



Appeal Decision

Site visit made on 12 June 2023

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 July 2023

Appeal Ref: APP/W0340/W/22/3293738

Land at Junction of Hollybush Lane and Shortheath Lane, Burghfield Common, Reading RG7 3JS

- 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 Reading Gospel Hall Trust against the decision of West Berkshire District Council.
 - The application Ref 21/02735/FUL, dated 27 October 2021, was refused by notice dated 6 January 2022.
 - The development proposed is a new Church Hall (Use Class F.1f) and burial ground, with associated access, parking, and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's RfR 6 related to concerns that the proposal was submitted with insufficient detail to allow the Council to appraise its suitability with respect to BREEAM standards. In consideration of the evidence, the Council is now content that this matter can be addressed by way of a planning condition. As such, I shall no longer consider this to be a matter of dispute between parties.

Main Issues

3. The main issues are:
 - Whether the site would, in spatial terms, be a suitable location for a community building taking into consideration its greenfield location, the surrounding green infrastructure and the site's accessibility,
 - Whether the proposed use would meet an identified need for such a facility in the area and/or benefit the rural economy,
 - The effect of the proposal on the character and appearance of the area, including with regard to its landscape setting, and
 - The effect of the proposal on highway safety, with respect to parking provision and associated manoeuvring.

Reasons

Policy context

4. The development plan for the district includes the West Berkshire Core Strategy [2012] (CS). The development plan seeks to direct most growth

towards the urban areas of Newbury and Thatcham and settlements in the east close to Reading. The Plan seeks to focus new housing within strategic urban extensions and smaller sites that are identified through the CS and the Site Allocations and Delivery DPD. A hierarchy of settlements has been identified with most growth directed towards those areas at the highest level of the hierarchy. The Plan states that the existing urban areas are regarded as the most suitable locations for future development by virtue of their existing access to services and facilities.

5. CS policy ADPP1 seeks development to follow the existing settlement pattern, with most development expected to take place within or adjacent to settlements. It states that the significant intensification of uses will be avoided within areas that lack sufficient supporting infrastructure and where opportunities to access them by public transport, cycling and walking are limited. It also states that development in the open countryside will be limited and only allowed where it would address identified needs and maintain a strong rural economy. Whilst the policy refers to 'most' development, it provides a caveat to explain in what circumstances some development may take place within the countryside in reference to local need and economic benefits.
6. The nearest settlement, Burghfield Common, is a Rural Service Centre as defined by CS policy ADPP1. Proposals that seek to diversify the rural economy would be supported by CS policy CS10, especially those schemes that are located in or adjacent to Rural Service Centres and Service Villages. The supporting text for this policy does not define 'adjacent'. Furthermore, it is noteworthy that the policy supports the diversity of the rural economy and does not exclude facilities that would do this which are not within or adjacent to a service village, but clearly identifies a preference for in centre development.
7. In terms of the district's Green Infrastructure (GI), CS policy CS18 states that this will be protected and enhanced. It states that development that would result in the loss of GI, or harm to its use or enjoyment by the public, would not be permitted. Where exceptionally such loss is permitted, the Council require a new one of equal or greater size to be provided.
8. Regarding transport matters, CS policy CS13 seeks development that would meet a range of transport related objectives. These are largely concerned with strategies to reduce the need to travel and facilitate sustainable travel that would demonstrate good access to key services and facilities. This expands on a key objective of the Plan to locate intensive trip generating uses in the most accessible locations. It also states that the co-location of employment, shopping, leisure, transport and other facilities together enable people to undertake multiple activities in a single journey.
9. Furthermore, the Council's recent Climate Change Strategy declares a Climate Emergency. It places its sustainable transport strategy, that seeks to reduce the reliance on private cars and the protection of the natural environment, as key themes. The Council's spatial policies are in general conformity with the National Planning Policy Framework (the Framework) that seeks to locate development in locations that can gain access to infrastructure and facilities.

Suitability of location

10. The proposed development would provide a place of worship within the open countryside. The appeal site is around 280 metres from the settlement boundary of Burghfield Common. Therefore, the site is not adjacent to the village or in an edge of village location. The connecting highway to this settlement, Hollybush Lane, is subject to the national speed limit. It is an unlit road and does not benefit from a footway. Its associated grass verges are narrow and do not offer particularly safe refuge from vehicles. The nearest footpath, travelling toward Burghfield Common, is around 420 metres from the site. As a result, the road would be relatively hazardous to pedestrians. Therefore, it would be unlikely to encourage attendees of the facility to walk to the site from the nearest settlement, especially at night or during poor weather. Further, the proposed pedestrian access onto Shortheath Lane would connect to a highway which has similar characteristics as Hollybush Lane.
11. The nearest bus stop is about 900 metres from the site, within Burghfield Common. This would require worshippers to walk along Hollybush Lane to gain access to the site. Although, there is space within the site for cycle parking to be provided, this alone would not materially improve the site's connectivity to local settlements.
12. The site is therefore in a location with poor sustainable transport characteristics. The Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Therefore, whilst accessibility requirements should be calibrated to a lower expectation, the site would nonetheless be deemed as being remote from other development and settlements. Therefore, users of the facility would need to travel a substantial distance from various settlements to attend services at the church. These travel patterns would be heavily reliant on the private car. Even if some of these movements included car sharing, as offered by the Appellants, this would not materially alter the absence of sustainable travel methods to reach the site.
13. The site's poor accessibility would be contrary to the Council's sustainable transport policy, its Climate change agenda and those policies that seek to place such a use in a location that would enable access by various sustainable transport means.
14. Despite finding the site to be poorly located, CS policy ADPP1 allows development in the open countryside provided it would meet an identified need and maintain a strong rural economy. The proposal would not be a commercial use, it would not affect the economic strength of local businesses and would therefore maintain the existing rural economy. It is therefore necessary to consider matters of need before fully concluding on locational matters. Accordingly, I now turn to the second main issue.

Identified need

15. CS policy ADDP1 does not define how 'identified needs' can be demonstrated. The companion text for the policy only explains that it would support rural exception schemes that would meet a local identified needs for affordable housing. The text states that outside the settlements a more restrictive approach to development would be taken to allow only certain exceptions, such as for example, barn conversions and key worker accommodation.

Nonetheless, there seems to be no reason why the exception approach would not also apply to community uses that can demonstrate a clear local need and, as such, I have applied such an approach.

16. The proposed building would be a place of worship for the Brethren Christian Church. This seeks to serve local families living in Burghfield Common, Ufton Nervet and Sulhamstead. The evidence demonstrates that parishioners live within the local area with the site being central to this distribution pattern. The Appellant's evidence suggests, in different places, that the facility would accommodate between 35 to 50¹ parishioners and would hold meetings for either 3-4 hours a week or 4-8 hours a week². The Appellant's 'Parish Presentation Document' indicates that most parishioners currently travel to a meeting space at Three Mile Cross which is around 6 miles from the site.
17. Paragraph 85 of the Framework states that planning decisions should recognise that some community uses, that meet a local need, may need to be located beyond existing settlements in locations not well served by public transport. Furthermore, in supporting healthy communities, paragraph 93(a) requires development to provide for the needs of the community to enhance the sustainability of communities and residential environments.
18. The Appellant states that the development plan has not allocated space within or adjacent to Burghfield Common for a place of worship or burial ground and has previously applied to erect a church within three nearby sites within local settlements. Despite discussions taking place with the landowners two of these, at Omers Rise and Jordans Lane, were not successfully secured. The third gained planning permission but was unable to be pursued to completion. The Appellant states that no other site exists locally, following a ten-year search. The Appellant's supporting evidence from a local estate agency³ describes the efforts of the church group to find premises within the Burghfield Common area. This comments state that "there is very little likelihood of a suitable property coming available in this area". Accordingly, it has been demonstrated that an alternative site search, over a protracted period, has not found a suitable site for the proposal within a nearby settlement.
19. However, Burghfield Common Parish Council comment that there are existing halls in the area which could be used as a suitable meeting place. Sulhamstead Parish Council have also stated that facilities are available at its large village hall and in their meeting rooms. Furthermore, Ufton Nervet Parish Council have indicated that meeting space is available at St Mary's, Sulhamstead Abbots, the village hall and a redundant church.
20. Parishioners currently travel to an alternative place of worship at Three Mile Cross which involves a greater travel distance than would be provided by the appeal site. However, insufficient evidence has been provided to demonstrate why the current site would be unsuitable for parishioners in the long term as this appears to meet the local demand. Also, being six miles or so away does not appear to be a substantial distance to have to travel to attend a place of worship within this rural context.

¹ Presentation material for parish Council

² Planning Statement, November update 2021, paragraph 8.7

³ Parkers latter, dated 14/10/20

21. Moreover, the Appellant has not adequately demonstrated why the existing meeting spaces would not be suitable. Based on the relatively limited number of parishioners, and the venue's limited levels of use through a week, the evidence does not substantiate why such a need could not be accommodated within the existing meeting spaces identified by the parish councils. As such, taking all the above matters into account, the Appellant has failed to demonstrate that there is a clear local need for the proposed facility.
22. I therefore conclude, taking all the above into consideration, the proposal would not be in a suitable location. The proposal would therefore conflict with CS policy ADPP1, the Council Climate Change Emergency Statement and the Local Transport Plan for the above stated reasons. Whereas CS policy CS10, concerned with the rural economy, would not be relevant as the proposal would not relate to a commercial use.

Character and appearance

23. The site is within the open countryside, at the junction of two country lanes. It forms part of a field, and this is enclosed by tree and hedge field boundaries that afford some partial screening of the site. Due to its open and agrarian character the site makes a positive contribution to the character and appearance of the surrounding rural context.
24. The West Berkshire Character Assessment [2019] identifies the site as being within Character Area WH5: Burghfield Woodland and Heathland Mosaic. This area consists of a flat plateau, with undulating margins, having a varied pattern of land use dominated by woodland and a historic, rural character.
25. The proposed development would result in the provision of a large building and associated car parking within a rural setting. It would be of a barn style, with half hipped roofs, and timber weatherboarding walls. It would be recessed from both adjacent roads. However, it would be within a prominent location and obscure existing open views through the site. Although the surrounding landscape includes several isolated dwellings, these are largely screened from the highway by distance and deep vegetation having a minimal impact on the open and rural character of the site and its surroundings.
26. The Appellant's Landscape and Visual Statement⁴ (L&VS) considers the visual impact of the proposal from key viewpoints in the site's immediate and wider setting. In immediate views (such as VP 1A, 1, 1B and 2) the Statement finds that the visual effect on the surrounding area would initially be 'substantial adverse', 'moderate adverse', 'minor adverse' and 'moderate adverse' at year One respectively. The effect is predicted to slightly fall from substantial adverse with respect to VP 1A, would fall to 'minor adverse' for VP 1, 'negligible neutral' at VP 1B and 'minor neutral' for VP 2 after 15 years once the proposed landscaping is established. Whereas, due to the generally flat topography of local landform and extent of natural screen, the wider change on the local landscape has been assessed as being small. I am satisfied that the methodology and assessment of individual VPs is reasonable and see no reason to disagree with this approach.
27. Highway receptors travelling along the adjacent lanes, especially Hollybush Lane, would take in prolonged views of the proposed building through gaps in

⁴ Landscape and Visual Statement, brindle & green, May 2021

the hedgerow, and especially at the proposed access, despite the slight curve of the driveway. This would include walkers, cyclists and horse riders who would have a high susceptibility to visual change. These views would result in prolonged exposure to views of the building. The substantial adverse visual impact would only be marginally reduced by new planting, due to the extent of hardstanding evidence in this view. Whilst recognising that there are some isolated dwellings in the area, the proposed building would be largely remote from other development and would not sit well within this rural setting.

28. Therefore, although the proposed building would be recessed into the site and be softened by planting over time, it would result in an adverse visual impact on both immediate and wider roadside views. The proposal would also fail to accord with the local landscape, having a minor adverse effect on the landscape character of the area. Accordingly, the proposal would cause minor harm to the wooded and open character of the local landscape and substantial harm to the visual amenity of the area.
29. The Council identifies the site as Green Infrastructure (GI), consisting of semi-natural green spaces and scrub land. This designation finds such land to contribute to the quality of life for residents, workers and visitors, in terms of both visual amenity and creates a sense of place allowing for greater appreciation of valuable landscapes. The site would become partially enclosed by development, resulting in a loss of GI. This would reduce how the public experience the land, hampering their enjoyment of the currently open site and its surrounding. Nonetheless, this reduction would be limited due to the small scale of the appeal site, the retained open land around the building and the extent of similar open land surrounding the site. The scheme would therefore result in some, albeit limited, loss of GI having a further harmful effect on the character of the area.
30. Consequently, the proposal would harm the character and appearance of the area. Accordingly, the proposal would conflict with CS policies ADPP6, CS14, CS18 and CS19 and the West Berkshire Landscape Character Assessment [2019]. These policies seek, among other matters, for the character of all settlements within East Kennet Valley to be conserved and enhanced and to ensure that development responds positively to the local context.

Highway matters

31. The proposed development has a capacity of 35 to 40 worshippers. The site layout includes the provision of 14 parking spaces and an access onto Hollybush Lane. The Council acknowledges that it does not employ parking standards for community uses. The CS states that car parking will be derived by consideration of levels of accessibility. Due to the site poor sustainable transport characteristics, users would be largely reliant on the use of private cars to access the site. The evidence illustrates that many of the parishioners of the proposed place of worship live local to the site. It is stated that many of these would walk to the site and being family orientated those that drive would car share with around 3 to 4 people in each vehicle.
32. The Appellant's Transport Statement⁵ identifies that the facility would serve around 10 households and as the congregation is family based the facility

⁵ Transport Statement, Steve Woods Consultants, 9 April 2021

would only attract around 10 vehicles. The Statement describes a low use facility with minimal traffic movement and low volume of attendees. The Statement demonstrates that due to car sharing, and the anticipated size of the congregation of this church group, the parking provision indicated on plan would be suitable for the proposed use based on its predicted level of intensity.

33. The site is a relatively generous size, and could accommodate additional parking if the congregation expands, and parking demand exceeds the formal provision. Also, adequate space exists within the site to preclude motorist from reversing out of the site and onto the highway. As additional on-site parking could be accommodated the proposal would be unlikely to create roadside parking. Even if it did, this would be limited and unlikely to be of such magnitude as to result in demonstrable harm to the safe function of the local highway.
34. As such, the proposal would accord with CS policy CS13 and the Framework. This seeks development, that generates a transport impact, to mitigate its impact on the local transport network and strategic road network and to refuse development that would result in an adverse impact on highway safety.

Other Matters

35. In my assessment of the effect of the proposal, in providing for a new place of worship, I have had due regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010 (EA). People within a specific religious group have protected characteristics. The proposal would provide a community hall and burial ground which would be of benefit to the local community. The EA sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. I have therefore afforded weight to the rights of parishioners to an unfettered right to worship as required by the PSED. Accordingly, the provision of a place of worship would be a substantial benefit to members of this protected characteristic to which I afford significant weight.
36. The proposal has not resulted in objection from the Council with respect to drainage. However, an absence of harm in this respect can only be considered as a neutral factor in the planning balance.
37. The Appellant informs that an equestrian use, local to the site, has been approved by the Council recently. However, such a use requires fields and open space to operate effectively and would be unlikely to attract the type of concentrated car borne attendees that the proposal would create. In any event, due to the limited details provided for this approved use, and as it relates to a substantially different type of use, I am unable to draw any clear travel related comparisons with the proposal.
38. The scheme would include substantial new landscape planting that would enhance the hedge and tree planting on site. This would result in a Biodiversity net gain of around 67%. Paragraph 174, of the Framework, states that planning decisions should enhance the natural environment by providing net gains for biodiversity. This benefit is a material consideration of moderate further support, in favour of the proposal.

Planning balance and conclusion

39. The Framework supports the provision of community facilities and recognises that these may need to be outside of a settlement boundary where access to public transport may be limited. Furthermore, the facility would be of substantial benefit to the Brethren Church providing a place of worship for a local congregation, that have been unable to find a suitable site within nearby settlements, a matter of significant weight in favour of the proposal. Furthermore, the proposal would deliver biodiversity net gain that would be of benefit to the local wildlife populations.
40. Although I have found that the proposed development would not harm highway safety, the proposal would be in a location with poor accessibility, be poorly connected with the nearest settlement, where a clear local need has not been demonstrated and would therefore be contrary to the Council's spatial policies. Furthermore, the proposal would be an overt form of development, resulting a loss of Green Infrastructure, and being obtrusive within the open countryside and thus harming the character and appearance of the area. The identified adverse impacts result in conflict with policies of the development plan, and with the development plan as a whole.
41. Therefore, even with significant weight applied to the importance of the delivery of a church facility for the local community, the cumulative benefits of the proposal would be of insufficient magnitude to outweigh the primacy of, and conflict found with, the development plan.
42. For the above reasons, the appeal is dismissed.

Ben Plenty

INSPECTOR