
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: 08 February 2021

Appeal Ref: APP/X0360/W/20/3253095

Land adjacent to Park Farm, Copse Barn Hill Lane, Carters Hill, Arborfield RG2 9JJ

- 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 & Mrs Cunningham against the decision of Wokingham Borough Council.
 - The application Ref 193337, dated 17 December 2019, was refused by notice dated 14 February 2020.
 - The development proposed is the erection of dwellinghouse following removal of stables.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr and Mrs Cunningham against Wokingham Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development differs between the application form and the Council's Decision Notice. For clarity and precision, I have used the description as provided on the application form.

Main Issue

4. The main issue in this appeal is whether the appeal site is a suitable location for residential development with regards to its accessibility to services and facilities, and the effect of the proposal upon the character of the countryside.

Reasons

5. Policy CC02 of the Wokingham Managing Development Delivery Local Plan 2014 (MDD) and Policy CP9 of the Wokingham Borough Core Strategy (Core Strategy) identify the development limits across the Borough. The appeal site lies outside the defined development limits and therefore lies within the open countryside. Policy IRS1 of the Arborfield and Barkham Neighbourhood Plan (NP), identifies that to protect the separation of settlements, development proposals outside of development limits will be required to comply with Policy CP11 of the Core Strategy and should preserve the character and appearance

- of the countryside and not lead to the physical, visual or perceived coalescence of existing settlements.
6. Policy CP11 of the Core Strategy relates to development in the countryside and aims to protect the separate identity of settlements and maintain the quality of the environment. Proposals will not normally be permitted except in certain circumstances. These include where it contributes to diverse and sustainable rural enterprises, does not lead to excessive encroachment or expansion of development away from the original buildings or would be contained within suitably located buildings which are appropriate for conversion.
 7. Core Strategy Policy CP3 requires development to be of an appropriate built form, height, materials and to have no detrimental impact upon important landscape features.
 8. Carters Hill comprises a small number of detached dwellings, of differing ages and characters, all positioned within their own plots. Dwellings are set a reasonable distance apart, with substantial open space between them, which affords views of the surrounding countryside. The varied nature and the grain of development emphasises and reinforces the rural, countryside nature of the appeal site and its surroundings.
 9. The existing equestrian buildings are single storey and form part of the rural landscape. In comparison, the proposed dwelling would be of a considerably greater scale, bulk and massing than the stables. Furthermore, the development would introduce a distinct urban feature along with associated residential paraphernalia into the countryside. Whilst this impact would be reasonably localised, it would nonetheless result in the encroachment of residential development into the countryside that would unacceptably diminish the existing rural character. As a consequence, it would be more visually prominent than the buildings to be removed. Moreover, even though the proposal would remove existing buildings, they are relatively unobtrusive in this rural landscape and, in my view, the development would not bring about any environmental improvement.
 10. As such, I consider that the proposal would lead to an excessive encroachment and expansion of development away from the original buildings. Therefore, even if it were the case that the development would contribute to a diverse and sustainable rural enterprise, for the above reasons, it would still not meet the exceptions established in Core Strategy Policy CP11.
 11. Taking into account all of the above, it follows that the proposal would, in this respect, also conflict with Core Strategy Policy CP3.
 12. In terms of services and facilities, access to these via walking and cycling would necessitate the use of unlit rural roads, with a varied speed limit. For a substantial proportion of the journey, pedestrians would have no separate footpaths, with only limited grass verges. The nature of this route would therefore not make it an attractive option for walking or cycling, especially for vulnerable groups such as children, especially after dark.
 13. Access to the closest bus stops would also require the use of the same unlit rural roads, with no bus shelters provided at the stops. Moreover, the services from these stops are limited, failing to achieve the standards as required by Policy CP6 of the Core Strategy. Given the low level of service and the overall

- distance, it is likely that these would deter future residents from using the bus on a regular basis.
14. Winnersh train station lies approximately 2km from the appeal site, and provides a regular train service to other mainline stations and beyond. However, given this distance and the limited public transport available to access it, it is highly likely that residents would access the station via private car, however it does provide an opportunity to use public transport to access more distant locations.
 15. It is recognised that, in rural areas, the potential to provide for alternative means of transport is often limited. However, in this case, I find the characteristics of the location to be one that would not encourage future residents to use alternative modes of transport or provide alternative modes as a realistic choice. It is therefore likely that future residents would need to rely heavily upon private vehicles to access local services and facilities.
 16. For the above reasons, I therefore conclude that the proposed development would not be located in a suitable location for residential development, and, in this respect, would conflict with Policies CP1, CP3, CP6 and CP11 of the Core Strategy, Policies CC03 and TB21 of the MDD and Policy IRS1 of the NP and the National Planning Policy Framework (the Framework).

Planning balance

17. The appellant has made submissions that Policies CC02, CP9 and CP11 should be viewed out of date and my attention has been drawn to a number of appeal decisions in this regard. I note from the evidence that the Council are able to demonstrate a five-year housing land supply and this is not contested by the appellants. On this basis, it would appear that the Council is meeting the aims of the Framework to boost the supply of housing, with the policies in the Core Strategy and the MDD achieving their desired aims. I consider that, having regard to Paragraph 213 of the Framework, the evidence before me shows that the Council's strategy for the delivery of new residential development, of which the use of development limits is a component, is consistent with the Framework. Conflicts with Policies CP9, CP11 and CC02 on the basis of the proposal being outside development limits should therefore be given significant weight. The proposal would also conflict with Paragraph 127 of the Framework which states, amongst other things, that planning decisions should ensure that developments are sympathetic to local character.
18. The harm identified above leads me to conclude that the proposal would conflict with the development plan as a whole. In accordance with S38(6) of the Planning and Compulsory Purchase Act 2004 (the Act), regard is to be had to the development plan for the purpose of any determination to be made under the Act, with the decision to be made in accordance with the development plan, unless material considerations indicate otherwise.
19. The development would make a very small contribution towards housing supply. During construction and once occupied, the proposal would support local services and facilities, thereby making a contribution to the local economy. I have also taken into account the fact that the development would provide other benefits, including that its construction would be in keeping with the local vernacular. However, given the small-scale nature of the development proposed, these contributions would be of a limited scale. Reference has been

made to the dwelling being affordable, but no substantive evidence is provided to show how the development would meet the definition in the Framework.

20. Paragraph 78 of the Framework identifies that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. In this regard, the contribution a single dwelling would make, would be limited. Paragraph 79 of the Framework states that local planning authorities should avoid the development of isolated homes in the countryside unless one or more specific circumstances apply. The proposed dwelling would be located near to other dwellings and therefore I do not consider that the proposal would result in the development of an isolated dwelling.
21. It is submitted by the appellant that the provision of a self-build development would support the Council to achieve their requisite supply of such sites. The Council have however demonstrated they are able to meet the requirements as set out in the National Planning Practice Guidance with regards to the provision of permissions that are suitable for self-build and custom entries to meet the demand on their register. Therefore, very little weight falls from this benefit.
22. I have taken account of the personal circumstances of the appellant. Whilst I have been provided with some information concerning this, I have not been provided with detailed evidence to support the case and to fully justify how these requirements relate to the need for the proposed development. Therefore, without this evidence, these considerations do not outweigh the identified harm. In any event, I have no evidence to suggest that these personal circumstances could not be reasonably addressed via other, less harmful means.
23. Reference has been made to an extant planning permission which exists on the appeal site (F/2003/9798). I have no evidence to dispute that this permission is not extant. Whilst the permission remains in place, a considerable period of time has elapsed without the completion of the development. Furthermore, the tie between Park Farm and the equestrian development has now been removed. It is also agreed between the parties that the position of the existing stable blocks on site do not match the final approved plans. Therefore, whilst the permission remains extant, these factors bring into question the overall likelihood of this consent being fully implemented. For the above reasons, I have given it limited weight in the overall planning balance. Even if I had accepted that the permission could still reasonably be completed, I still find that the impact of the proposed development would be considerably greater than the extant scheme and therefore, on its own, would not justify the appeal proposal.
24. In terms of vehicle trips, my attention has been drawn to the existing use of the site and the level of unrestricted traffic which could be generated from the proposed site. Whilst this may be the case, given the limited weight I have attached to the extant permission, it naturally follows that I give limited weight to its associated traffic numbers.
25. Further submission has been made with regards to the appeal site comprising previously developed land. Paragraph 118 (c) of the Framework states that substantial weight should be given to the value of using previously developed land for new homes. However, Part C of this Paragraph identifies that this relates to brownfield land within settlements. In this case the site lies outside

of an identified settlement. Neither do I find the appeal site to constitute degraded or derelict land. I have therefore given the matter only limited weight. In any event, even if I were to find that the proposal met Paragraph 118 (c), this does not outweigh the need for development to respect the rural character and appearance of the area.

26. The Council raised no objections, amongst other things, in relation to the living conditions of existing and future residents, highway and pedestrian safety, or flooding and drainage. However, as these are requirements of policy and legislation, the absence of harm in respect of these matters are neutral factors that weigh neither for nor against the development.
27. I have been referred to a number of appeal decisions which relate to residential development in the countryside. Having reviewed these decisions, I find that none are directly comparable to this case. In any event, I am required to determine the appeal on its merits.
28. Considering all of the above, there are no material considerations, including the personal circumstances of the family, that are of such a weight as to lead me to the conclusion that the proposal should be determined other than in accordance with the development plan.

Other Matters

29. The Council submit that there is a potential veteran tree on the site, however, no detailed evidence is presented to substantiate this. The designation of the tree is contested by the appellant. I note that it is not identified as such in the appellant's submitted arboricultural impact assessment. Moreover, whilst the Council's Landscape Officer objected to the proposed development, these objections did not relate to the impact of the development upon trees. On this basis, I do not consider that there is sufficient justification to withhold the granting of planning permission on these grounds.

Conclusion

30. For the above reasons, and having considered all matters, I therefore conclude that the appeal should be dismissed.

Adrian Hunter

INSPECTOR