



Appeal Decision

Site visit made on 27 March 2024

by JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2024

Appeal Ref: APP/W0340/W/23/3327949

Youngs Industrial Estate, Paices Hill, Aldermaston, Reading RG7 4PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Young Estates and Land Ltd against the decision of West Berkshire District Council.
 - The application Ref is 22/02730/FULMAJ.
 - The development proposed is the construction of 8 light industrial units and 1 light industrial unit with office accommodation in a single building, including parking and access roads.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The decision notice refers to the Atomic Weapons Establishment (AWE) at Burghfield, while para 3.1 of the Emergency Planning Statement states '*only AWE Burghfield is relevant to this Appeal*'. AWE Burghfield is also mentioned in para 7.6g of that statement. The Council has confirmed though that these references are in error, and should refer to AWE Aldermaston. This to my mind is apparent from the remainder of the Council's submissions and so accepting that correction does not prejudice the position of any party.
3. An application for costs was made by the appellant against the Council, and that is the subject of a separate decision.

Main Issues

4. The main issues in this case are
 - a) the suitability of the location in land use terms for the development,
 - b) its effect on the character and appearance of the area,
 - c) whether the development would exacerbate safety issues given its proximity to the AWE Aldermaston complex (the AWE complex),
 - d) its impact on biodiversity,
 - e) its effect on highway safety,
 - f) whether the building can be constructed to a suitable environmental standard and
 - g) the effect on drainage.

Reasons

Suitability of the location

5. Policy ADPP1 in the *West Berkshire Core Strategy* (the Core Strategy) outlines the spatial strategy. It says most new development will be in or adjacent to settlements, with the majority occurring on previously-developed land. Only appropriate limited development in the countryside will be allowed, focussed on addressing identified needs and maintaining a strong rural economy. It adds

Significant intensification of ... employment generating ... uses will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to access them by public transport, cycling and walking are limited.

6. Core Strategy Policy CS10 also aims to support the rural economy. Core Strategy Policy CS9, which concerns industrial development, states industry that is out of centre will be directed towards the Protected Employment Areas and brownfield sites (presumably previously-developed land) with good accessibility by alternative modes of transport. It expresses no preference though as to whether or not countryside locations are acceptable. However, the development plan should be read as a whole, and so these policies should be considered together, rather than any one over-ride the others.
7. Immediately beyond the site's southern boundary is an extensive designated Protected Employment Area, occupied by Youngs Industrial Estate (the industrial estate), which also extends northwards, a little to the west of the appeal site. In between that northern extension of the industrial estate and the site itself are a few other depots and some open space. A sizeable commercial building (referred to as the Screwfix building in the submissions) is to the north that was granted planning permission some 4 years ago. Despite these surrounding uses though in the Core Strategy the site itself is designated as in the open countryside outside of any settlement boundary. It was said that it was intended to allocate it as part of the Protected Employment Area in the emerging local plan, but I have no grounds to consider that plan has a status sufficient to outweigh the position in the currently adopted development plan. However, the site is now a builders' yard, and so, as brownfield or previously-developed land, it comprises one of the areas to which Policy CS9 directs industrial development that is out of centre.
8. That policy though qualifies its acceptance of brownfield sites to those that have good accessibility by alternative modes of transport. The need for such access is also raised in Policy ADPP1. On the evidence before me the bus service is restricted whilst the distances to nearby settlements and the nature of the roads and pavements mean that walking and cycling are unlikely to be favoured. Therefore, customers and staff are, quite probably, going to be heavily reliant on private motorised vehicles to travel to and from the site and opportunities to access it by public transport, cycling and walking are limited.
9. Although the existing use of the site would also be reliant on private motorised transport, it is reasonable to assume what is before me would be a significant intensification of commercial activity, and the traffic associated with these units, and hence the reliance on such transport, would be greater than the use there now. I am aware too that, despite assertions from the Council to the contrary in connection with this appeal, the Officer Report for the Screwfix

building found it to be *'well served by both public transport and the local highway network, as well as local cycling routes'*. As stated above though, on the evidence before me this is not a view that I share.

10. The scheme would provide job opportunities and, as established above, it would be in a rural area. Moreover, social and economic benefits would flow from the development. It is therefore supported by the Economic Development Team. However, it could be said that such benefits could be accredited to virtually any employment use in the countryside. Moreover, it does not follow that the scheme would *'support the rural economy'* as required by Policies ADPP1 and CS10. Rather, mindful of the scale and diversity of surrounding employment on the industrial estate and the AWE complex I have no basis to find that the jobs it would create would be taken up locally, are needed to maintain the vitality of smaller rural settlements as required by policy, or are necessary to diversify the local economy from agriculture.
11. Accordingly, I conclude the development would be in the open countryside with limited access by alternative transport modes, and it has not been shown it would support the rural economy. As such it would conflict with Policies CS9, CS10 and ADPP1 in the Core Strategy.

Character and appearance

12. Although within an area designated as open countryside, when passing to the site's east on the A340 (Paices Hill) and looking through a gap in the shrubs on the verge, the existing commercial nature of the site is readily apparent, with its jumble of equipment and the existing office block beyond. From this viewpoint it is also apparent the site sits between the Screwfix building to the north and the units in the industrial estate to the south, many of which are of a comparable scale and form to what is before me. Moreover, looking over the site further commercial activities can also be seen to the west, albeit with woods behind. There is a woodland to the east, but that is separated from the appeal site quite distinctly by the main road, and in any event is a relatively narrow belt of trees with the buildings at the extensive AWE complex beyond.
13. I recognise the site is in a Landscape Character Area (LCA) from which the industrial development along the A340 detracts. However, in such a context, I consider that this proposal would not be discordant or alien and would not have an urbanising effect on the landscape or reduce the separation between settlements. This is because its surroundings are commercial in nature and do not comprise what could be described as a rural landscape. Furthermore, it would not be extending commercial activity or built form into such a landscape or, putting aside any felling that might already have occurred, be reducing woodland cover to any material degree. In addition, as well as being in a commercial context, the proposal would be set back from the A340 and at an appreciably lower level, thereby reducing its prominence to some extent.
14. I therefore conclude it would not undermine the intrinsic character and beauty of the countryside and would not harm the character or appearance of the area, and so would not be contrary to Core Strategy Policies CS14 and CS19, which, among other things, require development to be sensitive to the landscape character.

Health and safety

15. While the likelihood of a leak of radioactive material from the AWE complex to the east is amongst the lowest on the National Risk register, it is not an impossible event and if it happened its impact could be catastrophic. To respond to this a Detailed Emergency Planning Zone has been identified around the AWE complex. In the event of an emergency involving radioactive material, people within this zone are instructed to take-cover immediately in a suitable building and to stay inside with the windows and doors all properly shut. Although this should be done *'as soon as practical'*, in reality there is a very short period of time for sheltering in this way. I was told that

'this 'sheltering' action may be necessary for a period of up to two days, or at least until the initial contaminated plume has passed and monitoring of the ground contamination has been undertaken to determine the level of ground shine'.

Thus, the period of time for sheltering may be extended, or it is more likely that subsequent evacuation may be necessary to protect public health.

16. The appeal site lies well within the Detailed Emergency Planning Zone, and it is reasonable to assume it would be introducing more people into this zone when compared to the existing operation here. As such, this gives rise not only to issues around the safety of the additional people on the site but also the effect their presence would have on stretching the resources of the emergency services further.
17. The appellant has highlighted the difficulties of addressing such matters when speculative development is proposed, and so has suggested the necessary safety measures can be agreed by condition. I accept that the precise nature of the site's need will vary slightly between potential operatives. However, on the evidence before me I am persuaded that the effects of a leak are a very real and significant danger, while the implications and required solutions are varied. Consequently, I am not satisfied that through such a condition the matter could necessarily be adequately addressed within the terms of the development. Although the conditional approach was taken when the Screwfix building was approved I am aware that the advice on safety in the zone keeps being refined, and so what is recommended now may well not be the same as the approach taken then. Therefore, in the light of the evidence before me and having regard to the safety of users of the site and the surrounding community, the necessary response to the site's location by the AWE complex should be secured before the grant of planning permission.
18. In the absence of such a response, I therefore conclude it has not been shown the scheme would not exacerbate the safety issues associated with the AWE complex, and so would conflict with Core Strategy Policy CS8, which aims to protect public safety around that complex.

Biodiversity

19. At present the appeal site offers little biodiversity value as it is more or less fully covered by hardstanding and associated commercial activity.
20. Within close proximity to the site though are protected habitats and ponds containing protected species. In particular I was told the site was within the 'Red' Newt Impact Risk Zone. These are clearly material considerations and I

have treated them as such, and Core Strategy Policy CS17 seeks to permit development that will harm such sites only if there are clear social or economic benefits.

21. However, I am aware of the condition of the site now, the distances to these areas, and the main roads and industrial premises that lie in between. Therefore, while these matters should be taken into account in an appropriately informed manner before the works start, I consider it most unlikely that the potential effects of the development on those sites and species would be so great as to prevent it from proceeding. Therefore, the matter can be reasonably addressed through a condition.
22. Although I acknowledge the obligations under the circular, I am aware these should only be pursued '*where there is a reasonable likelihood of the species being present and affected*'. The surveys and evidence submitted by the appellant have sufficiently demonstrated to me that this is not in fact the case in this instance.
23. The site is within a Biodiversity Opportunity Area (BOA). Policy CS17 says that in such areas opportunities will be taken to create links between natural habitats, while strategic opportunity for biodiversity improvement will be actively pursued. The BOA though is very large, and no doubt encompasses some pockets of poorer environment amongst the extensive areas that are of higher quality. As this site is substantially surrounded by other commercial development, the prospects of creating links would be limited, but its current condition means there would no doubt be some opportunity to pursue biodiversity improvements and secure net gains in that regard.
24. Accordingly, I conclude that the development would not have an adverse effect on biodiversity, and so would not conflict with Core Strategy Policy CS17.

Highway safety

25. The access road on the eastern side of the proposal has already been formed in connection with the Screwfix building (the eastern access), which sweeps up across the northern side of the appeal site. The main estate road runs along the southern side, and on the west there is an extended area of hardstanding that is used by the depots there for access purposes and connects with the main estate road.
26. The junction of the estate road with the A340 already serves a sizeable complex of industrial buildings, and the relatively small amount of additional vehicles associated with this proposal would not have a material effect on its functioning.
27. Barriers control access to the estate across the main estate road and the eastern access. These appear to be open during the working day but close during the evening and night-time. However, even when closed there is still sufficient room for vehicles to pull clear of the A340. I have no reason to consider they adversely affect the free flow of traffic at the moment, or that this position would change with the development before me.
28. When I was on site I saw articulated vehicles satisfactorily using the informal access to the west of the site to turn on and off the estate road. Again, I have no reason to find the arrangement shown by the appellant would not be capable of serving the development. The scheme makes little provision for

larger vehicles to service the units off the highway, and, despite the appellant's assertions to the contrary, it cannot be assumed such traffic would not come to the site. This is because, while the units themselves may not be especially large, there is no control over the size of vehicles independent companies may use to make deliveries or collections. Having said that, the unit sizes mean it is fair to assume such lorries would be occasional and designing each to accommodate such traffic would use a significant amount of space. In such circumstances, and mindful of how quiet the roads on the estate were, I consider the units could be adequately serviced.

29. Whilst the western access may have been outside the application site, it was nonetheless in land under the appellant's control and now used to provide access to the depots on that side. As such, had I been finding differently I consider that would not have been a matter that would have justified refusal.
30. Accordingly, I conclude the development would not adversely affect highway safety, and so in this regard would not conflict with Core Strategy Policy CS13, which, among other things, seeks to mitigate the impact of development on the transport network.

Construction to a suitable environmental standard

31. Core Strategy Policy CS15 requires development to be constructed to a BREEAM¹ Excellent standard. I see no reason why this cannot be suitably addressed by condition.
32. Accordingly I conclude the development can be constructed to a suitable environmental standard, and so would not conflict with Policy CS15 in the Core Strategy.

Drainage

33. There is an absence of information concerning detailed drainage proposals. However, given the nature of the site at present and the surrounding uses, I have no reason to find that, through the imposition of a condition, a suitable scheme could not be delivered.
34. Accordingly, I conclude the site can be suitably drained and so is not in conflict with Core Strategy Policy CS16, which requires surface water to be managed in a sustainable manner.

Other Matters

35. A condition could ensure the premises continued as a light industrial use that, to my mind, would be compatible with the neighbouring industrial estate. Whilst there is a bungalow just to the south, that already experiences traffic noise and disturbance from Youngs Industrial Estate, to which this would not add appreciably. Moreover, the activity at the proposal, being light industrial in nature, can be undertaken without harm to the residential amenity enjoyed at that property.
36. To the north the A340 runs through the Aldermaston Conservation Area. Insofar as this appeal is concerned, the significance of this lies in the manner in which it comprises an attractive collection of historic buildings of varied designs

¹ Building Research Establishment Environmental Assessment Method

lining the main road, reflecting the organic evolution of this old rural settlement over time. Although a proportion of vehicles going to and from the appeal site would be heading to or coming from the south, the proposal would inevitably result in some increase in traffic through the Conservation Area. However, given the existing flows that use the A340, I am not satisfied that any such increase would be perceptible, and so would not cause harm to the significance of this designated heritage asset or its character and appearance.

Planning balance

37. I have found development plan conflict resulting from the scheme's location in the countryside with poor choices of transport modes, and in relation to its relationship with the AWE complex. Balanced against this the appellant has highlighted a need for employment units in the District and the economic and social benefits that would flow from the scheme. Whilst these may be so, to my mind they do not outweigh the weight afforded to the combined harms identified, especially given the issues of safety associated with a possible incident at the AWE complex.

Conclusion

38. Accordingly, I conclude the development should be dismissed

JP Sargent

INSPECTOR