
Appeal Decision

Site visit made on 12 June 2017

by R C Kirby BA(Hons) DipTP MRTPI

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

Decision date: 28 June 2017

Appeal Ref: APP/Q3115/W/17/3166856

Land at Horsepond Road, Gallowstree Common, Reading RG4 9BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Langford against the decision of South Oxfordshire District Council.
 - The application Ref P16/S1634/O, dated 9 May 2016, was refused by notice dated 11 July 2016.
 - The development proposed is five new dwelling houses.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. This is an outline planning application and the application form makes it clear that at this stage all matters are reserved for future consideration. I have treated the submitted drawings as illustrative only.

Main Issue

3. The main issue in this case is whether or not new housing in this location is acceptable, having regard to its effect on the character and appearance of the area which is within the Chilterns Area of Outstanding Natural Beauty (AONB).

Reasons

4. The appeal site is located within an attractive rural area within the Chilterns AONB. The settlement strategy for the area is set out in Policy CSS1 of the South Oxfordshire Core Strategy (CS). Gallowstree Common is identified as a smaller village within the CS. This policy supports limited amount of housing in such villages. This is expanded upon in CS Policy CSR1 which permits new housing in small villages, where it comprises infill development on sites of up to 0.2 hectares in area (equivalent to 5-6 houses); or a rural exceptions scheme where a need is demonstrated. This is subject to a number of matters being adhered to, including respecting national designations such as AONB and protecting local character and distinctiveness.
 5. The text accompanying CS Policy CSR1 defines infill development as the filling of a small gap in an otherwise built-up frontage, or on other sites within settlements where the site is closely surrounded by buildings. Rural exception sites are defined as small sites for affordable housing within or adjacent to villages where housing would not normally be permitted.
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6. The appeal site comprises part of a larger field, close to the built form of the village. The appellants submit that the site is used as an extension of their domestic curtilage for storage. The lawful use of the site is not before me at this stage. The site is open and appears as part of the undeveloped, open land on the edge of the village.
7. In that the appeal site would have woodland on one side and an agricultural field on the other side, it would not fall within the Council's definition of infill development. It does not comprise a small gap in an otherwise built-up frontage. I have not been provided with evidence that this would be a rural exceptions scheme. Accordingly the proposal for 5 new dwellings on the site would conflict with the aims of CS Policy CSR1.
8. However, there is no dispute between the main parties that the Council cannot demonstrate a five-year supply of deliverable housing sites. In such circumstances, the National Planning Policy Framework (the Framework) makes it clear that relevant policies for the supply of housing should not be considered up to date (in this case CS Policy CSR1). Housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 advises that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted. Examples of such policies are included in footnote 9 of the Framework and include those relating to AONB.
9. Paragraph 7 of the Framework identifies that there are three dimensions to sustainable development: economic, social and environmental. The proposal would result in 5 new dwellings upon the site which would make a contribution to addressing the identified shortfall in the supply of new housing in the area. The appellant indicates that 2 of the units would be affordable, but has not provided a mechanism to secure this. Accordingly, I am only able to give this matter limited weight in my consideration of the proposal. The intended future occupiers of the new dwellings would be likely to support nearby services and facilities, including those at Sonning Common. These matters amount to economic and social benefits in favour of the scheme, albeit such benefits would be limited given the number of new dwellings proposed.
10. The appellants submit that the design, build and energy standards of the new dwellings would far exceed those provided by a larger housing developer. Locally distinct materials would be used for the new dwellings. The latest renewable technologies would be utilised, including air source heat pumps, passive solar gain and air tightness. It is submitted that the area is served by high speed internet connection which would allow the intended future occupiers to work from home. Whilst noting that these matters would comprise environmental benefits in favour of a scheme, they are not before me at this outline stage and I therefore attach limited weight to them in my overall Decision.
11. The environmental role of sustainability also includes moving to a low carbon economy. The availability of public transport in the area would provide the intended future occupiers with a real choice of how they wished to access nearby services and facilities, and this weighs in the scheme's favour. The

environmental role also requires the planning system to contribute to protecting and enhancing the natural, built and historic environment. CS Policy CSEN1 has similar aims. Amongst other matters, this policy seeks to conserve and enhance the Chilterns AONB. Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in, amongst other areas, AONB. Such areas have the highest status of protection in relation to landscape and scenic beauty.

12. The open, undeveloped appearance of the appeal site makes an important contribution to the rural setting of the built up part of the village. The introduction of 5 new dwellings on the site, along with hardsurfacing, car parking areas, vehicular access and associated domestic paraphernalia would significantly change the appearance of the appeal site and the contribution it makes to the landscaped setting of the village. The proposal would result in a harmful urbanisation of the area, which would detract from the landscape and scenic beauty of the AONB. Although the existing roadside hedgerow would partially screen the new dwellings from Horsepond Road, they would clearly be seen through a new access into the site. This would be so regardless of their intended design. Reliance on landscaping to screen a site cannot be guaranteed as trees and hedges die or may become diseased over time. In any event, the lack of prominence of new development is not, in itself, a good reason to grant permission for harmful development. This could be repeated too often.
13. The proposal would not conserve the landscape and scenic beauty of the AONB, and would be harmful to the rural setting of the village, which would conflict with the aims of CS Policy CSEN1 and South Oxfordshire Local Plan 2011 (LP) Policies C4, G2 and D1. There would also be conflict with the paragraph 115 of the Framework. The Council has made reference to Policy G4 within its decision notice which relates to the protection of the countryside for its own sake. My attention has been drawn to correspondence between the appellants and the Council whereby the Council accept that the appeal site is located within the settlement of Gallowstree Common. LP Policy D1 is not therefore relevant in this case.
14. In light of my findings above in respect of the harm that would result to the Chilterns AONB, the weighted presumption set out in paragraph 14 does not apply in this case. The proposal would conflict with the environmental role of sustainability because the scheme would not protect and enhance the natural and built environment. Paragraph 8 of the Framework makes it clear that the 3 roles of sustainability should not be undertaken in isolation, because they are mutually dependent. Whilst there would be economic, social and environmental benefits associated with the scheme, these would be limited and would not outweigh the significant harm that would be caused to the landscape and scenic beauty of the AONB and the character and appearance of the area. As such the proposal would not comprise sustainable development.
15. I have had regard to the sensitivity of the landscape character area within which the appeal site is located¹ to new development and the Council's assessment of the Gallowstree Common and its relationship to services and facilities and public transport². However, in this case, and in light of the foregoing, I conclude that new housing on this site would not be acceptable

¹ As set out in the appellants' evidence

² Within the emerging South Oxfordshire Local Plan 2032

because of the harm that would be caused to the character and appearance of the area and the Chilterns AONB. The benefits of the scheme as set out above would not outweigh the harm that would result.

Other Matters

16. The appellants have made reference to other schemes that have been permitted on similar sites in the AONB, but have failed to provide me with any details. I have therefore not considered this matter further. Each planning application and appeal should be considered on its individual merits and this is the approach that I have taken in this case.

Conclusion

17. For the above reasons, and having regard to all other matters raised, the appeal is dismissed.

R C Kirby

INSPECTOR