



Appeal Decision

Site visit made on 21 January 2020

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 April 2020

Appeal Ref: APP/W0340/W/19/3240786

2 Worlds End, Beedon, Newbury, Berkshire RG20 8SB

- 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 Amanda Bicknell against the decision of West Berkshire Council.
 - The application Ref 19/01322/FULD, dated 14 May 2019, was refused by notice dated 10 July 2019.
 - The development proposed is to construct a 2 bedroom detached house with associated access and car parking on vacant garden land to the north of the existing house.
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Decision

1. The appeal is allowed. Planning permission is granted for a 2 bedroom detached house with associated access and car parking on vacant garden land to the north of the existing house at 2 Worlds End, Beedon, Newbury, Berkshire RG20 8SB in accordance with the terms of the application, Ref. 19/01322/FULD, dated 14 May 2019, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are: (a) whether the proposal would be in an appropriate location with particular regard to the proposal's effect on the character and appearance of the settlement and (b) the impact of the development on the living conditions of neighbouring occupants.

Reasons

3. The appeal relates to a semi-detached house within a row of dwellings in the settlement of Beedon which is outside of any designated settlement boundary. The proposed house would be sited in the side garden next to 59 Worlds End. The site is within the North Downs Area of Outstanding Natural Beauty (AONB).
4. Policy C1 of the West Berkshire Housing Site Allocations DPD (2017) (HSA) states that in settlements in the countryside with no defined settlement boundary, limited infill development may be considered if it complies with four specified criteria. The proposal would clearly comply with criteria (i) and (iii) in that it would be within a closely knit cluster of 10 or more existing dwellings adjacent to or fronting an existing highway and it would not extend the existing frontage. Criterion (ii) states "*the scale of development consists of infilling a small undeveloped plot commensurate with the scale and character of existing dwellings within an otherwise built up frontage*" and criterion (iv) specifies "*the*

plot size and spacing between dwellings is similar to adjacent properties and respects the rural character and street scene of the locality".

5. The gap between nos. 2 and 59 Worlds End at some 28m is considerably greater than gaps between other dwellings in the row on this side of the road. The Council states that there would be a gap of only 3.3m between the proposed and existing dwellings; but there would be the width of two parking spaces and some garden between the buildings. The appellant's figure of 7.24m is more realistic. There would be gap of about 16m between the proposed house and 59 Worlds End. There is variation in separation distances between dwellings in the row with some similar to or less than that between no.2 and the proposed house, for example to either side of Garden Cottage. The spacing between dwellings proposed would respect the rural character and street scene of the locality.
6. The resultant plot sizes and garden areas retained for no.2 and for the proposed house would be smaller than most in the row but comparable to some such as at 68 Worlds End and High House. The gardens would be suitably located to the rear of both dwellings and would be of adequate size. The resultant plots sizes would not be unduly small, cramped or incongruous when compared with others in the row.
7. Whilst most dwellings in the row are of modest proportions, albeit several with extensions, the row presents a mixture of building forms and designs with some sited close to the road and other set back. Most dwellings nearby are semi-detached houses, but there are a few detached. Many have a gable end roof to a flank wall but there are other roof forms. The proposed detached house would have a gable roof facing the road, so would depart from the predominant roof form, but it would resemble the detached dwelling High House in this respect. The scale and form of the proposed dwelling would be in keeping with the mixed character of the built up frontage to the road. The proposal would thereby satisfy criteria (ii) and (iv) to Policy C1.
8. The design of the dwelling would reflect that of a traditionally constructed cottage with lowered eaves, brick detailing around the windows, a chimney and small side dormers. Red bricks and plain tiles to the roof would also be suitable and sympathetic to materials used elsewhere in the street. The design would have a satisfactory impact individually and collectively on the landscape character of Beedon and on the wider AONB. The proposal would thereby comply with Policy C3 of the HSA in respect of the design of housing in the countryside. It would also be compatible with Policies CS14 and CS19 of the West Berkshire Core Strategy (2012) which requires design to be appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. There would no conflict with the design provisions of the National Planning Policy Framework (the Framework). Nor would there be with the the West Berkshire Quality Designs Parts 1 and 2 SPDs (2006) in relation to the massing, setting and detailing of the proposal.
9. The Council has referred to recent appeal decisions in support of their case¹. However, their site circumstances differ from the current appeal in that the first case did not relate to a cluster of 10 or more dwellings and the second² case related to 85 dwellings in an open agricultural field.

¹ APP/W0340/W/18/3207331 - Land adjacent to Thatchers, Chapel Row, Reading

² APP/W0340/W/16/3153899 - Land South of Garden Close Lane, Newbury

Living conditions

10. There is disagreement between the parties on the dimensions of the proposed house, but it would be in the region of 7m high and 11m long. The house would be sited to the north of no.2. There would be no overshadowing or loss of sunlight for no.2 as a result of the development. With a separation distance of some 7m to no.2 there would be a negligible impact on daylight.
11. The habitable rooms and kitchen at no.2 have their main outlook to either the front or rear of the house. To the flank facing the proposed house there are ground floor secondary windows to a dining room, a half glazed door to the kitchen, a porch window and at first floor level windows to a landing, bathroom and to a dual aspect bedroom. Whilst the house would be visible from some of these openings, given the main front to rear orientation of windows and the house's relatively low lying profile, there would not be a significant overbearing impact on the occupiers of no.2. As the separation distance to 59 Worlds End to the north-east would be greater, the proposal would not result in any adverse impact on living conditions at this neighbouring dwelling.
12. The proposal would thereby be in accordance with Policy CS14 which requires the design of development to make a positive contribution to the quality of life in West Berkshire. It would also be compatible with Paragraph 127 of the Framework that requires development to promote health and well-being with a high standard of amenity for existing and future users.

Other matters

13. A total of 5 parking spaces would be provided for the two dwellings. These would utilise the existing vehicular access. I am satisfied that there would be sufficient parking, adequate visibility from the access and that the proposal would be satisfactory in respect of highway safety.
14. The proposal would have the benefit of providing an additional housing unit to contribute towards the general housing need. Whilst it would not be located in accordance with settlement hierarchy priorities set by Policy CS1, it would satisfy criteria set for housing outside of designated settlement boundaries.

Conclusion

15. For the reasons given and having regard to all other matters raised the appeal is allowed subject to conditions. In addition to the standard 3 year commencement condition, a condition is included requiring the development to be carried out in accordance with the approved plans for certainty and to enable the approval of minor material amendments should this be expedient. To ensure a satisfactory appearance to the development a condition is needed to approve samples of the specified external materials. As neighbouring dwellings are close, a condition would be appropriate to control hours of work during construction to limit noise nuisance for neighbouring residents. The Council's suggested condition on sustainable drainage is necessary to reduce the risk of flooding. A condition is necessary to ensure the provision and retention of the proposed access, parking and turning arrangements to ensure the proper operation of the site. Finally, in the interests of visual amenity, conditions are necessary to safeguard existing trees to be retained on the site through protective fencing and to ensure the replacement of any trees and shrubs that die.

Rory MacLeod

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 58929:1C, 58929:2C, 58929:3C, 58929:4C, 58929:5C, 58929:6C and 58929:7C.
- 3) No development above ground level shall commence until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.
- 4) No development above ground level shall commence until a scheme of surface water drainage has been submitted to and approved in writing by the local planning authority. The scheme shall incorporate sustainable drainage principles to deal with surface water runoff from the roof of the dwelling hereby permitted and within the application site. The dwelling hereby permitted shall not be first occupied until the surface water drainage scheme has been implemented in accordance with the approved details. The approved method of surface water drainage shall be retained thereafter.
- 5) The dwelling shall not be occupied until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall always thereafter be kept available for parking of private motor vehicles.
- 6) Demolition or construction works shall take place only between hours of 7.30 am to 6.00 pm on Mondays to Fridays, 8.30 am to 1.00 pm on Saturdays and no work shall be carried out on Sundays or on Bank or Public Holidays.
- 7) Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified within Venners Arboriculture Tree Survey Report and accompanying plans dated April 2019. Within the fenced area, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.
- 8) All landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including plan ref: 58929:2C Proposed Landscaping. Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.