ref 212407, dated 16 June 2021, was refused by notice dated 19 January 2022.
 - The development proposed is the demolition of an existing derelict outbuilding and the construction of a similar new outbuilding close to the same location, for family use and occasional use as a small holiday let.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the principle of the development; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Principle of the development

3. The proposal is for the demolition of a small outbuilding and the construction of a replacement one bedroom detached outbuilding for family or holiday let use a short distance behind Whitehall, a two-storey cottage on Chapel Lane. The site lies well outside the Peterchurch Settlement Boundary where Policy P1 of the Peterchurch Neighbourhood Plan 2017 (PNP) resists new housing and Policy RA3 of the Herefordshire Local Plan Core Strategy 2015 (HLP) precludes residential development unless at least one of seven criteria are met. None directly applies to this proposal, the most relevant being the sustainable reuse of a redundant or disused building. However, in this case the existing building would be demolished and a new building constructed further away from Whitehall, on rising ground and towards the open countryside.
4. The new building would comprise a large double bedroom on the first floor and a bathroom, sitting room and kitchen/dining room on the ground floor. Whilst the building would provide additional accommodation suitable for family use in conjunction with the main dwelling, it would contain all the facilities necessary for independent use and indeed is also intended as a holiday let.

5. HLP Policy E4 seeks to promote sustainable tourism and new accommodation to increase the number of visitors staying overnight whilst Policy RA6 supports tourism development in rural areas provided it is of a scale commensurate with its location and setting. However, in this case the proposal would be seen as effectively an independent dwelling, albeit small and near an existing property, at the end of a lane with some scattered housing. The proposal in this location would thus be contrary to policy for residential development and, if considered as tourism development, not commensurate with its location and setting.
6. For these reasons the principle of the development would be unacceptable and in conflict with PNP Policy P1 and HLP Policies RA3 and RA6. These resist new housing outside the defined settlement boundary and, notwithstanding the generalised support for more accommodation offered by HLP Policy E4, tourism development that is not commensurate with its location and setting.

Character and appearance

7. Whilst still a compact building with its discreet first floor bedroom utilising the roof space, the new structure would have a significantly larger footprint and slightly higher ridge than the existing outbuilding and would be sited further east along the lane in the open land behind Whitehall. This would extend the existing group of buildings on Chapel Lane towards the open countryside and whilst well screened from the north by a tall hedge along the lane it would have wide views across the valley to the south and thus would be clearly apparent in the landscape. The building would be of suitable materials, reused local stone with slate roof, and would replace the existing building, an old caravan, shed and other paraphernalia, but the site could be tidied up in any event.
8. Overall, the proposal would have an unduly adverse impact on the character and appearance of the area contrary to PNP Policy P6 and HLP Policy LD1. These protect the scenic beauty of the area and the setting of settlements, also ensuring that site selection is influenced by the landscape.

Other matters

9. The proposal would be within walking distance of Peterchurch, a village with a range of services and facilities suitable for some housing, albeit not by a road with footpaths or street lighting. With much tourism to Herefordshire probably car based, the location would not be unsustainable in itself, and when used as an annex to the main house would not generate significant extra traffic. The appellant draws attention to a recent permission for holiday accommodation at nearby Pontypinna Farm, but the circumstances of each site are different.

Conclusion

10. The proposal would provide improved accommodation for family use and when used as a holiday let would support local tourism with economic benefits for the area. However, these material considerations would be outweighed by the in-principle objection and the significant harm to the character and appearance of the area resulting in conflict with the development plan.
11. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR