



Appeal Decision

Site visit made on 1 April 2025

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 May 2025

Appeal Ref: APP/W0340/W/24/3353766

2 Blandys Hill, Kintbury, Hungerford, West Berkshire RG17 9UE

- 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 I Fidler against the decision of West Berkshire Council.
 - The application Ref is 24/00515/FUL.
 - The development proposed is the demolition of the existing dwelling and the erection of a replacement dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing dwelling and the erection of a replacement dwelling at 2 Blandys Hill, Kintbury, Hungerford, West Berkshire RG17 9UE in accordance with the terms of the application, Ref 24/00515/FUL, subject to the conditions in the attached schedule.

Preliminary Matters and Main Issue

2. During the appeal, additional ecological information to address one of the reasons for refusal on the decision notice was submitted which satisfies the Council's concerns regarding the presence of bats on the site. I have no reason to disagree with the Council on this matter.
3. Consequently, the main issue is the effect of the proposal on the character and appearance of the area, with particular regard to the North Wessex Downs National Landscape (NWDNL).

Reasons

4. As the appeal site lies beyond the Kintbury settlement boundary, for the purposes of the development plan it is located in the countryside where there is a presumption against residential development. However, as the proposal comprises the replacement of an existing dwelling, it meets an exception to this presumption, as set out in Policy C1 of the HSA¹, provided the requirements of Policy C7 of the HSA are met.
5. The existing property forms part of a cluster of detached dwellings located on either side of Blandys Hill. There are few consistent architectural features, styles or materials evident within this cluster, nor prevalent bulk or massing characteristics, albeit dwellings are predominantly one storey, some with dormer windows serving loft rooms, or two storeys. Therefore, the incorporation of the proposal's projecting

¹ West Berkshire District Council Housing Site Allocations (HSA) Development Plan Document (DPD)

double gables and crown roofscape would not be harmful to the variety already present in the wider street scene.

6. Whilst the replacement dwelling would have a larger footprint than the existing property and comprise an H-shaped form, as there is no built form or shape which is a discernible characteristic of the cluster, the proposal would not disrupt the pattern of development along Blandys Hill. Additionally, its two-storey height and façade sited no further forward than the adjacent dwellings, ensures the replacement dwelling would not impose itself on the street scene and the verdant, and in parts, open character of the area would be maintained.
7. The side elevation of the proposal would be longer than the existing dwelling and sited marginally closer to the existing public right of way which runs between the appeal site and the neighbouring property known as Corbiere. However, given the retention of the existing tall and thick hedgerows on either side of the grassy footpath, users would continue to experience walking through a verdant space comprising features commonplace in the rural landscape. As such, the replacement dwelling would not have an overbearing impact on users of this footpath.
8. To the rear of the site, the rising topography comprising largely open agricultural fields, is a key characteristic of the undulating and open landscape associated with the scenic beauty of the NWDNL. The replacement dwelling's rear elevation would not be positioned closer to the rear boundary of the proposal, thereby retaining the openness of this part of the NWDNL. The visual connection between the highway and the wider landscape would also be maintained via the footpath gap between the site and Corbiere. Consequently, the statutory purpose of the NWDNL to conserve and enhance the natural beauty of the protected landscape is, as required by the LURA², furthered.
9. I conclude that the proposal does not harm the character and appearance of the area, with particular regard to the NWDNL, and accords with policies CS14 and CS19 of Core Strategy)³.

Conditions

10. In addition to the standard time limit and plans conditions, in the interests of the character and appearance of the area I have imposed a condition limiting the external materials to those shown on the approved plans.
11. To ensure surface water is managed appropriately and the development does not increase the risk of flooding on the site or the surrounding area, I have imposed a condition requiring a surface water drainage scheme to be approved by the Council. It is necessary for this to be a pre-commencement condition to ensure the use of a soakaway is feasible given the underlying clay geology of the site.
12. To promote the use of alternative modes of transport to the private car and renewable energy sources, conditions requiring bicycle storage and an electric vehicle charging point to be provided before the occupation of the replacement dwelling have been imposed. A further condition ensures the parking and turning area is implemented before the dwelling is occupied to minimise the risk to highway safety as a result of roadside parking.

² Levelling-up and Regeneration Act 2023 (LURA)

³ West Berkshire Core Strategy (Core Strategy)

13. To protect the existing wildlife and their habitats, conditions have been imposed requiring the implementation of the measures and recommendations set out within the Bat Survey and restricting the timing of demolition or works to existing hedgerows. In the interests of the living conditions of occupiers of neighbouring properties, I have specified the times when demolition and construction works are permitted.
14. I have not imposed the suggested condition relating to an EPS license as this relates to a matter which is covered by other legislation/regulations and is not, therefore, required to make the proposed development acceptable in planning terms. As the site comprises a single dwelling, it is not necessary to impose the lighting condition as the requirement therein to approve details of lighting installations excludes those to be located within private gardens.

Conclusion

15. For the reasons given above, the appeal should be allowed.

Juliet Rogers

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:

Existing-02	Existing Site Location Plan and Block Plan
Proposed-11	Proposed Site Local Plan and Block Plan
Proposed-10 rev C	Proposed Elevations, Ground & First Floor Layout, Section A-A and Roof Plan
Proposed-12 rev A	Proposed Hard and Soft Landscaping
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no: Proposed-10 rev C.
- 4) No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority.

The surface water drainage scheme shall be implemented as approved and prior to the first occupation of the dwelling hereby permitted. The approved method of surface water drainage shall be retained thereafter.
- 5) Prior to the first occupation of the dwelling hereby permitted, space shall be laid out for the storage of bicycles in accordance with details that have first been submitted to and approved in writing by the local planning authority. The approved storage shall be maintained and kept available for the storage of bicycles thereafter.
- 6) Prior to the first occupation of the dwelling hereby permitted, an electric vehicle charging point shall be installed in accordance with details that have first been submitted to and approved in writing by the local planning authority. The approved charging point shall be maintained and kept available and operational for electric vehicles thereafter.
- 7) Prior to the first occupation of the dwelling hereby permitted, the vehicle parking and turning space shall be implemented in accordance with drawing no. Proposed-12 rev A. The vehicle parking and turning space shall thereafter be kept available at all times for those purposes.
- 8) Prior to the first occupation of the dwelling hereby permitted, the ecological measures and recommendations within the Bat Survey-Crest Cottage, dated October 2024 and prepared by CA Ecology, shall be implemented as approved and evidence submitted to and approved in writing by the local planning authority. The approved measures shall be maintained and retained thereafter.
- 9) No demolition or removal of hedgerows, trees or shrubs shall be carried out between 1 March and 31 August inclusive.
- 10) Demolition or construction works shall take place only between 07:30 and 18:00 Monday to Friday and 08:30 and 13:00 on Saturdays. No works shall take place at any time on Sundays or on Public Holidays.

**** End of Schedule ****