
Appeal Decision

Site visit made on 15 October 2019

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 14 November 2019

Appeal Ref: APP/X0360/D/19/3234156

Peri, Loddon Drive, Wargrave RG10 8HD

- 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 Mrs Catherine Abbott against the decision of Wokingham Borough Council.
 - The application Ref 190979, dated 5 April 2019, was refused by notice dated 19 June 2019.
 - The development proposed is a re-submission for application 183403 (permission required for erection of garden studio).
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area, with particular regard for the open countryside, and
 - the potential for flood risk.

Reasons

Character and appearance

3. The appeal property is located along the banks of the River Loddon and is within the open countryside to the west of Wargrave. The site is currently subject to a large centrally located modern dwelling, raised above the ground to allow for flood waters, a raised garage with a long ramp to the north east, and an open gazebo in the rear garden at ground level. The majority of the rear garden backing onto the river remains open and uninterrupted by any buildings or structures, other than the reinforced bank of the river which serves as a deck and pontoon.
4. The appeal property and surrounds appear remote, peaceful and spacious within the countryside setting. Development in the area is characterised by large dwellings and associated structures of high quality design, concealed from public view within their spacious properties. The area maintains this open countryside character and appearance despite the presence of residential development in the area. This is due in part to the large size of properties, the location of development away from the street scene, the extent of vegetation along Loddon Drive screening development, and open views along the river.

5. The proposed outbuilding would be located close to the river and the front boundary. The location is such that the proposal would introduce a prominent built feature within the rear garden, interrupting the spacious countryside character along the River Loddon and along Loddon Drive by unduly expanding the residential extent. Combined with the height of the proposed outbuilding it would also achieve a harmful sense of overbearing within the street scene. The proposed planting to establish a living roof and wall, and landscaping around the building, would offer some relief but not to an extent that would meaningfully overcome the significant overbearing and visual disturbance described.
6. The appellant makes reference to a neighbouring outbuilding on the opposite side of Loddon Drive as a suggested precedent. Specific details have not been provided regarding what basis the subject outbuilding was allowed and as such I can give this little weight. Irrespective, I do not consider this example to be directly comparable to the proposal as it is located further away from the street scene and has a significantly lower height, appearing less prominent than the appeal proposal. The appellant also makes reference to appeal decision APP/X0360/W/15/3137354 which sought to reinstate permitted development rights removed by condition at "Watershed" on Loddon Drive. The appellant suggests that the decision concluded that character and appearance are not adequate grounds to refuse outbuildings in the open countryside. However, the decision specifically notes that the erection of outbuildings may erode the spacious characteristics which complement the open riverside appearance, which alone would be basis to restrict such development. Notwithstanding either of these points, I have considered the proposed development based on the evidence before me and on its own merits.
7. Accordingly, the proposed garden studio would harm the character and appearance of the surrounding area, with particular regard for the open countryside. It would therefore conflict with Policies CP1, CP3 and CP11 of the Wokingham Borough Core Strategy (CS) (adopted January 2010), Policy CC02 of the Wokingham Borough Managing Development Delivery Local Plan (LP) (adopted February 2014) and Paragraph 127 of the National Planning Policy Framework (the Framework). Collectively these policies seek, amongst other things, to ensure that design and location of development in the open countryside does not harm the landscape character and appearance of these areas by excessively expanding or encroaching away from existing buildings.

Flood risk

8. The appeal property is wholly located within Flood Zone 3 of the Environmental Agency's mapping, described as a functional flood plain (Zone 3b) by both parties. The proposed development would represent minor development in accordance with Paragraph 46 of the Flood Risk and Coastal Change Planning Practice Guidance (PPG). Paragraph 47 of the PPG specifies that minor development would generally not amount to significant flood risk concerns unless, amongst other things, the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows. Both Policy CC09 of the LP and Paragraphs 155 and 163 of the Framework reflect this by specifying that development should only be supported where it would not increase flood risk in any form elsewhere.

9. The Flood Risk Supporting Statement (FRSS) submitted by the appellant updates an earlier Flood Risk Assessment (FRA) prepared as part of a separate application for a similar development proposal on the site (App Ref 183403). The FRSS confirms that the proposed garden studio would still displace flood plain storage during the 1:100 annual probability events plus the three climate change scenarios (+25%, +35% and +70%), increasing flood risk elsewhere. I acknowledge the appellant's suggestion that the loss of flood plain storage could be considered negligible as it would equate to a small increase over the wider catchment area. However, it would still constitute a worsening of the flood plain conditions and would contribute towards incremental harm resulting from such development encroaching into the flood plain.
10. I note that the appellant suggests that compensatory flood storage works could be carried out within the appeal site to offset the loss resulting from the proposed development. However, specific details as to what these works would equate to on site have not been provided. The FRSS and FRA identify two mounds of soil which could be removed from the site to achieve the necessary compensatory works, however both parties have confirmed, as can I from my site visit, that the mounds no longer exist and that the FRSS and FRA recommendation is based on an outdated topographical report. The appellant suggests that these mounds were removed from the site and as such would equate to a lesser need for compensatory works than identified in the FRSS. There is no evidence to support this claim and it is just as likely that the soil has been used elsewhere on site as part of grading or landscape works.
11. The appellant also refers to two planning decisions in the area which are suggested to represent a precedent in favour of the proposed development in Flood Zone 3. Based on the details provided I am unable to ascertain the specific circumstances by which these decisions were reached and can therefore attribute little weight to them. However, based on the information provided I am satisfied that these cases are not directly comparable to the circumstances under this appeal. Notwithstanding this, these decisions themselves lend weight to the concern towards incremental harm resulting from increased development within the flood plain. Irrespective, I have decided the appeal before me based on the evidence provided and on its own merits. Accordingly, in my judgement the appellant has not adequately justified the proposed loss of flood storage and consequently the increased flood risk elsewhere.
12. Accordingly, the proposed garden studio would result in the loss of flood plain storage within Flood Zone 3, giving rise to potential flood risk elsewhere. It would therefore conflict with Policies CC09 and CC10 of the LP and Paragraphs 155 and 163 of the Framework. Collectively these policies seek, amongst other things, to ensure that development is not located within identified areas of flooding unless appropriate and that no worsening of flood risk would occur as a result of the development.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

J Gibson

INSPECTOR