
Appeal Decision

Site visit made on 23 October 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 13th November 2017.

Appeal Ref: APP/X0360/W/17/3179871

The Great House at Sonning, Thames Street, Sonning RG4 6UT.

- 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 The Great House at Sonning Ltd against the decision of Wokingham Borough Council.
 - The application Ref 163032, dated 31 October 2016, was refused by notice dated 13 January 2017.
 - The development proposed is an 18 space extension to existing "Lower" car park with alterations to access and associated landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for 18 space extension to existing "Lower" car park with alterations to access and associated landscaping at The Great House at Sonning, Thames Street, Sonning RG4 6UT in accordance with the terms of the application, Ref 163032, dated 31 October 2016, subject to the conditions set out in the schedule to this decision.

Preliminary Matters

2. I have taken the description of development from the Appeal Form as this is more comprehensive than the version provided on the Application Form.
3. The Council has confirmed the withdrawal of its fourth reason for refusal.
4. The site and surrounding area are within the Sonning Conservation Area (SCA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
5. The Council has referred to other appeal decisions. However, there is no suggestion that the facts of any one of these cases is so aligned with the facts here that the previous decision indicates that this appeal should be either allowed or dismissed. I have therefore had regard to the various decisions insofar as they are relevant to my consideration of this appeal.

Main Issues

6. These are the effect of the development on, firstly, the character and appearance of the area, and, secondly, trees.

Relevant Policy

7. As the appeal site is located within the development limits of Sonning, the Council accepts that the reference to Policy CP11 of the Core Strategy¹ (the CS) in its first reason for refusal was erroneous. CS Policy CP9 relates to locational sustainability and states that development proposals within limited development locations such as Sonning will be acceptable in principle. Whilst this does not obviate the need to consider the proposal against other relevant policies, it does provide a general presumption in favour of the development and is the starting point.
8. The Council's reasons for refusal rely on CS Policies CP1 and CP3. These seek, amongst other things, to ensure that new development maintains the high quality of the environment and contributes to a sense of place. Policy CC03 of the Local Plan² (the LP) seeks to protect and enhance the Borough's Green Infrastructure networks, including the need to mitigate potential impacts of new development. LP Policies TB24 and TB28 seek to protect heritage assets and their setting.

Reasons

Character and appearance

9. The appeal site is a rectangular plot of land between the existing hotel car park and the footpath along the River Thames. It is laid to grass and largely enclosed by a yew hedge such that it has very little visual exposure in wider views. The proposal involves the change of use of the land to a car park. According to the plans it would measure 15.7m x 24m. To protect the roots of the existing trees, the car park area would be constructed using a "no-dig" method and surfaced with gravel laid over connecting geotextile blocks. According to the Appellant, the additional parking is necessary to support the success of the hotel and restaurant which have been recently refurbished.
10. The Appellant's assessment of the landscape effect of the development is contained in a detailed Landscape & Visual Impact Assessment Methodology report. This concludes that the *"proposed development can be accommodated within this setting without resulting in a significant, long term, adverse impact upon the character of the Site, its immediate context, SCA, nearby heritage assets and the wider landscape context"*.
11. When I conducted my site visit, I walked the surrounding area extensively including the hotel grounds, riverside footpaths and Sonning Bridge and connecting roads. Despite that, the only vantage point of any significance from which to view the appeal site was from within the existing hotel car park. The proposed extension would not be seen in any of the views shown in the Council's Landscape Architects photographs. I cannot therefore agree with the Council that it is a prominent location. The size of the car park would be relatively modest and would be anything but 'expansive'. The hedge around the perimeter of the site as well as the pump house, both of which would be retained, would form a strong visual buffer concealing the car park from public views. On that basis, I do not accept that the surface change would be prominent or result in any harm to the river valley or the SCA.

¹ Full Title: "Wokingham Borough Local Development Framework: Adopted Core Strategy Development Plan Document 2010"

² Full Title: "Wokingham Borough Development Plan: Adopted Managing Development Delivery Local Plan 2014"

12. I accept that once constructed attendant vehicles might be visible but any views would be fleeting and restricted to small gaps through the landscaping particularly in the future as the hedge matures. In effect, one would have to go looking for the cars and they would not draw the eye from the public domain. Even when one was to catch a glimpse of the cars, they would simply be seen against those in the main car park beyond. Hence there would be no intrusion into open views. It is also pertinent that the car park would only be in use when the main car park is at or near to capacity. Consequently, outside the hotel/restaurant's peak hours there would be little or no visual impact and the site's open character would be undiminished. In these circumstances there would be no conflict with the aims of Policy CC02 to *'respects the transition between the built up area and the open countryside'*.
13. Based on the foregoing and irrespective of whether the site is, or is not, within a 'valued landscape', I am satisfied that the car park extension would not cause harm to the character and appearance of the area or nearby heritage assets. It would thus accord with CS Policies CP9, CP1, CP3 and CC03 of the CS and Policies TB24 and TB28 of the LP. There would also be no conflict with the statutory duty under the Act. As I have found no harm to local heritage assets it is not necessary for me to undertake a balancing exercise as required by paragraph 135 of the "National Planning Policy Framework" (the Framework).

Trees

14. The widening of the access to the lower car park would involve the felling of a protected Lime (T7) and Sycamore (T8). I concur with the Council that the trees do make a positive contribution to the area's verdant character and help to soften the visual impact of the hotel car park. However, T8 is of limited aesthetic merit and the Appellant's categorisation of 'poor' has not been challenged by the Council. T7 is acknowledged to be 'moderate' with at least 20 years' life expectancy. There is also no dispute that its loss would result in a perceptible change within the immediate site context. Whilst both trees are visible outside the appeal site boundaries, I did not find them to be prominent since they are seen against the general treescape beyond the appeal site. Accordingly, I find the Council's assessment of the trees and the effect of their removal to be somewhat overstated.
15. The trees are physically constrained by the existing retaining wall, hard surfacing and the structure of the Coach House. They are also located close to people and property something which invariably leads to pressure to fell. With that in mind, and given that the Council has not presented any cogent evidence to rebut the conclusions of the Appellant's Arboriculturalist, I find that the optimum solution in landscape terms would be to remove the trees and to replace them with two advanced lime specimens located along the south-east edge of the car park where they would have sufficient space to thrive.
16. I therefore conclude on the second main issue that subject to a suitable replanting condition, the loss of trees would not be unacceptable. Accordingly, there would be no conflict with Policy CP3 of the CS or Policies CC03, CC09 and TB24 of the LP. Amongst other things these seek to protect and retain existing trees.

Conditions

17. The Council has suggested a number of planning conditions which I have considered against the advice in the "*Planning Practice Guidance*" (PPG). In some instances I have amended the conditions provided by the Council in the interests of brevity and to ensure compliance with the PPG.
18. To provide certainty I have specified the approved plans. Conditions relating to materials and the protection and replanting of existing trees on the site are necessary to preserve the character and appearance of the area. I am satisfied despite arguments to the contrary that a condition, similar to that suggested by the Council requiring the retention of the Yew hedge, would meet the requisite tests set out in paragraph 206 of the Framework. A drainage condition is necessary in the interests of flood prevention.

Conclusion

19. For the reasons given above and taking into account of all other matters raised, I conclude that the appeal should succeed.

D. M. Young

Inspector

SCHEDULE OF CONDITINS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: J-275_A0_03, 686/1/01 rev C, 686/2/01 rev A, J-275_A8_110, J-275_A8_112, J-000275_A8_111/E and J-275_DD_A8_105/B.
- 3) The Yew hedge shown on the approved plans shall be retained throughout the lifetime of the development. If any part of the hedge becomes severely damaged or seriously diseased it shall be replaced with one of similar size and species unless the local planning authority gives written consent to any variation.
- 4) Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority a tree replacement scheme to replace trees T7 and T8. Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the commencement of the use. Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the commencement of the use in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.
- 5) Before the development hereby permitted is commenced, samples and details of the materials to be used to surface the car park shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.
- 6) Before the development hereby permitted is commenced details of flood plain attenuation (that does not result in harm to tree roots) shall have first been submitted to and approved in writing by the local 53 planning authority. Development shall not be carried out other than in accordance