
Appeal Decision

Site visit made on 23 March 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th April 2020

Appeal Ref: APP/W0340/W/19/3242412

The Warren, Reading Road, Padworth, Reading RG7 4QL

- 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 Hodder against the decision of West Berkshire Council.
 - The application Ref 19/02060/FULD, dated 8 August 2019, was refused by notice dated 10 October 2019.
 - The development proposed is erection of 1 no. dwelling following the removal of an existing garage and change of use of land to residential.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - Whether the proposed development would provide a suitable location for residential development, having regard to the accessibility of services and facilities in the context of local and national policy; and
 - Whether the proposal would have an adverse effect upon biodiversity.

Reasons

Suitability of the location

3. The appeal site is located to the rear of an existing dwelling known as Lyngwood, which forms part of a ribbon of residential development that runs along the north-western side of Reading Road. This ribbon of development comprises mainly large dwellings, positioned within generous plots, set back from Reading Road. With the exception of a number of residential outbuildings, there is little development to the rear of these dwellings. Access to the site is via a driveway, which runs from Reading Road, along to north-east of Lyngwood, before opening out into the appeal site. The site is currently in B8 commercial use.
4. The proposal would involve the demolition of the existing building on the site and the erection of a new two storey, chalet bungalow style dwelling, along with a detached double garage and residential curtilage.
5. Policy ADPP1 of the West Berkshire Core Strategy 2006-2026 (WBCS) identifies that the majority of development should take place within or adjacent to settlements specified in the settlement hierarchy. The appeal site is not within

or adjacent to any of the settlements specified. The site lies within the East Kennet Valley, where Policy ADPP6 of the WBCS identifies two rural service centres as being the focus for development in this area, together with the more modest development of an identified service village. The appeal site is not within any of these identified locations. The appeal site is therefore considered to lie within the countryside.

6. Policy C1 of the Housing Site Allocations Development Plan Document 2006-2026 (the Site Allocations Plan) identifies a number of settlements where, within their settlement boundaries, there is a presumption in favour of development. Where sites are in locations where there is no defined settlement boundary, limited infilling is supported subject to four tests. The appeal site does not fall within any of the identified settlement boundaries in Policy C1 and is in an area without a defined settlement boundary. It therefore falls to be assessed against the four tests set out in Policy C1.
7. There is existing ribbon development along the north-western side of Reading Road, which follows the linear pattern of the road. The appeal site is located to the rear of these existing dwellings. Whilst it is acknowledged that the plot size would be similar to surrounding properties, there are no residential developments immediately either side of the appeal site, therefore it would not constitute an infill plot within an otherwise built-up frontage. The appeal scheme would not respect the rural character of the area and would extend residential development further into the open countryside. As such, the proposal would introduce a form of development, that would be detached from the existing pattern of development.
8. The site lies in a relatively remote location. My attention has been drawn to the presence of bus stops to the north and south of the appeal site. The stops lie within a reasonable walking distance of the appeal site and provide services to Tadley, Basingstoke, Newbury and Reading, although I have not been provided with any details of the frequency of the service. From my site visit, I noted that only the bus stop to the north is accessible via a pavement, with access to others requiring use of the carriageway, both to access them and wait. I also noted the lack of street lighting along the road. Therefore, whilst the presence of the bus stops would provide an option for potential residents to utilise public transport, due to the limitations identified, I find the location to be one that would not encourage future residents to use alternative modes of transport. It is therefore likely that future residents would need to rely upon private vehicles to access local services and facilities.
9. I therefore find that the proposal fails to satisfy the criteria relating to in-fill development in Policy C1 of the Housing Site Allocations DPD. No evidence has been put to me to claim that the proposal would satisfy the other exceptions in this Policy, and I am satisfied that this is the case. Whilst, there is some public transport in the locality, I consider its attractiveness to be limited. On this basis, the proposal would harm the open countryside and would therefore not be an appropriate location for new residential development.
10. The overall scale, design and appearance of the proposed dwelling would be similar in appearance to nearby properties and it would be screened from the public viewpoints by the existing property on the site and landscaping. I therefore find that the appearance of the dwelling would be compatible with the built form of the surrounding area.

11. For the above reasons, I therefore conclude that the proposed development would not provide a suitable location for housing and, in this respect, would be contrary to Policies ADPP1, ADPP5, CS1, CS13 and CS19 of the West Berkshire Core Strategy (2006 - 2026), Policy C1 of the Housing Site Allocation DPD (2006 - 2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policies contained within the National Planning Policy Framework (the Framework).

Impact upon biodiversity

12. The appeal site is located within a Biodiversity Opportunity Area. Policy CS17 of the WBCS identifies that habitats which are designated as being important for biodiversity, or which support protected, rare or endangered species, shall be protected and enhanced.
13. No supporting ecology study was submitted with either the appeal application or the appeal submission to assess the impacts of the proposal upon the Policy designation. On the basis of the lack of evidence, I am therefore unable to conclude that significant harm to biodiversity resulting from the development can be avoided. I note that the appellant has submitted that the matter could be addressed via a condition, although the wording of such a condition has not been provided. In any event, I do not consider that such a condition would overcome the harm I have found.
14. For the reasons outline above, I therefore conclude that the proposed development would adversely impact upon biodiversity and, in this respect, is contrary to Policy CS17 of the West Berkshire Core Strategy and paragraph 175 of the Framework.

Other Matters

15. I have been referred to another appeal decision at Silvertrees for the development of a new dwelling. I note however that this proposal was for a replacement dwelling and that the development would be within the linear frontage. I therefore find that the circumstances which were applied to the other case are not directly comparable to those before me. In any case, I am not familiar with all of the circumstances of that other case, and I am required to determine the appeal on its own merits.
16. The proposal would result in the removal of the existing B8 use from the site, which is put forward as a benefit of the proposal. Although I note that no comments have been received on the appeal application that would indicate that the lawful use is currently an issue. Regardless, the removal of the B8 use would improve the living conditions of adjoining residents. However, this improvement would not be significant enough to outweigh the main Policy conflict I have found.

Conclusion

17. Taking all matters into account, I find that the proposal would conflict with the development plan as a whole. There are no other considerations, including the Framework, that outweigh the conflict. As such, the appeal should be dismissed.

Adrian Hunter

INSPECTOR