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# Appeal Decision

Site visit made on 24 November 2022

**by Laura Cuthbert BA(Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 January 2023**

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**Appeal Ref: APP/W0340/W/22/3303857**

**Ivinghoe, Unnamed Road From Chapel Row To Stanford Dingley, Stanford Dingley, West Berkshire, Reading RG7 6LU**

- 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 and Mrs Alderton against the decision of West Berkshire District Council.
  - The application Ref 22/00918/FULD, dated 11 April 2022, was refused by notice dated 7 June 2022.
  - The development proposed is a replacement dwelling and landscape enhancements.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether the proposed development would conserve or enhance the natural beauty of the landscape within the North Wessex Downs Area of Outstanding Natural Beauty.

## Reasons

3. The appeal site consists of a detached brick built bungalow situated on a parcel of land along Bushnells Lane, a rural lane running to the south-west of the village of Stanford Dingley. The garden associated with the existing bungalow extends to the north-west. Low hedges enclose the site to the south-eastern, north-western and south-western boundaries, which allows for wider, open views of the appeal site beyond these boundaries, including views from nearby Public Rights of Way (PROW). There are 3 agricultural buildings parallel to the rural lane, to the south-east of the appeal site.
4. Bushnells Lane is a narrow, quiet rural road. Whilst the existing bungalow is not particularly a key characteristic of the North Wessex Downs Area of Outstanding Natural Beauty (AONB), it does sit discreetly in the landscape due to its single storey height and small footprint. The site retains its rural character and contributes positively to the natural beauty of the landscape within the AONB.
5. Policy C7 of the West Berkshire Housing Site Allocations DPD (2006-2026) (adopted May 2017) (HSA DPD) supports the principle of larger replacement dwellings in the countryside, which I note the Council reference in their pre-application enquiry response. However, this is on the basis that the replacement dwelling would be proportionate in size and scale to the existing dwelling. Development must also not have an adverse impact on the character

and local distinctiveness of the rural area, and its setting within the wider landscape. I acknowledge that there are no specific 'rules' set out by Policy C7 in regard to the acceptable size of a replacement dwelling and that there is no upper limit to the size of the replacement dwelling that is permissible.

Nevertheless, the supporting text to Policy C7 states that the key components of proportionality are the scale, massing, height and layout of a development.

6. As acknowledged by the appellant, the proposal would result in an increase in floor area of the dwelling of 240%. I note that the height of the proposal would be similar to the ridge height of the existing bungalow. The flat roof and modern design of the proposal, including the angular form and large glazed areas, would not, in themselves, be harmful. However, cumulatively, due to the bulk, scale and massing of the proposal, it would accentuate the disproportionate size of the replacement dwelling. Consequently, the proposal would be an incongruous structure in the landscape.
7. I noted from my site visit that from the wider viewpoints along the network of PROW's, direct views of the proposal would be limited due to the topography of the landscape or as a result of established field boundaries screening wider viewpoints. However, the proposal would be prominent from a section of the PROW which runs to the south-west of the site<sup>1</sup>, from which it would be a stark contrast with the existing rural character of the area. Due to the bulk, scale and massing of the replacement dwelling, the proposal would result in harm to the character and appearance of the area, and thus would fail to conserve the natural beauty of the landscape within the AONB.
8. I acknowledge the proposed landscape enhancements on the appeal site and the intention of the landscaping to 'soften the effect of the increased scale, reduce any light spill, and assimilate it comfortably into the landscape'. However, these positive enhancements would not outweigh the harm that I have identified above.
9. I also note the alleged agreement between the main parties that the existing building is too small 'to meet with a modern standard of living'. However, its replacement with a dwelling that would fail to conserve or enhance the natural beauty of the landscape within the AONB would be unacceptable.
10. The appellant has drawn my attention to several other approved planning applications for replacement, contemporary dwellings in the same AONB. It is noted that some of these are of a larger increase in floor area than the proposal. Nevertheless, the fact that similar developments exist in the area is not a reason, on its own, to allow unacceptable development in the above context. I have considered this appeal on its own merits and concluded that it would cause harm for the reasons set out above.
11. The proposal would be contrary to Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) DPD (adopted July 2012) which, in combination, seek that development demonstrates high quality and sustainable design that respects and enhances the character and appearance of the area, whilst conserving and enhancing the local distinctiveness, sense of place and setting of the AONB. The proposal would also be contrary to Policies C3 and C7 of the HSA DPD which, in combination, seek to ensure that a replacement dwelling is designed having regards to the character and local distinctiveness of

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<sup>1</sup> Footpath BUCK/120/2

the rural area in which it is located, as well as being proportionate in size and scale to the existing dwelling. The proposal would also conflict with the principles within Chapter 15 of the Framework in regard to the conservation and enhancement of the natural environment, in particular with paragraph 176 in regard to conserving and enhancing landscape and scenic beauty within the AONB.

12. The proposal would also conflict with the guidance within the North Wessex Downs AONB Management Plan 2019-2024, which states that new large free-standing dwellings as replacement dwelling have significant influence on the AONB's Development Special Qualities. It would also be contrary to guidance within the Stanford Dingley Village Design Statement 2010, which states that flat roofs should be avoided.

### **Other Matters**

13. The Council in their appeal statement raised the concern that the large glazed areas incorporated in to the design of the proposal would have a harmful impact on the dark night skies, as a result of light spill. As noted by the appellant, the site does not lie within a dark night sky reserve and there is already a dwelling on the site. Had I have been minded to allow the appeal, an appropriately worded condition would have required a lighting strategy in regards to external lighting to be submitted and approved, as well as details of suitable glazing technology. However, given that I am dismissing the appeal on other grounds, I have not pursued this matter any further.
14. The nearest residential property is Hunters Moon Farm (formerly known as Skilcroft), which is a Grade II listed building and is located approximately 120m to the north-east. The setting of the designated heritage asset is best experienced from within its own enclosed private domestic curtilage. There would be no intervisibility between the proposal and the Grade II listed building. Therefore, the setting of Hunters Moon Farm would be preserved. I also note the Council did not raise any concerns in regard to this matter.
15. I note that the proposal was submitted following pre-application advice from the Council, which resulted in the scale of the proposal being reduced. Nevertheless, at appeal the proposal is considered afresh, and any feedback given as part of any pre-application advice does not warrant allowing the appeal.

### **Conclusion**

16. The development conflicts with the development plan as a whole. There are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with it. The appeal is therefore dismissed.

*Laura Cuthbert*

INSPECTOR