



Appeal Decision

Site visit made on 22 March 2019

by J Alderman BA(Hons) MA MRICS

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/W0340/W/18/3218589

Greenbanks, The Ridge, Cold Ash, Thatcham RG18 9HZ

- 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 James Sorrentino, Lightwood Property, against the decision of West Berkshire Council.
 - The application Ref 18/01865/FULD, dated 2 July 2018, was refused by a notice dated 24 October 2018.
 - The development proposed is the erection of 8 dwellings (6x4bed houses, with rooms in the roof and 2x2bed maisonettes), including two new access points off The Ridge and one new access off Collaroy Road.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Additional plans were submitted as part of the appeal. These are AAL-16-234-P04, 'A' Plots 1-3 - Proposed Floor Plans & Elevations and AAL-16-234-P07, 'A' Street Scenes. These appear to show minor amendments to the appearance of plots 4 - 7 and the introduction of carports to plots 1 - 3. No evidence has been provided to demonstrate the purpose of these amendments. The Council has had the opportunity to comment on these plans. As I can see no reason why any party would be unfairly prejudiced, I have had consideration to these submitted drawings as well as the plans submitted with the planning application 18/01865/FULD in determining this appeal.
3. The appellant has provided additional information within their appeal statement regarding an automated traffic survey carried out after the Council's decision to refuse the planning application. As the Council has had an opportunity to comment upon this evidence I have allowed this evidence and had regard to it in determining this appeal.

Main Issues

4. The main issues are:
 - (a) The effect of the proposed development on the character and appearance of the area;
 - (b) the effect of the development on highway safety, with reference to vehicle manoeuvres;

(c) the sustainability of the development in relation to pedestrian access and the use of motor vehicles; and

(c) whether or not affordable housing should be provided.

Reasons

Character and appearance

5. The appeal site is within the boundaries of the village of Cold Ash. It is located on the corner of The Ridge and Collaroy Road, whilst being situated outside the village centre. The Ridge, in the vicinity of the appeal site, is characterised by predominantly two storey detached dwellings in fairly large plots of a mix of age and styles. Properties are generally set back from the road with front gardens creating a green buffer, with mature trees and hedges at their boundary with the road. This gives the Ridge a rural feel. At the time of my visit I noted that there was a regular flow of traffic passing along the Ridge. Collaroy Road runs down the side of the appeal site. It is narrower and a more minor road. It is similarly wooded, with individual properties situated along the road which are generally screened by trees and hedges.
6. The appeal site is located in the garden of a property called Greenbanks. This is a large plot which has a reasonably steep gradient dropping down alongside Collaroy Road. There appeared to have been some recent evidence of cutting of trees and hedges on the site. Greenbanks is a chalet style bungalow currently accessed from an entrance on the Ridge.
7. The proposed development would comprise eight homes, three detached properties, three semi-detached properties and two maisonettes, with associated gardens and parking provision. The properties are designed as three storey dwellings with the topography of the site being used to create the impression of two storey height at the front. The site would have three entrances to enable access for parking, two from the Ridge and one from Collaroy Road.
8. The positioning on the site of the properties, at the front of the plots, would result in a dominant development when viewed from Collaroy Road and would conflict with its rural character where properties are generally set back. The proposed development would appear cramped and of higher density than the properties surrounding it. It would also present a bulk and massing that would fail to blend in with the street scene, which is that of rural roads with trees and mature hedgerows. This harm would be reinforced by the prominent corner location of the proposed development and the proposed three-storey height, particularly of plots 7 and 8, which would be more visible as they adjoin the corner.
9. The apparent removal of some trees and hedgerows from the site has created a more open and exposed aspect. The retained hedgerow would lack the density and height of the surrounding trees and hedgerows and would not blend well with the character of its surroundings. This would add to the increased prominence of the proposed development and would have a detrimental effect on the rural appearance of the area.
10. The proposed layout and design allows for very little space for screening. . Although there would be screening between the two groups of parking spaces, overall the boundary treatments would be insufficient and would not offset the

appearance of an overly developed site that would be unsympathetic to its immediate surroundings.

11. The properties on the other side of Collaroy Road to the appeal site, as referred to by the appellant, are set back further on their plots and there are a number of mature trees along the boundaries which soften their impact. The development at Sunnyside, some distance along Collaroy Road is an area where the frontages are more open and properties are generally closer to the road than those in the vicinity of the appeal site.
12. It is my conclusion that due to the position and the extent of the development it would appear incongruous and out of place within its rural surroundings. This would cause harm and would be detrimental to the character and appearance of the area. It would thus fail to comply with Policy CS1 and CS14 of the West Berkshire Core Strategy 2006–2026 (2012), with the latter requiring new development to respect and enhance the character and appearance of the area. It would also fail to accord with Core Strategy Policies CS19 and Area Delivery Plan Policy 1 (ADPP1) which are concerned, amongst other things, with the design of new developments. It would not comply with Policy CS18 which deals with the impact on green infrastructure. Policies C1 and C5 of the West Berkshire Council Housing Site Allocations Development Plan Document(HAS - DPD) include Cold Ash as an area where development can be directed, however, development must comply with other policies within the Core Strategy which this proposal does not. Finally it would not adhere to the guidance in the West Berkshire Supplementary Planning Document 'Quality Design' and Cold Ash Village Design Statement, which seek to ensure development enhances the character and appearance of the local area.

Highway Safety

13. The design of the development would provide for two points of access onto The Ridge and one point of access onto Collaroy Road for plots 1- 3. The Council Highways Officer's concern relates to the latter and the ability of vehicles to manoeuvre so that they do not need to reverse onto the highway when leaving the site onto Collaroy Road. The appellant accepts that more than a three-point turn may be required and that plot 1 would need vehicles to leave in sequence to enable exiting in forward gear. I have no evidence before me as to the turning sweep on the individual plots or how these highway safety concerns could be overcome. However, it would be very probable in practical usage that the occupants of these properties would reverse vehicles out rather than undertaking complex manoeuvres. The entrance to the proposed development would be close to the junction with The Ridge and even though traffic speeds may be lower, vehicles approaching the junction from Collaroy Road or turning from the Ridge would be confronted with a reversing vehicle. This would be not be in the best interests of highway safety.
14. The appellant has provided evidence of traffic movements in the area and although these show traffic movements are at a fairly modest level in Collaroy Road, increasing at peak times, this would not negate the hazard identified. The appellant contends that parking of one vehicle on Collaroy Road would not create a hazard, however, Collaroy Road is a narrow road and traffic traversing the corner would not expect a parked vehicle, given that most properties have adequate drives and street parking does not seem to be common practice.

15. I conclude that the proposed development would have a harmful effect on highway safety and would be in conflict with Policy CS13 of the Core Strategy, which requires developments to demonstrate how they mitigate their impact on the local transport network. It also does not comply with the National Planning Policy Framework 2019 (the Framework) paragraph 108, which states that in assessing sites for development, safe and suitable access should be ensured and paragraph 109 which relates to highways safety. TRANS.1 of the Saved Policies of the West Berkshire District Local Plan (1991-2006 (Saved Policies 2007)) (LP), from the extract provided seems primarily to relate to promoting sustainable transport modes and is therefore not directly relevant.

Sustainability

16. The Ridge and Collaroy Road do not have pavements immediately adjacent to the site. The Highway Officer has contended that this lack of pavement would create dangers for pedestrians from the development site accessing the bus stop, school and village facilities. It is the case that for pedestrians walking along a road without pavements there is an increased risk to their safety. It may also encourage them to use a vehicle for these journeys.
17. Within their appeal statement the appellant has provided some details of other recently developed properties which similarly do not benefit from such infrastructure. However, I have been provided with limited information regarding these properties and the Council in some cases have provided reasons why pavements were not required. In any event each development must be addressed on its own merits.
18. The appellant has also suggested that there would be the possibility to make use of nearby bridleways and public rights of way, however, this would not always be possible in bad weather and at night.
19. Due to the rural nature and narrowness of parts of the road network and the lack of designated cycling ways this mode of transport could also be hazardous for future occupants. Although apparently there have been no accidents in the area to date this does not mean that with increased usage by pedestrians and cyclists, they might not occur in the future.
20. It is not clear from appellant's submission how healthy, safe and sustainable travel is promoted by the proposed development. It therefore fails to comply with saved Policy TRANS 1 of the LP and Policy CS13 of the Core Strategy, the latter of which requires development that generates a transport impact to demonstrate good access to key services and facilities and promotes safer and healthy travel.

Affordable Housing

21. There is a high level of affordable housing need according to information provided by the Council from their Strategic Housing Market Assessment¹, which shows unmet housing need within West Berkshire of c3600 households, 52% of whom were unable to afford market housing. When taken along with the number of newly forming households who require affordable housing this equates to a need for c1200 affordable dwellings per annum. Whilst this data is from 2013, there is nothing to indicate that the position has improved. House

¹ The Berkshire (including South Bucks) Strategic Housing Market Assessment Final Report dated February 2016

- prices are also above the national average in Cold Ash, which impacts considerably on affordability.
22. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination of planning applications should be in accordance with the development plan unless material considerations indicate otherwise.
23. In coming to my decision, I have applied significant weight to Paragraph 63 of the Framework which states that on sites that are not major development sites (defined as less than 10 units) affordable housing is not a requirement. This is a material consideration of considerable weight and importance. However, the Council's affordable housing policy, Policy CS6 of the Core Strategy requires that on sites of between five and nine dwellings a contribution of 20% affordable housing is required. In this case it would amount to 2 units being designated as affordable homes. Policy CS6 is consistent with the Framework in that it meets the requirements of paragraphs 61 and 62 which state that policies should cover affordable housing.
24. There is no information to suggest that the viability of the development would be threatened as a result of affordable housing provision and indeed the Design and Access Statement submitted by the appellant concurs that two units of affordable housing would be required. There is also no evidence before me to demonstrate that the affordable housing requirement for sites of less than 10 houses is having an adverse effect on small developers in the area leading to a reduction in housing supply.
25. Therefore, given the high level of affordable housing need demonstrated and the limited adverse impacts, I do not find a reason why the Development Plan should be outweighed in this instance. As a result, the proposed development fails to comply with the Core Strategy Policy CS6 in relation to the requirement for affordable housing. Policy CS5, refers to the provision of infrastructure and as such is not directly relevant to this proposal.

Other Matters

26. The appellant has drawn my attention to other planning permissions that have been granted, which could provide some similarity to the appeal proposal. Two of the examples are single dwellings (ref: 08/02016/FULD and 08/02200/FULD), which would seem to be set back from the road with trees and hedges along their boundary and as such do not have the impact that the proposed appeal development would. The other examples relate to various developments, some of which appear with a greater degree of landscaping or are less prominently positioned. These developments are however of a smaller scale, in terms of number of dwellings and as such their impact is not comparable to the proposed development in this case.
27. In any event, the setting of each site must be seen within its surroundings, therefore the impact on the character and appearance of an area is unique to that development. Each site must be judged on its own merits and against the relevant policy.
28. I have also considered whether the appeal proposal would be consistent with the social, economic and environmental dimensions of sustainable development, as set out in paragraph 8 of the Framework. I have found that the proposed development would harm the character and appearance of the

area and would fail to provide affordable housing, placing it in conflict with the environmental and social dimensions of paragraph 8. Whilst the development would add to the vitality of the local community and economy and to the mix of housing type within the area, these benefits of the scheme do not outweigh the environmental and social harm that I have identified above. Furthermore, having considered all of the policies drawn to my attention the harm identified arising from the development leads me to conclude that there is conflict with the development plan as a whole and I find the scheme is not sustainable development.

Conclusion

29. Therefore, for the reasons given above and taking into account all other matter raised, I conclude that the appeal should be dismissed.

J Alderman

INSPECTOR