



Appeal Decision

Site visit made on 7 January 2020

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 April 2020

Appeal Ref: APP/H1705/W/19/3225175

1 Hillcrest, Tadley, Hampshire RG26 3JB

- 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 Ash Tankaria against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 19/00027/FUL, dated 29 December 2018, was refused by notice dated 27 February 2019.
 - The development proposed is described as 'Demolish existing conservatory construct attached one bedroom dwelling'.
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

Public safety

3. The appeal site ('the Site') comprises land associated with and to the west of 1 Hillcrest ('No 1') a three-storey, end-terrace dwelling. No 1 and the Site are situated within the Detailed Emergency Planning Zone (DEPZ) surrounding the Aldermaston Atomic Weapons Establishment (AWE).
4. 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 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 (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) to be considered. In this case 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 and Resilience team both recommended that the application be refused as a result of the impact on the Emergency Plan. The former has duties for the

functioning of the Emergency Plan under the Radiation Emergency Preparedness and Public Information Regulations.

5. The production of the Emergency Plan is a statutory requirement of the Radiation Emergency Preparedness and Public Information Regulations 2001 and sets out the contingency arrangements for a multi-agency response should a radiation emergency occur at AWE and pose a hazard to the public outside the site boundary.
6. Despite the existence of nearby commercial uses, the Council has confirmed that the site is located approximately 865m from the AWE site boundary and is within Sector H which is the most densely populated sector. 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 Emergency Plan and the resources available to implement this plan in the event of an emergency.
7. Notwithstanding its modest scale (a single one-bedroom dwelling) the development would result in an uplift in residents in an already densely populated area of Tadley which would need to be supported in shelter conditions, or if having to be evacuated, would add to the number of people requiring support in a locality which the Council already considers to be a busy area.
8. My attention has been drawn to other sites that have been granted planning permission for housing within the AWE Zone. Most of these sites are for single dwellings (net increase). Whilst each application is determined on its individual merits, on the available information, in these cases either no objection from ONR or no objection from ONR and West Berkshire Council was recorded. In addition, the Council advises that some of these applications were considered under a different policy context, and that the Emergency Plan has also been updated overtime. In respect of the approvals relating to more than one dwelling these are different to the scheme before me. Furthermore, I have insufficient information to draw any conclusions as to why those schemes were supported by the Council.
9. Moreover, Policy SS7 of the LP 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.
10. For the above reasons, the proposal would affect public safety, particularly with regard to the Aldermaston off-site emergency planning arrangements. It would therefore be in conflict with LP Policy SS7. The proposal 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. Accordingly, such conflict carries significant weight.

Character and appearance

11. The Site is on a corner plot with Mulfords Hill and forms part of a substantial terrace of similar dwellings, which are orientated to address Hillcrest. No 1 is nearest to Mulfords Hill and therefore is visually prominent. It is also viewed in the context of other commercial buildings to the south which are generally set-

back from the highway broadly in-line or further back from the flank elevation of the host dwelling.

12. Although a large part of the Site is occupied by a conservatory, this is single-storey, subordinate in scale to the host property and is largely screened by a boundary wall. Consequently, the Site provides some relief and space from the three-storey elevation of No 1 and Mulfords Hill.
13. In contrast, despite the considered approach to its detailing, including a set-back from the existing principal elevation of No 1 and a lower roof height, the proposal would introduce a substantial building in a prominent corner location. Furthermore, the massing of the proposed dwelling would erode the openness associated with the Site. This, along with the largely blank three-storey elevation close to the highway would appear particularly incongruent, thereby failing to respond positively to the local context of the built environment.
14. I have taken account of the block of commercial units to the north of the Site. This block with its active frontage is designed to address Mulfords Hill, unlike the terrace which the appeal site forms part of. Furthermore, this block is lower in height due to its two-storey flat roof design. Also, its scale and presence within the streetscene are mitigated by the mature landscaping to its south, the largely open driveway and parking areas to the north along with an open frontage. Therefore, this block is settled within the streetscene and not comparable to the proposal.
15. Based on the foregoing reasons, the proposal would harm the character and appearance of the area, contrary to Policy EM10 of the LP which amongst other things requires that development respects the local environment and positively contributes to the streetscene.

Planning Balance

16. The Council cannot demonstrate a five-year supply of deliverable housing sites, and so paragraph 11 of the Framework is engaged. The proposal would provide an additional dwelling with amenity space in a location well served by shops, services, facilities and public transport. Nonetheless, it would only make a very modest contribution towards the housing shortfall locally and nationally, so the benefits of the proposal carry only limited weight in favour. On the other hand, along with the significant public safety issue I have identified, the proposal by harming the character and appearance of the area also conflicts with the Framework which places emphasis on the creation of high-quality buildings and places. Therefore, the adverse impacts would significantly and demonstrably outweigh the benefits.

Conclusion

17. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal
INSPECTOR