
Appeal Decision

Site visit made on 20 October 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th January 2021

Appeal Ref: APP/W0340/W/20/3256565

Land adjacent to Summerfield, The Ridge, Cold Ash, Thatcham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Rory Baxter of T A Fisher & Sons Ltd against the decision of West Berkshire Council.
 - The application Ref 19/00832/REM, dated 15 March 2019, sought approval of details pursuant to condition No 2 of a planning permission Ref 16/02529/OUTD, granted on 24 October 2017.
 - The application was refused by notice dated 22 May 2020.
 - The development proposed is reserved matters following outline permission 16/02529/OUTD - change of use of part of existing agricultural field to residential and the erection of 5 no. detached dwelling houses with ancillary garages, access, parking, landscaping and associated works. Matters seeking consent - Appearance, landscaping and scale.
 - The details for which approval is sought are: appearance, landscaping and scale.
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Decision

1. The appeal is allowed and the reserved matters are approved, namely the appearance, landscaping, and scale details, submitted in pursuance of condition No 2 attached to planning permission Ref 16/02529/OUTD dated 24 October 2017 subject to the conditions listed at the end of this decision.

Preliminary Matters

2. Outline planning permission for five dwellings has been granted. The only matters approved were access and layout. This proposal seeks approval for appearance, landscaping and scale.

Main Issue

3. The main issue in this appeal is the effect of the proposal upon the character and appearance of the area.

Reasons

4. The appeal site comprises an open, undeveloped field, which occupies a prominent position on the southern side of The Ridge. It is bounded to the north by an established hedgerow and to the east and west by existing dwellings. The land falls away to the south, offering long distance views.
5. The site is identified as lying within the settlement boundary and is allocated for development under Policy HSA7 of the Housing Site Allocation Development

Plan Document (HSADPD). Amongst other things, Policy HSA7 seeks to ensure that development reflects the existing settlement pattern, with gaps to be provided in the built form to allow views of the open landscape to the south. Proposals should also retain the front boundary hedgerow and make provision for planting along the southern boundary. The northern side of the Ridge lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

6. Surrounding residential development comprises a ribbon of development, that extends along both sides of The Ridge. Dwellings vary in terms of their design and height, with a mix of single, and two storey buildings. There is also a range of materials which includes brick, render, tile hanging and weather boarding. Most properties are detached, set within reasonably sized plots, with buildings set back from the road, with substantial landscaping and mature planting, which gives the area a verdant feel. Along the length of The Ridge, the provision of pedestrian footpaths is intermittent which, when combined with the above, gives the area a semi-rural character.
7. The layout and access of the proposed dwellings was determined through the outline consent and, having reviewed the proposal against the outline, I have no reason to consider that the appeal proposal does not agree with this. Furthermore, there is no evidence before me to suggest that the appeal scheme differs in any way from the outline.
8. In terms of the overall scale of the proposed dwellings, they would be taller and larger than the existing dwellings which adjoin the eastern and western boundaries of the site. The provision of single storey garages at either end of the site, which would serve Plots 1 and 5, would provide a transition between the neighbouring and the proposed dwellings. Similar to surrounding properties, the proposed dwellings would be set back from the road, with gaps provided between them, allowing views of the open landscape to the south. Furthermore, I note that the appeal site slopes away to the south, with the design approach seeking to utilise the topography to further reduce the presence of the dwellings when viewed from The Ridge.
9. As a consequence, the proposal would not appear as an overly dominant form of development. Therefore, whilst the overall height and mass of the proposed dwellings would be larger than the adjoining dwellings, given the varied height of the dwellings along The Ridge, I do not consider that this to be of such a degree as to materially harm the overall character and appearance of the area.
10. The external appearance of the proposed dwellings would be such that each dwelling would have a slightly different design approach. There are however a number of common features such as chimneys, gables and a similarity in footprint shape. This commonality is however not necessarily harmful. The appeal site is an infill plot within the existing pattern of ribbon development, therefore there is an element of design logic to creating a sense of rhythm and pattern, whilst ensuring that each plot is treated individually. Variety would be achieved through the use of different materials, timber framing and brick detailing. Considering the variety that already exists within the street scene, the design of the appeal properties contains sufficient variation, along with suitable local references, for the overall appearance of the proposed dwellings to be generally in keeping with surrounding properties and the overall character of the area.

11. For the above reasons, I therefore conclude that the proposed development would not harm the character and appearance of the area and, in this respect, is in accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy (2006 - 2026), Policy HSA7 of the Housing Site Allocations DPD (2006-2026), Policies HOU1, HOU2, SPGR3, SGPR4, FT1 and SDM3 of the Cold Ash and Ashmore Green Village Design Statement and Paragraph 127 of the National Planning Policy Framework (the Framework).

Other Matters

12. Many objections have been made against the application and the appeal, and some of these relate to matters outside of this appeal. Planning permission for the appeal site has however already been granted, and I can only consider the acceptability of the reserved matters which are before me. There is no scope for me to reconsider matters which were dealt with at the outline stage.
13. My attention has been drawn by a number of local residents to the importance of the existing hedgerow along the boundary of the site. Submissions are made with regards to the importance of this hedgerow, both in terms of its historical significance and its potential ability to support local wildlife. In this regard however, I note that the outline permission shows the provision of three individual access points, which has been replicated within the appeal proposals.
14. A number of objections relate to the impact of the appearance and scale of the proposed dwellings upon the AONB. Whilst the site lies outside of the AONB, the statutory duty to conserve and enhance the area's natural beauty applies to proposals close to the designated area, with the development plan and the Framework requiring proposals to conserve, and where possible enhance, the natural beauty of the AONB and to deliver the highest quality design which respects the area's natural beauty. Having considered the proposal against the policy requirements, I do not consider the matters before me would cause significant harm to the AONB.
15. I acknowledge the concerns raised by local residents in relation to highway issues, however I have no technical evidence to substantiate this and there is no evidence that highway safety would be compromised. I also note the comments raised in relation to the potential impact of the proposal upon existing biodiversity. However, there is no substantive evidence that there would be any adverse effect on biodiversity issues within the area as a result of the proposal.
16. Comments have been raised by local residents, with regards to the impact of the proposal upon the living conditions of surrounding residents, in particular from loss of privacy. From the evidence before me, the separation distances between the properties is sufficient to ensure no adverse effect to the living conditions of neighbouring residents. In this regard, I note the provision of additional landscaping, which would, once matured, provide additional screening. A suitably worded condition could be attached that would ensure the proposed side windows in plots 1 and 5 are obscure glazed.
17. I have also taken into account all other representations that relate to the reserved matters which are before me.

Conditions

18. The suggested conditions have been considered in light of the advice contained within the Framework and the National Planning Practice Guidance. A standard implementation condition, along with a requirement to implement the scheme in accordance with the approved plans is necessary.
19. To ensure the implementation of a suitable landscaping scheme, it is appropriate to attach conditions requiring the scheme to be implemented in accordance with the approved details and to ensure the provision of replacement planting in the event that species die.
20. In the interest of highway safety, it is appropriate to attach a condition to require access gates to be set back and for the gradient of the proposed driveways to be limited.
21. To protect the character of the area, it is necessary to attach a condition to remove permitted development rights for extensions. To safeguard the living conditions of neighbouring residents, it is necessary to attach a condition to ensure that first floor windows on Plots 1 and 5 are obscure glazed and that external flat roofed areas shall not be used as terraces.

Conclusion

22. For the above reasons, I conclude that the appeal should be allowed, subject to the conditions set out below.

Adrian Hunter

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans listed below: 18-P0023-100 Rev D – Colour site plan; 18-P0023-101 Rev F – Proposed site information plan; 18-P0023-102 Rev B – Plot 1; 18-P0023-103 – Plot 2; 18-P0023-104 – Plot 3; 18-P0023-105 Rev A – Plot 4; 18-P0023-106 Rev A – Plot 5; 18-P0023-107 Rev E – Street scene Sections; 18-P0023-108 Rev A – Proposed garages plots 1 to 2; 18-P0023-109 Rev A – Proposed garage plot 5; 18-P0023-110 Rev E – Soft landscaping; 18-P0023-111 Rev C – Hard landscaping; 18-P0023-112 Rev D – Access plot 1 to 2; 18-P0023-113 Rev D – Access plots 3 to 4; 18-P0023-114 Rev D – Access plot 5; 18-P0023-115 – Proposed entrance gates; 18-P0023-CP – Context Plan.
2. Prior to above foundation level development taking place on the dwellings hereby permitted, details of electric vehicle charging points shall have been submitted to and approved in writing by the Local Planning Authority. Each individual dwelling hereby permitted shall not be occupied until the electric vehicle charging point(s) has been provided in accordance with the approved drawings for that respective dwelling. The charging point(s) shall thereafter be retained and kept available for use by electric vehicles.
3. Notwithstanding the information shown on the supporting plans, prior to the first occupation of any dwellings hereby permitted, details (indicating the position, design, materials and type) of all boundary treatment shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before any dwelling hereby permitted is first occupied. The approved boundary treatments shall thereafter be retained as such.
4. No development or other operations shall commence on site until a detailed scheme of landscaping for the site that accords with the landscaping strategy set out on drawing no. 18-P0023-110 REV E has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;
 - a) Completion of the approved landscape scheme within the first planting season following completion of development.
 - b) Any trees shrubs or plants that die or become seriously damaged within fifteen years of this development shall be replaced in the following year by plants of the same size and species.
5. Within 3 months of development commencing, the instant hedge as shown on drawing 18-P0023-110 REV E shall be planted as shown to include at least 6 native varieties of shrubs with a minimum height when planted to be at least 1.5metres and any maintenance regime is to be carried out as per the grower's specification. Any plants that die or become seriously damaged within fifteen years of this development shall be replaced in the following year by plants of the same size and species.

6. Any gates to be provided at accesses where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least five metres from the edge of the public highway.
7. The gradient of private drives shall not exceed 1 in 8 or, where buildings are likely to be occupied by the mobility impaired, 1 in 12.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the external areas above first floor flat roofs over any single storey rear extensions to the dwellings hereby permitted shall not be used as first floor balcony areas/sun terraces or similar external domestic use.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the first floor windows in the east facing elevation of plot 1 (facing towards Ridge End Barn) and west facing elevation of elevation of plot 5 (facing towards Summerfield) shall be of a top opening design only and shall be fitted with obscure glazing before each respective dwelling is first occupied and thereafter shall be retained in this form. Any replacement windows shall also be of top opening design and incorporate obscure glazing.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and reenacting that Order with or without modification), no enlargement (including side and rear extensions), improvement or other alteration of the dwellinghouses, additions or buildings or enclosures incidental to the enjoyment of the dwellinghouses, or enlargement/alterations to the roofs (including dormer windows) of the dwellinghouses falling within Classes A, B and E shall be permitted unless otherwise submitted to and approved in writing by the Local Planning Authority.