

Appeal Decision

Site visit made on 10 September 2024

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 18th September 2024

Appeal Ref: APP/N1730/W/23/3332792

**Bunkers Hill Farm, Reading Road, Rotherwick, Hook, Hampshire
RG27 9DA**

- 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 Mr and Mrs Foster against Hart District Council.
 - The application Ref is 23/01745/FUL.
 - The development proposed is new stables.
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Decision

1. The appeal is allowed, and planning permission is granted for new stables at Bunkers Hill Farm, Reading Road, Rotherwick, Hook, Hampshire RG27 9DA in accordance with the terms of the application, Ref 23/01745/FUL, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan near RG27 9DA, Roof plan and elevations, location plan Ref.2389/01 Rev.A, Block Plan Ref.2389/02 Rev B and the Aboricultural Method Statement, Impact Assessment and Tree Protection Plan.
 - 3) No development above concrete slab level shall take place on site until details of the means of storage and disposal of bedding and manure have been submitted to and approved by the Local Planning Authority. Bedding and manure shall only be stored and disposed of in accordance with the approved details.
 - 4) No development above concrete slab level shall take place until full details of a soft landscape scheme have been submitted to and approved in writing by the Local Planning Authority. Soft landscape details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment), schedules of plants, noting species, planting sizes and proposed densities where appropriate.

The details submitted shall further include a proposed timetable for planting and its on-going maintenance.

- 5) The stables hereby permitted shall be occupied solely by horses within the management and control of the occupiers of Bunkers Hill Farmhouse; and shall not be sold off or sublet from this property.

Preliminary Matters

2. I have taken account of the recently published Written Ministerial Statement entitled 'Building the Homes We Need' and the consultation draft on the National Planning Policy Framework (the Framework). In relation to these appeals, I am satisfied that in this instance, these matters do not fundamentally affect the substance of the matters under appeal.
3. The appeal is made against the failure of the Council to reach a decision on the application within the relevant statutory timeframe. The Council has explained at appeal that had it been in a position to do so it would have approved the application. It therefore does not wish to defend the appeal and has provided its reasons together with recommended planning conditions in the event of an approval.
4. The documentation submitted with the appeal identifies that the site is near to two listed buildings. I have a statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) 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.

Main Issue

5. In the light of the information confirming that the Council does not wish to contest the appeal, the main issue is whether there are other considerations that might indicate that the proposal would not be acceptable.

Reasons

6. The proposed stables would be located in a field which lies to the north of Bunkers Hill Farm and separated from the farm buildings by two farm tracks flanked by mature hedging. They would be accessed from existing tracks and not require additional hard surfaced areas.
7. Bunkers Hill Farmhouse is a Grade II listed building (Ref.1272278) which is described in the list description, amongst other things, as a 19th century house with a small cross wing of earlier date. It is of two storeys and constructed in brick and some timber framing with a tiled roof. It also describes the form of the building, its arrangement of openings and architectural detailing.
8. To the east of the farmhouse is a separate Grade II listed building referred to as 'Barn at Bunker's Hill Farm to East of Farmhouse' (Ref.1244618). This list description mentions that the barn dates from the 17th century and is an eight-bay timber frame building with aisle on one side, broken by a gabled entrance. The exposed timber framing is filled with painted brickwork with some weatherboarding. It has a tile roof which is hipped at one end. The barn forms part of a cluster of several historic agricultural buildings arranged around a farmyard alongside the listed farmhouse, with more modern stabling beyond.

9. From the evidence before me, including the list descriptions, and my own observations, I consider that the significance of the Listed Buildings both individually and collectively, insofar as it relates to this appeal, is largely derived from the age of the buildings, the plan form and function, historic fabric and architectural features. The historic use and separate identity of each building is legible, and each reinforces the special interest and significance of the group as a whole.
10. The listed farmhouse and barn, as well as the traditional farmstead, are associated with an open agricultural landscape to the west and south and this makes a positive contribution to the significance of the setting of these buildings. To the east is a small complex of industrial units but this is largely not seen from the historic farmyard. To the north, beyond the two farm tracks mentioned above and the site of the proposed development are further agricultural fields. A solar farm is currently under construction on part of this field to the north of the industrial units and this will appreciably diminish part of this agricultural context. Consequently, for these reasons the land to the north makes less of a contribution to the significance of the setting of the listed buildings. Nevertheless, this land is still part of the open, historic agricultural setting of the farmstead, and it is possible that in future the extent of intervening vegetation could be reduced.
11. The proposed stables would be sited relatively close to the southern boundary hedge and would comprise two relatively small buildings of four stables and a hay store arranged in an L-shape. The land is predominantly level, and the stables would be reasonably well grouped with the other buildings at the farm. Based on my assessment of the site and the evidence before me I consider that the proposed development would not be visible from the listed buildings.
12. Whilst I note that the Council considers that there would be a very minimal level of less than substantial harm to the significance of the listed buildings arising from the proposal, I am satisfied that the design and materials of the buildings would suit their purpose and would not appear discordant in this rural setting, especially with the construction of the solar farm nearby. The buildings would be small scale and read alongside the existing hedgerow and additional landscaping would soften their appearance. Therefore, taking account of all these matters and the visual separation from the listed buildings, I consider that there would be no harm to their setting. Nor would the development appear out of place in the landscape or harm the character and appearance of this section of countryside, subject to landscaping to filter their appearance.
13. The Council finds that the development is appropriate in this countryside location, and I note that there is a business need for certain horses to be isolated from other horses stabled closer to the farmhouse. There is also a justified need for slightly larger stables. Furthermore, there appears to be sufficient surrounding grazing land to support the number of horses that could be stabled in this location, and the development would not require the creation of an additional dwelling. I have also noted that the Parish Council did not raise an objection and the Council's landscape architect considered that the proposal would be acceptable, subject to a condition requiring a landscape management plan to be implemented.

14. Taking all these matters together, and my considerations following the site visit, I conclude that the proposed stables in this countryside location would comply with both the Act and the provisions of the development plan, and there are no considerations that indicate otherwise. The development would be acceptable and would not conflict with Saved Policy RUR34 of the Hart District Local Plan (2009) and Policies NBE8, NBE1, ED3, NBE2 and NBE4 of the Hart Local Plan (2020) which, amongst other things, set the policy framework for development affecting heritage assets and the countryside. It would also comply with Policy NE03 of the Rotherwick Neighbourhood Plan (2016).

Conditions

15. I have had regard to the conditions suggested by the Council and the advice in the Planning Practice Guidance. The statutory time limit is required and a condition specifying the approved plans is necessary in the interests of certainty.
16. A condition in relation to the storage and disposal of bedding and manure is required to protect the amenities of the area. A condition to secure a landscaping scheme is also necessary to minimise the visual impact on the countryside and setting of the listed buildings. Although the Council suggested that these should be prior to commencement conditions it would be reasonable to allow the laying of the floor slab whilst these matters are addressed. It is also necessary to attach a condition to link the use of the stables to the occupiers of the farmhouse to ensure the wellbeing of the animals.

Conclusion

17. For the reasons given above, I conclude the appeal should be allowed and planning permission should be granted.

G Bayliss

INSPECTOR