The Planning Inspectorate

# Appeal Decision

Hearing Held on 18 November 2020
Site visit made on 24 November 2020

**by Stephen Wilkinson BA BPl DIP LA MBA MRTPI**

**an Inspector appointed by the Secretary of State**

Decision date: 08 February 2021

**Appeal Ref: APP/W0340/W/20/3259595**
**Shalford Farm, Shalford Hill, Aldermaston, Reading, RG7 4NB**

- 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 the Trustees of the Wasing 1975 Settlement against the decision of West Berkshire Council.
- The application Ref 20/00737/COMIND, dated 19 March 2020, was refused by notice dated 17 July 2020.
- The development proposed is conversion and redevelopment of existing land and buildings to create a mixed use development comprising restaurant, estate farm shop, overnight accommodation, bakery, fermentary, cookery school and event space (local food production and ancillary education facility) and a biomass boiler together with associated works including the demolition of the existing garages and workshop building.

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are:

   - whether or not the site's location is suitable for the proposed development having regard to both national and local policies
   - whether or not the site is suitable for the proposed development having regard to the sequential test for town centre uses, and
   - whether or not the proposal would accord with Building Research Environmental Assessment Method (BREEAM) accreditation.

## Reasons

*Proposed location*

3. The appeal site is located away from main settlements lying around 2 miles from both Aldermaston and Woolhampton and around 7 miles from Newbury. Although the appeal site lies about 2 miles from Midgham rail station, Woolhampton, it is not located on any public bus routes. The site's relative isolation means that access is primarily by private transport. The site is located around 300m from the entrance to Wasing Park. Roads leading to the appeal site are narrow, unlit and lack footways.

4. The site is currently used for car repair, storage and offices. Given that several businesses are no longer fully operational, the adoption of theoretical optimal levels of trip generation based on the site's lawful uses represents an appropriate baseline for assessing the traffic impact of the proposals. In these circumstances, I accept the appellant's estimate that around 150 daily vehicle trips could be generated by the lawful use of the site.

5. The appellant identifies that the proposed use of the site would generate around 470 vehicle trips each weekday and around 300 vehicle trips for weekends. These are net figures which account for an estimate of the number of linked trips to the farm shop and guest rooms. In total the restaurant would account for around 76% of all daily trips.

6. Overall, these figures can be compared to the Council's estimate of 482 daily trips. The difference results in the overall weekday figures is derived from the percentage of linked trips to the different uses within the appeal site. The appellant considers that there would be a further reduction from their figure to account for the number of trips already on the road from people, using the wedding venue but who would normally be accommodated in hotels around the area. They estimate that this reduces the total numbers of vehicle trips to around 450 for weekdays. Even allowing for 150 daily weekday vehicle trips estimated by the appellant, a net figure of around 300 net additional vehicle trips for each weekday can be assumed. The appellant's figures record a similar number of vehicle trips for the weekend.

7. To address concerns over the numbers of vehicle trips, the appellant has developed a Framework travel plan, which, through a range of measures including a shuttle bus suggest a further reduction, by around 10% of vehicle trips generated from the appeal scheme. Although during the Hearing there was reference to the bus being used to pick up guests from locations around the area, the appellants focussed primarily on trips from Midgham station. The bus service could operate through a priority booking system ensuring that on arrival at the station visitors could be met and taken to the venue.

8. I acknowledge that whilst this is only a 'framework', detailed measures designed to overcome some of the Council's concerns, could, if I were minded to allow this appeal, form part of the approval of details required by planning condition. However, whilst I accept that the establishment of a detailed baseline position could only be derived from the operation of the venue once it was in operation, no information was provided by the appellant to indicate modes of travel currently used by visitors to the estate and in particular the wedding venue which could have informed the Framework travel plan. Although it includes various objectives, some of which are derived from Policy CS13, these are not developed into a coherent action plan.

9. Furthermore, it is unclear how a 10% reduction in car travel could be achieved over 5 years. The appellant's witness could only justify the figure on the basis of 'professional expertise'. Given the central importance of this matter to this appeal and the possible solution which could have been suggested by this plan, the lack of detail on this matter is a shortcoming which undermines the value of the Framework Travel Plan.

10. The Council's concern rests with the principle of additional trips by private transport given national policies of restraint and the priorities included in its

Local Transport Plan[1] and adopted policies. Furthermore, in 2019 the Council adopted a Climate Change Strategy which amongst other matters, advocates for restraint on the use of private vehicles to reduce carbon emissions. Whilst the appeal site may be linked to a network of footpaths and cyclist can use the local road network, the appellant has not included information on the proportion of guests and visitors who could access the site by these modes.

11. I have considered the appellant's suggestion for a condition being made 'personal' to the Wasing estate in the event of the appeal being allowed. This could ensure that the Wasing estate would be accountable for the management of the Travel Plan to maintain a proportion of shared vehicle trips to the different uses included in the appeal site in line with the appellants transport assumptions. However, whilst this could prevent the independent operation of the uses such as the restaurant, resulting in additional trips over those considered in the transport assessment, I do not consider that the numbers of shared trips to the appeal site would be reduced sufficiently to overcome my concerns on this issue.

12. There is a consistent thread regarding the need for choice of transport modes running through the Council's adopted policies, predicated on reducing reliance on private transport, required to reduce transport related carbon emissions and improving air quality. The settlement strategy included in the Core Strategy 2006-2026 requires a concentration of new development in the main centres in the district. Policy ADDP1 identifies that intensification of uses in areas which lack sufficient supporting infrastructure including public transport should be avoided.

13. These policies are further supported by Policy CS9(c) which requires that proposals for business development should promote sustainable transport. Whilst the Framework Travel Plan has been prepared to address some of the requirements of Policy CS13, it includes insufficient detail to identify how it would actually reduce reliance on private transport that could either reduce the need to travel or to provide genuine choice.

14. Even using the appellant's figures the proposals would result in around 300 additional trips each day. On this basis, I conclude that the proposals would result in a significant intensification of the number of vehicle trips to and from the appeal site. This would conflict with policies ADDP1 and CS9(c). Furthermore, whilst the appeal scheme includes a 'framework' travel plan designed to adhere to Policy CS13 of the Core Strategy, the lack of sufficient detail does not adequately address the requirements of this policy. The site's location is not suitable having regard to both national and local policies.

*Sequential Test*

15. The Council has determined the application as a 'major' development as it proposes over 1,000sm floorspace. Although the Council does not have a floorspace requirement included in its policy on retail impact, as suggested by paragraph 89 of the National Planning Policy Framework, (the Framework) it adopted 1,000sm as the threshold for this appeal, based on the definition of 'major' development included in the Glossary in Annex 2.

[1] West Berkshire Local Transport Plan for West Berkshire 2011-2026
[2] Annex 2 of the Framework

16. However attractive this approach may seem, it doesn't take account of the advice included in both the Framework and Planning Practice Guidance[3], which requires proposals to have a minimum floorspace of 2,500sm before Councils require an impact assessment. Furthermore, Councils are advised to take a proportionate approach to the development of town centre uses.

17. Assuming that the appellant would be satisfied to disaggregate the location of the specific uses included in the appeal scheme, the Council recognises that some of these, e.g. the farm shop and fermentary, would not be appropriate for a town centre location. A bakery could be located both within and outside town centres.

18. Both the event space, restaurant and classroom are town centre uses which could displace similar uses located in centres and which could occupy vacant units, as suggested by the Council. However, given their size, their development as part of the appeal scheme would be unlikely to result in a retail impact of sufficient scale to have significant adverse impacts on local consumer choice and trade.

19. Both individually and together these uses would have floorspace requirements well below the thresholds required in the PPG and would not compete for space within the network of centres across the borough which could impact to such an extent on their vitality and viability.

20. Although the Council assumed that its approach to this issue, placed the onus on the appellant to demonstrate the extent of potential for trade impacts, it has not produced any evidence substantiating its concerns on this matter.

21. For these reasons, on this main issue, I conclude that the proposal would not conflict with Policy CS31 which seeks to protect and enhance the District's network of town, district and local centres.

*BREEAM accreditation*

22. BREEAM accreditation embraces all aspects of environmental sustainability for building projects.

23. The appellant submitted a pre-assessment report with the application which identified that securing an 'excellent' assessment in line with the Council's adopted Policy CS15 would not be possible. This is primarily due to the appeal site's location which involves a considerable amount of vehicle trips generated by private transport.

24. The application of Policy CS15, in these circumstances, serves only to reinforce the arguments advanced under the first main issue in this appeal, and for this reason I accord this matter only limited weight. However, irrespective of the arguments advanced by the appellant, regarding the continued relevance of this policy, I conclude that the appeal scheme conflicts with Policy CS15 of the Core Strategy 2011-2026.

## Planning balance and conclusions

25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

[3] PPG ref: ID 2b-011-017-20190722

26. The context for this appeal scheme is informed by the development aspirations of the Wasing estate which has a programme to diversify its offer from arable and livestock farming. The 40ha of lakes are licenced for fishing and the estate is used annually for game shooting.

27. Since 2008 a wedding venue has been developed at Wasing Park which now holds around 150 weddings each year, with guests being accommodated in 26 guest bedrooms. This venue lies within several hundred metres of the appeal site. Additional accommodation included in the appeal scheme would address the shortfall in guest rooms which are often required. Furthermore, the inclusion in the appeal scheme of the fermentary, bakery, farm shop and restaurant would support the estates aspiration that within 5 years over 80% of food produced on the estate will either be sold on the estate and locally. The restaurant and small event space could be used by the local community as a meeting place given the lack of local facilities.

28. It is estimated that the estate has an annual turnover of around £17m and employs 50FTE[4]s. It makes an important contribution to the rural economy and this would be increased by the employment of a further 30 FTE employees and increased turnover if the appeal scheme was allowed. Furthermore, the appeal scheme being located on previously developed land would not prejudice local landscape character. The re-use of 2 non designated heritage assets, the Great Barn and the Piggeries on the appeal site, would restore these locally important buildings.

29. Policy ADPP6 includes a framework to guide the development of the East Kennet Valley; this includes support for the protection of the countryside. Furthermore, and of direct relevance to the appeal scheme, Policy CS9 supports the business development of existing employment sites. Policy CS10 and paragraph 83 of the Framework support the diversification of agricultural businesses and the continued growth and expansion of businesses in rural areas.

30. A daily increase of around 300 vehicle trips each day runs counter to the essential thrust of the adopted policies CS9(c) and CS13. Paragraph 103 of the Framework seeks to limit the need to travel and that schemes should offer genuine choice of travel modes.

31. I acknowledge that inherently rural businesses face particularly challenges in securing sustainable transport solutions given their location away from main centres. Whilst the appeal scheme represents a 19% reduction in the total floorspace proposed from that previously refused, it would still result in a considerable amount of vehicle trips above existing levels. Even allowing for the operation of a Travel Plan this would not, even on the basis of a 10% reduction in private vehicle trips, offer a sufficient level of modal choice to mitigate for this.

32. The appellant's aspirations for the future operation of the estate, focussing on organic produce and reducing 'food miles' was not adequately evidenced to provide a counter to the harm which would result from the proposals derived from transport related carbon emissions from 300 daily vehicle movements.

[4] Full Time Equivalent

33. I acknowledge that the appeal scheme would result in benefits for the rural economy, the development of previously developed land and the re-use of 2 non designated heritage assets. However, these matters are not sufficient to outweigh the harm which would result from the carbon emissions derived from the increase in vehicle trips resulting from this proposal.

34. For the above reasons, I hereby dismiss this appeal.

*Stephen Wilkinson*

INSPECTOR

## APPEARANCES

FOR THE APPELLANT:

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|---|---|
| Mr Josh Dugdale | Owner of the Wasing Estate |
| Mr Andrew Perkins | Chief Executive, Wasing Park and Estate |
| Mr Steven Smallman MRTPI MRICS | Director, Pro-Vision |

FOR THE LOCAL PLANNING AUTHORITY:

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|---|---|
| Mr Michael Butler, BSc, (Hons) MRTPI, MPhil | Principal Planning Officer |
| Paul Goddard, BEng (Hons) | Development Control Team Leader |

INTERESTED PERSONS:

Mr Patrick Caiger-Smith
Mr Nick Caiger-Smith