



Appeal Decision

Site visit made on 28 July 2020 by Scott Britnell MSc FdA

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 September 2020

Appeal Ref: APP/W0340/D/20/3250095

60 Reading Road, Pangbourne, Berkshire R68 7JF

- 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 Nina Bowden against the decision of West Berkshire Council.
 - The application Ref 20/00270/HOUSE, dated 30 January 2020, was refused by notice dated 30 March 2020.
 - The development proposed is described as convert front garden into parking and dropped kerb.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The application was made by Mr and Mrs Bowden. The appellant is named on the appeal form as Mrs Nina Bowden, who I have assumed is one of the named applicants and is therefore eligible to make this appeal.
4. The Council have indicated that the appellant has signed different ownership certificates on the appeal form and application form. This does not affect my assessment of the main issues in this appeal. The Council also indicate that the appellant refers to a proposed new front door in their appeal statement, which did not form part of the application scheme. For the avoidance of doubt, I have assessed the scheme as set out in the banner header above.

Main Issues

5. The main issues in this matter are the effect of the scheme on:
 - highway safety; and,
 - the character and appearance of the area, including the Area of Outstanding Natural Beauty (AONB).

Reasons for the Recommendation

Highway safety

6. The appeal site is located on the south side of Reading Road where the speed limit is 30 mph. There is a single yellow line to the front of the appeal site. On the opposite side of the road and extending west are a number of on street parking areas, which were almost full at the time of my visit. I observed the road was busy with a steady stream of traffic passing the appeal site. While my observations represent a snapshot in time, there is nothing to indicate that the road conditions I witnessed were not typical. Moreover, I expect traffic conditions are likely to be heavier during morning and evening rush hours and note that the appellant states that it is busy during school runs.
7. The front garden of the appeal site has been laid with brick paving. At the time of my visit there was a car in this area which filled the garden from the front boundary to the projecting bay window of the appeal property. While this was a large vehicle, it is clear that even a smaller car would be likely to take up a large amount of the garden. There is insufficient room to turn a vehicle within the parking area, so that vehicles would either need to reverse into or out of the site. There are also tall hedges along the front boundary to no 64 Reading Road to the east and no's 56 and 54 to the west. Although not immediately adjacent the appeal site, these restrict visibility from the parking area along this stretch of road.
8. As a result of the lack of turning space on site and the presence of the hedges, it is unlikely that drivers of vehicles exiting the site would be able to see vehicles and other road users, such as cyclists, until they were on the highway. Conversely, visibility of the parking area would be restricted for drivers of vehicles and other highway users approaching the site. Thus, the use of the appeal site for vehicle parking has likely resulted in increased opportunities for collisions between road users which is detrimental to highway safety.
9. In reaching this conclusion, I have had regard to the parking areas that have been created in front gardens in the vicinity of the appeal site, including at the neighbouring properties. I do not have the planning history of these before me and note that a number are not served by dropped kerbs, but they do form the wider context of the appeal site. In terms of highway safety, however, their presence does not justify the appeal scheme which I have considered on its own merits.
10. The appellant states they would not reverse out of the parking area. However, I do not consider that such a requirement could be reasonably secured by condition and, in any case, I have found that visibility is restricted to a harmful degree for the users of vehicles exiting the site in forward gear as well as for those reversing. I have also had regard to the appellant's comments that she has a young family and that she considers it safer to park on site rather than try to find a parking space on Reading Road or Horseshoe Road. However, this is likely to be a common issue facing families in the area and I afford this matter limited weight in my assessment. This matter does not justify harmful development.
11. Turning to the effective operation of the highway, vehicles accessing and exiting the appeal site are likely to require other vehicles and road users to stop temporarily. Nevertheless, this is likely to be a common occurrence along

this section of Reading Road given the number of off street parking areas that are present. The appeal scheme would not significantly add to this situation and does not have a severe residual cumulative impact on the road network. Consequently, the scheme does not cause harm to the effective operation of the highway network, which is separate to highway safety.

12. In considering this matter, I have had regard to the appellant's comments that the boundary wall which has been removed was unstable and that the laying of the driveway did not require planning permission. In such circumstances, I acknowledge that it is possible for the front garden to be used for the parking of a vehicle as it is now without the dropped kerb. However, planning law requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, and for any proposal to be considered as a whole. That is how I have approached this matter.
13. Given my findings, I conclude that the appeal scheme is harmful to highway safety. There is conflict with Policy CS13 of the West Berkshire Core Strategy (2006 – 2026) Development Plan Document Adopted July 2012 (CS), which requires, among other things, for development to improve and promote opportunities for safe travel. There is also conflict with Paragraphs 108 b) and 110 c) of the National Planning Policy Framework (the Framework), which seek to ensure that safe and suitable access to the site is achieved for all users, and that applications for development create places that are safe, which minimise the scope for conflicts between pedestrians, cyclists and vehicles.
14. The Council also refer to Policy P1 of the Housing Site Allocations DPD (2006 – 2026) Adopted May 2017 and Policy TRANS.1 of the West Berkshire Local Plan 1991-2006 Saved Policies September 2007 Written Statement. Both of these refer to standards set out in appendices, copies of which have not been provided to me. Consequently, I am unable to fully assess the scheme against these policies.

Character and appearance

15. There is a mix of front boundary treatments along Reading Road, including dwarf walls with fencing or hedging behind and railings. There are also a number of properties where the boundary treatment has been removed. I acknowledge the Council's concerns regarding the effect removing boundary treatments has on the character and appearance of the area. However, given the prevalence of dwellings without front boundary treatments in the vicinity of the appeal site, I do not consider that the appeal scheme has worsened that situation or that it appears incongruous in the streetscene. Harm to the character and appearance of the area has not resulted.
16. Paragraph 172 of the Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to these issues. The appeal site is on a main road within a residential area. Moreover, there are no interconnected views from the appeal site to the countryside around Pangbourne. Given this context, the scheme has no harmful effects on the landscape and scenic beauty of the AONB.
17. I conclude that the scheme has not resulted in harm to the character and appearance of the area, including the AONB. It complies with Policies ADPP5

(Area Delivery Plan Policy 5), CS14 and CS19 of the CS, which collectively seek, among other things, to ensure that development respects the local environment, character and history, including that of the AONB. It also complies with Sections 1.7, 1.8 and 1.9 of Part 2 of the Council's Quality Design – West Berkshire Supplementary Planning Document Series, which among other things, refers to the effect car parking can have on the quality of a place and that boundary treatments should respect and reflect their surroundings. The scheme also complies with the design objectives set out at Section 12 of the Framework and those relating to conserving AONBs at Section 15.

18. The Council also refer to the North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2019-2024, which is a large document. While a copy has been provided to me, the Council's report does not refer to the relevant sections and so I am unable to assess the scheme against it.

Other Matters

19. The appellant states that Pangbourne Parish Council did not object to the application. However, the Parish Council's comments are clear that they had no objection in principle and that they were satisfied to leave any decision on highway suitability to the Highway Authority.
20. The appellant suggests that by providing off street parking they would be reducing their carbon footprint as they would no longer need to drive around the area looking for a parking space. I consider that such a reduction is likely to be negligible and would be of limited benefit. I am also mindful that the scheme would reduce the pressure on on-street parking in the area. However, as provision has been made for just a single vehicle, this would be of very limited benefit. Consequently, I afford these matters limited weight in my assessment.

Conclusion and Recommendation

21. I have considered the matters raised by the appellant and the lack of harm that I have found with respect to the character and appearance of the area. However, these do not outweigh the harm I have found in respect of the first main issue.
22. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR