



Appeal Decision

Site visit made on 10 September 2019

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2019

Appeal Ref: APP/Q3115/W/19/3230516

Kempwood, Reading Road, Cane End, Reading RG4 9HG

- 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 & Mrs W Skinner against the decision of South Oxfordshire District Council.
 - The application Ref P18/S3616/O, dated 18 October 2018, was refused by notice dated 14 January 2019.
 - The development proposed is erection of 2 new dwellings, with all matters reserved except access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal is for outline planning permission with all matters reserved except for access. Though layout and scale are reserved matters, an indicative site plan and indicative elevations were submitted with the application and where relevant I have had regard to these in reaching my decision.

Main Issues

3. The main issues are:
 - whether the site is a suitable location for housing having regard to local and national planning policy;
 - the effect of the proposal on the character and appearance of the area including on the Chilterns Area of Outstanding Natural Beauty (AONB).

Reasons

Suitable location for housing

4. The appeal site comprises a vehicular access off the A4074 which serves a number of existing dwellings together with part of an undeveloped agricultural field. It is positioned between a number of residential buildings which I understand all previously formed part of the property known as Kempwood.
5. Cane End is identified as an "other village" in the South Oxfordshire Core Strategy December 2012 (CS) and from my observations appears to be a small village largely comprising ribbon development with buildings being positioned

- intermittently along either side of the A4074. A number of buildings are set some distance back from the road.
6. Policy CSR1 of the CS allows for infill housing development in “other villages” on sites of up to 0.1 hectares with infill being defined 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”. I am satisfied that Policy CSR1 is consistent with the National Planning Policy Framework (the Framework) when taken as a whole.
 7. It does not appear from the evidence that there is any dispute between the parties that the site area is below 0.1 hectares and that existing development along this particular part of the A4074 is located within the settlement of Cane End. However, I note the Council’s view that the appeal site itself includes open countryside.
 8. Having regard to the position of existing buildings adjacent to the appeal site relative to the road and to each other, the proposal would not constitute the filling of a small gap in an otherwise built-up frontage. With the exception of Kempwood and Home Barn which is positioned to the north west of the appeal site, all other nearby buildings, including Manton House to the east of the site, are set back from the road meaning that there is no built-up frontage within which the proposed dwellings would be positioned. Although I note that the front gardens of some of the nearby dwellings are positioned closer to the road than the buildings, gardens do not form a built-up frontage.
 9. With regard to the second part of the definition of infilling, the appellants have drawn my attention to an appeal decision relating to another site within the same district where the Inspector considered the issue of infilling (Ref APP/Q3115/W/18/3210178). I have been provided with a copy of the decision and note that unlike the proposal before me, the example proposal was for an outbuilding in the Green Belt and whilst the Inspector considered the issue of infilling, there was no consideration of CS Policy CSR1. Therefore, whilst I note the comments made by the Inspector regarding infilling, given the differences between the proposals and the fact that I have limited information about the example proposal in terms of its particular location relative to surrounding buildings, I attach limited weight to the appeal decision. In any event, I must determine the proposal before me on its own merits.
 10. Though there are other buildings positioned to the side and near to the appeal site, it cannot be said to be “closely surrounded by buildings”, with no buildings being positioned either to the front or rear of it and Manton House being set well back from the road and positioned some distance away. Therefore, even if I were to conclude that the undeveloped part of the appeal site is within the settlement of Cane End, the proposal does not fall within the definition of infill as set out in the CS.
 11. Taking the above matters into consideration, I conclude that the site is not a suitable location for housing having regard to local and national planning policy. The proposal is therefore contrary to Policy CSR1 of the CS which seeks to control the scale and nature of new housing in villages. It is also contrary to relevant paragraphs of the Framework. Although the Council’s reason for refusal also refers to a number of other policies such as CS policies CS1 and CSS1 and Policy G4 of the South Oxfordshire Local Plan 2011 adopted January 2006 (LP), the proposal does not appear to be in direct conflict with

these policies which seek, amongst other things, sustainable development, an overall strategy for the area and to protect the countryside.

Character and appearance

12. As stated, the appeal site largely comprises an undeveloped piece of land which forms part of a wider agricultural field. The site, together with surrounding land, falls within the AONB and is open in character allowing views into the open countryside between and beyond existing built development. The position of the existing and proposed access is such that notwithstanding that there is existing mature landscaping adjacent to the road frontage near to the site, it is visible from the road and positively contributes to the rural setting of the settlement.
13. The construction of two dwellings on the site would inevitably lead to a reduction in openness and a change to the existing rural character and appearance of the site. This would be harmful to the character and appearance of the area and would not conserve the landscape and scenic beauty of the AONB. Although the rear boundary of the appeal site does not extend beyond the building line and curtilages of a number of nearby buildings and whilst additional landscaping and the particular design and layout chosen could help to assimilate any new dwellings into the surrounding landscape, this would not adequately mitigate the harm that would result from the proposal for two new dwellings on the site.
14. Similarly, the fact that other developments have been permitted within the settlement that are also within the AONB and that CS Policy CSR1 does not exclude the principle of new dwellings in the AONB does not mean that objections cannot be raised to the proposal on the grounds that it would be harmful to the AONB. CS Policy CSR1 states that all developments should conserve and enhance the natural beauty of the AONB.
15. Taking the above matters into consideration, the proposal would adversely affect the character and appearance of the area and would fail to conserve the landscape and scenic beauty of the AONB. It therefore conflicts with policies C4, G2 and D1 of the LP, Policy CSEN1 of the CS and relevant paragraphs of the Framework. These policies require, amongst other things, development proposals to respect landscape character and to conserve AONBs.

Other Matters

16. The proposal would provide two additional dwellings and would make a modest contribution to housing supply in the area. However, the economic and social benefits likely to result from the proposal would be limited given the relatively small scale of the development and these would not outweigh the harm that I have identified.

Conclusion

17. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR