



Appeal Decision

Site visit made on 10 January 2023

by Jo Dowling BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2023

Appeal Ref: APP/X0360/W/22/3300302

Bartletts Farmhouse, Swallowfield Road, Arborfield, Berkshire RG2 9JX

- 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 Mrs Graeme Cooper against the decision of Wokingham Borough Council.
 - The application Ref 212926, dated 20 August 2021, was refused by notice dated 16 March 2022.
 - The development proposed is new access, gate and driveway at Bartletts Farmhouse, Swallowfield Road, Arborfield, Wokingham, RG2 9JX.
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Decision

1. This appeal is dismissed.

Preliminary Matters

2. In their letter of November 2022 the Appellant's representative describes the proposed development as "*the proposed erection of a fence adjacent to the highway, and the creation of a new gravel driveway to serve the dwelling facilitated by a new drop kerb at the proposed entrance*". The Council uses a similar description of development in its decision letter. For accuracy I have used the description of development as set out on the application form.
3. The Council in its statement makes reference to a new access layout/ splays plan being submitted with the appeal (Ref: 18-023-10B). However, I have not been notified of any new plans submitted with the appeal. Furthermore, I note that the decision notice issued by the Council includes a reference to plan 18-023-10B. Having reviewed plan 18-023-10B I am satisfied that the plan shows that the hedge would be reduced to 1.05m which the Council's Highways Officer referred to in their comments on the appeal and considers to be important when deciding whether or not the proposed visibility splays would be acceptable. I have therefore considered the appeal on this basis.

Main Issue

4. The main issues are:
 - whether the proposal would preserve the setting of a Grade II* listed building, Bartletts Farmhouse, and any features of architectural or historic interest that it possesses;
 - whether the proposal would adversely affect the openness and rural character of the Countryside; and
 - highway safety.

Reasons

5. Whilst Bartletts Farmhouse originates from the late 16th Century it was extended to the front in the 18th Century. As a result it has an elegant but plain façade with restrained decoration and a centrally located door with fluted Doric pilasters supporting a projecting cornice. The property was previously part of a working farm as is evidenced by the neighbouring agricultural buildings however according to the information submitted with the appeal it was separated from the working farm in 2011.
6. The site is located within open countryside. On the opposite side of Swallowfield Road is the smaller White's Farmhouse an 18th Century Grade II listed building. Like the appeal site there are agricultural buildings to the side and rear of the Farmhouse albeit a number of these appear to have been converted to non-agricultural uses. Between the farmhouse and the former agricultural buildings there is an extensive area of gravel which is used for parking, a brick wall and hedge subdivide the parking area between the buildings and the farmhouse. Both Bartletts Farmhouse and White's Farmhouse are set back from Swallowfield Road by a low brick boundary wall and small formal garden area.
7. The proposal is for the creation of a new vehicular access from Swallowfield Road to an area of land to the northeast of the farmhouse. The access would lead to an area of gravel which would provide sufficient space for the parking and turning of up to three cars. To enable the creation of the access a portion of mature hedge would need to be removed and would be replaced with a canted post and rail fence, leading to a five bar gate.

Effect on the setting of a Grade II listed building*

8. Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) requires that when considering a proposal that would affect a listed building or its setting special regard needs to be given to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.
9. The National Planning Policy Framework (the Framework) defines Listed Buildings as a designated heritage asset and defines the setting of a heritage asset as '*the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset.*'¹.
10. The Planning Practice Guidance (the Guidance)² provides further clarification by advising that as setting is the surrounding in which an asset is experienced this can be more extensive than its curtilage. However, the Guidance also advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which the proposed changes enhance or detract from that significance and the ability to appreciate it. Whilst setting is often expressed by reference to visual considerations it can include other factors such as the historic relationship between places.

¹ Annex 2: Glossary of the Framework

² Paragraph: 013 Reference ID: 18a-013-20190723

11. Finally, the Framework advocates that great weight should be given to the asset's conservation, the more important the asset, the greater the weight it should be given³. Grade II* is included in the list of assets of the highest significance⁴.
12. I accept that the proposed area of hardstanding and new vehicular access through the use of materials and design features has been designed to reflect the rural location and the materials and layout of similar facilities in the local area. However, the size, location and layout of the proposed hardstanding and its use for the parking of cars would detract from the listed building and its setting. Whilst the existing hedge would afford some screening the hardstanding would be visible through the proposed five bar gate from Swallowfield Road. In my view the harm to significance would be less than substantial and where this is the case paragraph 202 of the Framework says that such harm should be weighed against the public benefits of the proposal.
13. I recognise that the provision of a dedicated car parking area and separate access for the farmhouse could encourage long term committed ownership and therefore preservation of the building. However, the property does already have a parking area albeit that it is accessed via a shared access and is located to the rear of the building. I note the various comments made by the Appellant with regard to the state of the access and potential scenarios whereby future access may be prevented or parking at the rear may be limited. However, I have no evidence that any of these scenarios are likely to occur or have warranted the current application. As such I consider that the benefits that the creation of a separate access to the site would provide would be limited and would be insufficient to outweigh the harm to the special interest, or significance of Bartletts Farmhouse.
14. As a result I consider that the works would fail to preserve the setting of Bartletts Farmhouse for which a clear and convincing justification has not been provided. The works would therefore not comply with the requirements of 16(2) of the Act, the guidance contained within the Framework and Guidance and policy CP3 of the Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document (2010) (the Core Strategy) and policy TB24 of the Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan (2014) (the Local Plan) both of which seek to protect and enhance designated heritage assets and their setting.

Effect on the openness and rural character of the Countryside

15. The site falls outside the development limits as defined by the Core Strategy. Policy CP11 of the Core Strategy states that proposals outside development limits will not normally be permitted subject to a number of exceptions. As the proposal would result in the development of an area of open space away from the original buildings, I do not consider that it would meet the exceptions listed.
16. The farmhouse forms part of a small cluster of buildings located on either side of Swallowfield Road. I observed on my site visit that the majority of the buildings are located to the south and west of the farmhouse. As a result the

³ Paragraph 199

⁴ Paragraph 200

area to the north is relatively undeveloped and open. Furthermore, I note that the parking for the farmhouse opposite is nestled between the existing buildings. As a consequence the built form is contained and the impact on the openness and rural character of the countryside is limited.

17. I therefore consider that the creation of a new access in this location which would lead to a significant area of hardstanding enabling it to be used for the parking of vehicles would adversely affect the character and appearance of this part of the countryside contrary to policies CP1, CP3, CP9 of the Core Strategy which advocate that development proposals should reflect existing levels of facilities, be of an appropriate scale and character to the area and maintain and enhance the high quality of the environment and policy TB21 of the Local Plan which seeks to retain or enhance the condition, character and features that contribute to the landscape. These policies comply with the guidance contained within the Framework which seeks to recognise the intrinsic character and beauty of the countryside.

Highway Safety

18. The proposal would result in the creation of a new vehicular access onto Swallowfield Road. I note that the Council have advised that reducing and maintaining the hedge at 1.05 meters would result in visibility splays that would meet the Council's standards. As a result they are satisfied that the proposal would not give rise to highway safety concerns.
19. I am therefore satisfied that the proposed development would not give rise to highway safety issues and would comply with policies CP1, CP3 and CP6 of the Core Strategy which seek to ensure road safety.

Other Matters

20. The Appellant considers that a number of fallback positions exist. These include that the works could be carried out under permitted development and that greenhouses or multiple buildings and other domestic paraphernal could be constructed under permitted development which they advocate could be more harmful to the setting of the listed building than the proposed development.
21. In order to establish the validity of a fallback position it is necessary to first establish whether there is a greater than theoretical possibility that the fallback position may take place. No evidence such as a Lawful Development Certificate has been submitted to demonstrate that if the appeal were to be dismissed that such development would occur. Furthermore, the property benefits from an access and an area of parking to the rear of the building which has served the needs of the occupiers of the farmhouse to date.
22. In relation to alternatives Schedule 1, Part 2, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows the provision of buildings etc incidental to the enjoyment of a dwellinghouse subject to a number of caveats. Development is not permitted by Class E where the building, which would include glasshouses and outbuildings, would be situated within the curtilage of a listed building.
23. As a result I consider that there is not a greater than theoretical possibility that either of the fall-back positions would take place and as such I can only give them very limited weight in coming to my conclusions.

24. I note the Appellant has cited the temporary siting of a caravan and a lapsed consent for a replacement garage as setting precedent for the proposed development. The proposed garage would have been in a different location to that proposed. Both consents for the siting of a caravan were granted on a temporary basis and one was linked to a need in relation to renovation works. I therefore do not consider that either sets a precedent for the proposed development which would be a permanent feature.
25. Throughout their submissions the Appellant emphasised their belief that without the proposed development the future viability of the asset would be at risk. However, I observed at my site visit that the property appears well maintained, including the original front door. I also note that the property has existed as a separate dwelling to the original farm for over 10 years without the benefit of the proposed development and using the current access and parking arrangements. Whilst I accept that the proposal would enhance living conditions at the Farmhouse, I do not consider that without it the future viability of the heritage asset would be at risk.
26. Whilst visiting the site I took the opportunity to visit Applemore Cottage in the nearby settlement of Aborfield. Having viewed this site I consider that it is perceived in a different visual context to the appeal site and therefore does not lead me to a different view in this case.
27. Reference has been made to a number of other appeal decisions and the consent for a solar farm as setting precedent for the proposed development. However, I consider these to be materially different schemes in different geographical and policy contexts. As a result they do not lead me to a different conclusion in this case.
28. The Council referred to paragraph 109 of the Framework in its third reason for refusal. Paragraph 109 deals with overnight lorry parking and distribution centres as such I do not consider it relevant to the consideration of this appeal.

Conclusion

29. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jo Dowling

INSPECTOR