



Appeal Decision

Site visit made on 25 November 2022

by Lewis Condé BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 January 2023

Appeal Ref: APP/W0340/W/22/3296473

Riverside Cottage, Lambourn Road, Speen, Newbury RG20 8BU

- 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 J Lesser against the decision of West Berkshire District Council.
 - The application Ref 21/03133/FUL, dated 10 December 2021, was refused by notice dated 11 March 2022.
 - The development proposed is described as 'Demolition of existing dwelling and outbuilding; erection of replacement dwelling with associated, landscaping, parking, private amenity space and access drive (amended scheme to 21/01945/FUL)'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the area, which lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal site is an existing two-storey residential property located off Lambourn Road. Despite the existing dwelling appearing to comprise of two residential properties that have formerly been converted to one, it remains of a modest scale and massing.
4. There is an existing residential property located immediately to the south-east, but otherwise the site is mostly surrounded by fields in an area that is rural in character. The rear garden of the appeal property has a highly open aspect and backs onto the River Lambourn, with wider open fields beyond that are separated by hedgerows and trees. The site, along with much of West Berkshire, is within the AONB.
5. The appeal site is within the open countryside as defined by local policy. Policy C1 of the Housing Site Allocation Development Plan Document (adopted 2017) (HSA) establishes that there is a presumption against new residential development outside of settlement boundaries, subject to certain exceptions. One such identified exception is for proposals involving replacement dwellings.
6. Policy C7 of the HSA allows for the replacement of existing dwellings in the countryside, subject to meeting specific criteria. This includes that replacement dwelling should be proportionate in size and scale to the existing dwelling and

not have an adverse impact upon the character and local distinctiveness of the rural area or its setting within the wider landscape.

7. The supporting text to Policy C7, in respect to assessing proportionality, identifies that the key components are scale, massing, height and layout of a development. Also, that any size increase should be considered based on the impact of a particular property in a particular location. In this instance, the effects of the replacement dwelling upon the special landscape qualities of the AONB are a further consideration.
8. Policy C7 is clear that the assessment of proportionality relates to the existing dwelling to be replaced. However, the policy nor its supporting text provide any specific size threshold(s) as to what may constitute a proportionate replacement. My attention has been drawn to an appeal¹ in which the Inspector considered the matter of proportionality. The Inspector for the appeal deemed that the quantitative size of the proposal was a starting point but must also account for matters such as how the development is physically formed as well as its spatial/visual implications and context. I consider such an approach to be appropriate.
9. The proposed dwelling would be located within a similar position on the site and have an overall similar ridge height as the existing dwelling. However, its footprint would be more than double that of the existing property. Alongside the increased footprint, the two-storey element of the proposed dwelling that projects off the north-east elevation would be considerable in length. It would therefore result in a building of substantial scale and mass compared to the one it would replace. Consequently, I do not consider it to be a proportionate replacement.
10. The existing property has a rather pleasant and quaint appearance, stemming from its diminutive scale and use of materials. It therefore positively contributes to the character of the area despite being somewhat tired in places. Although the proposed development would be of a general appropriate vernacular and uncomplicated form, the significant increase in scale and greater visual impact, would have an adverse effect on the character and appearance of the area. In coming to this view, I recognise that Lambourn Road, contains a mixture of properties that vary in scale and appearance. However, there are few that are closely related to the appeal site, while the requirement of Policy C7 in terms of scale, is set by consideration against the existing property on site.
11. I note the findings of the appellant's landscape visual impact assessment (LVIA). However, I find that the proposed development would be more prominent from Lambourn Road (particularly from the east). Views of the development would also be available from the rear due to the open nature of the property's garden, albeit the nearest publicly accessible views would be set a considerable distance away. The LVIA has indicated that using landscaping measures the development can be mitigated to successfully integrate into the rural landscape. However, I do not consider that landscaping should be relied upon to essentially screen unacceptable development. Furthermore, there is no certainty that landscaping would be retained in perpetuity.

¹ APP/W0340/W/18/3202871

12. I appreciate that the appellant has an extant planning permission (ref: 21/01945/FUL) for a replacement dwelling at the site. I recognise this to be a realistic fallback position. The current proposal is similar in height to that approved and maintains the same front elevation arrangements. Despite this, the current proposal is significantly larger in its overall footprint and massing and would be more visible from along Lambourn Road. Indeed, I understand that the previous permission was only allowed following a reduction in the overall scale of the proposed replacement house.
13. Overall, I find that the proposed development would harm the character and appearance of the area and accordingly fail to preserve the natural beauty of the AONB. As such, the proposal conflicts with Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) (adopted 2012) and policies C1, C3 and C7 of the HSA. It would also not adhere to policies contained in Part 12 or paragraph 176 of the National Planning Policy Framework, nor guidance contained within the Council's Quality Design Supplementary Planning Document. These policies and guidance, amongst other matters, require new development to be of a high-quality design, that respects and enhances the character and appearance of the area, as well as being appropriate in terms of its locational setting.

Other Matters

14. My attention has been drawn to the personal circumstances of a resident at the property, which I am informed has influenced the design and scale of the proposed development.
15. Personal circumstances rarely outweigh general planning matters as the effect of the development is likely to remain long after the personal circumstances no longer apply. While I sympathise with the appellant's situation, I have little information about the family member's condition and there is insufficient evidence before me to suggest that the development as designed is the only reasonable option available. As such, my decision does not turn on this matter.

Conclusion

16. The proposal conflicts with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, for the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Lewis Condé

INSPECTOR