

## **DISTRICT PLANNING COMMITTEE**

**Wednesday 27<sup>th</sup> February 2013**

### **Additional information.**

Following the Committee site visit on Thursday 21<sup>st</sup> February 2013, the local member, David Holtby requested that more detailed information from the planning application file be presented to the Members of the Committee for consideration.

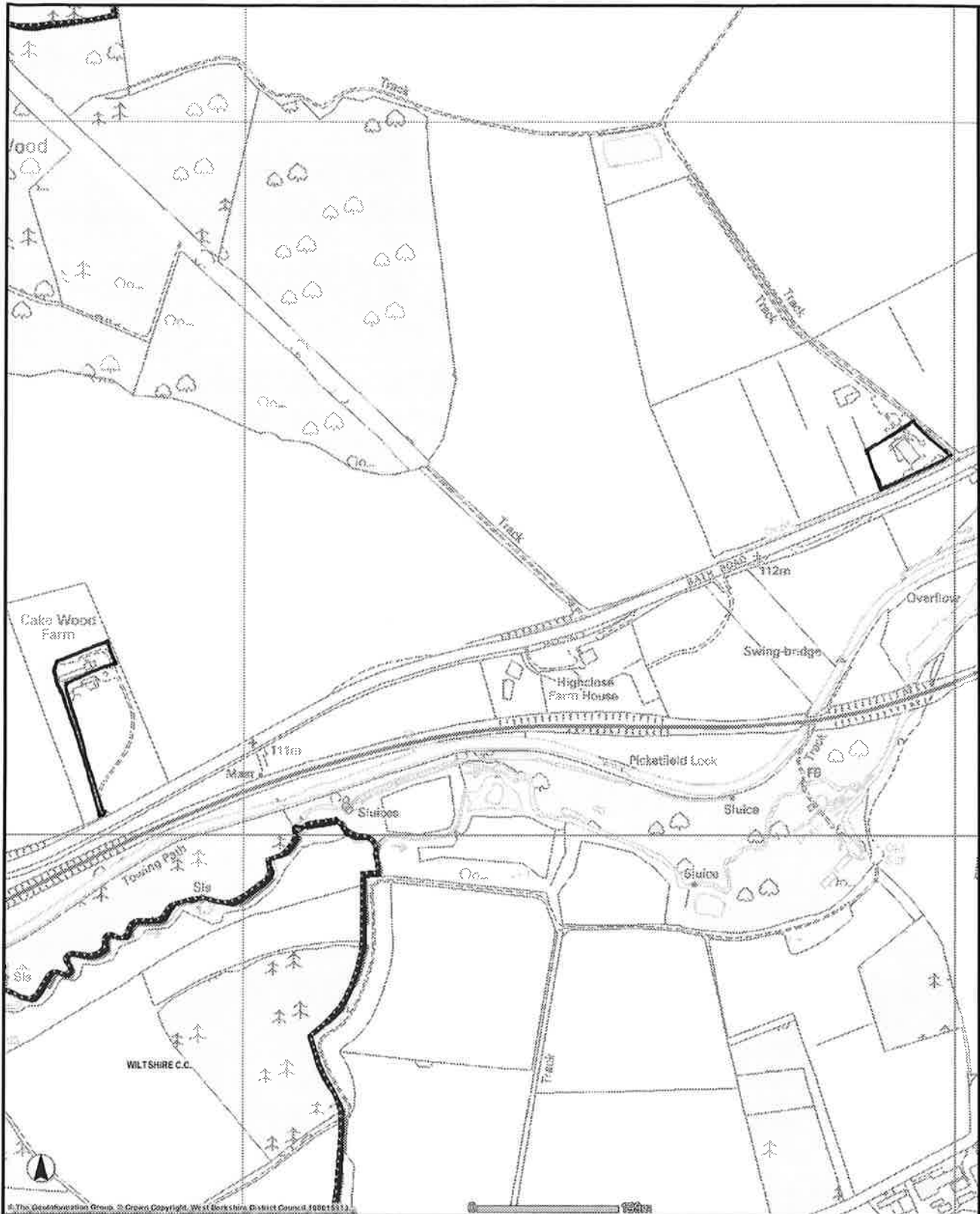
Since the information involved runs to several pages, The Development Control Manager has agreed that it should be forwarded to Members of the Committee in good time to enable them to assimilate the additional information prior to the DPC debate rather than rely on the Update Report on the day of the Committee meeting.


The additional information is a 'Landscape and Visual Appraisal and Landscape Strategy' prepared for the applicants by Enderby Associates which runs to some 30 pages. I have not included the Appendices to the report but they can be viewed on the Council's website under the planning application information, if desired.

I have taken this opportunity to also provide for Members of the Committee, a planning appeal and costs decision dated September 2012 into an appeal for a proposed development at Cobbs Farm Shop which lies on the Bath Road less than one mile to the east of the Cakewood Farmhouse site.

I trust that Members will find both items of additional information helpful in reaching a determination of the planning application before them at the DPC Committee meeting.

DC



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**PROPOSED REPLACEMENT DWELLING  
CAKEWOOD FARM,  
HUNGERFORD**

**LANDSCAPE AND VISUAL APPRAISAL  
AND  
LANDSCAPE STRATEGY**

for

Mr. & Mrs. Holmes

November 2012.



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## **1.0 INTRODUCTION**

1.1 Enderby Associates (Landscape Architects and Environmental Consultants) have been appointed by Mr. & Mrs. Holmes, to advise on and undertake a landscape and visual appraisal of the proposals to demolish an existing house and erect a replacement at Cakewood Farm, Bath Road, west of Hungerford.

1.2 An application was submitted in January 2012 (ref. 12/00242/FUL) for the replacement house but subsequently withdrawn following concerns raised by Local Authority Officers. The principal concerns are identified in section 2 of the Planning Issues Report (prepared by Christopher Strang Associates) submitted with the revised application and are referred to in section 5.0 below.

1.3 The revised application repositions the replacement house, which has been reduced in size from the previous proposal, east of the previously proposed location and closer to the location of the dwelling that is to be demolished, reflecting comments made by Officers. The replacement house will be 120% larger than the existing cottage that it is to replace.

1.4 Accordingly, this report has been updated from that which accompanied the previous application to take account of the new proposal.

1.5 This report summarises:

- the environmental planning context of the area;
- the landscape and visual context of the site;
- the proposals and the way in which these have been influenced by the landscape and visual appraisal;
- the potential impact of the proposals on the character and visual amenity of the area.

1.6 This report is supported by various plans and photographs which are contained in Annex A at the rear of this document. The location of the site is shown on Plan 1.

1.7 It should be read in conjunction with the Planning Statement prepared by the planning consultants (Christopher Strang Associates) and the Design and Access Statement prepared by the project architects (M<sup>C</sup>Lean Quinlan).

## 2.0 ENVIRONMENTAL CONTEXT

- 2.1 This section summarises the environmental planning constraints that apply to the site and its more immediate surroundings.
- 2.2 The site lies within countryside within the North Wessex Downs Areas of Outstanding Natural Beauty (AONB). It is not within, or close to, a Conservation Area.
- 2.3 Since the original application was submitted various changes have occurred to the planning system and the following now form the relevant planning context:
- South East Plan - May 2009
  - West Berkshire Core Strategy (Adopted July 2012)
  - Remaining Saved policies of the West Berkshire District Local Plan 1991-2006, following Core Strategy Adoption
  - Supplementary planning document 'Quality Design – West Berkshire' (adopted 2006).

### Policy context

#### *National*

- 2.4 The NPPF came into effect on 27th March 2012. Paragraph 14 states '*At the heart of the NPPF is a presumption in favour of sustainable development*'. '*For decision-taking this means:*
- *approving development proposals that accord with the Development Plan without delay; and*
  - *where the Development Plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
    - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
    - *specific policies in this Framework indicate development should be restricted*'.
- 2.5 The NPPF recognises three dimensions to sustainable development: Economic, Social and Environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- *'An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and identifying and coordinating development requirements, including the provision of infrastructure;*
- *A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy'.*

#### *Regional*

2.6 Although the Government has announced that the Regional Spatial Strategy (RSS) is to be revoked, the adopted South East Plan remains a material consideration. The following policies contained within the Plan are relevant to this application:

- Policy CC6: Sustainable Communities and Character of the Environment

2.7 The policy promotes the creation of 'sustainable and distinctive' communities, through a vision that

*'respects, and where appropriate enhances, the character and distinctiveness of settlements and landscapes throughout the region'.*

- Policy C3: Areas of Outstanding Natural Beauty

2.8 The policy reinforces the priority to be given to the conservation and enhancement of AONBs, and development control should 'have regard to their setting'. It notes that 'positive land management policies should be developed to sustain the areas' landscape quality'.

*Local*

- 2.9 The West Berkshire Core Strategy was adopted in July 2012. Area Delivery Plan Policy 5 sets out the policy approach to the AONB, but does not provide any specific guidance with respect to replacement dwellings. However, it highlights the importance of respecting the sensitivity of the environment with regard to development:

*'Recognising the area as a national landscape designation, development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night skies, particularly on the open downland. Development will respect identified landscape features and components of natural beauty' (Area Delivery Plan Policy 5).*

- 2.10 Policy CS 19 expands on the respect that should be afforded to historic character and landscape character. The importance of development being informed by and responding to local character is highlighted with particular reference to historic and landscape character assessments, Conservation Area Appraisals and Design Statements. The Policy states:

*'In order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard will be given to:*

- a) The sensitivity of the area to change.*
  - b) Ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.*
  - c) The conservation and, where appropriate, enhancement of heritage assets and their settings (including those designations identified in Box 1).*
  - d) Accessibility to and participation in the historic environment by the local community.*
- Proposals for development should be informed by and respond to:*
- a) The distinctive character areas and key characteristics identified in relevant landscape character assessments including Historic Landscape Characterisation for West Berkshire and Historic Environment Character Zoning for West Berkshire.*
  - b) Features identified in various settlement character studies including Quality Design – West Berkshire Supplementary Planning Document, the Newbury Historic Character Study, Conservation Area Appraisals and community planning documents which have been adopted by the Council such as Parish Plans and Town and Village Design Statements.*
  - c) The nature of and the potential for heritage assets identified through the Historic Environment Record for West Berkshire and the extent of their significance'.*

2.11 The supporting text notes (para. 5.137) that:

*'It is essential that new development should help sustain and/or create landscapes with a strong sense of place and local identity and this is another key element of the policy. The policy aims to protect and enhance this diversity and local distinctiveness through the use of Landscape Character Assessment (LCA) rather than through the use of local landscape designations. This provides the framework for informed decisions to be made as to whether different landscapes should evolve by:*

- Conserving the existing and historic character;*
- Enhancing existing character by introducing new features into the landscape;*
- Strengthening or restoring a previous character; or*
- Creating a new character when a sense of place and local distinctiveness have been eroded or lost'.*

2.12 The Core Strategy is supported by saved policies of the West Berkshire Local Plan (WBLP) 1991-2006. The following 'saved' policies remain relevant following adoption of the CS:

- ENV.23 – Replacement dwellings in the countryside

2.13 This policy is relevant to the proposals and is also referred to in further detail in the Planning Issues Report; Design considerations are also explained further in the Design & Access Statement. These documents are part of the resubmitted application.

2.14 It states:

*The replacement of existing dwellings in the countryside which are or have been recently occupied will be permitted provided the following criteria are met:*

*(a) the existing dwelling is long established and is not the result of a temporary or series of temporary permissions;*

*(b) the proposed dwelling is not disproportionate in size to the dwelling being replaced;*

*(c) the proposed design of the new dwelling is of a high standard and appropriate to the rural character of the area;*

*(d) the development where appropriate, incorporates or complements other existing buildings or features in the locality;*

*(e) the development is appropriate and sympathetic in scale, design, materials, layout and siting to the character and setting of adjoining buildings and spaces;*

*(f) the development includes an acceptable landscape scheme to retain and improve the rural nature of the locality’.*

2.15 With respect to criterion (b) it notes that the Council’s aim is to:

*‘protect the nature and character of the rural environment and to avoid dwellings which are disproportionate e.g. excessive in size and massing and thereby physically and visually intrusive’.*

2.16 It goes on to note that proposals need to be informed by the characteristics of the site and that the following are ‘key determinants’:

*(i) the overall size, scale and massing of the replacement dwelling compared to the original; and*

*(ii) the site characteristics and visual prominence of the existing and proposed replacement dwellings. Visual prominence/ intrusion may be reduced or increased by design factors; and*

*(iii) the impact on and relationship to adjoining buildings and uses in rural areas; and*

*(iv) whether on balance the proposed development maintains/enhances or detracts from the inherent character and nature of the site and the surrounding rural environment (this is a judgement which can only be made on the merits or otherwise of each case).*

#### **Other policy documents/strategies**

2.17 The Council’s SPD ‘Replacement dwellings and extensions to dwellings in the countryside’ was adopted in 2004 and provides information particularly relevant to the proposals. It amplifies Saved Policy ENV.23 noting that each site needs to be considered individually to determine ‘its actual impact on the site and the surrounding rural environment’ (para. 3.3). Whilst it notes that the increase in floor space is a useful indicator, it is only one matter to be taken into account. Other key determinants are:

- overall size, scale and massing compared to the original;
- site characteristics and visual prominence of the existing and proposed dwellings (it notes that prominence may be increased or reduced by design factors);
- impact on relationship to adjoining buildings;
- whether the development maintains, enhances or detracts from the character of the site and rural surroundings.

- 2.18 It notes (at para. 3.4.1) that the replacement dwelling would normally be expected to be on the same site, but does acknowledge that there may be benefits from locating the replacement building in another position within the curtilage noting that development should generally be located 'in the least conspicuous position subject to the new dwelling having a satisfactory relationship with any surrounding development'.
- 2.19 It also states that 'the bulk, scale, height, massing and design will be critical in terms of its impact' (para. 3.4.2). Height should not exceed that of the existing. It recommends that the assessment of impact should include near and distant views, noting this is particularly important in the AONB.
- 2.20 The Planning Issues Statement and Design & Access Statement consider these aspects in further detail. Comments are also provided on relevant matters in section 6.0 of this report.
- 2.21 West Berkshire has produced a Supplementary Planning Document (SPD) series, 'Quality Design – West Berkshire', covering design and sustainability issues which is a material consideration in planning applications. This was adopted in 2006 and forms part of the Local Development Framework. Although primarily orientated towards larger scale development, the guide does provide helpful guidance on detailing of buildings that is relevant in this context.
- 2.22 The District Landscape Character Assessment and North Wessex Downs AONB Management Plan are referred to in section 4.0 below.
- 2.23 Relevant parts of the Council's consideration of the previous application are considered in section 5.0.

### **3.0 LANDSCAPE CONTEXT**

- 3.1 This section summarises the principal physical landscape characteristics of the site and its surroundings.
- 3.2 The location and context of the site is shown on Plan 1 in Annex A; the site is shown in more detail on Plan 2. The photographs contained on Plans 3.1-3.4. also show the characteristics and context of the site.

#### **The site and surroundings**

- 3.3 The site is located just over 2km. west of the edge of Hungerford. It consists of a complex of farm buildings comprising a single storey brick built open fronted 4 bay implement shed, a piggery, a single storey stable building, a large timber clad barn under a corrugated tin roof, a large farmhouse, and a detached cottage with associated gardens, parking and yard. The buildings are situated within a larger rectangular block of grass land; the boundaries area defined by fences, some immature hedge planting, and a mature section of hedgerow. Access is via a pillar-flanked entrance off the A4 Bath Road on the southern boundary; the former drive (stone surfaced) to the building complex follows a straight line from the entrance to the western edge of the building complex, whilst the existing gravel drive bifurcates just inside the entrance to take a curving line through immature parkland to the east, sweeping up to the farmhouse and cottage which form the eastern side of the building group.

#### **Physical context**

##### *Topography*

- 3.4 The site is situated on the northern valley slopes of the valley of the River Dun (a tributary of the River Kennet which it joins at Hungerford) gently sloping level at around AOD, and set within level surroundings. It falls at a generally consistent gradient from around 140m AOD at the northern end to around 115m AOD at the southern boundary with the A4. The buildings are set on a generally level area formed just to the north of the central part of the site.
- 3.5 A low mound has been created on the southern boundary, extending between the site access and the eastern boundary.

- 3.6 The wider topography is defined principally by the valley of the River Dun and the small tributary that joins it via a significant valley at Froxfield. The valleys are separated by high ridges of downland which are modified by small dry valleys and shallow combs which create folds in the valley sides to give a rounded and varied topography. The broad ridge to the north of the site at Cake Wood defines the watershed between the River Dun and River Kennet.

*Land use*

- 3.7 The site falls within the domestic curtilage of Cakewood Farmhouse and associated cottage. The undeveloped land comprises gardens and parking areas associated with the dwellings, stone surfaced yard to the north associated with the barns, with regularly mown amenity grassland extending southwards to the southern boundary interspersed with young trees, and irregularly mown meadow grassland to the north.
- 3.8 The surrounding countryside is principally in arable use, interspersed with the large areas of woodland. Field sizes are generally medium and there is evidence of boundary loss through field amalgamation within the vicinity of the site. Pasture predominates in the small scale, wetter valley floor.
- 3.9 The area adjoining Cobbs Farm Shop to the east of Highclose Farm is used for the growing of produce resulting in strip cropping which is at odds with the large scale arable use of the adjoining land.

*Settlement pattern*

- 3.10 Cakewood Farm forms one of a limited number of farms and other properties are strung out along either side of the A4 between Hungerford and the hamlet of Froxfield some 500m west of the site. The more elevated downland to the north and south is generally devoid of settlement.
- 3.11 The valley bottom is a long established communications corridor with the A4, Kennet and Avon Canal, and main line railway running in very close proximity directly south of the site.
- 3.12 Planning approval (of reserved matters) was given in 2003 for the demolition of piggeries to create a boat basin and ancillary facilities including workshop, chandlery, overnight accommodation, and heritage museum on land at Highclose Farm, Bath Road (application

ref: 03/01105/RESMAT). It is understood that the consent is extant as works were commenced on demolition and construction of the access road. However, the facilities have not been constructed. The location of this site is shown on Plan 1.

3.13 Cobbs Farm Shop is located to the north of the marina site.

#### *Vegetation*

3.14 Vegetation within the site comprises the following and is shown on Plan 2:

- a section of mature hedgerow running along the southern boundary with the A4, containing a few trees, with a group adjoining the site entrance;
- a variety of recently planted trees scattered in the southern parts of the site;
- a few trees south west of the farmhouse and stable block;
- a group of semi mature trees north of the timber barn;
- a loose group of trees north of the cottage;
- a copse of mature and semi mature trees in the north east corner.

3.15 The site lies within an area where the high incidence of woodlands is a key feature. Cake Wood (Ancient replanted woodland) lies on the ridge to the north, with Brickkiln Copse immediately to the east (Ancient & Semi natural woodland). Various copses and woodlands lie on the southern slopes of the valley and there is a high level of scattered vegetation along the valley floor, particularly associated with the river, associated water meadows, and the canal.

#### *Biodiversity*

3.16 The section of river and associated meadows on the north western side of Hungerford are a Site of Special Scientific Interest (SSSI) but this lies at least 1km. from the site

3.17 The site is surrounded by intensively farmed arable land which is most unlikely to be of any particular biodiversity value. The location of the replacement house is land that has been disturbed and is closely associated with the existing building group. It is most unlikely to have any particular biodiversity value. The adjoining trees are relatively young and do not appear to provide any particular habitat value. The open nature of the location and proximity to the existing buildings is likely to make them currently unattractive to nesting birds.

- 3.18 There is no evidence that the site is of value to protected species. Whilst the nearby barn may provide opportunities for bats to roost the building would not be affected by the proposals.

*Cultural heritage*

- 3.19 None of the buildings within the site are listed. There are no other buildings within the more immediate proximity so no setting issues arise. The site does not lie within or close to a Conservation Area. Littlecote House (Grade 1 listed and a Scheduled Ancient Monument) lies in the Kennet valley some 2km to the north of the site, beyond the intervening wooded ridge; a former drive between the house and the A4 through Cake Wood to the north/north east, terminates on the A4 opposite Higher Close Farm (some 700m. from the site of the proposed new house), and falls within the Registered Park and Garden which is focused around Littlecote House.

*Rights of way*

- 3.20 The site is not crossed by any rights of way.
- 3.21 A public footpath follows the field boundary some 200m to the west; another footpath runs north of the A4 opposite Highclose Farm House, some 500m to the east. The canal towpath runs along the southern bank of the canal in the valley bottom to the south. A small number of footpaths, a bridleway and a byway are located on the southern side of the valley. Views from these routes are considered in the next section.

## 4.0 LANDSCAPE AND VISUAL APPRAISAL

4.1 This section summarises the landscape and visual appraisal of the site and is supported by the Plans and photographs provided in Annex A.

### Landscape character - context

4.2 The following landscape character studies apply to the area.

#### *National character*

4.3 The site is located within the Berkshire and Marlborough Downs Landscape Character Area (LCA) defined in Landscape Character Map of England (Countryside Agency; 1999). Extracts are included in Annex B.

#### *AONB Character*

4.4 A landscape character assessment of the North Wessex Downs AONB was undertaken in 2002. The site lies within the Savernake Plateau LCA, within the Wooded Plateau Landscape Character Type (LCT) and extracts of that assessment are reproduced in Annex B. Of the key characteristics identified the following are evident in the locality:

- 'extensive and continuous woodland cover including the ancient wood pasture, semi-natural woodland blocks and beech and oak plantation of Savernake Forest and West Wood;
- an attractive woodland-farmland mosaic surrounds the Forest, plus a few areas of more open arable land;
- presence of historic parkland and formal designed landscapes of Tottenham Park and Littlecote Park, with their built features, permanent pasture, parkland trees, avenues and rides;
- distinct pattern of settlement comprising a remote 'uninhabited' western plateau and a concentration of villages in the east of the area, in the valley of the River Dun.
- Building materials include some timber framing, with the main material being red brick;
- the Kennet and Avon Canal and associated industrial archaeology features;
- smaller settlements (e.g. Froxfield) are characterised by a lack of local services whilst Great Bedwyn, has better service provision;
- quiet, rural and secluded character'.

4.5 Key issues identified in the assessment include:

- loss of environmental assets;
- need for woodland management;
- loss of hedgerow boundaries and poor management of existing hedgerows;
- development pressure;
- loss of tranquillity.

4.6 The overall strategy is to 'conserve and enhance' the character of the area and a number of management requirements are identified which relate to the key issues identified.

4.7 The AONB Management Plan (2009-14) provides further detail on topic-based issues that are relevant to the conservation and enhancement of the AONB, establishing a common set of objectives and framework for the various authorities, bodies and individuals that have a responsibility and influence over the management of the Area.

*County character*

4.8 The Berkshire Landscape Character Assessment (October 2003) shows that the site lies within the Froxfield LCA, in the Farmed Chalk Mosaic LCT. This is noted as being primarily arable land with open fields and lack of hedgerows. The area is noted as having 'a moderate character and poor condition, largely due to the vast scale of the arable farmland and the influence of the A4'. The strategy is to 'strengthen and restore' landscape character. It recommends that mixed woodland should be extended 'to create a more intimate character'.

*Historic character*

4.9 The West Berkshire Historic Environment Characterisation Project shows that the site lies within the Kennet Valley Historic Environment West Character Area, within the Kennet Valley South West Historic Environment Character Zone. In terms of historic character the area has suffered the loss of many historic field boundaries through field amalgamation for arable use, with the water meadows along the river having fallen into disuse. Settlement has been and remains sparse. Conservation issues relating to the area notes the threat of further loss of buried features, the poor management of ancient woodland, poor design of new plantations, and the need to increase the understanding of the historic building stock.

*Local Landscape character*

- 4.10 Apart from the distinct grouping of buildings, the mature trees in the north east part of the site, and the length of tall hedgerow along the boundary with the A4, the site is lacking in landscape features. The cluster of buildings provides an interesting feature within the quite open surroundings of the site and the adjoining arable land; the combination of red brick and timber elevations creates an attractive grouping although the more recent addition of the cottage, with tile hung elevations at first floor over rendered ground floor walls, located beyond the main building group to the east does detract from the historic form of the farmstead.
- 4.11 The site has a recognisable domestic character being largely mown grassland, surrounded on three sides by arable land. Recent scattered tree planting, and the sweeping driveway, contributes to this domestic character.
- 4.12 Beyond the site the landscape character is reasonably consistent with the characteristics of the LCA defined in the AONB assessment, although the site's relationship to the busy transport corridor means that this area lacks the tranquillity associated with much of the wider LCA. The future development of the marina and associated facilities beyond Highclose Farm will create further activity in the locality.

**Visual appraisal**

- 4.13 A visual appraisal of the site and its visual context has been undertaken. This has examined the visibility of the site from public viewpoints in spring and summer, including rights of way within the surrounding area, and from the site which is private land. Photographs are illustrated on Plans 3.1-3.4 and the locations of the photograph viewpoints are shown on Plans 1 and 2. The illustrated photographs were taken in April 2011 when deciduous vegetation was just coming into leaf.
- 4.14 It should be noted that all photographs, unless otherwise stated, were taken with a digital camera with a 50mm equivalent lens. Where photographs taken with a telephoto lens are illustrated these are for identification purposes only; they are not representative of views available to the naked eye.
- 4.15 The main visual attributes are outlined below. The site will only be slightly more apparent in winter when the screening effect of deciduous vegetation is reduced.

*Views from within the site*

- 4.16 The site is not accessible to the public so all views from within are from private land. The photographs referred to illustrate the nature and character of the site.
- 4.17 The site is generally open in character with the complex of buildings forming a distinct feature located above the valley floor. However extensive recent tree planting, notably in the area south of the buildings, will alter the views available within and from the site over time.
- 4.18 The main outlook of the existing farmhouse is across the valley to the south (photograph 1). From the east the buildings appear as a tightly knit complex, with the relationship enhanced by the common materials (photograph 2). The cottage sits less comfortably to the east of the main building cluster.
- 4.19 From the area north of the site the main buildings sit comfortably in the landscape, creating a visually interesting feature, assisted by the way in which they are slightly 'cut in', and the partial softening and 'anchoring' provided by the trees (photographs 3 and 4). Again, the cottage appears slightly distinct from the main building group (photograph 3).
- 4.20 The area of land to the north of the buildings formed part of the earlier farmyard and has been subject to some clearance and 'tidying up' (photograph 5).
- 4.21 From the south, views are across rising ground towards the compact building cluster, where the timber barn and the southern elevation of the farmhouse form a linear complex overlooking this part of the site (photograph 6); the yard area to the north lies concealed in the lee of the building complex. Existing trees and recent tree planting is breaking up the profile of the buildings, reducing their prominence within the view. The two access drives cut across the grounds.

*Views from the east/south east*

- 4.22 Views towards the site from this aspect are limited by the shoulder of higher land extending towards Highclose Farm House from Cake Wood. This shoulder, combined with the tree belt along the former drive to Littlecote House which follows it, conceals the site in views from the east.

- 4.23 Views from the public footpath which follows the route of the former drive are curtailed by flanking vegetation and only partial glimpses are possible towards Cakewood Farm (visibility is also affected by the height of intervening arable crops). A glimpse is possible from a gateway on the edge of Cake Wood (photograph 7); the building group, which appears as a farmstead, is viewed 'side on', partially integrated by the adjoining trees.
- 4.24 Cakewood Farm only becomes discernible from the A4 as it crosses the shoulder of higher land within the vicinity of the lay-by (photograph 8). Trees at the lay-by intervene and screen the farm in summer.
- 4.25 The views open out a little further west along the A4 and the building group appears on the gentle slope of the valley side (photograph 9). The render and light coloured roof of the stable block appears slightly out of context with the brick and timber barn. The cottage appears as a later addition, by virtue of style and lighter red hung tiles. The trees assist with assimilating the building group.
- 4.26 Similar views are available from the road a little further west (photographs 10 and 11), although the buildings appear slightly more on the skyline and the cottage appears less well related.
- 4.27 The views from this section of the A4 are only possible over some 300m. A recently planted hedge along the edge of the field on the northern side of the road is likely to screen views towards the buildings in time (7-10 years, depending upon management). Similar transitional views are likely to be available from a short section of the adjoining railway which runs at/close to grade in this location.
- 4.28 Further afield, the site is apparent in a very limited and distant view from North Standen Road. It appears as an isolated and distinct farmstead group set within an area of grassland, surrounded by arable land (photograph 12). From this distance (1.5 km) it is not a significant component of the wider scene.
- 4.29 A similar glimpsed view is available, below trees, from the road north east of North Standen House (photograph 13).
- 4.30 Views from the public footpath which descends northwards into the valley north of North Standen House are screened by the flanking hedgerow, intervening topography and

woodland. A glimpse is possible through the hedgerow from the lower section; the cottage is apparent but largely insignificant in this context (photograph 14).

*Views from the south/south west*

- 4.31 The site is overlooked from a short section (approx. 100m) of the bridleway which crosses the ridge and descends into the valley north west of North Standen House. From this location the buildings appear as a compact farmstead situated in a relatively open landscape of surrounding arable land (photograph 15). The adjoining trees assist with 'settling' the building group into the landscape. The sweep of the gravel drive is apparent. At certain times of the year (as illustrated) the difference in land use is very apparent with the amenity grassland within the site clearly distinct from the surrounding arable crops.
- 4.32 A roadside hedgerow screens views from the section of North Standen Lane, north west of North Standen House (although some glimpses may be available through the vegetation in winter) except at a gateway (photograph 16). The impression is similar to that described above with respect to photograph 15.
- 4.33 Further north a view along the valley towards the site becomes possible although, from this lower location, the buildings appear more integrated by trees and viewed over the roof of Oakhill Farm (photograph 17).
- 4.34 There are no views towards the site from within the river valley floor due to the prevalence of vegetation.
- 4.35 The hedgerow along the southern boundary of the site screens views towards the buildings from the A4, such that views from the road are limited to a very brief glimpse, framed by vegetation, through the drive entrance and across the rising grass slopes to the buildings (photograph 18).
- 4.36 Views towards the site from the canal towpath are almost entirely contained by the dense vegetation along the northern side of the canal; in places this is supplemented by other vegetation alongside the intervening railway and road. A brief gap allows a glimpse of the buildings (photograph 19). The cottage appears slightly separated from the main building group.

*Views from the west*

- 4.37 Views towards the site from the west are restricted to the public footpath which runs north of the A4, towards Cake Wood, some 200m west of the site. The views vary with elevation. The slight roll in the landform means that all but the upper part of the buildings are apparent from the southern end (photograph 20); the buildings sit well within the landscape and are discrete seen against the backdrop of woodland beyond.
- 4.38 The views remain similar further north where, opposite the buildings, the gable of the tall timber barn is the most noticeable element, with the roof of the farmhouse apparent above the lower roof of the stable block (photograph 21). Again the buildings sit well within the landscape beyond the slight brow.
- 4.39 At the time of survey the rape in the field concealed all but the ridge of the tall timber barn from locations further north along the route (photograph 22). However, by virtue of the topography and the way in which the buildings are locally 'cut in', the buildings are unlikely to be prominent from this aspect. Furthermore, the group of trees that lie north west of the buildings intervene in the view.
- 4.40 There are no views towards Cakewood Farm from further north along the route where it passes over the edge of the ridge up to the edge of the wood beyond.

*Views from the north*

- 4.41 There are no publicly accessible locations north of the site and hence no views from this aspect.

## **5.0 THE DEVELOPMENT PROPOSALS**

5.1 This section briefly describes the re-submitted proposals (further details are provided elsewhere in the Design and Access Statement (DAS), and other information submitted as part of application) and outlines the proposed landscape strategy which forms an integral part of the proposals.

### **Consideration of the previously submitted scheme**

5.2 The Officers Report prepared in consideration of the previously submitted scheme identified a number of concerns. These are considered in detail within the Planning Statement that accompanies this resubmission.

5.3 The principal concerns related to the size of the building relative to the building to be demolished and that this was considered to be disproportionate in terms of size and massing and therefore the proposal failed the test of Policy ENV.23 (b). It was also felt that the proposed replacement dwelling was located too far from the building that it was to replace and would sit 'in isolation to other buildings' (para. 4.8 of the Officers report). As a consequence of this it was also considered that the proposed dwelling would 'detrimentally harm the existing site characteristics and materially alter the visual prominence of the site' and that this would give rise to a detrimental impact on the landscape of the AONB.

5.4 The design was considered to be of a high standard and use of materials was considered to be appropriate and complementary to the existing buildings (para. 4.11).

### **The proposals**

5.5 The revised scheme involves:

- the demolition of the existing cottage;
- construction of a T-shaped replacement house in a position to the east of the previously proposed location, within an area of gently sloping mown grassland to the north of the open-sided barn/cart shed , which is closer to the location of the cottage that it will replace;
- an enclosed parking area between the new house and the cart shed, within an existing, partly gravelled area.

5.6 The DAS provides details of the form and elevations of the proposed building which is essentially single storey with a basement below the northern part. The building makes use of the levels within the site and has been designed to replicate the form of the existing adjoining timber barn with a simple pitched roof that is no higher than the roof of the existing barn. Its arrangement and massing replicates the form of a traditional farmyard, creating another building-defined space north of the existing complex. It comprises essentially two buildings arranged north-south and west-east linked by a lower glazed link.

5.7 The following indicates the relative ridge heights of the existing buildings and replacement house:

Replacement house	28.79m (as previously proposed house)
Main barn	28.72- 28.79
Cart/Implement shed	26.33-26.38
Cottage (to be demolished)	27.19
Farmhouse	26.41

5.8 Elevations would comprise principally natural timber cladding, stained timber panels, sliding timber shutters, brickwork, and glazing (some of the glazing being set behind timber posts), below a roof of grey fibre cement 'slate' tiles which will relate to the farmhouse and other outbuildings (although the adjoining existing barn has a corrugated sheet roof).

5.9 Access would be via the old access to the farmyard which runs directly, via an old stone-surfaced track, from the site entrance to the west of the existing buildings and into the yard. Car parking is provided to the south in the yard associated with the existing open implement shed, which is well contained from most aspects.

5.10 Lighting will be limited to the house and courtyard area between the new house and existing timber barn.

### **Landscape strategy**

5.11 The proposed landscape strategy is shown on Plan 4 and is intended to form the basis of a detailed landscape condition as part of a planning consent.

5.12 The buildings are a long established feature within the local landscape. Examination of other farmsteads and dwellings within the area indicate that these are usually associated

with significant tree groups, belts, and copses, and hedge boundaries with adjoining fields. Whilst some tree and hedge planting has been carried out by the owners in recent years, much of this has struggled to establish particularly as a result of lack of protection and resultant damage by hares and deer.

5.13 The principal objective of the landscape strategy is to assimilate the overall site more satisfactorily within its wider rural setting, and 'settle' the new building within the landscape but allow filtered and framed inward and outer views as opposed to providing screening; the new building will therefore remain partially visible in some views forming part of the historical farm building group.

5.14 The strategy comprises the following principal elements:

- A belt of native woodland planting along the embankment slopes on the southern boundary. This will assimilate the existing earthwork, supplement the roadside hedgerow, and create a strong screen between the site and adjoining section of road, and in southerly views from the farmhouse.
- Supplementary native hedge planting, including native trees, along the eastern boundary to reinforce the existing young hedge which has suffered from browsing by animals. Suitable protection will be provided.
- New native hedges, with hedgerow trees, along the north eastern, northern and western site boundaries.
- A new copse in the southern part of the site which will contain views to/from the access off the A4. The existing track will pass through this copse and create a sense of arrival when entering the site.
- Reinforcement of the existing remnant copse in the north eastern part of the site to strengthen this existing landscape feature.
- Tree groups and some scattered native tree planting (in some cases supplementing tree groups that already exist), particularly associated with the farmstead complex, following the characteristic of the higher level of vegetation cover associated with farmsteads.

- New hedge to define the curtilage between the environs of the new house and entrance drive to the existing farmhouse.
- A reduction in the area of regularly mown grass to allow a more diverse, natural sward to develop over time.

### **Plant species**

- 5.15 All new planting would be of native, locally indigenous tree and shrub species to tie in with the prevailing character of the locality.
- 5.16 Trees would generally be planted as feathered trees (2.5-3m. high at planting ) to ensure quick establishment. Larger trees (up to Extra Heavy Standard size) would be associated with the area around the new house to supplement the existing semi mature tree groups.
- 5.17 Native shrubs would be planted as transplants (ranging between 400 and 800mm in height at planting). Rabbit guards and protective fencing would be provided.

### **Landscape management**

- 5.18 The site would be maintained by the applicant. This may be secured by an agreed Management Plan, which may be the subject of a planning condition.

## **6.0 THE POTENTIAL IMPACT OF THE PROPOSALS**

6.1 The potential impact of the proposals is summarised in this section.

### **Landscape impact of the proposals**

6.2 The demolition of the existing cottage will reduce the west-east footprint of the existing building complex as it appears in the principal views towards the site from the surrounding landscape, as described in the visual impact section below, and remove an element that competes with the stature and prominence of the main farmhouse, and compact cluster of the older building group.

6.3 The replacement new house is located within a wider site that has an overall low-key domestic character, which is already recognisable and distinct from the adjoining arable land.

6.4 The new house, as with the previously submitted proposal, is designed to complement the existing building cluster and the traditional courtyard arrangement, which is an existing and characteristic feature within the local countryside. It is located to the north of and closely associated with the existing building complex, adjoining the rear yard. The building would be in keeping with the scale and mass of the existing complex; it would be only 70 cm higher than the ridge of the main barn and only 0.6m higher than the cottage. The main domestic elements and parking would be contained within the courtyard formed by the new building and the existing yard north of the existing implement shed. None of the existing semi mature trees nearby would need to be removed.

6.5 Although the new house would be larger than the cottage that it will replace, there would be no overall net discernible change to the prevailing landscape character of the area arising from this. The building arrangement would maintain a compact grouping/massing. The more prominent cottage would be removed, with the new building set behind the existing older buildings where it will relate well in terms of form, scale, mass and materials.

6.6 The landscape strategy seeks to assimilate the existing building and the new building within the wider landscape as opposed to screening the buildings. The existing site has, particularly around the main buildings, an informal residential character. The new planting that is proposed within the site seeks (as previously proposed) to create a more

appropriate setting with a reduction in regularly mown grass areas, extension of and creation of new informal tree groups, strengthening of the existing copse in the north east corner of the site, and the provision of hedgerow boundaries. This approach will provide an overall landscape benefit in the longer term by assimilating the site more 'naturally' within the landscape and is consistent with the long term objective to 'conserve and enhance' the landscape of the Savernake Plateau LCA. It would also be consistent with the strategy to 'strengthen and restore' the landscape character of the Froxfield LCA which is noted as being in poor condition due to the large scale of the arable farmland and the influence of the A4, where it recommends that mixed woodland should be extended 'to create a more intimate character'.

### **Visual impact of the proposals**

- 6.7 The visual appraisal summarised in section 4 above shows that the site of the new house is discreet, given the surrounding topography and the relatively open nature of the site's wider surroundings. The potential impact of the proposals is considered below.

#### *Views from the east/south east*

- 6.8 Views from the east are limited to the glimpses identified from the right of way north of Highclose Farm (photograph 7). The new building would be apparent situated to the north of the existing buildings from this aspect. The removal of the cottage would allow the farmhouse to appear without the 'competition' of the cottage within the view. The replacement house would be seen in the context of the existing farmstead building group, at the same height as the main barn. Due to the distance (over 0.5km.) and the limited nature and character of the views, the net change would not be significant. The existing semi mature tree group north east of the farmhouse will break up views of the eastern elevations of the new building; these trees will be supplemented with new trees which will further limit and frame views of the replacement house from this aspect. The boundary hedge will provide lower level containment of the domestic curtilage.
- 6.9 The site of the new house is partly obscured by the existing cottage in views from the A4 (photographs 8-11), and the existing buildings intervene progressively in views towards the site of the replacement house travelling west (photograph 11). The removal of the cottage will open up views towards the replacement house although this would appear closely related to the compact building group; whilst it will be similar in scale it will appear different due to its contemporary style and design, creating a clear distinction between old

and new. In the context of these transitional views the alteration would make little material change to, or have a significant effect on, the appreciation of the rural landscape adjoining the route. Owing to the proposed materials the replacement house is likely to appear more recessive than the prominent cottage. The development of the eastern boundary hedge, associated trees and tree groups will lead to a significant reduction in the visibility of the overall building complex, assimilating the farmstead group within the landscape.

- 6.10 From more distant locations (photograph 12, some 1.5km. from the site), the removal of the more recent cottage would 'restore' the historic farmstead group of buildings. The replacement house will be discernible as a distinct contemporary extension to the north of the building group. However, whilst these changes would be perceptible, it would not affect the composition or appreciation of the landscape or be seen as the introduction of an inappropriate element within the scene; the choice of materials and high quality design will assist with its integration. The planting proposed will lead to the introduction of further trees south east of the property and along the eastern boundary; this will provide further assimilation of the building group over time.
- 6.11 The changes would be similar in the glimpsed views from near North Standen House (photograph 13) although the southern part of the replacement house would fall beyond the existing implement shed. The farmhouse will appear as a freestanding element, without the visual 'competition' provided currently by the nearby cottage. Again, the proposals would not have any significant effect on the composition or appreciation of the AONB landscape from this aspect.

*Views from the south*

- 6.12 Given the very restricted nature of the glimpses from the right of way north of North Standen House (photograph 14), the changes to the view would be inconsequential.
- 6.13 Much of the replacement house will be obscured by the existing buildings in views from this short section of the bridleway north west of North Standen House and North Standen Road (photographs 15 and 16 respectively), although the roof line will be apparent above the implement shed and farmhouse roofs. The form, scale and materials will relate well to the existing buildings and use of complementary roof materials will ensure consistency such that the building will not be an obvious addition to the existing building group. New planting proposed will further assimilate the building complex over time within the more

open arable context, with site boundaries formed by hedges and intermittent trees; a reduction in the regularly mown grass areas will also create a more agricultural character in those parts.

- 6.14 In views from the short section of lane near Trindletown Copse (photograph 17), only a part of the roof will be just discernible beyond and above the existing building group, and will be seen as part of the existing farmstead complex. The impact of the proposals on this limited, distant (1km.) and transitional view would be minimal. New tree planting, supplementing the semi mature groups near the existing buildings, will further assimilate and provide scale to the building group over time.
- 6.15 Part of the roof of the replacement house will be apparent above and beyond the existing farmhouse in the brief glimpse through the site entrance (photograph 18). Existing young trees in the foreground will break up this view and the proposed new copse will close off this view entirely as it develops.
- 6.16 Part of the replacement building (principally the roof) will just be apparent through this very brief gap in the vegetation north of the canal towpath (photograph 19). The removal of the cottage will allow the farmhouse to appear as a single entity. Planting proposed on the mound at the southern end of the site would quickly close off the view from this location.

*Views from the west*

- 6.17 The new building (principally the west elevation) will be visible from the right of way west of the site (photographs 20-22), although the degree of visibility will be affected by the height of intervening arable crops. The roof will tie in with the ridge of the existing barn and the building will be seen in very close association with the barn. It will not appear as an isolated element and would not detract from the character and quality of the views that are available when walking along this route. Although there would be an appreciation of additional lighting, the route is unlikely to be used in the hours of darkness so this is most unlikely to give rise to a noticeable or significant change. Due to the similar levels between the site and the route, new planting proposed to supplement the semi mature tree group north west of the farmstead group and trees within the proposed eastern boundary hedge, will be most effective in assimilating the building complex.

## 7.0 CONCLUSIONS

- 7.1 Detailed analysis of the site and its surrounding context shows that, although it lies within a quite open downland landscape, its visibility is in fact quite limited owing to a combination of the varied landform, high level of vegetation cover, and limited publicly accessible locations. It also shows that the site is closely associated with the long-established infrastructure corridor containing a canal, active railway, the busy A4 which is at odds with the prevailing, more tranquil parts of the character areas defined in the AONB and county assessments which identify the principle characteristics of the areas. The assessments note that the strategy for the respective LCAs should be to 'conserve and enhance' or 'strengthen and restore' the landscape.
- 7.2 The site forms a rectangular area of grassland surrounded on three sides by arable land. The existing buildings are a noticeable part of the wider landscape, sitting in a position above the valley floor. The attractive brick-built farmhouse is the most conspicuous element and, with the adjoining outbuildings, forms an accepted and integral part of the farmed landscape. The adjoining cottage, which is separated slightly from the main building group, is a later addition and detracts to some degree from the integrity and compactness of the main older farmstead group; the lower, rendered parts of the elevations are out of place. This building will be demolished.
- 7.3 Access to the new house would be via an existing stone track and associated parking would be contained within the building group.
- 7.4 The evaluation of the potential impact of the proposals indicates that:
- Transitional views from the A4 are limited principally to a section south east of the site and the cottage appears slightly out of place sitting to one side of the main farmstead complex. Whilst the removal of this building will open up views towards the replacement house it would be of a similar scale, although a contemporary addition to the building group. The alteration would make little material change to these views or the character and appreciation of the AONB landscape.
  - The replacement building will be partially screened in views from the south with mainly the roof visible above intervening buildings; these changes would not be particularly discernible in views from more distant elevated positions.

- Only parts of the roof will be visible in quite distant views from the south west where it will be appear as part of the existing buildings, with the same height, and similar scale as the main barn.
  - In views from the right of way to the west, the building will be partially apparent but, again, seen closely related to the existing barn (the farmhouse being largely obscured beyond). Although it will be apparent as a contemporary addition to the building group it will not appear out of place (being similar in form, scale and of complementary materials). As such it will appear as an interesting addition to the building group.
- 7.5 The site is located within the protected AONB landscape of the North Wessex Downs where the conservation of natural beauty should afforded 'great weight'. The proposals would not conflict with this principal aim. The demolition of the cottage would bring about an improvement to the setting and 'free standing' nature of the main farmhouse. Whilst the replacement building would be larger than the demolished cottage this is unlikely to be recognisable due to its discreet location, located in the lee of the farmstead complex. Even where the house would be apparent only part would be visible. The replacement house would not detract from the natural beauty of the area, nor would it be visually intrusive. Where apparent it would be seen as an interesting, high quality contemporary addition to the building group, with similar form, scale and materials and is appropriate to the rural area; it would therefore comply with criteria (c) - (e) of saved Policy ENV.23. It would not 'compete' with the prominence of main farmhouse as the principal dwelling, the two being visually separated to varying degrees by intervening buildings.
- 7.6 For similar reasons of location lighting associated with the replacement house would not give rise to a significant adverse impact on views or the dark mainly unlit surroundings, compared to the existing lighting associated with the cottage.
- 7.7 The Local Plan and the SPD sets out 'key determinants' when considering this type of development (as referred in 2.15-2.18 above). The proposals accord well with these criteria. Although the replacement building will be larger then the cottage that is to be demolished, the 'key determinant' is whether the proposals will detract from the '*inherent character and nature of the site and the surrounding rural environment*'.
- 7.8 The SPD notes that, in some circumstances, a replacement dwelling may be better located in another position; this is the case here. The proposed new house has been positioned carefully, taking account of matters raised by the Planning Authority, so that it relates more closely to the location of the cottage that it will replace. Its location also takes

advantage of the screening provided by the existing buildings in the primarily distant views that are available towards the site from southern and south westerly aspects, although it will be more evident in the transitional views available from a short section of the A4 south east of the site.

7.9 The SPD notes that, whilst increase the increase in floor area is a 'useful indicator', it is only one aspect that needs to be considered. Other matters (as para. 2.18 above) are:

- *The overall size, scale and massing compared to the original*

7.10 Whilst the replacement house is larger than the cottage it will replace its form, size, scale and massing is very much in keeping with the main farmstead grouping to which it will relate closely. The materials are also sympathetic to the farmstead vernacular – a point acknowledged by Officers in consideration of the withdrawn proposals.

- *Site characteristics and visual prominence of the existing and proposed dwellings*

7.11 The existing buildings form a conspicuous group within the adjoining rural landscape, with the cottage sitting less comfortably to one side. This building will be removed and the new building constructed in the lee of the main farmstead reinforcing the building group. The visual assessment shows that public views towards the site are limited and often distant and, as a result, the new building will not be visually prominent from most aspects. Where it is visible it will be perceived as a contemporary addition to the traditional building group but become assimilated over time by new planting.

- *Impact on relationship to adjoining buildings*

7.12 The new building will be visually separate from the farmhouse and relate well in form and scale to the existing main barn. It will reinforce the building group; the removal of the cottage will reduce the more visible west-east elevation of the building complex.

- *Whether the development maintains, enhances or detracts from the character of the site and rural surroundings*

7.13 The landscape and visual appraisal indicates that no significant adverse impact on the prevailing rural character of the landscape or visual amenity will arise from the proposals. The replacement building will 'fit in' and the proposals provide an opportunity to secure an

extensive landscape strategy for the site which will assimilate it within the landscape. Extensive native planting is proposed and the site boundaries will be defined by native hedges. Existing tree groups will be supplemented and this will replicate the higher level of vegetation cover associated with farmsteads that generally exists around farms in the area. The landscape strategy complies with criterion (f) of saved Policy ENV.23 and the detailed landscape scheme may be secured by planning condition, based on the defined landscape strategy.

## **ANNEX A**

### **Drawings and photographs**

**ANNEX B**

**Landscape Character Assessments**

**Joint Landscape Character Area 116 -  
Berkshire and Marlborough Downs**

**North Wessex Downs AONB –  
Integrated Landscape Character Assessment**

## **Extracts from Berkshire Landscape Character Assessment**



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## Appeal Decision

Site visit made on 7 August 2012

**by Richard McCoy BSc, MSc, DipTP, MRTPI, IHBC**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 17 September 2012**

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**Appeal Ref: APP/W0340/A/12/2175116**

**Cobbs Farm Shop, Bath Road, Hungerford, Berkshire RG17 0SP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by County Food and Dining Ltd against the decision of West Berkshire Council.
  - The application Ref 11/02366/COMIND, dated 28 October 2011, was refused by notice dated 1 March 2012.
  - The development proposed is the erection of a single storey building to house children's soft play area and cafe.
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### Procedural matters

1. Since the Council made its decision, saved policies OVS2, OVS3, ENV1 and ENV18 of the adopted West Berkshire District Local Plan 1991-2006 (LP) have been deleted and replaced by policies CS14, CS5, CS19, and ADPP1 of the West Berkshire Core Strategy (2006-2026) (CS) adopted 16 July 2012. I have dealt with the appeal on this basis.
2. The Council has confirmed that in the light of the submission by the appellant of a signed and dated Unilateral Undertaking, the Council is no longer pursuing an objection in respect of a scheme of works to accommodate the impact of the development on local infrastructure, services or amenities.

### Decision

3. I dismiss the appeal.

### Application for costs

4. An application for costs was made by County Food and Dining Ltd against West Berkshire Council. This application is the subject of a separate Decision.

### Main Issues

5. The main issues are the effect of the proposal on the character and appearance of the area which is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and whether the proposal would be suited to this location having regard to local policy on economic development in the rural area.

## Reasons

### AONB

6. The appeal site is located in open countryside on land which rises from the adjacent, busy A4 trunk road. Proposed is the erection of a detached building which would stand close to the existing farm shop, occupying what is presently a grassed area with some outdoor seating. This is a revision of a recently refused application and differs insofar as it would have a slightly different footprint, would be sited further to the north and would be reduced in height. The appellant states that an extension to the existing building was discounted due to the constraining presence of a Ministry of Defence Pipeline which necessitated a detached building with a stand alone café.
7. CS Policies ADPP1, CS14 and CS19 state that most development will take place within or adjacent to settlements that are included in the settlement hierarchy; development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and proposals should be informed by and respond to the distinctive character areas and key characteristics identified in relevant landscape character assessments. In addition, saved LP Policy ENV16 permits farm diversification where buildings are appropriate in scale and siting to their rural location and maintain or enhance the landscape character of the rural surroundings.
8. These policies are in line with those of the National Planning Policy Framework (the Framework) which state that sustainable development has 3 dimensions, 1 of which is environmental. In this regard, paragraph 17 advises that a core planning principle is to recognise the intrinsic character and beauty of the countryside, and support thriving rural communities, while paragraph 115 states that great weight should be given to conserving landscape and scenic beauty in AONBs. This is reflected in the objectives set out in the North Wessex Downs AONB Management Plan 2009-2014.
9. The Council is concerned that the proposal would result in a dominant building complex, in a rural location that would be harmful to the character and appearance of the AONB. While the site is partially screened by existing planting, it is visually prominent on the approach along the A4 from the west. I note from the proposed site plan that the building would be cut into the banking so that it would sit lower than the existing building against which it would be seen when viewed from the west.
10. A Landscape & Visual Assessment submitted with the planning application states that the proposed planting, once established, would screen most of the building and enhance the setting of Cobbs Farm. This, the appellant argues, would create environmental benefits that would improve the appearance of the site, soften views along the road frontage and promote biodiversity.
11. Nevertheless, the building would be of a substantial bulk, having a floor area of around 265m<sup>2</sup> and rising to around 7.2m at the ridge. It would increase the amount of built development at the appeal site by introducing a building into a part of the site that is presently open. Furthermore, the appellant estimates that the proposal would attract around 22,000 additional visits to the appeal site per annum.

12. In my judgement, the proposal would change the nature of the existing business from that of a modest rural enterprise within the AONB to one which would bring about a significant increase in the amount of built development and activity at the appeal site. As a result, it would be likely to harmfully change the character of the AONB through increased development and activity.
13. The impact of such an increase in built form would not be sufficiently ameliorated by the claimed environmental benefits of the landscaping scheme and the proposal would therefore be detrimental to the character and appearance of the AONB. Accordingly, the proposal would conflict with CS Policies ADPP1, CS14 and CS19 and saved LP Policy ENV16.

#### *Rural Economic Development*

14. The proposal would be situated around 1km from the edge of Hungerford and around 1.9km walking distance from the town centre. A bus stop is situated by the entrance to the site. However, it is expected that the majority of customers, estimated at 22,000 per annum, would arrive by car. While the appeal site already attracts car borne visitors, it is likely that a high proportion of visits to the soft play proposal would be discreet rather than linked to those already visiting the shop.
15. The Ministerial Statement of 23 March 2011 *Planning for Growth* commented that when deciding to grant planning permission local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. The Framework, published a year later, seeks a high quality built environment with accessible local services and in paragraph 28 states that planning policies should support sustainable rural tourism developments that benefit rural businesses, communities and visitors, and which respect the character of the countryside. This is reflected in CS Policy ADDP1 which states that the most intensively used developments will be located in those town centre areas where the extent and capacity of supporting infrastructure, services and facilities is the greatest.
16. In addition, CS Policy CS14 expects development proposals to make provision for access by all transport modes ensuring environments are accessible to all and give priority to pedestrian and cycle access. Against this background, I consider that the proposal would not be sited within a sustainable location and would generate a significant amount of additional vehicle movements to and from the appeal site.
17. In forming this view, I have noted the appellant's arguments that the play barn is inherently sustainable being a small scale development on an existing well established site, would generate additional expenditure of around £160K, would create/sustain 4.6 direct and indirect jobs, and in terms of the economic and social roles within sustainable development, would be an education resource which would promote healthy play and bring about social benefits for children in respect of physical, intellectual and social development. I have also had regard to the 2 petitions in support of the proposal and the local need that the appellant has identified for the facility, which it is claimed, would complement the existing business at the appeal site that is barely profitable.
18. However, these considerations would not outweigh the conflict with national and local policies which seek to promote sustainable development. Moreover, it has not been sufficiently demonstrated that the need for a soft play facility

could not be met by a development that meets the aims of CS Policy ADDP1 in terms of being located in a town centre area. Accordingly, the development would conflict with CS Policies ADDP1 and CS14 and the adverse impacts of the proposal would not be outweighed by the claimed benefits.

*Other matters*

19. The appellant has submitted a signed and dated Unilateral Undertaking in respect of a contribution towards the cost of transport modelling local highway improvement works and integrated transport measures schemes or programmes in the vicinity of the proposal. However, the Undertaking does not outweigh the harm that I have already identified in respect of the main issues.
20. My attention was drawn to a nearby development claimed to be similar which according to the appellant has a secured consent that has yet to be implemented. However, I do not have before me the detailed considerations with regard to the effect of this development on the AONB and sustainable development objectives though I note it is a marina so a high proportion of visitors would be likely to travel by boat. In which case I do not consider it to be comparable to this proposal.

**Conclusion**

21. While I note the widespread support for the proposal, evidenced by the petitions and the letters of representation, as well as the benefits which the appellant claims would arise from the proposal, these considerations would nevertheless not outweigh the harm that I have identified in respect of the AONB and sustainable development objectives. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

*Richard McCoy*

INSPECTOR



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## Costs Decision

Site visit made on 7 August 2012

**by Richard McCoy BSc, MSc, DipTP, MRTPI, IHBC**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 17 September 2012**

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### **Costs application in relation to Appeal Ref: APP/W0340/A/12/2175116 Cobbs Farm Shop, Bath Road, Hungerford, Berkshire RG17 0SP**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Country Food and Dining Ltd for a full award of costs against West Berkshire Council.
  - The appeal was against the refusal of planning permission for the erection of a single storey building to house children's soft play area and cafe.
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### **Decision**

1. I dismiss the application for a full award of costs.

### **Reasons**

2. Circular 03/2009 advises, that irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. While I have not been referred to any specific paragraphs from Circular 03/2009, I note the appellant is aggrieved by what is alleged to be unreasonable behaviour by the Council. The appellant is aggrieved that despite being in receipt of 2 petitions in support of the proposal containing over 500 signatures and there being no neighbour objections, the Council refused the application under delegated powers. This was on the basis that the petitions were treated as a single letter of support. As a result, the appellant claims to have been denied the opportunity to present the benefits of the proposal to the planning committee which may have negated the necessity of appealing the refusal of planning permission.
4. It is further alleged that the Council, by declining to produce an appeal statement and relying instead on the officer's delegated report, failed to produce evidence at the appeal stage to substantiate the reasons for refusal. This, it is contended, does not equate to the standard of evidence contained in the appellant's Landscape Statement and results of market research, economic impact figures and benefits of soft play. The appellant expressed disappointment at not being able to comment on a 6 week appeal statement from the Council.
5. In my judgement, while paragraph A25 of the Circular states that Costs applications may relate to what happened before an appeal is lodged, it also states that the power to award costs is to enable a party to be awarded the

costs necessarily and reasonably incurred in the appeal process. Costs incurred that are unrelated to the appeal itself are not eligible.

6. In addition, Paragraph B8 advises that allegations of mishandling of the application may be indicators of unreasonable behaviour by the planning authority. However, the purpose of the costs application process is not to resolve by investigation every allegation of unreasonable behaviour. Rather it is to decide whether or not an award of costs in respect of the appeal is justified on the available evidence in a particular case.
7. Notwithstanding the appellant's frustration with Council's handling of the application, in the parallel appeal decision I have set out why I agree with the Council's decision to refuse planning permission. It follows that I consider that the Council did not act unreasonably in making that determination or that the appeal was unnecessary.
8. Furthermore, while Circular 03/2009 states that a failure by a local authority to substantiate a reason for refusal is a reason for costs to be awarded the Council did put forward evidence in support of its reasons for refusal. Although it chose not to amplify its case in a 6 week appeal statement, the Council did explain its position by reference to the officer's delegated report. This set out the Council's objection to the proposal and included references to the then current national policy.
9. The Council's position was robustly argued and relevant evidence was offered to explain its stance. The Council set out reasons as to why it was considered the proposal would be harmful to the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty. Substantiated reasons were also given as to why it was considered that the proposal would conflict with national and local policy regarding economic development in the rural area.
10. This involved a degree of judgement and sufficiently robust evidence was submitted to show that the Council did not apply its judgement in an unreasonable manner in accordance with the advice in paragraph B20 of the Circular.
11. Accordingly, unreasonable behaviour resulting in unnecessary expense as described in Circular 03/2009 has not been demonstrated and an award of costs is not justified.

*Richard McCoy*

INSPECTOR