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# Appeal Decision

Site visit made on 24 January 2024

**by Hannah Guest BSc (Hons) MA MRTPI**

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

**Decision date: 9<sup>th</sup> May 2024**

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**Appeal Ref: APP/W0340/W/23/3327769**

**Willow Cottage, Frilsham, Yattendon, Thatcham RG18 0XT**

- 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 Mr and Mrs Willment against the decision of West Berkshire District Council.
  - The application Ref is 23/00695/HOUSE.
  - The development proposed is demolition of conservatory and side extension. Extension of dwelling to sides, and rear, alterations and porch.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. I have used the address on the appeal form in the banner heading above, as this includes the current name of the appeal property. It therefore more accurately sets out the location of the appeal site.
3. On 19 December 2023, a revised National Planning Policy Framework (the Framework) was published. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I have not sought further submissions. I will refer to the updated paragraph numbers where necessary in this appeal.
4. On 22 November 2023, all areas in England and Wales designated as an Area of Outstanding Natural Beauty (AONB) were retitled National Landscapes. There has been no change to the legal designation and policy status of these areas. For the avoidance of doubt, I have used the term AONB, which remains in the latest version of the Framework.

## Background and Main Issues

5. The Council's Decision Notice cited two reasons for refusal. The first related to the effect of the proposal on the character and appearance of the original dwelling and its setting, local landscape character and the North Wessex Downs AONB. However, the first reason for refusal also refers to conflict with Area Delivery Plan Policy 1 (Policy ADPP1) of the West Berkshire Core Strategy (2006-2026) Development Plan Document (2012) (Core Strategy), which relates to the principle of the development, a separate issue to character and appearance. The appellant has fully engaged with the issue of Policy ADPP1 in their statement, as such there would be no prejudice in me considering whether the proposal would constitute appropriate limited development within the countryside as a main issue.

6. The second reason for refusal related to the effect of the proposal on Great Crested Newts (GCN). As part of the appeal process, the appellant submitted a GCN Survey, prepared by Arbtech, dated 2 August 2023. The Council and interested parties were given opportunity to comment on the GCN Survey as part of the appeal proceedings and therefore no party would be prejudiced by my consideration of it as part of the appeal. The Council acknowledge that the GCN survey found there to be no evidence of GCN within the nearby pond and that therefore the development would be unlikely to have any impact on this protected species. From the evidence before me and my observations on site, I am of the same view, and I am satisfied that the proposal would not result in any harm to GCN and/or their habitat.
7. In this context, the main issues of this appeal are:
  - the effect of the proposal on the character and appearance of the original dwelling and its immediate setting;
  - whether the proposal would constitute appropriate limited development in the countryside; and
  - the effect of the proposal on the local landscape character and whether it would conserve and enhance the landscape and scenic beauty of the North Wessex Downs AONB.

## **Reasons**

### *Character and appearance*

8. The appeal property is one of four dwellings set around an open green space and pond. The dwellings are reached by a driveway from Chapel Lane that passes through a small area of woodland. They are moderate sized, two-storey houses on large plots. The four plots are mostly bounded by tall trees and other planting, which provides some enclosure to the group as a whole. Notwithstanding this, the residential boundary treatments to the east are more open and there are partial views of the open countryside, as well as tree belts and woodland beyond.
9. It would appear that the dwellings were built as a group. While they are moderate in size, they appear relatively humble in their surroundings. There is a large degree of consistency in their form and features. The principal section of the dwellings has a traditional pitched roof. There is a lower two-storey side component that includes a chimney and a catslide roof, which wraps around the front of the dwellings overhanging the front door and ground floor front windows. All the dwellings also have a detached double garage sited to the side of the house. While some of the dwellings have had single-storey extensions, including the appeal property that currently has a rear conservatory, the modest scale and positioning of these extensions means that they do not appreciably erode the similarities between the dwellings.
10. Overall, the character and appearance of the immediate area derives from the uniform group of dwellings and their humble appearance relative to their substantial and largely tree bounded plots, which, together with the surrounding countryside, provide an open and verdant setting.
11. While it may be that almost all the proposal would be positioned on existing paved patio, it would significantly increase the size of the original dwelling. The

rear and side extensions would be substantial and, despite being set back from the principal front elevation of the original dwelling with a lower ridge height, would not appear subservient, contrary to the advice set out in the Council's House Extensions Supplementary Planning Guidance (2004) (SPG).

Furthermore, although the proposed rear extension would project a similar distance from the original dwelling as the existing conservatory, it would be significantly taller as well as significantly wider, spanning the whole of the existing rear elevation. I recognise that the SPG pre-dates the Framework and extant development plan. However, it provides useful guidance on what would be acceptable in terms of the design of a residential extension.

12. Once extended, the appeal property would be substantially larger than the other three dwellings that form part of its setting. While it would not be overbearing or imposing on these other dwellings, by virtue of its size, it would be incongruous and visually obtrusive. The original dwelling would also lose its humble appearance, which is an important attribute contributing to the character and appearance of the immediate area. I appreciate that the extended dwelling would be partly screened by existing trees. However, there is no certainty that these trees would remain in their current form, and while it may be that the existing trees would help soften the proposal and integrate it with its surroundings, they should not be used as a screen to mitigate otherwise unacceptable development.
13. The overall appearance of the extended dwelling would also be considerably different to the other dwellings within the group. While the components of the original dwelling would still be evident, the rear and side extensions would consume these features, which would significantly erode the uniform character of the group, contrary to the guidance set out in Part 2: Residential Development of the Quality Design West Berkshire Supplementary Planning Document Series (2006) (SPD). Again, I recognise that the SPD pre-dates the Framework and extant development plan. However, like the SPG it provides useful guidance on what would be acceptable in terms of residential development.
14. Accordingly, for the reasons above, the proposal would harm the character and appearance of the host dwelling and its immediate setting. It would conflict with Policy CS14 of the Core Strategy and Policy C3 of the Housing Site Allocations DPD 2006-2026 (2017) (HAS), which seek to ensure that new development is of a high quality and sustainable design that respects and enhances the character and appearance of the area; it would be contrary to the associated provisions of the Framework.
15. It would also conflict with Policy C6 of the HAS, which, although provides a presumption in favour of proposals for the extension of existing permanent dwellings within the countryside, requires, among other things, the scale of the enlargement to be subservient to the original dwelling and designed to be in character with the existing dwelling and have no adverse impact on the setting and local rural character.

*Appropriate limited development*

16. Policy ADPP1 of the Core Strategy (Policy ADPP1) states that only appropriate limited development in the countryside will be allowed, and that this development should be focused on addressing identified needs and maintaining a strong rural economy.

17. There is no dispute between the parties that the appeal property is located within the countryside for the purposes of Policy ADPP1. However, the appellant contends that Policy ADPP1 is irrelevant to this appeal, as they consider the requirements of the policy to relate solely to new housing and economic development.
18. I note that the supporting text to Policy ADPP1 discusses the distribution of new housing within the district. However, there is nothing within the policy itself to suggest that its requirements should only be applied to new housing and economic development. On the contrary, the policy does not refer to new housing or economic development but to 'development' in general and there is nothing to suggest that this should be interpreted as anything narrower.
19. While I have found that the proposal would be a substantial addition to the host dwelling, within the wider open countryside context, an extension to an existing dwelling is a reasonably limited form of development. Moreover, even once extended the proposal would be proportional to its large plot and would not significantly intensify the residential use of the site. While the proposal would not address a local need specifically identified by the Council, it would improve the living space within the appeal property to meet the needs of the appellant's family. I am therefore satisfied that, in this case, the proposal would constitute appropriate limited development within the countryside and would therefore accord with the requirements of Policy ADPP1.

#### *North Wessex Downs AONB*

20. The appeal property is located within the North Wessex Downs AONB, where the scale and extent of development should be limited. Area Delivery Plan Policy 5 of the Core Strategy (Policy ADPP5) deals specifically with development within the AONB. It requires development to conserve and enhance the local distinctiveness, sense of place and setting of the AONB and to respond positively to the local context, and respect identified landscape features and components of natural beauty.
21. Like with Policy ADPP1, the appellant contends that Policy ADPP5 is irrelevant to this appeal, as they consider the requirements of the policy to relate solely to new housing and economic development. Policy ADPP5 is made up of several criteria with some relating specifically to housing and the economy, and it refers specifically to new housing and economic development where its requirements are solely applicable to these types of development. It also refers to 'development' in general where its requirements are applicable to all types of development. Like Policy ADPP1, there is nothing within the policy to suggest that all its requirements should only be applied to new housing and economic development.
22. The North Wessex Downs AONB Integrated Landscape Character Assessment Technical Report (March 2002) explains that the character of the AONB varies significantly across the area. The appeal site forms part of the Downland with Woodland landscape, close to the Lowland Mosaic landscape. The Downland and Woodland landscape is defined by the contrast of open rolling downland and enclosed woodland. The landform has a strong rolling topography comprising gently domed hilltops and dissected dry valleys.
23. The proposal would not impact any of the key characteristics of the Downland with Woodland landscape. The appeal property is set away from the more open

eastern boundary of the group of dwellings, close to an area of woodland, and the proposed extensions and alterations would be mostly screened from the wider countryside and AONB. When assessed in the context of the appeal property's substantial plot, the amount the extended property would encroach into the open garden area would be limited and the proposal would be viewed against a woodland backdrop rather than an open one. Given this, any effect of the proposal on the open character of the wider area and AONB would be localised and limited and would not result in any appreciable harm.

24. Accordingly, the proposal would conserve the local distinctiveness and sense of place of the AONB and would respect identified landscape features and components of its natural beauty in accordance with Policy ADPP5. It would also accord with Policy CS19 of the Core Strategy that seeks to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved.

### **Other Matters**

25. It has been put to me by the appellant that the proposal would allow repairs and maintenance to be undertaken to improve the condition of the existing dwelling. However, there is nothing before me to demonstrate that the required repairs and maintenance could only be achieved as part of the proposal. I can therefore only afford this benefit limited weight.
26. I note the support for the proposal from interested parties, including the occupants of one of the neighbouring dwellings. However, this support does not lead me to allowing the appeal, given the harm I have found.

### **Planning Balance and Conclusion**

27. Overall, I have found that the proposal would constitute appropriate limited development within the countryside and would conserve the landscape and scenic beauty of the AONB. Nonetheless, it would result in significant harm to the character and appearance of the host dwelling and its immediate setting.
28. This significant harm would outweigh the limited benefits arising from the improvements to the condition of the host dwelling and modest benefits associated with the construction of the proposal and the improved living space within the dwelling.
29. Accordingly, the proposal would conflict with the development plan read as a whole. Having had regard to all relevant material considerations, it has not been demonstrated that there are any of sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. The appeal is therefore dismissed.

*Hannah Guest*

INSPECTOR