
Appeal Decision

Site visit made on 17 December 2024

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 January 2025

Appeal Ref: APP/W0340/W/24/3352003

Land Between The Cottage and Eden Cottage, Chapel Row, Reading RG7 6PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Miss / Mr M & T Johnson against the decision of West Berkshire District Council.
 - The application Ref is 24/01101/PIP.
 - The development proposed is residential development for 1 new home at land at Chapel Row.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in principle, and the second 'technical details consent' (TDC) stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application if permission in principle is granted. The issue of character and appearance can be assessed in so far as it relates to the principle of development and its implications. I have therefore determined the appeal accordingly.
4. A block and elevation plan has been submitted, which has been clearly marked as indicative. I have therefore considered these as such.

Main Issue

5. The main issue is whether the site is a suitable location for residential development, with particular regard to the Council's spatial strategy and the landscape and scenic beauty of the North Wessex Downs National Landscape (NWDNL).

Reasons

Spatial Strategy

6. The appeal site relates to a field enclosed by dense hedges with a vehicular access on its south west boundary. It is situated to the north of Eden Cottage which faces The Avenue and to the south of The Cottage which faces Manor Farm Road. To the north of the site, along Manor Farm Road, are further detached dwellings within commensurately spacious plots set at varying distances apart from each other.
7. Policy ADPP1 of the West Berkshire Core Strategy (2006-2026) (July 2012) (the CS) requires development to follow the existing settlement pattern and comply with the spatial strategy set out within the Area Delivery Plan Policies. The policy mainly directs development to settlements in the settlement hierarchy. Outside of this, limited development is directed to the smaller villages with settlement boundaries. Within open countryside, the policy says that limited development will be focused on addressing identified needs and maintaining a strong rural economy. In this context, it is not disputed that the appeal site is in the countryside, outside of settlement boundaries.
8. Policy ADPP5 of the CS is the relevant Area Delivery Plan policy because the site is within the NWDNL. This seeks to ensure appropriate and sustainable growth that conserves and enhances the special landscape qualities of the NWDNL, amongst other things.
9. Policy C1 of the Housing Site Allocations Development Plan Document (May 2017) (the DPD) reinforces the Council's spatial development strategy and seeks to focus development within the settlement boundaries. Exceptions include limited infill in settlements in the countryside with no defined settlement boundary. Policy C1 sets out criteria relating to proposals in such locations including that 'i) it is within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway.'
10. The main dispute is whether or not the proposal complies with criterion i) of Policy C1. The CS does not define the term 'closely knit cluster'. I appreciate that the distance between the appeal site and properties to the south of The Avenue is smaller than the clusters identified in another appeal decision¹ I have been referred to. Nevertheless, the presence of intervening roads and open land between the appeal site and the development on the south side of The Avenue creates physical and visual separation between them.
11. From certain vantage points the appeal site can be seen in the same view as properties to the south of The Avenue. However, as The Avenue curves westwards from its junction with Manor Farm Road, the land between the roads widens so that the appeal site becomes increasingly physically and visually separated from the properties to the south of The Avenue. Therefore, despite the appeal site's proximity to Eden Cottage, the wide spacing between that dwelling and those on the north side of The Avenue, together with the intervening road, leads me to find that they do not form part of a closely knit cluster with the appeal site and other dwellings along Manor Farm Road.

¹ Ref APP/W0340/W/20/3265397.

12. The appeal site is in a closely knit cluster of 3 dwellings fronting a highway. This comprises The Cottage, The Old Bakehouse and Shepherds Heath on Manor Farm Road and does not include Barfield, Chapel Row and Wellcroft End. This is due to their separation distances from the appeal site. Furthermore, the closely knit cluster does not include Glencoe and Bole Cottage because they are not adjacent to or fronting an existing highway, as stipulated by Policy C1.
13. For the reasons given, the appeal site does not comply with criterion i) of Policy C1 of the DPD and is therefore not a suitable location for residential development with regard to the Council's spatial strategy for development. Hence, the proposal would conflict with Policies ADPP1 and ADPP5 of the CS and Policy C1 of the DPD insofar as they seek to focus development within the settlement boundaries unless it meets the policy exceptions.
14. I have been referred to Policy DM1 of what is claimed to be an emerging West Berkshire Local Plan, of which criterion 'h' largely replicates policy C1 referred to above. For the same reasons given above, the proposal would conflict with the emerging policy too.

The NWDNL

15. The appeal site is an undeveloped, grassed field within the NWDNL. This part of the NWDNL curves around Newbury and the lower Kennet valley. The landscape is of largely medieval origins giving rise to a diverse mix of soils and, in turn, a mosaic of ancient semi-natural woodlands, plantations, remnant heathland and more open farmland areas. The Management Plan for the NWDNL identifies key issues facing the area such as the potential for development to visually damage or undermine the scale and critical qualities of the landscape and the need to conserve and enhance the remote, secluded and relatively undeveloped character of more enclosed and intimate landscapes, including the character of the lanes. The appeal site contributes to the undeveloped character of intimate landscapes within the NWDNL.
16. The immediate vicinity of the appeal site is characterised by low density dwellings generally set back from the road in verdant, rural surroundings with varying separation distances between them. The appeal site does not have a strong physical and visual relationship with the agricultural fields to the east of the site. Nevertheless, it contributes to the rural character of the surrounding area due to its undeveloped, open and verdant nature. In addition, the site is in a prominent location and sits in a central position in Chapel Row where Manor Farm Road and The Avenue converge. Despite the existing boundary vegetation, the proposal would be clearly visible when approaching Chapel Row from the west and in closer views along Manor Farm Road.
17. The appellant has pointed to an existing access serving a building close to the junction of Manor Farm Road and The Avenue and contends that as the appeal site is not the final parcel of land along Manor Farm Road, it does not provide separation between the two ribbons of development. However, the existing access is to a parking area related to Eden Cottage and is seen and experienced in the context of The Avenue, given this relationship and the shallow curve of Manor Farm Road. Therefore, the appeal site continues to provide physical and visual separation between the two ribbons of development, which makes a positive contribution to the rural character of the NWDNL. Allowing development to sprawl

along Manor Farm Road would harm the open, rural character of this part of the NWDNL.

18. A comprehensive landscaping scheme could enhance the existing boundary vegetation and screen the site to some extent. The final scheme could also be designed to be in keeping with the surrounding dwellings and be sited with sufficient separation distances to neighbouring properties. The size of the plot is also comparable to those on Manor Farm Road. However, these factors would not sufficiently mitigate the harm to and erosion of the openness and rural qualities of the site due to the inevitable introduction of residential activity/ paraphernalia, built form and hard surfacing.
19. One of the statutory purposes of National Landscapes is conserving and enhancing the natural beauty of the area. The relevant guidance² advises that considerations should be given to whether measures can be embedded in the design of plans and proposals, where reasonably practical and operationally feasible.
20. The appeal site makes an important contribution to the natural beauty of the area due to its openness, verdant character, and central location in the loose collection of properties in Chapel Row. It has not been shown that there are any measures that could be embedded in the design at the TDC stage to obviate the harm that the proposal would have on the NWDNL. Consequently, the proposal would not conserve and enhance the natural or landscape and scenic beauty of the NWDNL.
21. For the reasons given, the proposal, in principle, would inevitably cause significant harm to the scenic and landscape beauty of the NWDNL. This would conflict with Policies ADPP5, CS14 and CS19 of the CS and Policy C3 of the DPD insofar as they require development to respect and enhance the character and appearance of the area and conserve and enhance landscape character. Policy ADPP5 specifically requires development to conserve and enhance the special landscape qualities of the NWDNL. The proposal would also be contrary to the National Planning Policy Framework's objective of conserving and enhancing landscapes of national importance.

Other Matters

22. The general duty as respect to listed buildings in exercise of planning functions set out at Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) applies in this case, as a reference to permission in principle was introduced by the Housing and Planning Act 2016. The appeal site is immediately to the northwest of Eden Cottage, a Grade II Listed Building. However, given the restricted intervisibility between the appeal site and Eden Cottage, it would be possible to provide one dwelling in this location in a manner that would preserve the setting of the listed building.
23. The appeal site is to the south of the Grade II Listed Old Bakehouse. An intervening property separates the appeal site from the Old Bakehouse. As such, on account of the intervening distance and built form, the proposal to provide one dwelling in this location could be done so in a way that would preserve the setting of the listed building.

² Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes, by the Department for Environment, Food & Rural Affairs (16 December 2024).

Other Considerations

24. The Council is unable to demonstrate a five-year supply of deliverable housing sites, although it has not provided a specific 5 year land supply figure, as the relevant figures are in the process of being updated. In these circumstances, paragraph 11 d) of the Framework is engaged. In view of the apparent lack of housing land, conflicts with Policies ADPP1 and ADPP5 of the CS and Policy C1 of the DPD carry less weight in my assessment of the proposal.
25. However, I have concluded that there would be significant harm to the scenic and landscape beauty of the NWDNL which provides a strong reason for refusing the development in accordance with paragraph 11 d) i) of the Framework. There is, therefore, no need to refer to the test in paragraph 11 d) ii) of the Framework. Consequently, the presumption in favour of sustainable development does not apply.

Planning Balance and Conclusion

26. The addition of one house would contribute to the overall housing supply which is in shortage in the area. There would be social and economic benefits associated with the provision of housing. However, given the small scale of the development, these benefits carry moderate weight in the planning balance.
27. On the other hand, there would be significant harm arising from the site's location in the NWDNL. In addition, its location would not comply with the Council's spatial strategy. The moderate benefits of the proposal would not outweigh these significant collective harms. The proposal would conflict with the development plan when considered as a whole.
28. The material considerations weighing in favour of the development do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons given above, the appeal should be dismissed.

U P Han

INSPECTOR