



Appeal Decision

Site visit made on 5 March 2024

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2024

Appeal Ref: APP/W0340/D/23/3332024

**South Lodge, Templeton Road, Kintbury, Hungerford, West Berkshire
RG17 9SH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs J Smith against the decision of West Berkshire District Council.
 - The application Ref is 23/01269/HOUSE.
 - The development proposed is the demolition of existing buildings/containers prior to the erection of an outbuilding ancillary (to include workshop/potting shed/studio, store, parking for two vehicles and residential annex at first floor) to South Lodge.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is accessed from Inglewood Road via large timber gates and contains South Lodge, which is a single storey dwelling that is near to the road. The wider site contains a selection of outbuildings as well as dense vegetation and woodland which means that beyond the gates and dwelling, the site is well screened from public views. The dense vegetation, woodland and open fields that surround the wider area give the appeal site a verdant and rural character and appearance.
4. Policy ADPP1 of the West Berkshire Core Strategy (2006-2026) Development Plan Document (July 2012) (CS) sets out the spatial strategy for the district. It states that in the open countryside, only appropriate limited development will be allowed, focused on addressing identified needs and maintaining a strong rural economy. This is emphasised further by Policy C1 of the West Berkshire Council Housing Site Allocations DPD (2006-2026) (DPD), which sets out a presumption against new residential development outside of the settlement boundaries.
5. There are some exceptions to development outside of the settlement boundaries which include extensions of existing dwellings. Policy C6 sets out the criteria to be considered, which includes that the scale of the enlargement is subservient and is designed to be in character with the existing dwelling and it has no adverse impact on the setting, the space occupied within the plot

- boundary, on local rural character, the historic interest of the building and its setting within the wider landscape.
6. The appeal proposal would replace a similar footprint of existing outbuildings within the site which also have a similar height to the proposal. The design of the appeal building is largely functional and has the appearance of a large barn which is appropriate to the rural character of the site.
 7. The proposed development includes large dormers that would be located to the rear of the building. I acknowledge that this aspect of the site is well screened, and it is unlikely that public views would be possible. However, the design of the proposal is still an important consideration as well as its effect on the wider character and appearance of the area. In any event, the fact that a development is not in public view does not excuse or justify poor design.
 8. The Council's House Extensions Supplementary Planning Guidance July 2004 (SPG) provides guidance on dormer windows, in particular it acknowledges the dominance that they can have when used. The SPG generally supports rooflights as a means of providing light or ventilation and not as a means to increase floorspace.
 9. I note that the purpose of the dormers is to provide headroom for the proposed use as an annex. Also, due to their size, the dormers would be a dominant feature on the roof which would result in an overly domestic appearance of the building, which would detract from the rural and verdant character and appearance of the area.
 10. I therefore conclude that the proposed development would harm the character and appearance of the area. It would be contrary to Policy ADPP1 of the CS and Policies C1, C6, CS14 and CS19 of the DPD. Amongst other things, seek to ensure that development is high quality design that enhances the character and appearance of the area and is appropriate in terms of scale and design.
 11. The proposed development would also be contrary to guidance contained within the Council's SPG and Quality Design – West Berkshire Supplementary Planning Document Part 2 Residential Development 2006. Amongst other things, these seek to ensure development demonstrates how the inter-relationship between open countryside and development form is respected.

Other Matters

12. The appellant has put forward a fallback position in the form of an extant planning permission to construct an outbuilding/garage. I accept that the fallback position is available.
13. The appellant has stated their intention to carry out the fallback position should this appeal fail. I therefore accept that there is a greater than theoretical possibility that the fallback would be implemented should the appeal scheme be dismissed. It is therefore a material consideration in the assessment of the proposal.
14. However, for significant weight to be afforded to a fallback position 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.

15. The fallback position would occupy the same footprint as the appeal proposal before me. However, the appeal proposal includes two large dormers that would increase the bulk of the roof as well as result in a more domestic appearance. I have found that these additions would harm the character and appearance of the area and for this reason, I find that the appeal scheme would be more harmful than the fallback position.
16. Consequently, for these reasons considered cumulatively, the fallback position carries limited weight in favour of the proposal.
17. I am aware that the site is proximate to the Grade II listed building 'Gate Piers and Overthrow Opposite Entrance to Inglewood Health Hydro'. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving its setting. The verdant backdrop of the appeal site positively contributes to its significance. Nevertheless, given the location and extent of the proposed development, I consider that it would preserve the setting of this listed building and the contribution it makes to its significance. I note the Council had no concerns in this regard either.
18. I note that no statutory consultees and neighbours raised comments in relation to the proposed development. Also, I acknowledge the reasoning behind requiring the annex and note that the Council have found the principle of the use of the first floor as an annex to be acceptable, for which I have no reason to conclude otherwise. These are however neutral matters that do not outweigh the harm I have identified.

Conclusion

19. For the reasons set out above, having had regard to the development plan read as a whole, and all other material considerations, I conclude that the appeal should be dismissed.

D Wilson

INSPECTOR