



Appeal Decision

Site visit made on 23 May 2023

by J Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2023

Appeal Ref: APP/W0340/D/22/3307621

Wilmots Farm, West Woodhay, Newbury RG20 0BL

- 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 Ms. K Parsloe against the decision of West Berkshire District Council.
 - The application Ref 21/03228/HOUSE, dated 21 December 2021, was refused by notice dated 7 September 2022.
 - The development proposed is extensions and alterations to existing buildings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council has reviewed the licence issued by Natural England for replacing the roof of the appeal property and Owl Barn and is satisfied that it addresses the second reason for refusal. I have no reason to disagree with the Council's assessment. As such, the second reason for refusal falls away.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area including the Area of Outstanding Beauty.

Reasons

Character and appearance

4. The appeal site comprises a detached two-storey brick and tile dwelling and two ancillary buildings on a large plot of land. The site is located within open countryside in the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and the existing dwelling is considered to be a non-designated heritage asset. The ancillary buildings are an outbuilding used for storage and a derelict barn, both of which have timber clad walls and tile roofs.
5. The scheme is for renovation and extension work to the existing dwelling as well as the conversion of the outbuildings to habitable accommodation, linked together with the main dwelling via new extensions.
6. The existing dwelling has been previously extended, and the appeal scheme would greatly increase the amount of habitable space further. The extent of additional floor space, the enclosure of the plot on two additional sides and the conversion of ancillary buildings into habitable space mean the scheme would

- be result in an extensive, dominant and disproportionate addition to the host dwelling. Although the scheme would echo some design elements of the ancillary buildings, the scheme would clearly present as a sprawling residential dwelling overall. This would result in significant harm to the existing character which is of a modest detached dwelling on a large, open and spacious plot.
7. I note that when calculating the increase in volume the appellant has included the ancillary buildings in the starting position. However, these buildings are not currently habitable nor connected to the host dwelling, so the actual increase is significantly more than suggested.
 8. AONBs are landscape designations of national importance, and the NPPF states that great weight should be given to conserving landscape and scenic beauty in these areas. The North Wessex Downs AONB Management Plan 2019-2024 (the AONB Management Plan) describes the specific qualities of the AONB as characterised by vast, dramatic, undeveloped and distinct chalk downlands with nationally significant areas of semi-natural chalk grassland, contrasting with well-wooded plateaux, arable lands and intimate and secluded valleys, all rich in wildlife and cultural heritage.
 9. The scheme would enclose the appeal site with built form on three sides, resulting in a loss of openness to the site and resultant harm to the AONB due to subsequent loss of views from the public realm. Where there are existing hard boundaries on the appeal site, these are softened by the gaps between the main dwelling and the ancillary buildings. The use of articulation in the dining room link extension, current appearance of the house, limited visibility from the public realm, the generous size of the plot, retention of open areas to the front and side, single storey nature of the scheme and the presence of u-shaped courtyard developments nearby do not alter my conclusion on this issue.
 10. I accept that the Conservation Officer considers the extension links to be subservient, and that they were satisfied with the proposed development from a conservation perspective. However, this does not outweigh the conflict identified above when considering the scheme as a whole in relation to the development plan. Even if I were to accept that the site had a greater proportion of built form historically, whether habitable accommodation or agricultural buildings, this would not overcome the harm identified above.
 11. The appellant has supplied a Certificate of Lawfulness for a single storey rear extension. This is for a different design which does not include the conversion of the ancillary buildings into habitable accommodation, nor the linking of the those buildings to the host dwelling. The differences between this proposal and the appeal scheme mean that the Certificate of Lawfulness is not a material consideration in favour of the latter, but rather a fallback position should the appeal fail.
 12. When considering proposals for new development, decision makers should have regard to the fallback position of lawful development which has a real prospect of taking place in the alternative. For a fallback position to be afforded significant weight, there needs not only to be a real possibility of it being carried out, but it would also need to be equally or more harmful than the appeal scheme. The fallback scheme is of a smaller scale than the appeal scheme and does not have the same design elements that I have found to be

problematic above. It would not enclose the site nor dominate the host dwelling. I therefore afford this fallback limited weight.

13. The appellant states that the appeal scheme would be less impactful than other options. These include extending either side of the house which would increase the frontage, or extending to the front, which would bring the built form closer to the public highway. However, the fallback position above is a viable alternative option involving a single storey rear extension which would not affect the frontage nor the proximity to the highway and I therefore give this matter limited weight.
14. The appellant has highlighted their rights under The Town and Country Planning (General Permitted Development) (England) Order 2015 Development Rights (GDPO). However, the scheme's conversion of non-habitable buildings and the length of the proposed extension away from the rear wall of the host property means that the scheme would not fall under the scope of GDPO.
15. The proposed development would be harmful to the character and appearance of the host building and the local area including the AONB. Consequently, the scheme would be contrary to Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) Development Plan Document, West Berkshire Local Plan (2012) (Local Plan), Policies C3 and C6 of the Housing Site Allocations DPD (DPD) and the National Planning Policy Framework (the 'Framework'). These policies seek to ensure - amongst other matters - that new development responds positively to the local context and conserves and enhances the setting of the AONB. It also conflicts with the Quality Design West Berkshire Supplementary Planning Document Part 2 Residential Development 2006 and House Extensions Supplementary Planning Guidance 2004, which seek to ensure - amongst other matters - that extensions are well designed in relation to the surrounding buildings and reflects and adds to the appearance of the house and its surroundings.

Conclusion

16. For the above reasons, the proposal would conflict with the development plan and there are no material considerations that indicate that the decision should be made other than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

J Wellstead

INSPECTOR