



Appeal Decision

Site visit made on 4 May 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 01 June 2022

Appeal Ref: APP/W0340/W/21/3289961

Padworth Farm, Rag Hill, Aldermaston, Reading RG7 4NU

- 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 S Black against the decision of West Berkshire District Council.
 - The application Ref 21/01128/FULD, dated 7 April 2021, was refused by notice dated 9 July 2021.
 - The development proposed is the erection of 1 no. new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since determination of the planning application, the 2019 iteration of the National Planning Policy Framework (Framework) has been superseded. I am satisfied that the updates to the Framework do not materially affect its content insofar as it is relevant to the main issues of this appeal. I have therefore determined this appeal with regard to the current version, published in July 2021.

Main Issues

3. The main issues are:
 - whether the location of the proposal would be acceptable with regard to development plan policy; and
 - the effect of the proposed development on the living conditions of its future occupiers, with particular regard to privacy and noise.

Reasons

Location of Development

4. The appeal site is located on land adjacent to Padworth Farm, and comprises an area of undeveloped land between two residential dwellings, one to the north and one to the south. Whilst there are other domestic premises nearby, including a caravan and a worker's dwelling, the next closest residential properties are much further down the road. The appeal property also borders a commercial sawmill to the east. The site falls outside of any defined settlements within the Council's administrative area, and is therefore deemed to be within the open countryside. This classification is reflective of the prevailing rural landscape around the appeal site.

5. Policy C1 of the Council's Housing Site Allocations DPD (2006 – 2026) (Housing DPD) includes a presumption against new residential development outside of settlement boundaries. Nonetheless, the Policy does include exceptions to this presumption, which include limited infill development. For infill development to be permitted in such locations, it must be "*within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway*". Given that there are very few residential properties in the immediate vicinity of the appeal property, the development would not satisfy this criterion, as it would not be sited within a closely knit cluster of 10 or more houses. This is common ground between the parties.
6. I acknowledge that the supporting text to Policy C1 does say that limited infill may be possible in settlements without a defined settlement boundary, where it is appropriately located within a "group" of existing dwellings. However, in my view, the prescribed criteria for infill development which are set out in Policy C1 are intended to confirm what is meant by "*group of existing dwellings*" in the supporting text to the Policy, as opposed to setting out some other alternative route for infill housing to be permitted.
7. On this basis, the location of the proposed development would not be acceptable, as it would fail to satisfy the criteria for infill development set out in Policy C1 of the Housing DPD. The development would also conflict with Policies ADDP1, ADPP6 and CS1 of the West Berkshire Core Strategy (2006 – 2026) (Core Strategy), which together direct new residential development to existing built-up areas, which offer good access to local services and transport connections. Finally, the development would conflict with the overarching objectives of the Framework, which places great emphasis on the protection of the countryside.

Living Conditions

8. In terms of privacy, the proposed dwelling would be sited broadly in line with Padworth Farm to the south. The second-floor window on the side elevation of Padworth Farm would directly face the southern elevation of the new dwelling, which means only oblique views of the rear garden of the new dwelling would be possible. In terms of Hillview to the north, the ample intervening space between the two properties should ensure there would be no particular issue with regard to overlooking. On this basis, I am satisfied that the proposed development would not give rise to any unacceptable privacy concerns.
9. The appeal site is located to the west of a workshop which is authorised for general industrial use. Whilst some time ago, a Noise Abatement Notice has previously been issued in connection with these premises, owing to the noise emanating from a chipping machine used in connection with the commercial sawmill. Whilst the appellant has indicated that the chipping machine is no longer used, given the authorised use of the workshop for industrial processes, there is a continued risk of noise (whether now or in the future), which could adversely impact on the enjoyment of the proposed new development.
10. No noise assessment has been submitted in connection with the appeal application. Notwithstanding the proposed screening and landscaping to the rear of the proposed dwelling, without such an assessment, I cannot properly consider any associated noise impact arising from the workshop, nor whether any measures could be employed as part of the development to mitigate against such impact. Without such analysis, I am left with little option but to

conclude that the development would risk harm to the living conditions of the development's future occupiers, with particular regard to noise. It would therefore conflict with Policy CS14 of the Core Strategy, which requires new development to promote a good quality of life within West Berkshire. The development would also conflict with saved policy OVS.6 of the West Berkshire District Local Plan 1991 – 2006 (Saved Policies 2007), which requires new development to minimise any adverse noise impact. Finally, the development would conflict with the provisions of the Framework, which promotes residential development which provides a good level of amenity for its occupiers.

Other Matters

11. Whilst I note the development would provide accessible accommodation for the appellant, unfortunately this factor alone would not be sufficient to outweigh the harm arising from the policy conflicts set out above.

Conclusion

12. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

James Blackwell

INSPECTOR