

# Appeal Decision

Site visit made on 6 June 2019

**by D Cramond** BSc MRTPI

**an Inspector appointed by the Secretary of State**

**Decision date: 25 June 2019**

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**Appeal Ref: APP/H1705/W/19/3221311**

**27 Millers Road, Tadley, RG26 4LW**

- 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 Mr Goldstein against the decision of Basingstoke and Deane Borough Council.
  - The application Ref 18/02623/FUL, dated 3 September 2018, was refused by notice dated 21 December 2018.
  - The development proposed is the erection of 1 no 2 bedroom two storey dwelling and new access; erection of garden shed.
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. I use the Council's description of development which is more precise than the application form; I note the Appellant also uses this on the appeal form.

## Main Issues

3. The main issues are the effect of the proposal:
  - i) on public safety, particularly having regard to the Aldermaston off-site emergency planning arrangements; and
  - ii) on the character and appearance of the locality.

## Reasons

4. The appeal property includes a two-storey, semi-detached dwelling with garden areas to rear and side. It is situated within an area of established residential character and unremarkable but fairly pleasing suburban appearance which stems from broadly similar homes and a generally consistent layout pattern. The application site is situated within the Detailed Emergency Planning Zone (DEPZ) surrounding the Aldermaston Atomic Weapons Establishment (AWE). The appeal scheme is as described above, with the new house being proposed for the side garden of the host property.

## *Public safety*

5. As noted above the appeal site lies within a DEPZ. Policy SS7 of the Basingstoke and Deane Local Plan (2011 to 2029) (adopted 2016) (LP) requires development in the land use planning consultation zones surrounding the AWE
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to be managed in the interests of public safety. The policy is clear that development will only be permitted where the Off Site Nuclear Emergency Plan can accommodate the needs of the population in the event of an emergency. The policy requires consultation replies from the Office for Nuclear Regulation's (ONR) Directorate to be considered. The statutory consultee ONR advised against the development unless written confirmation was provided that the proposed development could be accommodated within the existing emergency plan. That is not forthcoming. West Berkshire Emergency Planners and Hampshire County Council Planning & Resilience team both recommended that the application be refused as a result of the impact on the Off-Site Plan. The former has duties for the functioning of the emergency plan under the Radiation Emergency Preparedness and Public Information Regulations (REPPIR).

6. The Council explains that the proposed dwelling would be sited about 1025 metres from the AWE and is within the most densely populated sector found in the surrounds. This location determines that the site is more likely to be subject to urgent evacuation as well as having an increased requirement for short, medium and potentially long term accommodation, which could also include meeting the needs of vulnerable people. With an increase in the number of dwelling units there is a corresponding increase in pressure upon the Off-Site Plan and the resources available to implement this plan in the event of an emergency.
7. I do take the Appellant's point that population will fluctuate and could for example increase with extensions and that the planned home would be a small one. However LP Policy SS7 requires weight to be given to the opinions of consultees and it is clear that the number of dwellings, and any increase to this, is a relevant consideration. One can readily envisage that each individual household would bring with it responsibilities for the relevant agencies in the event of an emergency. Clearly the proposed single additional home would be a low proportion of the total requiring a response, but there would nonetheless be an incremental increase in the number of dwellings affected by an incident.
8. I am not aware of any circumstances as to why the appeal site should be regarded as an exceptional case. If the appeal were to be allowed, this could be an encouragement to other proposals for infill residential proposals in the locality that cumulatively would undermine the general thrust and purposes of Policy SS7 and have significant ramifications for the implementation of the emergency plan.
9. The probability of an incident occurring at AWE Aldermaston is low; nevertheless the proposal would adversely impact on the functioning of the emergency plan in the event of an incident through adding to existing pressures on resources to respond to an incident. It would thereby be in conflict with LP Policy SS7. The additional dwelling would also be in conflict with Paragraph 95 of the National Planning Policy Framework (the Framework) which, amongst other matters, is concerned with the promotion of public safety along with wider security requirements and functioning of operational sites.
10. I should add that I note the passing reference by the Appellant to one-off houses being allowed and the specific approval for one dwelling (14/03008/FUL). I do not have evidence of any of these former dwellings and in terms of the latter it was approved before the time of the adoption of LP Policy SS7. Furthermore, given that emergency planning is a process which is

subject to reviews, it may be that the approach to a relevant aspect has changed over time by West Berkshire Council, the responsible body for preparation of the Aldermaston off-site emergency plan. On the other hand I do also note that some cases with the opposite outcome of around the same vintage are briefly referred to by the Council. I have no extensive details of these either. In any event I must determine the case before me on its own merits.

11. In summary on this issue I am quite clear in my conclusion that there would be conflict with the development plan, that a statutory consultee has advised against development, and that the scheme would run contrary to the Framework; this all carries very significant weight.

#### *Character and appearance*

12. The proposal seen in plan form would be an unusual arrangement with the rear garden for the existing property 'overlapping' behind the new home and a private garden for the latter being provided solely to the side. However both gardens would serve their purpose and be of adequate size. Furthermore the scheme when seen from the street would appear in keeping with the locality in terms of spacing, bulk and the simple suitable design of the new front elevation. From the road this development would not be jarring on the eye or appear ill-at-ease and to this extent it is a thoughtful arrangement to provide an additional home.
13. I can see that the appellant rightly had regard to seek to protect the privacy of neighbours and the garden for the host property. In terms of window disposition this would be achieved. Unfortunately this has led to a design for a rear elevation which would be far from attractive visually and not in any way in accord with the design of local homes or suburban dwellings generally. The blank two storey unadorned edifice of the rear elevation would be an unappealing and out of place phenomenon and could not be classed as good design. There would be no upper floor windows on side elevations either and in sum the restricted aspect of this house and the sheer proportion and siting of unrelieved upper level brick work would be out of character locally and not something which people living locally would enjoy as part of their outlook. The house would be a visually alien one from certain perspectives.
14. LP Policies EM1 and EM10 are relevant. Taken together and amongst other matters they seek to secure development which would display good quality design, reflect local distinctiveness, and contribute positively to the quality of an area. I conclude that the appeal scheme would run contrary to these policies. The Council also cites conflict with pertinent principles within the Tadley Design Statement 2004 and the Design and Sustainability Supplementary Planning Document 2018. I would conclude that the relevant design objectives of these documents would be also be breached by the scheme in hand but it must be acknowledged that guidance in these publications cannot be expected to cover every detailed eventuality.

#### *Other matters*

15. I can appreciate the Appellant's wish to develop a new home within this plot given its longer than normal street frontage and unusual side garden. The creation of a new house taken in its own right would bring modest economic and a degree of social benefits and would make a small contribution to housing

supply and to all of this I would attach some limited weight. I do recognise the pattern of development locally which was drawn to my attention and it will be noted that in streetscene terms I have not raised concerns. I recognise that the scheme has considered retention of privacy and note that local residents did not object on this basis. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issues identified above.

*Overall conclusion*

16. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on public safety and the character and appearance of the locality. Accordingly the appeal is dismissed.

*D Cramond*

INSPECTOR