



Appeal Decision

Site visit made on 1 February 2022

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday 24 February 2022

Appeal Ref: APP/X0360/W/21/3285007

Hutts Farm Cottage, Blagrove Lane, Wokingham RG41 4AX

- 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 B Ryan against the decision of Wokingham Borough Council.
 - The application Ref 212832, dated 19 August 2021, was refused by notice dated 11 October 2021.
 - The development proposed is the conversion of existing annex building to an independent dwelling with associated external alterations and replacement parking for Hutts Farm Cottage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site is a suitable location for housing, with specific regard to accessibility to services and facilities and the settlement policies of Wokingham Core Strategy 2010 and the Wokingham Adopted Managing Development Delivery Local Plan 2014.

Reasons

3. The appeal site is an existing annex within the curtilage of a residential property. There is no dispute between the parties that the appeal site is located outside of the defined settlement limits and lies within the open countryside.
4. Policy CC01 of the Wokingham Managing Development Delivery Local Plan 2014 (LP) establishes a general presumption in favour of sustainable development, with Policy CC02 establishing that development within defined settlement limits would be acceptable in principle. Policy CP1 and CP6 of the Wokingham Borough Core Strategy (CS), amongst other matters, require that proposals are located where there are choices in the mode of transport available and which minimise the distance people need to travel as well as how they support opportunities for reducing the need to travel, particularly by private car.
5. Policy CP11 of the CS refers to development that would be permitted outside the settlement limits. In summary, this is limited to development that contributes to diverse and sustainable rural enterprises or other countryside-based enterprises and activities, which encourages the enjoyment of the countryside, and does not lead to excessive encroachment or expansion of development away from original buildings and is contained within suitably located conversions or replacement buildings. Also, it permits replacement

dwelling, extensions to existing dwellings, essential community facilities and affordable housing on rural exception sites.

6. An appeal decision¹ from December of 2020, has been brought to my attention by both parties. As the proposed development subject of this appeal is the same, the previous appeal is a significant material consideration. The previous Inspector found the scheme contrary to the above-mentioned policies, with particular concern over accessibility to services and facilities. Although services, facilities and bus stops² were within a reasonable distance from the site, Blagrove Lane had no footways or lighting between the appeal site and the settlement edge. The lack of infrastructure would discourage users, especially vulnerable people and during the dark, leading them to be over reliant on a private car.
7. Although every case needs to be assessed on its own planning merits, this proposal is no different to the previous scheme and consistency in the planning process is important. From what I saw on site, there have been no significant physical changes to the site or its surroundings since the previous appeal. Although the nearest retail unit has been subdivided to include a hairdressers, Blagrove Lane still has no footways and lighting to the north and south of the access until the settlement limits. Also there have been no changes to the distance to services, facilities and bus stops within the nearest settlement. The bus services are also still a fairly regular service.
8. In the proposal subject of this appeal, additional information has been provided in the form of a pedestrian and cycle survey. The survey was commissioned on Blagrove Lane, immediately to the south of the junction with Doles Lane. The survey was carried out over two afternoons in June 2021 between 1500 and 1800³. It includes data on the number of pedestrian and cyclists' movements over this time in either direction. The appeal statement also sets out that no accidents have been reported on Blagrove Lane over the past 5 years and the lane has relatively low levels of traffic. Based on the additional information, the appellant has asserted that there is a steady flow of pedestrians and cyclists along the lane. The appellant asserts that this information together with the low levels of traffic and accident data, shows occupants would not be deterred in using the lane despite the lack of pedestrian infrastructure.
9. I have had regard to the additional information, however, the scope of the survey and what can be concluded from it is considered to be limited. In particular, the survey was restricted to a short period of two days in June and over three-hours in the afternoon to early evening. The survey does not extend to darker hours (early morning or late at night) and there was no comparable survey during the winter. Furthermore, given the limitations of the survey, it is not possible to evaluate why the pedestrians were using the lane and whether the number of people using the lane would be considered high or low in this context. Also, without any comparable traffic data, it is difficult to determine the level of conflicts and safety issues between pedestrians, cyclists and motorists.
10. To access services and facilities, along with public transport, the future occupants of the proposed dwelling would have no choice other than to walk or cycle along this section of the lane. Although it is a relatively short distance, the

¹ APP/X0360/W/20/3255942

² With a regular bus service

³ 22 and 23 June 2021

lack of pedestrian footways and lighting means that the possible routes to the dwelling would not be a safe on foot or by bicycle. Whilst I appreciate that the lack of footways and lighting would not deter all persons, it would still be a hinderance and discouraging to most occupants, especially during the winter and periods of darkness. This issue would be exacerbated if the future occupants were elderly or vulnerable. Consequently, the survey does not fully address the lack of infrastructure and I am not persuaded that the additional information overcomes the concerns raised. Therefore, future residents would rely heavily upon private vehicles to access services and facilities, making the location for housing unsuitable.

11. The appellant has also drawn my attention to the relatively low level of traffic that uses the lane and there being no accidents over the past 5 years. However, I do not consider that this provides sufficient justification to overcome the lack of suitable pedestrian infrastructure to access the site.
12. I have had regard to the appellant's contention that the level of accommodation would ensure that a family, and specifically children, are less likely to occupy the site. However, it is not possible to guarantee this, and a condition imposing a restriction on occupancy in this manner would be unreasonable and unenforceable. Furthermore, although vulnerable groups would include children, it is not strictly limited to younger dependents. Vulnerable groups would also include elderly occupiers as well as adults and younger people with disabilities who would all need to access the proposed dwelling.
13. I, therefore, conclude that the site is not a suitable location for housing, with specific regard to accessibility and the relevant Wokingham Core Strategy and Local Plan settlement policies. The scheme would be contrary to the aims and objectives of Policies CP1, CP6 and CP11 of the CS as well as Policies CC01 and CC02 of the LP. The policies, amongst other matters, seek to ensure that new development is in an accessible location, which minimises the distance people need to travel to services and facilities, as well as providing opportunities for reducing the need to travel, particularly by private car. The proposed development would also be contrary to the objectives of section 9 of the Framework, which promotes safe and suitable access for all users.

Conclusion

14. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

M. P. Howell

INSPECTOR