



Appeal Decision

Site visit made on 2 October 2024

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th October 2024

Appeal Ref: APP/W0340/W/24/3346484

Foxglove Farm, Great Common Lane, Inkpen, Hungerford, Berkshire RG17 9QR

- 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 & Mrs Simon & Kathe Bastable against West Berkshire District Council.
 - The application Ref is 24/00311/FUL.
 - The development proposed is the change of use of 2.4 acres of agricultural land for use for leisure and tourism, specifically for the provision of a glamping site that will provide 6 tents.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of 2.4 acres of agricultural land for use for leisure and tourism, specifically for the provision of a glamping site that will provide 6 tents at Foxglove Farm Great Common Lane, Hungerford, Berkshire RG17 9QR in accordance with the terms of the application, Ref 24/00311/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by Mr & Mrs Simon & Kathe Bastable against West Berkshire District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The appeal is against a failure of the Council to give notice of its decision on the planning application Ref 24/00311/FUL within the prescribed period. As such, there is no decision notice.
4. The Council has indicated that it would have supported the application, and raise no issues, subject to a number of conditions.
5. Nevertheless, the Council has provided suggestions for the key factors that the proposal should be assessed against, and, in combination with the third party objections, these will inform the main issues for this appeal, and I will consider these in detail below. I have considered the proposal against the development plan policies referenced and provided by the Council.
6. In November 2023, the National Landscapes Association reported that all designated Areas of Outstanding Natural Beauty (AONBs) had become National Landscapes. However, the Framework continues to refer to them as AONBs. In

this decision I have used the term AONB, consistent with the evidence and the Framework. The legal designation and policy status of such areas is unaffected, whichever term is used.

Main Issues

7. The main issue in this case are:

- the effect of the proposed development upon the character and appearance of the site and wider area, with particular regard to the North Wessex Downs (AONB);
- whether the proposed development would be in a suitable location, having regard to tourist accommodation;
- the effect of the proposal on highway safety;
- the effect of the proposal on the nearby Site of Special Scientific Interest (SSSI).

Reasons

Character and appearance

8. The appeal site consists of an open field, located in a rural area. The field is surrounded by vegetation on all four boundaries and has an existing access from lane running along its eastern side. There is sporadic development around the site, including a farmyard, and isolated properties.
9. The site is located within the wider North Wessex Downs AONB. The supporting text to Policy ADPP5 of the West Berkshire Core Strategy (2006 - 2026) Development Plan Document (2012) (CS) sets out that the AONB has a legacy of historical associations and richness in historic sites and features, with a primarily agricultural landscape.
10. As a relatively small undeveloped agricultural field, surrounded by hedgerow or trees, the site at present makes a modest positive contribution to the character and appearance of the surrounding countryside and the landscape and scenic beauty of the AONB.
11. The proposed development would be limited to the north west corner of the field, and would be modest in its visual impact, given the limited scale and height of the glamping tents and the existing screening offered by the boundary vegetation. This screening would also be enhanced by the tree planting proposed next to the tents.
12. As such, views of the development from outside the site would be limited, and the wider open and agricultural nature of the field would remain. The contribution the field makes to the wider landscape would therefore not be harmed. Give its limited scale, the proposal would not harm the existing rural character of the wider settlement.
13. The proposal would not have a detrimental effect on the character and appearance of the area, including the landscape and scenic beauty of the North Wessex Downs AONB. As such, I find no conflict with CS Policies ADPP5 and CS19, which collectively seek to require development conserve local distinctiveness and landscape character.

Suitability of location

14. The Officer report for a previous application¹ on the site sets out that it lies outside of any defined settlement boundary, and therefore the site is within the open countryside in terms of CS Policy ADPP1.
15. Development within the countryside is limited by CS Policies ADPP1 and ADPP5. They collectively state that development should have an acceptable impact on the surrounding environment and should maintain a strong rural economy. CS Policy CS10 further supports proposals to diversify the rural economy.
16. The proposal for a change of use of part of an agricultural field to tourism accommodation would support the viability of an agricultural enterprise and make a contribution towards the local visitor economy.
17. As such, in addition to my findings above in relation to character and appearance, based on the information before me, I conclude that the proposal would meet the requirements of CS Policies ADPP1, ADPP5 and CS10, and would support a prosperous rural economy.

Highway Safety

18. The proposal would utilise an existing access into the field from a lane that provides access to Foxglove Farm and some residential properties. It is well used and whilst not in great condition, this is not unusual for such rural lanes. I observed that visibility in both directions when exiting the field is good, and safe access to the site would therefore be provided.
19. Drawing 03930-00-A Sheet 03 shows a passing place that will be provided in a narrow part of the lane, allowing two vehicles to safely pass. Whilst, due to its limited size, the proposal would not result in a significant increase in traffic, the additional passing place would provide an improved access up to the main road by the public house.
20. The proposal would provide a car parking space for each tent, upon an existing area of hardstanding that is currently used for parking agricultural vehicles. A further parking space for an electric vehicle would also be provided nearby the farm where there is an existing electric connection available. As such, sufficient parking spaces would be provided. The limited number of journeys associated with the proposal would not lead to any traffic generation issues or harm the living conditions of nearby residents.
21. As such, the proposal would not result in any harm to highway safety. There would therefore be no conflict with the safe travel and safe access requirements of CS Policies CS13 and TRANS1.

SSSI

22. Inkpen Common, a designated SSSI, lies some 850m from the appeal site. The SSSI is recognised as supporting interesting flora, including several species which are local or rare in Berkshire. The site is particularly noted for its colony of the pale heath violet *Viola lactea* for which this is the only remaining locality in Berkshire.

¹ Application reference 22/00141/FUL

23. In terms of surface water, the submitted drainage report² sets out runoff from the tents will discharge to ground through infiltration trenches around each tent. The low volumes involved mean that such a system will be sufficient to deal with both roof runoff and any overland flows.
24. The parking area will drain to a ditch in an adjacent field at a restricted rate of 1.0 L/s in the critical 1 in 30 year storm. Excess flows will be stored below ground for this storm. Storms in excess of this will generate overland flows across the field to the ditch. Water quality of this runoff would be controlled by Smart Sponges.
25. The Foul water would discharge into a below ground storage tank, suitably specified to prevent any leakage to the surrounding ground and its associated groundwater bodies.
26. The report demonstrates that the proposed drainage measures ensure that suitable means of surface water and foul drainage can be achieved for the proposed development. The measures, secured through condition, would ensure that the proposal would not cause harm to any nearby watercourses nor the special interest and the integrity of the nearby SSSI.
27. As such, there is no conflict with the prevention of flood risk goals of CS Policy CS16 and the biodiversity and geodiversity asset protection goals of CS Policy CS17.

Other Matters

28. CS Policy CS17 seeks to conserve and enhance biodiversity and geodiversity assets across the district. The submitted plan 03930-00-A Sheet 02 illustrates additional tree planting, which would benefit the existing open field in terms of biodiversity. This would meet the requirements of CS Policy CS17a and therefore further additional measures such as bat boxes are not necessary.
29. No substantive evidence has been provided in relation to the welfare of the pigs kept on the farm and this would not be a matter relevant to this proposal. Similarly, no substantive evidence has been provided in relation to contamination on the site. Little information is provided of any other similar schemes dismissed elsewhere in Inkpen, which prevents direct comparison. Each proposal is considered on its own merits. Given the specific circumstances of the site and proposal, which would not necessarily be replicated elsewhere, and the lack of harm found, the scheme would not set a harmful precedent elsewhere nearby.
30. Given the significant distance to nearby residential properties, subject to a condition preventing external music being played after 11pm, I am satisfied that the proposal would not result in unacceptable noise pollution nor effect living conditions in any unacceptable way. There is no substantive evidence before me that the proposal would result in rubbish being discarded around the site. Sufficient information has been submitted for adequate consideration of the proposal. The planning statement sets out that each tent will have a toilet facility.
31. Little information is provided of previous development on the appeal site or the associated farm, and in any case they are not determinative to the

² Foul and Surface Water Drainage Report by CGS Civils, June 2023

consideration of the proposal before me. The distance from the appeal site that objectors or supporters live is not relevant to the consideration of the issues raised.

32. As I have found no harm in relation to the visual impact of the scheme, further planting on the boundary to the wider field is not necessary.

Conditions

33. A list of suggested conditions has been provided that the Council and/or the appellants consider to be appropriate. I have considered these in light of the PPG and the tests set out in the Framework. For clarity and to ensure compliance with the tests, I have amended some of the suggested wording.
34. In addition to the standard time limit condition, and those stated above, I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty.
35. A condition limiting the use of the site to 7 months is necessary, as this is what has been applied for and set out in the submitted planning statement. Including a possible bank holiday weekend would not be sufficiently precise. The removal of structures, including the tents, outside these months is not necessary, as I have found no harm in regards to the visual impact of the development.
36. A condition requiring that the landscaping scheme be implemented as submitted is necessary, to secure the ecological benefits of the additional planting.
37. A condition securing the drainage details as submitted is also necessary, to ensure that the development does not result in any flood risk nor harm the nearby SSSI. A separate condition relating to an Ordinary watercourse Consent is not necessary, as this is set out in the submitted details.
38. Conditions securing the electric charging place, parking places and passing place shown on the submitted plans are necessary in the interest of highway safety and to promote alternative sustainable means of transport.
39. A condition is also necessary to secure appropriate details of a lighting strategy, in order to conserve the surrounding dark skies and prevent any harm to local ecology.
40. Finally, as set out above, a condition restricting amplified or other music is necessary in order to prevent an unacceptable noise impact.

Conclusion

41. There are no material considerations that indicate the development should be determined other than in accordance with the development plan. For the reasons given above and having regard to all other matters raised, the appeal is allowed.

B Phillips

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with drawing nos: 03930-00-A Sheet 01 Location Plan; 03930-00-A Sheet 02 Block Plan; 03930-00-A Sheet 03 Passing Place; C2721 PL3 Proposed Drainage Layout; Elevations, Floor plan.
3. The use of the site for glamping, car parking and associated use hereby permitted shall be for a limited period of 7 months of the year from 1st April to 31st October.
4. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme (Block Plan 03930-00-A) within the first planting season following completion of building operations. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.
5. The use shall not commence until an electric vehicle charging point has been provided in accordance with drawing 03930-00-A Sheet 01 Location Plan. The charging point shall thereafter be retained and kept available for the potential use of an electric vehicle.
6. The use shall not commence until the access including the passing place has been constructed in accordance with the drawing 03930-00-A Sheet 03. The access and passing place shall thereafter be maintained.
7. The development shall not be brought into use until the vehicle parking and turning spaces have been surfaced and provided in accordance with 03930-00-A Sheet 02 Block Plan. The parking and turning space shall thereafter be kept available for parking at all times.
8. The development hereby permitted shall be undertaken in accordance with the Foul and Surface Water Drainage Report dated June 2023 by CGS Civils. The strategy and maintenance measures described in the statement, including the requirement for Ordinary watercourse Consent, shall be implemented in full before the development is brought into use. Thereafter the drainage measures shall be retained in accordance with the approved details.
9. No external lighting shall be installed to the site until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, isolux contour diagram(s), an operation strategy (e.g. details of timed operation), and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of

Lighting Engineers. No external lighting shall be installed to the site except in accordance with the approved strategy.

10. Amplified or other music may only be played on the site between the following hours: 7am – 11pm.

End of Schedule