



Appeal Decision

Site visit made on 24 April 2024

by JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 June 2024

Appeal Ref: APP/J3720/W/23/3321988

Dassett Field House, Dassett Road, Avon Dassett, Warwickshire CV47 2AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by P & L Rocher against Stratford-on-Avon District Council.
 - The application is Ref 22/02564/FUL.
 - The development proposed is the construction of an indoor riding arena.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of an indoor riding arena at Dassett Field House, Dassett Road, Avon Dassett, Warwickshire, CV47 2AA in accordance with the terms of the application, Ref 22/02564/FUL, subject to the conditions in the attached schedule.

Procedural matters

2. On my visit I not only inspected Dassett Field House and its environs, but also visited Farnborough Hall, and walked to the Obelisk in its grounds, as well as around Sourland Pool and its woods, and along the footpath to Stonesfield Farm. I looked too from the lanes to the north and south. Although undoubtedly there would probably have been other places from where I could have assessed the impact of the development, to my mind these views are sufficient in their number and variety to give me a reasonable basis to assess the proposal.
3. An application for costs was made by the appellants against the Council, and that is the subject of a separate decision.

Main Issues

4. Having regard to the Council's submissions and how it says it would have determined the proposal had it still been able, I consider the main issues in this case are
 - a) the effect on the character and appearance of the area and
 - b) whether the scheme would harm the significance of nearby listed buildings, the Registered Park and Garden of Farnborough Hall and/or the Farnborough Conservation Area, by reason of its effects on their respective settings.

Reasons

Character and appearance

5. The appeal concerns an existing equestrian centre between the villages of Farnborough and Avon Dassett. It sits in the countryside in a locally significant Special Landscape Area (SLA), which comprises a rolling topography of fields separated by hedging and areas of woodlands, and interspersed by farmsteads and small settlements. Although subject to no national designation, it is still a landscape with a pleasing character and appearance.
6. The buildings that make up the equestrian centre are already quite extensive, comprising the former farmhouse and its associated pavilions, with a variety of barns, sheds and stables to the north and west. Moreover, as the land slopes down steeply to the stream to the north, some open-air arenas have been formed in the hillside. The proposal is to create the indoor arena on one of these.
7. In the *Stratford-on-Avon Core Strategy* (the Core Strategy) Policy AS.10 concerns developments in the countryside and villages. It identifies equestrian and equine activities, and the expansion of existing business in an established location, as 2 of the forms of development that are acceptable in principle in such areas. It nonetheless adds that all proposals must need to minimise the impact on the character of the local landscape.
8. This position is echoed in Core Strategy Policy CS.22, which relates to economic development, and supports the extension of businesses subject to their impact on the character of the local area. Core Strategy Policies CS.5 and CS.9, when taken together, advocate proposals of a high-quality design having regard to local distinctiveness and the need to maintain the landscape character and quality, while Core Strategy Policy CS.12 seeks to protect the high landscape quality of the Special Landscape Areas. The approach in the development plan is to my mind consistent with the *National Planning Policy Framework* (the Framework), which states that the intrinsic character and natural beauty of the countryside should be recognised.
9. I have no grounds to find this development is not a reasonable requirement for the appellants' business, so consider the principle of expanding this enterprise is supported through this policy context. Although the proposal is to be for equestrian purposes and would be relatively large, it would be of a comparable scale and form to other agricultural buildings that are found scattered across the landscape. Its visual impact would be softened by the use of timber boarding in its elevations and it being partly open on its east and north sides, while it would not sit in isolation but be seen in the context of the adjacent equestrian centre. It would also be located down the slope within the stream's steep-sided valley with its boundary trees and so I am not satisfied that there would be extensive medium and long-range views of the building. Therefore, when the above factors are taken together I consider that the proposal would not dominate the landscape or be particularly prominent, and from where it could be seen its design and its proximity to an existing group of buildings mean it would not be a discordant element.
10. The Council also mentioned harm to Avon Dassett, but the nature of the building, its siting and its relationship to this village mean I am not satisfied the proposal would affect it adversely.

11. Accordingly, I conclude that the proposal would protect the high landscape value of the SLA, and not cause unacceptable harm to the character or appearance of the area, and so in this regard would not conflict with Core Strategy Policies AS.10, CS.5, CS.9, CS.12 or CS.22, or the Framework.

Heritage

Dassett Field House and Pavilions

12. Dassett Field House (named as Dassett Field Farmhouse in the listing) dates from the early 18th Century and is Grade II* listed. It is built of ironstone, albeit partly rendered, with 2 wings on its west side, and attractive stone detailing around the windows. When seen on the approach from the east its balanced appearance and its elevated position give the property a certain status. As such, its significance lies, partly, in its architectural detailing and its historic origins, as it can be readily experienced as a house associated with a prosperous farm, and its open rural setting adds positively to this.
13. To the north and south of the Farmhouse are 2 Grade II listed pavilions. These are small buildings built of the same materials as the main dwelling, and, although originally separate, they have now been connected by modern extensions. Their significance lies in their detailing and construction to a great extent, and although they can be seen over the fields, to my mind their setting is principally focussed on their functional connection to Dassett Field House.
14. Neither the house nor the pavilions are seen in isolation. Rather, as mentioned above, to their west and north is the complex of buildings (the complex) that service what is now the site's equestrian activity. Indeed, some, such as the former Dutch barn, are quite sizeable. These though do not detract from the significance of the main house, but rather reflect its historic farming origins.
15. While the proposal may be in the setting of the farmhouse, that does not mean that harm to the listed building's significance will automatically result. When looking from the main approach to the east of the property, the siting of the proposal next to the northern side of the complex would separate it from the listed buildings. Furthermore, although relatively large, it would not be inappropriate around a farm complex, it would maintain the site's rural context, the topography would allow sight of only sections of its part-open end gable, and its position towards the valley bottom would mean its absolute height would be reduced relative to the farmhouse and the complex as they stand at a higher level. The formal symmetry of the house is quite distinct from the buildings that make up the complex, and, given its striking nature and the separation involved, that aspect of the dwelling's interest would be unaffected by the scheme. Therefore, from this direction the proposal's effect on the settings of the farmhouse and pavilions would not harm their significance. Moreover, as it would be located to the north of the complex, I am not persuaded that the proposal would undermine any form of link Dassett Field House may have with Farnborough to the east.
16. From the north views of the development would be limited as the land rises sharply on the other side of the valley. From where it could be seen in this direction, I am not satisfied that clear views of the house are strongly apparent, although it is visible rising up behind the complex. The long roof slope on the north side of the proposal would be in the foreground of any such views, but being set down would mean it would not diminish the appreciation of

the house as that would still be apparent next to a group of buildings that reflected its original farming function.

17. From the south the proposal would be largely concealed, and from the west any views would be no more harmful than those discussed above to the north and east.
18. When in the farmhouse, the main outlook to the east and west would be unaffected, with the proposal generally being seen from only a few upper floor windows on the dwelling's northern side over the intervening complex.
19. Accordingly I find its effect on the setting of Dasset Field House and its 2 pavilions would not harm the significance of any of those designated heritage assets.

Farnborough Hall and immediately adjacent buildings

20. Farnborough Hall sits over 550m away to the south-east on the edge of Farnborough village. It is Grade I listed and, insofar as this appeal is concerned, is a fine example of a late 17th Century country house, albeit with subsequent alterations. One of the main aspects it offers is to the south-west, with wide ranging views across the countryside that appear to be focussed on an avenue of trees. It therefore sits within the setting of a pleasing and pastoral rural landscape, that very much contributes to maintaining its original status as a country house. A number of buildings immediately around the Hall, such as the stable block, coach house, various walls, a sundial and so on, are listed at Grade II. The significance of each of these rests very much in its architectural detailing and its historic connection with the main house, and that relationship is the focus of their settings, emphasising their origins as ancillary structures or service buildings.
21. Looking towards the Hall, places from where the proposal can be seen with the Hall beyond are very restricted. When looking from the Hall, the appeal site does not encroach into the principal aspect to the south-west. Rather, it is substantially concealed from view by the trees around Sourland Pool. Noting as well my findings above that it would be a style of building that is not uncommon in the countryside and would be located within a valley, to my mind it would not affect the setting of the Hall and the buildings immediately around, and so would not harm the significance that each may enjoy.

Registered Park and Garden (RPG) and associated garden architecture

22. The grounds of Farnborough Hall substantially comprise a Grade I listed RPG, which was laid out and remodelled as pleasure grounds and parkland in the 18th and 19th Centuries. Insofar as this appeal is concerned, the grounds run away to the south into the countryside, and include the woods around Sourland Pool to the west. This setting of a surrounding rural landscape therefore very much flows into the RPG, emphasising and reinforcing its pastoral nature.
23. Although the appellants' land may abut the RPG, the development itself would be some distance away across fields and paddocks. From the lower areas around the avenue of trees, I consider the proposal would not harm the setting of the RPG, as it would be substantially concealed by the folds of the land. Similarly, from the woodland walks around Sourland Pool the development would be hidden to a great extent. From where it could be seen in the RPG, its gable would be what was visible, and its design and its position adjacent to the

existing complex would mean it would be perceived as an accepted and somewhat distant part of the rural landscape. While there may be some places where the proposal can be seen in the foreground, the separation means that from these the setting of the RPG would not be harmed.

24. The RPG also includes an informal promenade walk from the south of the Hall, which takes the form of a swathe of grass, bounded by trees, running up the slope and along an escarpment edge. This provides wide-ranging and impressive views out over the rural landscape of the valley to the west, and the enjoyment of these is assisted by seating and the open vegetation on that side.
25. Along the promenade walk are 3 listed buildings - a Grade II listed Obelisk at the southern end, the Ionic Temple (Grade II*) looking over the edge of the escarpment and a small, 2-storey Oval Pavilion (also Grade II*) set back from the escarpment. These all date probably from when the RPG was laid out in the 18th Century, though could well have been altered or rebuilt since. Their significance is architectural and historic, as their detailing, styles and workmanship reflect their roles as features to be enjoyed whilst walking in the pleasure grounds around this high-status house. As a result, to fulfil that purpose their settings are comparatively localised. They are also intended to be appreciated in the context of the wide views that are available, and so I acknowledge the rural nature of the valley to the south and west contributes as well to how they are experienced. When looking from the landscape back to these buildings, both the Temple and the Oval Pavilion are so small they are difficult to identify amidst the trees around. However, the tall Obelisk is located so as to be a prominent focal marker and can be seen extensively.
26. From much of this promenade Dasset Field Farm and its complex are not visible. However, from the Ionic Temple it can be seen albeit through the trees, and as one nears the Obelisk it comes into view at points more clearly. Again, in these views it is a very small peripheral component of a wider panorama. Moreover, as stated before, the location of the building, and its design and context would mean that insofar as it could be seen it would not be dominant or discordant. I therefore consider the setting of neither the RPG nor the 3 listed buildings along the promenade would be adversely affected, and so the significance of none of these designated heritage assets would be harmed.

Farnborough Conservation Area

27. The Farnborough Conservation Area includes the variety and range of buildings running up through the village of Farnborough, as well as the Hall, the woods around Sourland Pool and the promenade in the RPG. Its character and appearance is therefore dominated by these older properties and their grounds, and its significance lies in how it reflects the evolution of this historic rural settlement over time, with its associated Hall. In this regard, the surrounding countryside plays an important role by establishing a setting that highlights the village's original agricultural connections.
28. The intervening hill means the scheme would have no tangible effect on the setting of the main village of Farnborough. Moreover, above I have discussed the impact of the development on the promenade and the area around Sourland Pool. For the same reasons I consider the proposal's effect on the setting of the conservation area would not harm its significance.

Conclusions on this issue

29. The Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight. Any harm to the asset's significance from development within its setting should require clear and convincing justification. In this instance I have looked at the development's effects on the settings of the numerous assets listed by the Council, and found that in no case would it cause harm to the significance of any one of those assets. As such, the proposal would not conflict with Core Strategy Policy CS.8, which seeks to protect or enhance designated heritage assets, or the relative part of the Framework.

Conditions

30. I consider that the standard condition concerning the commencement of development should be imposed, as should a condition requiring accordance with the approved plans for the avoidance of doubt.
31. Having regard to the character and appearance of the area and the site's historic context, materials should be in accordance with those stated on the approved plans and the landscaping details should be agreed and implemented. However, I see no reason why these need be agreed before the development commences.

Conclusion

32. I conclude the appeal is allowed.

JP Sargent

INSPECTOR

CONDITIONS SCHEDULE

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Unless otherwise amended under Condition 3 below, the development shall be in accordance with the following approved plans: PL-01 Location Plan; 001C FLOOR PLAN AND ELEVATIONS; 002B SITE PLAN; 003A PROPOSED INDOOR ARENA SITE CROSS SECTIONS; Arena 2022 Levels.
- 3) No development above ground level shall take place until a landscaping scheme for the proposal has been submitted to and approved in writing by the Local Planning Authority. This landscaping scheme shall include:
 - a) existing landscape features such as trees, hedges and shrubs that are to be retained and/or removed, accurately plotted (where appropriate), together with necessary protection measures.
 - b) scaled planting plans and schedules indicating the location, number, species, density, form and size of proposed tree, hedge and shrub planting.
 - c) the method and specifications for operations associated with planting establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting.
 - d) written specifications including cultivation and other operations associated with tree, plant and grass establishment.
 - e) existing and proposed finished levels (to include details of grading and contouring of earthworks and details showing the relationship of proposed mounding to existing vegetation and surrounding landform).
 - f) the means of accommodating change in level (e.g. retaining walls, steps, railings, walls, gates or ramps).
 - g) location, type and materials to be used for hard surfacing, including specifications, sample photographs and details of type and design, colour and bonding pattern where appropriate.
 - h) the position, design, materials, means of construction of any site enclosures and boundary treatments.
 - i) a timetable for the implementation of the landscaping scheme.

There shall be no excavation or raising or lowering of levels within the prescribed root protection areas of retained trees unless previously approved in writing by the Local Planning Authority.

The approved soft and hard landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, maintained and managed in accordance with the approved details.

- 4) The external materials shall at all times be in accordance with those stated on the approved plans and application form.