



Appeal Decision

Site visit made on 9 January 2024

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2024

Appeal Ref: APP/H1705/W/23/3325642

Land adjacent to Byes Lane, Silchester RG7 2LS

Grid Ref 463213 161153

- 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 & Mrs P Came against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 22/03153/FUL, dated 22 November 2022, was refused by notice dated 8 June 2023.
 - The development proposed is the conversion and extension of a barn to form 1 no. three-bed dwelling with associated parking, turning, landscaping, private amenity space and access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the appeal, a new version of the National Planning Policy Framework (the Framework) came into effect. Additionally, the Council commenced its Regulation 18 consultation¹, in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012 on the Local Plan Update. The main parties have been invited to provide further comments on these updates and, where received, I have taken them into account in my decision. I am satisfied no party would be prejudiced by determining the appeal accordingly.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the appeal site would be suitable for the proposed development, having regard to local planning policies relating to the location of housing.

Reasons

Character and appearance

4. The appeal site comprises part of an agricultural field, accessed off a narrow lane and within an area of open countryside characterised by a patchwork of medium to large open fields on a gently undulating topography. Few buildings are located close to the site.

¹ Date commenced 22 January 2024

5. Small pockets of woodland are visible in the landscape, associated with water features, although the majority of existing trees and hedgerows define field boundaries or line the lanes close to the site. Further afield and just visible from the barn, more dense planting screens much of the built form associated with the settlement of Silchester. Limited glimpses of other dwellings are visible from the appeal site although they are not readily identifiable in views of the existing barn. As a result, the appeal site is located within a tranquil yet remote setting.
6. Due to its scale, bulk and use of materials the existing agricultural barn on the site has a distinct and functional agricultural character and appearance. Despite its siting away from Byes Lane, the unmade nature of the access track and the area around the barn, combined with the pale green colour of its corrugated materials, ensures the barn integrates into the wider landscape setting.
7. In contrast, the residential conversion of the barn would formalise the driveway access to the barn and introduce cars as well as other domestic features associated with the proposed development. Whilst accepting that domestic paraphernalia is largely inevitable with residential development, these would be incongruous additions that would intrude upon the site's open character and tranquil countryside setting. This would be the case irrespective of the retention of the barn-like appearance of the building, the limited new openings and the lack of local or national landscape or heritage designations on or near the site. While other dwellings in the wider surroundings have domestic features, this is not a reason to permit unacceptable development, even if such properties are in prominent locations.
8. Despite being drawn tightly around the barn, the enclosure of the appeal site would disrupt the existing, open field pattern. The proposed garden of the dwelling and the access driveway would be defined by new planting, resulting in a contrived arrangement that does not respond to existing landscape features or the topography of the area. New planting may partially screen the barn however, it would take time to grow and, in any event, further highlight the incongruous subdivision of the field.
9. The imposition of conditions removing permitted development rights and relating to landscape works would partially diminish the harmful effect of some domestic features within the proposed development. Nevertheless, the presence of a dwelling within the open countryside, in an area with few buildings nearby, would remain.
10. I conclude that the proposed development would harm the character and appearance of the area, contrary to policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 (the Local Plan). These policies, amongst other provisions, permit development only where they would be sympathetic to the character and visual quality of the area, including its landscape setting. I also find conflict with the Council's Design SPD² and the Landscape SPD³ which amplify policies EM1 and EM10 by guiding how the existing landscape should shape proposals to raise the quality of new development.

² Design and Sustainability Supplementary Planning Document (the Design SPD)

³ Landscape, Biodiversity and Trees Supplementary Planning Document (the Landscape SPD)

11. It would also conflict with Chapter 12 of the Framework which seeks to ensure that developments are visually attractive and sympathetic to local character, including its landscape setting.

Location

12. Policy SS1 of the Local Plan sets out the hierarchical approach to the delivery of housing across the Borough, focusing development toward the defined Settlement Policy Boundaries (SPB). As the appeal site is located outside a SPB and is not subject to a specific allocation, for the purposes of the Local Plan it is considered to lie in the countryside where development is generally restricted. The overarching objective of this strategy is to maintain the existing open nature of the countryside, prevent the coalescence of settlements and resist the encroachment of development into rural areas.
13. Exceptional circumstances where new housing in the countryside will be considered appropriate are set out in Policy SS6 of the Local Plan. Of these exceptions, the main parties agree the most relevant to the appeal scheme is for the reuse of a redundant or disused permanent building. To meet this exception, Policy SS6 requires further tests to be met. These comprise:
- that the existing building does not require substantial rebuilding, extension or alteration;
 - the reuse does not result in the requirements for another building to fulfil its function; and
 - the development would lead to an enhancement of the immediate setting.
14. The proposed development comprises the conversion of the existing building to create a dwelling. Based on the evidence before me, including the Structural Inspection⁴ report and my observations during my site visit, the existing barn is of permanent construction with its walls and roof intact. While it has been claimed that the barn is redundant or disused, the application form confirms that the appeal site is not currently vacant. Little external activity around the barn was evident during my site visit, however an internal inspection of the locked barn was not possible. As such, I have limited substantive evidence before me demonstrating that the barn is redundant or disused. In the absence of further guidance within Policy SS6 on what evidence is required to demonstrate this, I am unable to conclude with certainty that the barn is redundant or disused. Consequently, the proposed development would not meet a key requirement of the relevant exception.
15. New openings and a small porch are proposed as part of the appeal scheme and the existing barn would not be substantially rebuilt, extended or altered. As such, the first further policy test would be met.
16. Whilst the existing use of the barn has not been demonstrated, a larger agricultural building (the main barn) is located within the appellant's landholding. Given its size, formalised access track and central siting in the landholding, I see no reason to conclude the main barn would not be sufficient to support the agricultural functions of the land. Therefore, I am satisfied that the conversion of the barn would not result in another building being required to fulfil its function.

⁴ Prepared by Clegg Associates, dated June 2022. Ref: SE-01-Rev C

17. I have already found that the proposed development would cause harm to the character and appearance of the area. Therefore it would not lead to the enhancement of its immediate setting, as required by the final policy test.
18. The overarching approach set out in Policy SS6 is broadly consistent with the Framework's aim to avoid the development of isolated homes in the countryside unless one or more circumstances apply, albeit Policy SS6 provides additional tests to the relevant exception. Neither Policy SS6 nor the Framework stipulate a blanket ban on isolated homes, rather that development in rural areas should be located where it will enhance or maintain the vitality of rural communities. Nonetheless, the intention to avoid or prevent such development is clear. The Framework does not define the term however, various court judgements have concluded that an isolated home in the countryside would be 'far away from other places, buildings or people, remote'. As already highlighted, no other buildings are located close to the appeal site and any visual connections between them and the barn are limited due to the distance, landscape features and topography between them.
19. Additionally, the limited range of services and facilities at Silchester would not be sufficient to meet the daily needs of future occupiers of the dwelling, nor would those at Silchester Farm. Moreover, to travel to Silchester from the site future occupiers would have to walk along the carriageway of the single-width unlit lane part of the way. This would also be the case to get to the closest bus stop providing connections to larger settlements with more extensive facilities, despite it being within walking distance of the site. Future occupiers of the dwelling would, therefore, not be encouraged to use alternative modes of transport to the private vehicle, nor support local services. In the absence of meeting one of the exception circumstances set out in the Framework, the appeal scheme would result in the development of an isolated home in the countryside.
20. I conclude that the appeal site would not be suitable for the proposed development, having regard to local planning policies relating to the location of housing. It would be contrary to policies SS1 and SS6 of the Local Plan which aim to maintain the existing open nature of the countryside, prevent coalescence of settlements and resist the encroachment of development into rural areas. It would also conflict with Chapter 5 of the Framework which promotes housing in rural areas where it will enhance or maintain the vitality of rural communities and avoid the development of isolated homes in the countryside.

Other Matters

21. The proposed development would provide social and economic benefits from the conversion and subsequent occupation of the barn. However, given the scale of the appeal scheme, any benefits would be limited, irrespective of the local housing supply. Similarly, the environmental benefits, including new planting, the removal of trees currently suffering from Ash dieback and any biodiversity gains, would also be limited. Moreover, these works are not dependent upon the implementation of the proposed development.
22. Even if I were to conclude that the proposed development would be acceptable in terms of living conditions, access and parking, environmental health and ecology, this would be a neutral factor in my decision.

23. The lack of comments from the Council's Officers, including the Landscape Officer, during the application process, is not an indication of support for the proposed development nor does it indicate the acceptability of the scheme.
24. My attention has been drawn to an approved planning application⁵ for the conversion of a barn located beyond an SPB. As the barn to be converted formed part of the farmstead associated with Cold Harbour Farm, the new dwelling would not be isolated, despite being located in the countryside and in what the appellant considers to be a more remote position than the appeal site. Moreover, a previous version of the Framework was in place at the time of the Council's decision at Cold Harbour Farm and the Regulation 18 Local Plan Update had not commenced. Therefore, the circumstances which led to the Council's decision are not directly comparable to the case before me.

Planning Balance and Conclusion

25. The main parties agree that the Council is unable to demonstrate a five-year supply of deliverable housing sites, in line with the Framework. As the Local Plan Update has reached the Regulation 18 stage, for decision-taking purposes, the Framework requires the Council to identify and update a supply of housing for a minimum of four years (footnote 8). The Planning Policy Guidance confirms that the four years of supply should be assessed against the five-year calculation⁶. As the Council's latest housing land supply position⁷ confirms a 4.6-year supply of deliverable housing sites, the presumption in favour of sustainable development does not apply in this case. Although another Inspector concluded in a recent appeal decision⁸ the housing supply position was just over 4 years, the calculation was based on data published in March 2023 and not reflective of the latest position.
26. I conclude that the proposed development conflicts with the development plan as a whole and there are no material considerations, either individually or in combination, including the Framework, that indicate that the appeal scheme should be determined other than in accordance with the development plan.
27. For the reasons identified above, having regard to all relevant matters raised, I conclude that the appeal should be dismissed.

Juliet Rogers

INSPECTOR

⁵ Council ref: 19/02861/FUL

⁶ Paragraph: 055 Reference ID: 68-055-20240205, revised 5 February 2024

⁷ Updated Housing Land Supply Position (January 2024)

⁸ Appeal ref: APP/H1705/W/23/3326191