

# Appeal Statement of Case

## Local Planning Authority

**Town and Country Planning Act 1990**  
**Section 78 appeal against the refusal of planning permission**

**Appeal:** 6005140

**Site:** Curridge Green Riding School (“Thambury Gate”)  
Curridge Green  
Curridge  
Thatcham  
RG18 9EA

**Proposal:** Retrospective change of use from a riding school to a dwelling.

**Date:** 10 April 2026

**Council Reference:** 25/00534/FUL

## Appeal Statement of Case

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## Contents

<b>1. INTRODUCTION</b> .....	<b>4</b>
<b>2. REASONS FOR REFUSAL</b> .....	<b>5</b>
<b>3. APPEAL SITE DESCRIPTION</b> .....	<b>6</b>
<b>4. PROPOSAL</b> .....	<b>7</b>
<b>5. PLANNING HISTORY</b> .....	<b>7</b>
<b>6. PLANNING POLICY</b> .....	<b>7</b>
<b>7. MAIN ISSUES:</b> .....	<b>7</b>
PRINCIPLE OF DEVELOPMENT .....	7
CONVERSION OF AN EXISTING BUILDING .....	8
SITE AND LANDSCAPE CHARACTER IMPACT .....	9
<b>8. OTHER PLANNING CONSIDERATIONS RAISED IN THE APPELLANT'S STATEMENT OF CASE</b> .....	<b>10</b>
SUSTAINABILITY .....	10
AMENITY.....	11
<b>9. OTHER MATTERS</b> .....	<b>11</b>
<b>10. CONCLUSION</b> .....	<b>12</b>

## Appendices

1	Photographs: Case Officer's first site visit photographs taken 04.04.2025 following validation.
2	Photographs: Case Officer's second site visit undertaken 02.07.2025.
3	Photographs: Case Officer's second site visit undertaken 02.04.2026.

# 1. Introduction

- 1.1 This Statement of Case has been prepared in respect of the appeal lodged against the refusal of planning permission (Council reference 25/00534/FUL) for retrospective change of use from a riding school to a dwelling house.<sup>1</sup>
- 1.2 The Council's substantive case is set out in the Officer's Report. This Statement does not seek to duplicate the Officer's Report, but focuses on responding to the Appellant's Statement of Case, and supplementing the Officer's Report as appropriate.
- 1.3 According to the submitted plans, there were 2no. existing stable blocks on the site. The first north-western L-shaped stable block was larger, measuring approx. 225sqm, with a smaller rectangular table block opposite to the south-east enclosing a small courtyard. The L-shaped stable block previously contained a tack / feed room, a WC, a kitchen, office and a rug room. Retrospective planning permission was applied for the conversion of these rooms into a habitable areas to form a residential dwelling component. The remaining portion of the north-western L-shaped building was to be retained as a vacant stall area, along with the vacant stable block opposite. No elevations were submitted with the application, however the floor plans show the position of the window and door openings, and that these were not altered.
- 1.4 Following validation, a site visit was undertaken on 04.04.2025 by the Case Officer, Lauren Hill MPRTI (Senior Planning Officer), and Lee Goodall (Planning and Economy Support Manager)<sup>2</sup>. The partial conversion of the northwestern L-shaped building shown on the submitted plan was observed. Some structural works at the rear of the building adjacent to the by-way had been undertaken, whereby walls had been demolished to create undercover parking within the building, with structural pillars added to support the roof structure in the absence of the former outer walls. Such were not reflected on the submitted plans. The remainder of the L-shaped northwestern building had been retained, as well as the smaller stable block opposite.

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<sup>1</sup> This serves to confirm that Artificial Intelligence has not been used in the preparation of this document or any others prepared by the Local Planning Authority related to this application.

<sup>2</sup> See Appendix 1 (Site visit photographs taken 04.04.2025)

- 1.5 During the processing of the application, a structural survey was requested from the Appellant to ascertain whether substantial re-building had taken place which would render the development being non-complaint with Policy DM24. The Appellant disclosed that large areas of the L-shaped building had been demolished. A second site visit was therefore undertaken on 02.07.2025.<sup>3</sup> It was observed that approximately 100sqm of the north-western L-shaped building (southwestern section) had been demolished. The original outer wall adjacent to the western neighbour was retained and the openings closed with loose screening fabric material. Works had started to extend the dwelling shown on the plans into the remaining stall area. Various stable openings in the original building had been closed and new window openings installed. An open covered area within the building had been created with a structural pillar installed. The remaining smaller southeast block originally forming a courtyard was still present.
- 1.6 Following the application's refusal, it was reported to the Council that the smaller south-eastern stable block had been demolished by the Appellant. A third and unaccompanied external site visit was undertaken by the Planning Officer on 02.04.2026.<sup>4</sup> It is confirmed that the remaining southeastern stable block has been demolished. The remaining walls of the dwelling have been painted, as well as the screen wall adjacent to the western neighbour. Tall timber panel fences in excess of 1m have has been installed along portions of the northern and northwestern boundaries without planning permission.
- 1.7 The demolition of the southeastern stable block has created an uninterrupted view of the site from the south and east.<sup>5</sup> What was left of the equestrian buildings have been demolished and the site no longer resembles any equestrian use and is domestic in nature.
- 1.8 The visual impact of the development has increased due to the subsequent demolitions, further changing the character of the site and its impact on the broader landscape.

## 2. Reasons for Refusal

- 2.1 The reasons for refusal are set out in the Decision Notice.

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<sup>3</sup> See Appendix 2 (Site visit photographs taken 02.07.2025)

<sup>4</sup> See Appendix 3 (Site visit photographs taken 02.04.2026)

<sup>5</sup> The track running west/east to the south of the site offers good views of the site.

### 3. Appeal Site Description

- 3.1 The Officer's Report did not include a detailed site description and is provided below to assist the Inspector.
- 3.2 The site measures approx. 0.27ha and contains 1no. dwelling that once formed part of a building associated with a riding school. The northeastern and northwestern boundaries are lined with vegetation and recently, a tall timber panel fence has been erected along portions of these boundaries.
- 3.3 The site is located on the southern outer edge of the settlement boundary of the village of Curridge. The area contains scattered detached dwellings and farm buildings surrounded by large areas of agricultural land and open fields. There is a collection of dwellings approximately 80m to the east, 1no. detached dwelling to the north ("The Old Parsonage") to the north of the highway / by-way intersection, and 1no. adjacent dwelling to the west ("Solo Chase").
- 3.4 There is a by-way (CHIE/41/2) that runs along the site's northwestern boundary from which the site takes access via a tall impermeable sliding gate at the intersection. A Public Right of Way (CHI/29/2) runs along the northeastern boundary of the site.
- 3.5 The site falls within the North Wessex Downs National Landscape. The site enjoys sweeping views towards the south and east. There are uninterrupted views of the site when viewed from along the east/west track approx. 80m south of the site and the collection of dwellings to the east. There are partial views of the site from CHIE/29/3 towards the east adjacent to "Rookery Farm Bungalow". The site is clearly visible from "Solo Chase" without visual obstruction.
- 3.6 The site forms part of the Lowland Mosaic Character Area (8A: Hermitage Wooded Commons) of the North Wessex Downs Landscape Character Assessment (2025). The Hermitage Woodlands Commons form part of an undulating lowland plateau, comprising an intricate mosaic of woodland, pasture, and small areas of remnant heathland. Settlements are largely dispersed across the landscape, with scattered farmsteads, small collections of dwellings and isolated dwellings. The area has a quiet and tranquil rural character with dark night skies.

- 3.7 The site also forms part of the “Farmed Chalk Mosaic”, as described within the West Berkshire Landscape Character Assessment (2019).

## 4. Proposal

- 4.1 The details of the proposal are set out in application documents. The refusal was based on the application documents presented to the Council, as set out in the Officers’ Report.

## 5. Planning History

- 5.1 The planning history remains as set out in the Officer’s Report. An Enforcement Notice is to be served on the Appellant shortly. A copy will be provided to the Planning Inspectorate once served.

## 6. Planning Policy

- 6.1 The relevant planning policies are set out within the Officer’s Report.
- 6.2 The Appellant has stated that the development complies with the NPPF 2023 (superseded), and policies within the West Berkshire Core Strategy, including ADPP1 (Housing Site Allocations DPD) and Policies CS13 and CS19 (superseded by the Local Plan Review (2023 – 2041) adopted in June 2025). (Note, the Appellant incorrectly refers to the period for the LPR being 2020-2037).

## 7. Main issues:

### **Principle of Development**

- 7.1 As set out in the Officer’s Report, the principle of development is unacceptable, and the development does not comply with the spatial policies set out in the Local Plan Review.
- 7.2 The Local Plan policies seek to limit residential development in the countryside, with a presumption against further residential development in the countryside. An exception includes the conversion of an existing redundant building (Policy DM1(d), Policy DM24)

and Policy DM1(i). For the reasons set out in the Officer's Report, the development does not comply with these policies, and the principle of the development is unacceptable.

- 7.3 The Appellant has introduced a new argument in their Statement of Case that the dwelling lies between 2 residential properties (to the west and north) and therefore constitutes infill development in accordance with Policy ADPP1 (superseded). The provisions for infill development contemplated in Policy ADPP1 are the almost identical to that contemplated in Policy DM1(i) of the Local Plan Review.
- 7.4 Insofar as compliance with Policy DM1(i), the site is not within a cluster of 10 or more existing dwellings, and the land is not a small undeveloped plot. Rather, there is a single dwelling to the west and another to the north and the land has already been developed. This development would aid in the creation of another collection of dwellings if approved which is contrary to the intention of the Local Plans strategic policies.

### **Conversion of an Existing Building**

- 7.5 The Appellant argues in their Statement of Case that the building was long-redundant. The second reason for refusal states that the applicant has not proven that the north-western building was genuinely redundant prior to conversion.
- 7.6 Even if the building was not in use, it was not necessarily redundant.
- 7.7 While the site previously included stables and ancillary rooms as per the submitted plans, there was insufficient land for training in dressage, show jumping or eventing. However, the site could still have been used as a riding school where horses are stabled on site and escorted rides offered along the surrounding roads and public rights of way. Alternatively, the riding school could have focussed on lessons on horse care and management. It may have also been possible to use the site for a livery (subject to planning approval), which would have retained its equestrian character and use. Evidence has not been provided demonstrating that such opportunities (or any others) were explored, discounted or failed prior to conversion.
- 7.8 It is also unknown whether the site was marketed for equestrian use prior to conversion, and such attempts failed. Due to the number of applications for equestrian buildings regularly received by West Berkshire Council, it appears that there remains a demand for such facilities.

- 7.9 The Appellant's Statement of Case states that building was derelict and environmentally damaged, suggesting that substantial works were necessary. This further supports the Council's case that substantial rebuilding was required to convert the building into dwelling.

### **Site and Landscape Character Impact**

- 7.10 As set out in the Officer's Report and the decision notice, the rural character and visual quality of the National Landscape have not been preserved nor enhanced by the development. The character of the site has changed from equestrian to residential (as a dwelling can have ancillary stables, with the primary use being residential). While there are some scattered dwellings in the area, it remains strongly rural and agricultural.
- 7.11 The Appellant contends that there has been demonstrated aesthetic improvement. It is argued that prior to redevelopment, the building was derelict and environmentally damaged.
- 7.12 For the reasons already set out in the Officer's Report, the development has not resulted in a visual improvement. Rather, the character of the site has been changed from equestrian in nature to residential, in an area located within the National Landscape where the existing character is protected.
- 7.13 The Appellant has not previously indicated that floodlights were removed from the site. The Council is unaware of where these were located, their number, orientation, luminance levels etc. The Council maintains the conclusions set out in the Officer's Report regarding inappropriate additional light-spill at night, as well as during the day due to double glazing reflections. Such further changes the character of the area and views towards the site.
- 7.14 The Appellant states that the "welfare buildings" were repaired on a like-for-like basis. The Appellant may be referring to the original welfare rooms which included a kitchen and toilet. Other rooms that were converted including the tack / feed room, rug room and an office.
- 7.15 The L-shaped building was not repaired on a like-for-like basis, rather, as set out in the "Introduction" above, substantial changes and alterations have occurred on the site, and the development no longer resembles an equestrian building. Even if the post-

submission demolition and associated works were ignored and only the nature of the development at the time of the application's validation is assessed, new door and window materials were used and the walls were painted to change its appearance. These works therefore cannot be considered like-for-like, and reinforce the domestic character of the site.

- 7.16 The Council maintains their position that visual harm has resulted by this development through the change of views towards the site in an area where the existing landscape character is protected, having "great weight" in the planning balance.

## 8. Other planning considerations raised in the Appellant's Statement of Case

### **Sustainability**

- 8.1 The Appellant's Statement of Case argues that they seek a fair and balanced decision that affirms the principles of sustainability.
- 8.2 Paragraphs 7 to 14 of the NPPF addresses achieving sustainable development. Achieving sustainable development means that the planning system has three overarching interdependent objectives. These include the economic, social and environmental objective.
- 8.3 In terms of the "social objective" contemplated in paragraph 8 of the NPPF, at time of writing, West Berkshire Council can demonstrate a 5.7 year's supply of deliverable housing sites. The 'tilted balance' therefore contemplated within paragraph 11 of the NPPF is not engaged. Should by the time the Hearing is held West Berkshire Council can no longer demonstrate sufficient housing supply required by the NPPF, the titled balance would remain disengaged due to the harmful impact on the National Landscape.
- 8.4 In terms of the "environmental objective", the natural environment must be protected. The Council does not dispute that there have been some environmental gains through the planting of new saplings, and that the Appellant has utilised environmentally friendly technologies through the use of solar panels and an air source heat pump.

- 8.5 However, locating dwellings in the countryside increases private vehicle dependency and therefore carbon emissions through longer commuting distances. The Appellant argues that there has been a 98% reduction in traffic. While it is unclear how this percentage was determined, the Council does not dispute that vehicle trips would likely be lower than its previous use. That does not mean that residential development is therefore more suited to this location due to the lower trips generated.
- 8.6 The Appellant has stated in their Statement of Case that approving the application would support the government's net-zero targets. The Appellant did not submit any information to demonstrate that the development achieves zero-carbon emissions and it is unknown whether carbon off-setting is required, as contemplated in Policy DM4. Considering the small-scale nature of the development reflected on the plans, it is unlikely that significant carbon off-setting would be required.
- 8.7 It is acknowledged that this point was not argued in the Officer's Report and failure to demonstrate net-zero target emissions contemplated in Policy DM24 was not a reason for refusal. The Council does not seek to add this point as a reason for refusal but nevertheless disputes the Appellant's argument that the development is environmentally sustainable.

### **Amenity**

- 8.8 The Appellant states that the development strengthens local amenity. However, this has not been substantiated, and it is unclear how the development adds to the local amenity.

## **9. Other matters**

- 9.1 The following matters are not material planning considerations but have nevertheless been raised by the Appellant in their Statement of Case. As such and for clarification, they are responded to below.
- 9.2 The Appellant has argued that there were procedural failings on the part of the Council. This serves to confirm that the correct lawful procedures were followed.
- 9.3 The Appellant states that the NPPF "obliges Councils to engage *positively and proactively* with applicants" (Appellant's emphasis). The Council has dedicated

significant time and resources assisting the Appellant with their application and appeal and providing guidance where necessary.

- 9.4 The Appellant has stated in their Statement of Case that the refusal is disproportionate and inequitable. The reasons for refusal are based on policy non-compliance and other material considerations.
- 9.5 The Appellant's interactions their planning agent is not a material planning consideration. The Appellant is ultimately responsible for ensuring the correct planning permissions were in place prior to commencing with development.
- 9.6 Prior to converting the building into residential use, a planning application had not been received by West Berkshire Council.
- 9.7 The Council would exercise their duty of care should this appeal be refused.

## 10. Conclusion

### **Planning balance**

- 10.1 The NPPF (paragraph 189) states that "great weight" should be given to conserving and enhancing the landscape and scenic character of National Landscapes, which have the highest status of protection in relation to these issues. For the reasons set out in the Officer's Report, Decision Notice, and within this Statement of Case, this development detracts from the scenic qualities of the National Landscape. This harm therefore carries great weight in the planning balance.
- 10.2 The development would contribute 1no. dwelling unit to the local housing supply, however, such contribution would not be significant. At the time of writing, West Berkshire Council can demonstrate 5.7 years' supply of deliverable housing sites. Should the housing supply drop below that required by the NPPF, the 'tilted balance' contemplated in paragraph 11(d) of the NPPF would be disengaged due to the harm on the National Landscape. The dwelling's contribution towards the housing supply therefore carries limited weight in the planning balance.

- 10.3 While some environmental gains are evident through the planting of saplings and the use of low-carbon technologies, contrary to the Appellants' claims, it is unclear whether the development is truly sustainable from an environmental perspective as insufficient information has been provided to determine the development achieves net-zero carbon emissions. The environmental gains provided in this development therefore carries limited weight in the planning balance.
- 10.4 The Council acknowledges that fewer trips to the site result from the change of use from a riding school to a dwelling. However, the development is withing a location that heavily relies on private transportation. Housing should be located within settlements containing good access to public transport means. This benefit therefore carries limited weight in the planning balance.
- 10.5 The development provides good on-site amenity for the existing resident, as set out in the officer's report. However, the fewer local amenities and services within this rural location offsets this benefit and it carries neutral weight in the planning balance.
- 10.6 The points addressed under "other matters" are not material considerations and hold no weight in the planning balance.
- 10.7 Having had regard to the benefits and disbenefits of the development, the Council maintain their position that the benefits do not outweigh the harm to the character of the National Landscape. The appeal should therefore be dismissed.

### **Final remarks**

- 10.8 The Officer's report has explained that the development was refused based on the submitted plans. The applicant could rebuild what was demolished and undertake remedial works to revert the development back to the submitted plans.
- 10.9 However, if the Appellant's claims are correct that they have limited savings, it is questionable whether the Appellant would undertake the rebuilding to comply with the planning permission if the appeal is upheld.
- 10.10 Approval of this application would therefore necessitate a second application to lawfully permit what has been developed on site. Without prejudice, it is unlikely that the Council

would come to a different conclusion on landscape impact considering the visual impact of the development has been augmented by the demolitions.

10.11 For the reasons set out in this Statement of Case, the Officer's report and the Decision Notice, the Council maintains that the benefits of the proposal do not outweigh the harm, and the appeal should be dismissed.

# Appendix 1

## APPENDIX 1

Case Officer's first site visit photographs taken 04.04.2025 following validation.

These photographs show the buildings on site and the partial conversion of the north-western stable block. The application sought retrospective permission for the works seen in these photographs. The works to the rear of the building which included space for undercover parking and storage was not shown on the submitted plan.



*Figure 1: View of northern portion of the L-shaped block with the courtyard in the foreground.*



*Figure 2: Residential component to the left (eastern elevation). New UPVC windows, new gutters and downpipe, air source heat pump. Tall impermeable entrance sliding gate to the north installed without permission.*



*Figure 3: Residential component to the left (rear elevation) with the new openings for parking and storage. Stables are beyond. Sheeting material installed to the right along the by-way boundary.*



*Figure 4: Rear elevation of residential component. New openings to the right for undercover parking, new roof sheeting, UPVC windows, guttering, paintwork, timber panelling and flue. Previous weathered roof above remaining stables.*



*Figure 5: View facing the northeastern highway and PROW. Screening material installed lining the boundary.*



*Figure 6: Rear side of stable area of northwestern building (southern elevation). Openings demolished and new structural pillars installed to open area for parking and storage. Weathered roof above. Unpainted stable areas to the right.*



*Figure 7: View looking south with smaller southern stable block to the right (eastern elevation). Uninterrupted views towards the site from the south.*



*Figure 8: Rear of dwelling and L-shaped block. Stable openings to the right and residential component beyond. Screening material along the by-way boundary and new saplings (left).*



*Figure 9: Photo of "Solo Chase" (western neighbour) to show proximity. L-shaped building to the left.*



*Figure 10: L-shaped block's stable area to the left along the western elevation, "Solo Chase" to the right.*



*Figure 11: Southwestern elevation of L-shape stable block. Equestrian appearance. Uninterrupted views towards the south.*



*Figure 12: Western elevation of southern stable block. Uninterrupted views from the east (right).*



*Figure 13: Western elevation of southern stable block. Uninterrupted views from the east and south.*



*Figure 14: Western elevation of L-shaped stable block to the right, "Solo Chase" to the left. Screening material lining the by-way towards the north.*



*Figure 15: View of the northwestern by-way (site on the left).*



*Figure 16: View of northeastern highway looking east from the intersection (entrance sliding gate to the right of this photograph)*

# Appendix 2

## APPENDIX 2

Case Officer's second site visit undertaken 02.07.2025 prior to determination.



*Figure 1: Southeast elevation of the former L-shaped building showing the residential component being extended into the remaining stall area shown on the plans. The walls have been painted and the roof replaced. Large areas of the L-shaped block have been demolished, with the outer walls retained for screening.*



*Figure 2: Southeast elevation where the demolition has taken place. An undercover seating area has been created with a new structural pillar installed. The stable openings have been closed with 2 new window openings installed. The dwelling appears larger than shown on the plans.*



*Figure 3: View of the demolished section of the L-shaped building. Stable openings still evident in the outer walls. Dwelling extension under construction.*



*Figure 4: New southwest elevation showing the retention of the smaller southern stable block (right).*



*Figure 5: Demolished portion of the building and outer walls with stable openings.*



*Figure 6: Demolished area with remaining stable openings.*



*Figure 7: New southwestern elevation. Southern stable block to the right retained. New structural pillar and walls.*



*Figure 8: View from inside the incomplete dwelling extension.*



*Figure 9: Roof structure. New roofing material.*



*Figure 10: New floor under construction.*



*Figure 11: Remaining walls of the southwestern elevation of the former L-shaped building.*



*Figure 12: Taken from the south showing the courtyard. Southern stable block retained (right).*



*Figure 13: Southern elevation of the southern stable block.*



*Figure 14: Northern elevation of the southern stable block.*



*Figure 15: Eastern elevation of the southern stable block. Absence of screening from the south (left).*

# Appendix 3

## APPENDIX 3

Case Officer's second site visit undertaken 02.04.2026 at the time of writing the Statement of Case.

Reports were received that further demolitions were taking place. In light of the submitted appeal, a third (unaccompanied) site visit was undertaken. The site was not entered. Photographs were taken from the surrounding highways and the site's western neighbour, "Solo Chase" to understand the subsequent works undertaken and landscape impact. The track running west/east towards the south of the site offers clear views of the dwelling from a distance as seen by those travelling along this track.



*Figure 1: Southeast elevation of the former L-shaped building (by-way behind) and access to the right of this photograph. Southern stable block demolished. The original stable doors have been bricked up and new window openings created (still under construction). Photograph taken from "Solo Chase" (western neighbour) by the Planning Officer.*



*Figure 2: Views of site looking northwest from the northeastern highway / PROW bordering the site. Uninterrupted views from the south (left). To the right of this photograph, a tall timber panel boundary fence has been erected without planning permission.*



*Figure 3: View of the dwelling from the western corner of the site looking west. Saplings planted in the foreground.*



*Figure 4: Northwest elevation of the demolished portion of the L-shaped building viewed from the By-Way looking south. Only the external walls adjacent to the boundaries remain. The previous stable openings have been enclosed using timber panelling.*



*Figure 5: Tall timber panel fence installed along portion of the by-way without planning permission.*



*Figure 6: View of western elevation seen by "Solo Chase" taken by the Planning Officer. The original stable openings have been enclosed using fabric material with a timber frame. The appearance of this development no longer resembles equestrian use.*



*Figure 7: View of the site looking north taken from “Solo Chase”. The southern stable block reflected on the plans was located where the area of hardstanding shown at the front of the dwelling is to the left of this photograph. There is no screening present when viewed from the southwest (to the right of the photograph). Eastern dwelling “The Ridings” to the right.*