



Appeal Decision

Site visit made on 24 October 2024

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 November 2024

Appeal Ref: APP/H1705/W/24/3344669

**Rookery Farm, Rookery Farm Lane, Monk Sherborne, Hampshire
RG26 5HW**

- 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 The Manydown Company Ltd against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 23/02466/FUL.
 - The development proposed is described as the demolition of the existing buildings and replacement with 3 new residential dwellings, together with parking, landscaping and any other associated works and infrastructure.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the appeal site is a suitable location for the proposed development having regard to relevant local policies relating to development in the countryside;
 - whether the proposed development would preserve the setting as it relates to the special interest of a Grade I listed building and a Grade II listed building, and the extent to which it would preserve or enhance the character or appearance of a conservation area; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location

3. The appeal site is part of Rookery Farm and constitutes a series of agricultural barns, next to Rookery Farmhouse, and surrounded by open fields. The main parties consider Rookery Farm to be part of Monk Sherborne, a loose settlement, mainly residential, located within the countryside and without a defined settlement boundary. The proposal seeks to replace the existing buildings with 3 new dwellings.
4. The location of new residential development is guided by Basingstoke and Deane Local Plan (LP) Policy SS1, which provides exceptions for new housing beyond settlement boundaries, and LP Policy SS6 sets specific criteria for such development in the countryside.

5. The appeal site is not allocated within a made neighbourhood plan; and the proposal would not be connected to existing and viable agricultural, forestry, horse breeding and training, livery, or an equivalent rural business; would not constitute a replacement dwelling; re-use redundant or disused buildings or provide affordable housing. The main parties agree that due to its agricultural use, the appeal site would not constitute previously developed land, and there is nothing before me to conclude otherwise. Therefore, it is only possible to consider the proposal against criteria e) of LP Policy SS6.
6. Criteria e) allows for small scale residential proposals of a scale and type that meet a locally agreed need. LP supporting text paragraph 4.77 confirms that small scale is 4 or less dwellings and that local need should be agreed in consultation with the parish or town council. It is noted that the Monk Sherborne Parish Council did not object to the planning process, but their comments do not specifically relate to need, and there is nothing further to suggest the proposed 3 dwellings would meet a locally agreed need. Therefore, the proposal would fail to meet the requirements of criteria e).
7. That the appeal site may not constitute an isolated location for residential dwellings in relation to case law¹ does not overcome the lack of identified local need.
8. Consequently, the proposal would fail to comply with LP Policies SS1 and SS6. Therefore, the appeal site is not a suitable location for the proposed development having regard to relevant local policies relating to development in the countryside.

Heritage assets

9. As the proposal is located within the Monk Sherborne Conservation Area (the CA) and the setting of a Grade I listed building, Church of All Saints (reference 1339517) (the Church) and a Grade II listed building, Rookery Farmhouse (reference 1179308) (the Farmhouse), I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
10. The Church originates from the 12th century and was altered and extended until the 19th century. It is positioned on slightly higher land near to Manor Farm, at the edge of the road with views over Rookery Farm which nestles into a natural dip in the open farmland. This means the Church can be glimpsed from the wider Monk Sherborne area beyond Rookery Farm. Consequently, its significance is therefore within its age and it being a good example of a traditional countryside church built to serve the surrounding farming community. As such its setting is an important part of its significance.
11. The Farmhouse, as part of one of the formative farms² within the area its significance is largely informed by its relationship with the surrounding rural setting of Monk Sherborne, and that it represents a good example of a 19th century farmhouse.

¹ Braintree District Council v Secretary of State for Communities and Local Government [2018] Ref. EWCA Civ. 610; and City and Country Bramshill Limited v Secretary of State for Housing, Communities and Local Government [2021] EWCA Civ 320

² historically known as Lower Farm

12. The Farmhouse and the alterations to the Church coincide with the development of Monk Sherborne. The CA incorporates this and therefore its significance is related to it being a good example of a 19th century informal expansion of a historic farming settlement, and its rural setting.
13. For a considerable period of time the appeal site has been used as part of Rookery Farm, and the existing agricultural barns represent the most modern interpretation of that use. It is not disputed that the barns are non-traditional, and their removal is unlikely to harm the appearance of the CA.
14. However, the visually obvious form of the existing barns emphasises the agricultural use of the appeal site and thereby reinforces the character of the CA and the rural setting of the Church and Farmhouse. Therefore, to preserve this element of the heritage assets' significance, it is necessary any replacement of the existing barns retains this character.
15. The proposed dwellings which would be finished in materials common to the local area. The proposed layout of the buildings around a shared courtyard has been designed to echo a traditional farmyard.
16. The proposed 2 smaller dwellings would be located closely to each other and have similar features to traditional 'farmworker's cottages'. The proposed 'L' shaped dwelling has been designed to reference a converted barn. However, the abundance of domestic features across all 3 dwellings dominates the proposal. These include large areas of glazing, particularly in the link between main dwelling and garage in the proposed 'L' shaped building; their mainly 2 storey height; overall size; and detached form. Therefore, the proposals overall appearance would be of 3 residential dwellings designed with reference to generic countryside styles rather than a representation of a genuine conversion of historic farmyard buildings.
17. The proposal would constitute a domestication of the appeal site, so would fail to retain its agricultural character which, as an important indicator to why the Church and Farmhouse are located as they are, would harm their special interest. For the same reason it would also fail to preserve the character of this part of a CA, but to a lesser degree due to the overall size of the CA.
18. Given the above, the proposal would therefore cause less than substantial harm to 3 heritage assets and paragraph 208 of the National Planning Policy Framework (the Framework) advises that such harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
19. The appellant confirms the existing buildings are not currently in use and that their removal would enhance the ability to appreciate the structure of the Farmhouse, enhance the contribution the site makes to the CA, and improve the rural character and quality of views from the Church³. Therefore, they conclude the benefits of the scheme are the enhancement of the setting and significance of the heritage assets in question. They reinforce this position with reference to an appeal where the Inspector found a replacement scheme satisfactory, due in part to the removal of existing buildings⁴. Nevertheless, because something may be less harmful than existing does not mean it would not have a harmful impact.

³ Paragraph 6.44 of the appellant's statement of case.

⁴ APP/H1705/W/21/3287932

20. It is acknowledged that the proposal could be considered less visually obvious than the existing barns. Nevertheless, this does not overcome the harm identified in relation to the character of the CA, and the setting of the listed buildings. That the optimal use of the site could be residential if the original agricultural use is no longer viable, is accepted. However, there is nothing before me to show that other options have been considered both in terms of optimal use and that the proposed scheme is the only viable form of residential use. Consequently, the public benefits are not sufficient to outweigh the harm identified.
21. Given the above, the proposal would fail to preserve the setting, as it relates to the special interest, of a Grade I Church and a Grade II Farmhouse. It would also fail to preserve or enhance the character of the CA. The proposal would not fulfil the duties of the Act, nor comply with the Framework, and LP Policy EM11 and the Heritage Supplementary Planning Document, insofar as they seek new development to conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance.

Character and appearance

22. The appeal site has a transitional position between the surrounding fields and the settlement itself. Residential uses can be successfully integrated into transitional locations, at edges of settlements. However, they normally constitute a reduction in density of development to reflect the change from settlement to countryside. From the main body of Monk Sherborne, the density of development drops away to singular dwellings in reasonable large plots bounded by fields or agricultural uses, such as Rookery Farmhouse.
23. As the proposal would be beyond the Farmhouse and constitute 3 detached dwellings positioned closely together, it would have the effect of increasing the residential density within this transitional location. Thus, it would visually encroach into the countryside and have an urbanising effect on the otherwise rural character of the area.
24. It is appreciated the proposal could be less visually apparent than the existing buildings. However, the current agricultural buildings, although large and functional, would not be uncommon features in an edge of village location.
25. Therefore, in conjunction with the harm identified in relation to the heritage assets, integral elements of the appeal sites surroundings, it is found the proposal would harm the character and appearance of the area. It would fail to comply with LP Policy EM1 and EM10 and the guidance within the Design and Sustainability Supplementary Planning Document. Which, amongst other things, require new development to be sympathetic to the character and visual quality of the area and contribute positively to local distinctiveness.

Planning Balance and Conclusion

26. The Council cannot demonstrate a 5-year housing land supply so Paragraph 11(d) of the Framework indicates that permission should be granted, unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. The application of heritage policy provides that to be the case here. As such, the proposal would not be the sustainable development for which Paragraph 11 of the Framework indicates a presumption in favour.

27. Nevertheless, it is acknowledged that the Framework seeks to boost the supply of homes. The proposal would provide a net increase of 3 dwellings towards the Council's 5-year housing supply and could provide some biodiversity enhancements and energy efficient homes, and remove asbestos from the site, as well as create potential construction jobs so would have some limited benefits. However, these would not overcome the great weight that Paragraph 205 of the Framework advises should be given to the conservation of designated heritage assets when considering the impact of development on the significance of those assets.
28. No harm has been identified in relation to the loss of the potential commercial use of the site, housing mix, living conditions, highway safety, refuse management, trees, the public right of way through the site, drainage, flooding, and minerals and waste. However, a lack of harm, is by definition neutral, so cannot weigh for or against the proposal.
29. Therefore, For the reasons given above the appeal scheme would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is dismissed.

RJ Redford

INSPECTOR