



Appeal Decision

Site visit made on 7 November 2023

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 17th January 2024

Appeal Ref: APP/W0340/W/23/3319969

Barn at Beedon Manor Farm, Beedon, Newbury, West Berkshire RG20 8SW

- 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 and Mrs Gent against the decision of West Berkshire District Council.
 - The application Ref 22/02047/FULD, dated 23 August 2022, was refused by notice dated 20 October 2022.
 - The development proposed is demolition of the existing large agricultural buildings and replacement with new residential dwellings, together with access, parking, landscaping and any other associated infrastructure.
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Decision

1. The appeal is allowed, and planning permission is granted for demolition of the existing large agricultural buildings and replacement with new residential dwellings, together with access, parking, landscaping and any other associated infrastructure, at Barn at Beedon Manor Farm, Beedon, Newbury, West Berkshire RG20 8SW in accordance with the terms of the application, Ref 22/02047/FULD, dated 23 August 2022, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. Amended plans were submitted with the appeal. These seek to make changes to the proposed facades, in response to the Council's observations. The footprints of the buildings would remain the same. Given that the site is removed from immediate neighbours and that the changes are relatively minor I am satisfied that no party would be prejudiced if I take the amended plans into account. Accordingly, I have determined the appeal on the basis of the amended scheme.
3. The Council is currently in the process of reviewing its local plan. Evidence before me shows that the examination is at an early stage and relevant policies have been met with considerable objection. I am therefore of the view that it should carry little weight in this appeal.
4. An updated version of the National Planning Policy Framework (Framework) was published on 19 December 2023. Views of the main parties have been sought on this matter and any submissions taken into account in my determination of the appeal.

Main Issues

5. The main issues are:

- 1) Whether the site is suitably located for the development proposed when assessed against the development plan, and
- 2) The effect of the proposal upon the character and appearance of the area, including the setting of nearby listed buildings and the North Wessex Downs Area of Outstanding Natural Beauty.

Reasons

Location

6. The site is located on the edge of the settlement of Beedon, in a rural area. Policy ADPP1 of the West Berkshire Core Strategy (2006-2026) (CS) sets out the Council's spatial strategy for new development in its area. This seeks to ensure that the majority of growth takes place in larger urban areas, building upon the existing settlement pattern. As a small settlement the Council considers Beedon to be within the countryside, where only appropriate limited development will be allowed, focused on addressing identified needs and maintaining a strong rural economy. Policy CS1 of the CS steers the development of new homes towards settlement boundaries and previously developed land (PDL). The site is outside a settlement boundary. Using the definition provided by the Framework, although developed the site cannot be considered PDL as it is occupied by agricultural buildings.
7. The proposal is not a conversion or put forward to meet a need that would support the rural economy. The site would therefore not be suitably located for the development proposed as it would be contrary to Policies ADPP1 and CS1 of the CS, and C1 of the Housing Site Allocations DPD 2006-2026 (DPD). Together these policies seek to manage the location of new development in the district.

Character and appearance

8. Beedon is a modest settlement that is split into two parts. The appeal site relates to a small cluster of buildings that is focused on the Church of St Nicholas and Manor Farm.
9. The site is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The area of the AONB that forms the environs of the appeal site is characterised by the scale of its vast and open landscape of gently rolling hills. Land is divided into large arable and pasture fields divided in a mixed field pattern. The area is settled with individual farmsteads and small settlements, with traditional vernacular building materials that include red brick and clay tiles, as well as thatch and weatherboarding. The existing barns stand to the eastern side of a small group of buildings that utilise this material palette at a traditional vernacular scale. Thus, the effect of the proposal on the character of this traditional settlement, and its broader impact on the valued wider landscape are key matters for me to consider.
10. Manor Farm House is a Grade II listed building¹ to the west of the appeal site. Historic barns associated with the farmhouse are separately listed and include a

¹ List Entry No. 1319560

cart shed², stables³ and a barn⁴. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. A further unlisted barn occupies a prominent roadside position and faces towards the northern edge of the site. This is known as the Farrier's workshop.

11. The farmhouse and the associated agricultural buildings form a characterful historic farmstead, unified by their traditional vernacular forms and materials. Despite conversion the barns retain their agricultural character and form a coherent group. The listed barns and unlisted Farrier's workshop are all prominent from Stanmore Road. Their wider setting within a modest rural hamlet that is surrounded by a high quality agricultural landscape are characteristics that contribute to the significance of these heritage assets.
12. The barns at the appeal site are on the other side of the road to the historic farm buildings. Historic maps and photographic evidence show that they replaced two traditional barns. One of these was a large thatched barn that stood alongside the road's edge. These factors demonstrate a long standing association between the appeal site and the farmstead.
13. The barns at the appeal site have not been in active agricultural use for a long period. As such their condition is deteriorating. Vegetation has grown up around them and particularly in the spaces between the buildings, which connects with a well treed and hedged field boundary to the east. Barn B is close to the road, and as a result of its height and large footprint, is highly prominent to view from Stanmore Road and particularly in the approach to the hamlet from the southeast. It has a substantial bulky scale that appears quite out of place in the context of the modest and traditional forms of the Manor Farm buildings, which are seen within the same view. Its extensive footprint draws built form away from the road edge and the developed part of Beedon, thereby extending the presence of development into the countryside.
14. The gable end of Barn A is also visible from the immediate parts of Stanmore Road. Owing to the manner by which the land falls away from this barn to the north, it is highly prominent to view from the right of way and road to the north, where the frame of its open north elevation has a stark and obtrusive appearance alongside its verdant surroundings.
15. For these reasons the barns currently have a harmful impact on the traditional agrarian setting of the historic farmstead and the wider landscape character of the area. I do accept however that the buildings are of a proportion and materiality that are expected in modern agricultural practice, and as such the existing barns do not necessarily appear out of place. However, they occupy a prominent roadside position. They cannot be considered to sit well within this high quality landscape or alongside the traditional forms and scale of the adjacent farmstead, and their appearance is further let down by their deteriorating condition.
16. The proposal would see the existing modern barns removed and replaced with two buildings of a much more modest scale. They would broadly occupy the

² List Entry No. 1319561

³ List Entry No. 1136055

⁴ List Entry No. 1117204

position of the barns that are shown on the historic maps, with an intervening yard. They would occupy a much more modest footprint and would reduce the extent of built form, thereby lessening the spread of development into the countryside. Together they would form a building group that would have the characteristics of traditional agricultural buildings positioned around a shared yard. The proposal would see Barn A removed, thereby offering a significant enhancement to the views from the road and right of way to the north.

17. The new buildings would be constructed of materials that would match those that are commonplace in this part of Beedon and a distinctive of the AONB. The roadside building would be prominently positioned. However, with a well considered landscaping scheme and the much more modest gable forms of the building facing southeast, the development would appear appropriate to this sensitive setting.
18. The buildings would stand comfortably alongside the existing farmstead. They would incorporate some contemporary design details, which would help to clarify that they are modern; however, these would not be so overt as to draw the eye or result in a development that would appear out of place or dominant. Additionally, the siting of the buildings would tie back to the barns that previously existed here; thus re-establishing an historic arrangement and maintaining a link to the existing farmstead.
19. Proposed gardens would be large. However, they would be well defined by existing and proposed planting, which can be controlled by a suitably worded condition if the appeal is allowed. Additionally, they would not be noticeably larger than nearby gardens. The landscaping scheme would ensure that the proposal ties in with the mature hedgerow and trees that already exist at the site and extend away to the east, thus aiding the proposal's assimilation with the natural environment.
20. In summary, the proposal would improve the character and appearance of the area and wider landscape. With reference to the LBCA, the special interest of the listed buildings would be preserved. The proposal would thus accord with Policies ADDP5, CS14 and CS19 of the CS. Together these seek to ensure that development proposals conserve and enhance the local distinctiveness and sense of place of the AONB, are of a high quality of design, and conserve historic assets.

Other Matters

21. The Grade 1 listed Church of St Nicholas⁵ stands further to the west, the other side of the farmhouse. The Church is a modest building that is separated by the farmstead and is a considerable distance from the appeal site. The farmhouse has a substantial scale and limits views of the Church from Stanmore Road. The appeal site does not appear to be a significant component of the setting of the Church. I am satisfied that the proposal would not introduce a change to the building's setting that would harm its significance.

Planning Balance

22. The proposal would not accord with development plan policies that seek to manage the location of new development. The proposal would however improve the character and appearance of the area and wider landscape,

⁵ List Entry No. 1136040

including the significance of nearby listed buildings as a result of an improvement to their setting. The level of improvement would be significant on the basis of the harmful appearance of the existing buildings and their replacement with more suitably scaled development that would take the form of traditional agricultural buildings that utilise an appropriate material palette and based on an informed understanding of the site's history. This is a matter to which I give considerable weight.

23. The appellants have put forward a fallback position. Details are before me of a scheme to convert the buildings into dwellings. The scheme does not benefit from planning permission. Caselaw establishes that there only needs to be more than a merely theoretical prospect of an alternative development taking place for me to consider taking a fallback position into account.
24. Policy C4 of the DPD states that the conversion of existing redundant buildings to residential use will be permitted, subject to a set of criteria that must be satisfied. The plans show that the buildings could be converted into four well appointed dwellings. Details before me demonstrate that there is the potential for a scheme to be worked up that would retain significant portions of exterior walls and roofs.
25. Evidence suggests that the buildings have been redundant for over 20 years. At my visit I saw that most were inaccessible and largely empty. On this basis I can reasonably accept that they are redundant.
26. The converted buildings would not have a traditional appearance or relate well to the materials or scale of the older buildings on the other side of the road. However, Policy C4 requires a conversion scheme to retain the character, fabric, and historic interest of the building, but makes no mention of context. The proposal would retain the basic form and structure of the existing buildings. For these reasons such a scheme could comply with this aspect of Policy C4.
27. On this basis I am satisfied that I should accept the fallback conversion scheme as a material consideration to weigh in the planning balance, as such this alternative proposal has the potential to comply with Policy C4 of the DPD. However, given that planning permission for the fallback scheme does not exist, and the details of the conversion are not fully worked up I give this fallback position moderate weight.
28. Although the overall scale of the existing buildings would be reduced by this alternative proposal, they would still retain a form and materiality that contrasts with the traditional form and materials of the older buildings on the other side of the road, and thereby still cause some harm to their significance. Therefore, the fallback position would be more harmful than the appeal scheme.
29. I have already established that I am of the view that I should give considerable weight to the manner by which the proposal would improve the character and appearance of the area and wider landscape, including the significance of nearby listed buildings as a result of an improvement to their setting. Added to this, I give moderate weight to the fallback position, which establishes that there are alternative pathways by which residential development could be achieved at the site, but would not deliver the same benefits as the appeal proposal.

30. Additional benefits such as the delivery of new dwellings and the economic benefits that would arise during construction and from future occupiers of the dwellings also weigh in favour of the proposal. The decision must be made in accordance with the development plan unless material considerations indicate otherwise. Although I have found that the proposal would conflict with Policies relating to the location of new development, the considerable weight I give to the other matters is sufficient to overcome this conflict, and the appeal should be allowed.

Conditions

31. I have had regard to the planning conditions suggested by the Council. I have considered these against the tests in the Framework and the advice in the Planning Practice Guidance. I have imposed condition 2 to specify the approved plans, to give certainty.
32. Condition 3 ensures that surface water and drainage at the site would be properly managed to avoid an increased risk of flooding; to protect water quality, habitat and amenity, and secure future maintenance of the system. I have used the simpler wording based on discussion between the appellant and the Council, as it would secure the provision of an adequate level of detail relevant to the proposal.
33. Conditions 4 and 5 requires the submission of a Landscape and Ecological Management Plan, and Construction Environmental Management Plan. These are necessary to manage the environmental impacts of the development and secure biodiversity enhancements.
34. Conditions 6 and 9 are necessary to protect the living conditions of those who live near the site.
35. Condition 7 is necessary to ensure that any significant archaeological remains at the site are understood and properly recorded before work commences. I have used the more detailed condition suggested by the Council at the appeal stage as it provides a clearer requirement of the level of information required and includes an appropriate second stage as well as measures to ensure that any findings are shared.
36. Condition 8 is necessary to ensure that the buildings would achieve the recommendations set out in the submitted Energy and Sustainability Statement to satisfy Policy CS15 of the West Berkshire Core Strategy (2006-2026).
37. Condition 10 ensures that trees identified for protection would be properly protected during the construction phase, to safeguard the character and appearance of the area.
38. Condition 11 ensures that the recommendations of the contamination report are adhered to during the construction phase, taking into account the potential for existing contamination at the site and the potential for remediation.
39. Conditions 12, 13 and 14 secure details of materials, boundary treatments, and landscaping to safeguard the character and appearance of the area.
40. Conditions 15 and 16 ensure that the designed visibility splays and parking area would be provided in a timely manner and maintained to ensure that the development would not have a harmful impact on highway safety.

- 41. Condition 17 ensures that appropriate cycle storage would be provided in accordance with the Framework and development plan policy.
- 42. I have not imposed the condition recommended by the Council relating to electric vehicle charging, as this requirement is secured through the Building Regulations.
- 43. The Council suggested a condition to restrict permitted development rights. This would remove the ability to erect extensions, alter the roofs or construct buildings within the curtilage, without first receiving planning permission. Paragraph 54 of the Framework establishes that planning conditions should not be used for such purposes unless there is clear justification to do so.
- 44. The dwellings would be large and well laid out. There would not appear to be a pressing need to extend or alter them so that they can function as family dwellings. They would be arranged in generous plots that would be well defined and enclosed by a landscaping scheme, such that modest extensions or outbuildings need not harm the character and appearance of the area or result in deficient external space. For these reasons I am not satisfied that the suggested condition is necessary.

Conclusion

- 45. For the reasons given I conclude that the appeal should be allowed.

A Tucker

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P1-01 Rev A, 6234-22OCT21-01A, P1-02 Rev F, P2-01 Rev D, P2-02 Rev C, 6933.001 Rev E, and P5-01 Rev A.
- 3) Prior to the commencement of the development hereby approved, details of the disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - a) Separate systems for the disposal of foul and surface water,
 - b) An assessment of the potential for disposing of surface water by means of a sustainable drainage system,
 - c) Information to demonstrate that this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of without discharging onto the highway and without increasing flood risk on or off-site, and
 - d) Details relating to the arrangements for inspection and ongoing maintenance of the drainage systems throughout the lifetime of the development.

The approved scheme shall be implemented before any of the dwellings are first occupied and shall be maintained and managed as such thereafter.

- 4) Prior to the commencement of the development hereby approved (including works of demolition, ground works, vegetation clearance), a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following:
 - a) The enhancement measures included in the submitted Preliminary Ecological Appraisal,
 - b) Description and evaluation of features to be managed,
 - c) Ecological trends and constraints on site that might influence management,
 - d) Aims and objectives of management,
 - e) Appropriate management options for achieving aims and objectives,
 - f) Prescriptions for management actions,
 - g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period),
 - h) Details of the body or organization responsible for implementation of the plan, and
 - i) Details of ongoing monitoring, maintenance and remedial measures.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the agreed LEMP.

- 5) Prior to the commencement of the development hereby approved (including works of demolition, ground works, vegetation clearance), a Construction Environmental Management Plan: Biodiversity (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:
- a) Risk assessment of potentially damaging construction activities,
 - b) Identification of biodiversity protection zones,
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction,
 - d) The location and timing of sensitive works to avoid harm to biodiversity features,
 - e) The times during construction when specialist ecologists need to be present on site to oversee works,
 - f) Responsible persons and lines of communication,
 - g) The role and responsibilities on site of an ecological clerk of works or similarly competent person, and
 - h) Use of protective fences, exclusion barriers and warning signs.

The development shall be carried out in accordance with the agreed CEMP.

- 6) Prior to the commencement of the development hereby approved, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved CMS. The CMS shall include measures for:
- a) The parking of vehicles of site operatives and visitors,
 - b) Loading and unloading of plant and materials,
 - c) Storage of plant and materials used in constructing the development,
 - d) The erection and maintenance of security hoarding,
 - e) Wheel washing facilities,
 - f) Measures to control the emission of dust and dirt during construction,
 - g) A scheme for recycling / disposing of waste resulting from demolition and construction works, and
 - h) A site set-up plan during the works.
- 7) Prior to the commencement of the development hereby approved (including works of demolition, ground works, vegetation clearance), a Stage 1

Archaeological Written Scheme of Investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. No demolition or development shall take place for land within the area covered by the WSI, other than in accordance with the approved WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority. The WSI shall include:

- a) the statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
 - b) The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.
- 8) Prior to the commencement of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority, to show how the proposal will deliver the recommendations of the submitted Energy and Sustainability Statement. Such details shall demonstrate how a 20% reduction in carbon dioxide emissions beyond residual emissions shall be achieved including full technology specifications and locations.
- Details shall cover matters of ongoing management and maintenance to ensure that the measures continue to achieve the predicted CO2 emission reduction for the lifetime of the development. The agreed measures shall be installed prior to the first occupation of the development hereby approved.
- 9) No construction work shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority: 07:30 to 18:00 Mondays to Fridays, and 08:30 to 13:00 Saturdays. No construction work shall be carried out at any time on Sundays or Bank Holidays.
- 10) The development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Assessment, including the tree protection plan and arboricultural method statement.
- 11) The development hereby approved shall be carried out in accordance with the Preliminary Risk Assessment Report No. STH2026/1 and its recommendations.
- 12) The development hereby approved shall not be carried out above ground level until a schedule of the materials to be used in the construction of the external surfaces of the buildings has been submitted to and approved in writing by the Local Planning Authority. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved details.
- 13) The development hereby approved shall not be carried out above ground level until details, to include a plan, indicating the positions, design,

materials and type of boundary treatment to be erected around the dwellings have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before any of the dwellings hereby approved are occupied or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

- 14) None of the dwellings hereby approved shall be occupied until a scheme of landscaping has been submitted and approved in writing by the Local Planning Authority. The scheme of landscaping shall include:

- a) Schedules of trees and plants, noting species, plant sizes and proposed numbers / densities, and
- b) An implementation programme providing sufficient specifications to ensure successful cultivation of trees, shrubs and grass establishment.

The approved landscaping scheme shall be completed within the first planting season following the first occupation of the dwellings hereby approved. Any trees or plants that die or become seriously damaged within five years of planting shall be replaced in the following year by trees or plants of the same size and species.

- 15) None of the dwellings hereby approved shall be occupied until the visibility splays at the access and general access arrangements to the dwellings have been provided in accordance with Drawing No. 6933.001 Rev E. The land within these visibility splays shall thereafter be kept free of all obstruction to visibility over a height of 0.6 metres above the carriageway level.
- 16) None of the dwellings hereby approved shall be occupied until the vehicle parking and turning space has been surfaced and provided in accordance with the approved plans. The parking and turning space shall thereafter be kept available for parking at all times.
- 17) None of the dwellings hereby approved shall be occupied until details of the cycle parking and storage have been submitted to and approved in writing by the Local Planning Authority. The approved parking and storage shall be provided before any of the dwellings hereby approved are occupied and retained for such purposes.