



Appeal Decision

Site visit made on 10 January 2022

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2022

Appeal Ref: APP/Q3115/W/21/3271594

Hunters Cottage, Row Lane, Dunsden, Reading RG4 9PS

- 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 J Thomas against the decision of South Oxfordshire District Council.
 - The application Ref P20/S4677/FUL, dated 3 December 2020, was refused by notice dated 12 February 2021.
 - The development proposed is erection of one dwelling and garage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A revised National Planning Policy Framework was published subsequent to the Council issuing its decision on the planning application. The parties have had an opportunity to comment on the implications for the appeal.

Main Issues

3. The main issues are:
 - a) whether the appeal site is a suitable location for a new dwelling, having regard to development plan policy on housing delivery;
 - b) the effect of the proposed development on the character and appearance of the area; and
 - c) whether the application includes sufficient information to comply with development plan policy in relation to carbon reduction.

Reasons

Suitability of the site for housing

4. Policy H1 of the South Oxfordshire Local Plan 2011-2035 (SOLP) sets out the Council's approach towards the delivery of new homes. The policy sets out those circumstances where residential development will be permitted on sites not allocated in the development plan. Of particular relevance to this appeal is criterion 3(iv) which permits infilling and development on brownfield sites within Smaller and Other Villages as defined in the settlement hierarchy. That hierarchy identifies Dunsden Green as an 'Other Village'. Policy H16 of the SOLP limits development in Other Villages to infilling and the development of previously used land. There is no dispute that the appeal site is a paddock and

therefore policy compliance would be dependent upon the scheme comprising infill within the settlement.

5. The SOLP does not define any settlement boundaries or built-up limits, and consequently the decision on whether the site lies within the settlement is a matter of planning judgement. The main built form of Dunsden Green radiates from its green at the junctions of Church Lane and the roads to Playhatch and Binfield Heath. The village green provides public open space and contains bus stops and a post box. The village hall is located nearby. There are various other buildings beyond the centre, including All Saints parish church and a small cluster of housing along Row Lane, labelled as Littlestead Green on Ordnance Survey maps, within which the appeal site lies. Residents of the latter may associate themselves with Dunsden, and their postal addresses reflect this, but this does not automatically mean that the properties should be treated as being within the village for the purposes of applying development plan policy.
6. It was evident from my observations that the site is physically separate from the core of the settlement. Although occupants of the proposed dwelling would be able to walk to the village green to access bus services to higher order settlements, the nature of the journey along a poorly surfaced, unlit bridleway means that they are unlikely to do so as a matter of routine. There is therefore a clear sustainability rationale for the Council's approach in applying tight limits to Dunsden Green, notwithstanding that there are dispersed pockets of development in the surrounding area. Accordingly, I conclude that the proposal would not be within the village and it would not comply with SOLP Policies H1 and H16 as regards the location of new housing development.

Character and appearance

7. The appeal relates to a grass paddock sandwiched in between a pair of semi-detached cottages to the north and a farmhouse set within extensive grounds to the south. The site is visible from the neighbouring properties and gardens, and from the adjacent lane from where there is a pleasant vista through the field gate entrance, through the site itself and towards countryside beyond. The proposal would introduce buildings and hard surfacing onto the land and this would have an urbanising effect, consolidating the sporadic and loose-knit pattern of housing in this part of Row Lane. The lack of longer distance views into the site means that the visual impacts would be localised. Nevertheless, the proposal would reduce the openness of the site and erode the distinctive rural character of the area.
8. I therefore conclude that there would be conflict with SOLP Policies DES1, DES2 and ENV1 insofar as these seek high quality development which reflects the positive features that make up the character of the local area.

Carbon reduction

9. Policy DES10 of the SOLP requires new build dwellings to achieve at least a 40% reduction in carbon emissions compared with a code 2013 Building Regulations compliant base case. This reduction is to be secured through renewable energy and other low carbon technologies and/or energy efficiency measures. The appellant argues that details of these measures can be secured by condition to minimise unnecessary expense. However, the policy is clear in requiring the submission of an Energy Statement, to demonstrate how the policy will be complied with and monitored. Paragraph 8.38 of the SOLP states that the information should support the application.

10. I accept that there would be a cost implication for any applicant. However, this does not provide adequate reason to disregard the requirement to supply the information as part of the application. Guidance¹ published by the Council explains that the information is needed upfront to maximise energy efficiency gains from 'passive' design of glazing, form and orientation.
11. The appellant has explained that the required carbon reduction would be achieved through improved insulation, double glazing and potentially also solar thermal hot water panels or photovoltaic cells. Whilst this is a useful starting point, it does not provide a sufficient level of detail; there are no SAP/SBEM² calculations and no plans showing the impact of any renewable energy systems on the appearance of the dwelling.
12. The application was registered without an Energy Statement. However, I note that the appellant declined to provide one when requested. Regardless of this, my starting point is the development plan and I find that the proposal does not meet the stipulations of Policy DES10 and its supporting text.

Conclusion

13. The proposal conflicts with Policies H1, H16, DES1, DES2, DES10 and ENV1 of the SOLP in respect of the location of new housing, the effect on the character and appearance of the area and the information required to secure carbon reduction. This leads to conflict with the development plan taken as a whole. Based on the evidence presented, there are no material considerations to justify a decision otherwise than in accordance with the development plan.
14. For the reasons given above I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR

¹ Advice Note on Policy DES10: Carbon Reduction (May 2021)

² Standard Assessment Procedure / Simplified Building Energy Model