



Appeal Decision

Site Visit made on 27 September 2021

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2021

Appeal Ref: APP/W0340/W/21/3276682

Travellers Rest Farm, Hungerford Lane, Bradfield Southend, Reading RG7 6JH

- 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 Jack Pauling against the decision of West Berkshire District Council.
 - The application Ref 21/00237/FUL, received 2 February 2021, was refused by notice dated 9 April 2021.
 - The development proposed is described as, "Field currently used for horse grazing is to be used as a secure dog exercise field. No buildings will be in site. It will contain dog agility equipment, a hard standing for cars to park on at the gate entrance safely off the road. Access already exists and is already in place and is a safe entrance of the Travellers Rest Farm driveway off Hungerford Lane. The field is not adjacent to any domestic housing so will not have any impact on neighbours".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. During the course of the appeal the revised National Planning Policy Framework (the Framework) was published. The main parties were provided with an opportunity to comment. I have had regard to the 2021 version of the Framework in my decision.

Main Issue

3. The main issue is whether or not the appeal site is a suitable location for the proposed development, having regard to its accessibility by sustainable forms of transport.

Reasons

4. The appeal site is an existing agricultural paddock, surrounded by fencing and mature vegetation. The site is located in the open countryside and it is currently used for the grazing of horses.
5. Little information has been provided to quantify the number of daily trips that currently occur to and from the site. However, based on the evidence before me, including the fairly modest size of the site and its current usage, it would appear that the number of daily trips presently occurring is low. It is noted that as the site is classed as agricultural land it could potentially be used on a more intensive basis. However, it has not been suggested that this would be a likely prospect in the foreseeable future.

6. The proposal would entail the site being used as a secure dog exercise area by members of the visiting public. Although it is likely that some potential users of the proposed facility live within walking distance of the site, and a number of local residents have expressed their support for the proposal, little quantitative evidence has been provided to support the contention that the majority of the users of the new facility would primarily access it on foot, including via the nearby public rights of way.
7. In this respect, I am mindful that many of the nearby roads are unlit and many have insubstantial footways. In any event, whilst I accept that working-from-home may be more commonplace, walking would be much less likely during times of poor weather and in the winter. Furthermore, notwithstanding the availability of bus services, it is highly unlikely that users of the proposed facility would use public transport to convey their dogs to it.
8. Therefore, users of the new facility would primarily access it via private vehicles. In this regard, little information has been provided by the appellant to quantify the likely numbers of daily trips that would be generated. Nevertheless, this would be a commercial operation and the appellant has suggested that the hours of operation could be limited via a planning condition to daylight hours, with reduced opening hours in the winter time. On this basis, even though only one booking at a time would occur and the appellant would also be using the site for the exercising of dogs associated with a dog-boarding business, it is likely that the proposal would involve a significant uplift in the number of daily trips to and from the site, compared to the current situation.
9. I note that the proposed use is not intrinsically incompatible with a rural location, and I have taken account of the implications of appeal decision 3258432¹ in this respect and in relation to traffic generation. In this regard, considering the distance to nearby settlements, some of the journeys might be short, but nevertheless, when the journeys across the week are considered cumulatively it is clear that the proposal would not promote sustainable transport. A planning condition limiting customers' use to one group/family comprising a maximum of 2 cars and 4 dogs would have a minimal effect in terms of reducing unsustainable trips, as the commercial operation proposed would involve many separate family groups travelling to it by private vehicles over the course of a day and throughout the week.
10. I have had regard to the Land to the east of Tithe Barn Lane² appeal decision, but the main issues in that case did not relate to sustainable forms of transport. The appellant has asserted that the proposal would limit trips of a greater distance to similar facilities, but limited evidence has been provided to substantiate this. Therefore, neither of these matters changes my findings.
11. I therefore find that the appeal site is not a suitable location for the proposed development, having regard to its accessibility by sustainable forms of transport. Thus, the proposal would conflict with Policies CS10, CS13, and Area Delivery Plan Policy 1 of the Core Strategy³, which, amongst other things, collectively seek to reduce the need to travel and minimise the impact of all forms of travel on the environment and help tackle climate change. The

¹ APP/W0340/W/20/3258432

² APP/K3415/W/20/3264866

³ West Berkshire Core Strategy (2006 - 2026) Development Plan Document (adopted 2012)

proposal would also conflict with the objectives of the Framework, which seeks to promote sustainable transport.

12. The Council's decision notice refers to documents named Local Transport Plan 3 and Climate Change Emergency 2019. Although neither of these documents have been provided, the above-mentioned policies are more than sufficient for me to come to a view on this main issue.

Other Matters

13. The proposal would have a limited visual impact on the wider landscape. Accordingly, the landscape and scenic beauty of the North Wessex Downs Area of Outstanding Natural Beauty (AONB) would be conserved and the proposal would not conflict with paragraph 176 of the Framework in this respect. However, this is a neutral factor, which does not weigh in favour of the proposal.
14. The proposal would contribute to the appellant's existing business, and consequently to the local rural economy. However, considering the scale of the proposed operation, the contribution to the local economy would likely be fairly limited.
15. The proposal would provide a secure dog-walking area, thereby potentially reducing the likelihood of dog theft and dogs interacting with livestock, and it would provide a training area for dogs, including dogs with special needs. Furthermore, it would encourage the healthy exercise of dogs and would contribute to users' mental and physical health and well-being, including through outdoor activity in a pleasant and fairly peaceful countryside location.
16. Whilst all these matters, taken in combination, have been afforded moderate weight, in my view they are not sufficient to outweigh the considerable planning harm identified on the main issue. Therefore, I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan.

Conclusion

17. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed.

Alexander O'Doherty

INSPECTOR