
Appeal Decision

Site visit made on 15 October 2020

by S Shapland BSc (Hons) MSc CMILT MCIHT

an Inspector appointed by the Secretary of State

Decision date: 29 January 2021

Appeal Ref: APP/W0340/W/20/3251044
200 Lower Way, Thatcham RG19 3TH

- 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 Ms Joanne Hales against the decision of West Berkshire Council.
 - The application Ref 20/00144/FULD, dated 21 January 2020, was refused by notice dated 23 March 2020.
 - The development proposed is retrospective use of existing building on site as a two bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal site was granted consent in 2016¹ for a detached garage block. It was evident from my site visit that construction had already begun on site. The Council have confirmed that the building on site differs from the approved garage block site and has not been built in accordance with those approved plans. The application is therefore retrospective and I have dealt with the appeal on this basis.
3. The description of development in the banner heading is taken from the Council's decision notice, and is the same description used by the appellant in Part E of the of the Appeal Form.

Main Issues

4. The main issues are:
 - whether the site is an appropriate location for development, having particular regard to the settlement strategy; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location of development

5. Policy C1 of the West Berkshire Housing Site Allocations Development Plan Document (DPD) states that there is a presumption against new residential development outside of the settlement boundary, and seeks to accommodate development in the most sustainable way by focusing the majority of

¹ LPA reference 16/01054/FUL dated 13 June 2016

development in settlements with existing facilities and services. An exception to this is limited infill in settlements in the countryside. The appeal site is adjacent to, but outside of the settlement boundary of Thatcham. It is therefore within the open countryside.

6. Policy C1 makes it clear that the principle of limited infill development may be considered where i) it is within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway; and ii) 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 iii) it does not extend the existing frontage; and iv) the plot size and spacing between dwellings is similar to adjacent properties and respects the rural character and street scene of the locality. My interpretation of the wording of this policy is such that the insertion of the word "and" after each criterion does, in my view, require that the proposal would need to comply with all these criteria.
7. The appeal site comprises a detached building located at the rear of No.200 Lower Way. Whilst it was apparent from my site visit that there are a number of dwellings nearby, these do not form a coherent closely knit cluster of 10 or more dwellings. Development on this side of Lower Way differs substantially from that on the opposite side of Lower Way, where there is more intensive residential development forming the settlement boundary of Thatcham. Consequently, the proposal fails to meet with criteria i) of this policy.
8. Turning to criterion ii) and iii), the appeal site is located behind an existing dwelling on Lower Way, and therefore does not form part of an existing frontage. Furthermore, the plot is currently not undeveloped due to the presence of the building which does not benefit from planning permission. As such the proposal does not comply with these criteria of the policy.
9. Consequently, I find that the proposal is not an appropriate location for development, having particular regard to the settlement strategy. This is in conflict with policies ADPP1, ADPP3 and CS1 of the West Berkshire Core Strategy adopted 2012(CS), and policy C1 of the DPD. Together these policies seek, amongst other things, that development is located in an appropriate location.

Character and appearance

10. The appeal site is currently surrounded on either side by larger residential dwellings. The building on site was previously proposed to be a detached garage, and it would not be unusual for such a building to occur at the rear of residential properties such as this one. However, the appeal proposal seeks to retain an unauthorised building and convert it to a residential dwelling.
11. I have carefully considered the appellants comments that the building is already in existence, and thus is a feature of the street scene. Therefore, they contend that its conversion to a dwelling would not harm the character and appearance of the area. However, I do not agree. A dwelling is both visually and functionally different to a garage, and a dwelling in this location is not considered to be of a good design. Its orientation compared to the neighbouring dwellings would result in a somewhat haphazard design to the locality. It would introduce a dwelling which is neither of a scale nor a design commensurate with the adjacent dwellings.

12. It was apparent from my site visit that the structure is currently visible from a number of view points, including Lower Way and Prince Hold Road. The introduction of a dwelling in this location, with the residential paraphernalia which would accompany this dwelling would not be in keeping with the surrounding street scene. It therefore would harm the character and appearance of the area.
13. Accordingly, I find that the proposal would harm the character and appearance of the area. There is conflict with policies CS14 and CS19 of the CS, and policy C3 of the DPD. Together these policies seek, amongst other things, that development is of a high quality design which has regard to the character of the area in which it is located.

Conclusions

14. For the reasons given above the appeal is dismissed.

S Shapland

INSPECTOR