



Appeal Decision

Site visit made on 16 May 2023

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th May 2023.

Appeal Ref: APP/W0340/W/22/3313399

Knappswood Farm, Pangbourne Road, Upper Basildon, Reading RG8 8LN

- 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 John Wakefield against the decision of West Berkshire District Council.
 - The application Ref 22/00871/FULD, dated 5 April 2022, was refused by notice dated 22 June 2022.
 - The development proposed is the erection of a new house, access road and associated landscape and highway works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Permission for two dwellings directly to the south of the site, using the existing access, has previously been granted under application reference 17/03374/FULD. The dwellings were granted permission outside of the settlement boundary on the basis of being replacement dwellings which reduced the visual impact on the surrounding sensitive landscape of the North Wessex Downs Area of Outstanding Natural Beauty (AONB). This development has commenced.
3. The West Berkshire Core Strategy (2006-2026) Development Plan Document (CS) was adopted in July 2012. The West Berkshire Housing Site Allocations Development Plan Document 2006-2026 (HAS) was adopted in May 2017. Consequently, they could be considered out of date. However, as set out in paragraph 219 of the National Planning Policy Framework (the Framework), policies should not be regarded as out-of-date simply because they were adopted before the Framework. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. Weight is a matter for the decision maker to judge in the circumstances of the case. Policies C1 of the HAS and CS1 and Area Delivery Plan Policy 1 (ADPP1) of the CS remain consistent with the Framework in seeking to direct development to sustainable locations within settlements, unless a countryside location can be justified. I therefore afford substantial weight to any conflict with these policies. A review of the development plan has started but is at an early stage. Consequently, I afford no weight to emerging policies as they may change significantly or be removed entirely prior to adoption.
4. A plan showing the correct location of the proposed new access route has been submitted with the appeal. This has been accepted by the Council and forms the basis on which the appeal has been considered.

Main Issues

5. The main issues are:

- Whether the appeal site would be a suitable location for new housing;
- The effect of the proposed development on the character and appearance of the site and the surrounding area, with particular regard to the extent to which it would conserve or enhance the natural beauty of the North Wessex Downs AONB.
- The living conditions of the occupants of neighbouring dwellings, with regard to privacy.

Reasons

Location

6. The site is located just outside the village of Upper Basildon. It contains a barn and stables along with an open area previously used for horses. The site also includes a strip of land to form a proposed new access route. This starts at the end of Knappswood Close and runs through a field to the main body of the site.
7. Together, policies C1 of the HAS and ADPP1 and CS1 of the CS seek to locate new housing development in sustainable locations within settlements and restrict new housing in the countryside to specified exceptions. Despite being in close proximity to the village and its facilities, the site is adjacent to, but outside of the settlement boundary. Consequently, under local plan policies it is designated as countryside. I have been provided with no evidence which would lead me to conclude that any of the specified exceptions which would allow for a new dwelling in the countryside apply.
8. One of the exceptions allows for conversion of existing buildings in the countryside, subject to satisfying other policies and requirements. However, a conversion is not the proposal subject to this appeal. In addition, I note that a recent application to convert the existing barn for residential use was refused¹. Therefore, while the appellant argues that a new dwelling at the site would be preferable to a conversion, at this time no permission is in place for a conversion. Consequently, I do not consider conversion of the barn to residential use to be a valid fallback position to which I can ascribe any weight in favour of the proposal.
9. The dwelling would be located between existing dwellings and the two replacement dwellings under construction. However, as the village has a defined settlement boundary, which the site is outside of, exceptions relating to infill development do not apply. As the barn would class as an agricultural building, the land cannot be considered to be previously developed land as defined under the Framework.
10. I conclude that the appeal site would not provide a suitable location for new housing. The proposal would be an unjustified dwelling in the countryside which failed to comply with Policies C1 of the HAS and ADPP1 and CS1 of the CS. Therefore, the proposal would erode the development plan strategy for housing location in the area.

¹ Application ref 23/00145/FUL, refused 29 March 2023.

Character and appearance

11. The site is located in the countryside and within the North Wessex Downs AONB. The dwellings to the north, within the village settlement boundary, are predominantly detached, of mixed age and character, located within generous plots. To the south of the settlement boundary in this part of the village, is an area of open fields and then a section of woodland. The site is within this area of open fields and is currently accessed via a road off Pangbourne Road, which leads to farm buildings. The barn and stables are simple in their form and typical of such structures found in countryside areas. The predominant character and appearance of the site and the wider surrounding area is rural and open, albeit on the edge of a village.
12. The existing barn and stables would benefit from some maintenance but are of an agricultural character and appearance which is in keeping with the countryside location. As such, the site currently provides a visual transition between the residential built form of the village and the open fields and woodland of the countryside beyond. The general scale, design and materials of the proposed dwelling would be quite suburban in form, but in keeping with the existing dwellings in the nearest part of the village and the two replacement dwellings under construction to the south of the site.
13. The bulk of the proposed dwelling would be less than that of the barn and it would be located between village dwellings and the two replacement dwellings under construction. This would reduce the visual impact of the new dwelling to an extent as it would be seen in the context of dwellings to either side of it. However, the proposal would result in the new dwelling and the replacement dwellings appearing as an extension to the village. Removing typical countryside structures and building a suburban style dwelling would result in the loss of any sense of separation between the coherent village settlement boundary and farm dwellings in the countryside beyond, which is what the replacement dwellings have replaced.
14. The proposed landscaping of the garden would soften the overall appearance, but even with the use of native species at the boundaries, the garden and any associated paraphernalia would inevitably result in a significant area of land being domesticated. This would spread the residential character and appearance of the village into the countryside, having a detrimental impact on the distinctive and open character of the surroundings.
15. Due to its length and location, the proposed new access route would be a prominent element when viewed from both the village and the surrounding countryside. The introduction of such a substantial area of hard surfacing, right across what is currently an open field in the countryside, would have a significant detrimental impact on the rural quality, natural beauty and character of the area, which is within an AONB.
16. I conclude that the proposed development would have an unacceptable impact on the character and appearance of the site and the surrounding area and would fail to conserve or enhance the natural beauty of the North Wessex Downs AONB. Therefore, it would not comply with Policies ADPP5 and CS19 of the CS. Amongst other things, these policies seek to ensure that development is appropriate in terms of location, in the context of the existing settlement form, has regard to landscape character, and conserves or enhances the natural beauty of the landscape in the North Wessex Downs AONB.

17. Furthermore, the proposal would not accord with paragraph 176 of the Framework. This sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in an AONB.

Living conditions

18. The window design and orientation of the proposed dwelling would prevent any direct overlooking of neighbouring village dwellings from the side elevation closest to the boundary. However, the front and rear windows at first floor would allow overlooking of neighbouring gardens, albeit at an angle. The angle, combined with the separation distance, would prevent unacceptable overlooking of habitable rooms and would reduce overlooking of garden space to an extent. Despite this, the areas of garden which would be most overlooked at Cardwell House and Knappswood Lodge are adjacent to the rear and side elevations, which is where greatest garden privacy is generally to be expected.
19. Particularly given the existing high levels of privacy, this increased overlooking would have an unacceptable impact on the living conditions of the occupants of neighbouring dwellings, with regard to privacy. It would therefore be contrary to the requirements of policy CS14 of the CS which requires development to make a positive contribution to the quality of life. It would also be contrary to guidance set out in the Quality Design Supplementary Planning Document (adopted 2006).

Other Matters

20. The appellants states that a dwelling would have less of a noise impact on neighbours than a resumption of an agricultural use. No evidence has been provided to support this claim. In addition, the agricultural use seems to pre-date the neighbouring dwellings. Any reduction in noise would not outweigh the harms identified.

Conclusion

21. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, the appeal is dismissed.

Helen Davies

INSPECTOR