



Appeal Decision

Site visit made on 26 May 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th June 2020

Appeal Ref: APP/W0340/W/19/3243683

Redwood, Burnt Hill, Yattendon, Thatcham RG18 0XD

- 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 Bellmore Homes Ltd (Mr Justin Knott) against the decision of West Berkshire Council.
 - The application Ref 19/01646/FULD, dated 18 June 2019, was refused by notice dated 28 October 2019.
 - The development proposed is revised application for demolition of existing house, garage and outbuildings, erection of one new house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area and the qualities of the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Reasons

3. The site lies within the AONB, within the hamlet of Burnt Hill. The appeal site is occupied by a detached dwelling and a single storey detached garage and lies between two existing properties, Thee Oaks and The Bungalow. All three properties are detached, set back from the road, positioned within large plots. On the opposite side of Scratchface Lane, the development pattern is similar, which includes a number of detached dwellings, along with a cul-de-sac development of large properties.
4. It is proposed to demolish the existing buildings on the site and erect a replacement dwelling.
5. The site lies in the countryside in terms of the development plan, where the West Berkshire Core Strategy (CS) Policy Area Delivery Plan Policy AADP1 states that only limited development will be allowed, focussing on addressing identified needs and maintaining a strong economy. CS Policy AADP5 deals with the AONB and requires development to conserve and enhance the local distinctiveness, sense of place and its setting.
6. Policy C1 of the Housing Site Allocation Development Plan Document (HSADPD), identifies that, subject to a number of exceptions, there is a presumption against new residential development outside of the settlement

- boundaries, subject to some prescribed exceptions. One of the exceptions identified in Policy C1 is proposals for replacement dwellings.
7. Policy C7 of the HSADPD allows for the replacement of existing dwellings in the countryside, subject to specific criteria being met. One of these criteria is that replacement dwellings should be proportionate in size and scale to the existing dwelling and not have an adverse impact upon the character and local distinctiveness of the rural area, individual heritage assets and their settings, and the site's setting within the wider landscape. With regards to whether a proposal is proportionate, the supporting text to the Policy identifies that the key components are scale, massing, height and layout of a development.
 8. The existing dwelling on site, based on the figures on the submitted drawings, occupies a ground floor footprint of 51.28sqm, with a first floor area of 49.56sqm. The existing single storey garage occupies an area of 13.5sqm. Submitted sections show the roof height of the existing property to be 119.82OD.
 9. Based on the submitted drawings, the proposed replacement dwelling would occupy a ground floor footprint of 185.8sqm, with a first floor area of 182.1sqm. The height of the proposed dwelling would be 120.52OD. Some ground levelling work would be undertaken to cut the dwelling into the sloping landscape.
 10. The substantial additional floor area and volume that would result from the proposed development, relative to those of the existing dwelling to be replaced, and notwithstanding the proposed reduced ground level, could not reasonably be said to be proportionate in the terms of Policy C7. More importantly in this case is the impact of the proposed dwelling on the landscape of the AONB, where great weight should be given to conserving and enhancing the landscape and scenic beauty of the area.
 11. The proposed replacement dwelling would be substantially larger in terms of footprint, floor area and height. It would have a larger expanse of roof and, when viewed within its rural context, the proposed replacement building would be of a considerably greater scale, bulk and massing than the property to be replaced. Furthermore, when viewed within the street scene, the frontage of the building would measure approximately 16m in length, compared with the existing dwelling which measures approximately 8m. As a consequence, the proposal would introduce a substantial new dwelling that would have an adverse impact on the character and local distinctiveness of the rural area. The scale, massing and height of the dwelling would fail to conserve and enhance the AONB by detracting from its rural character and scenic beauty.
 12. I have been referred to the design approach and changes made to the scheme during the course of the appeal application. I note that within the area that there are a variety of house designs and a substantial number of detached properties. I find that the design of the proposed replacement dwelling would not be alien to these. However, this does not alter my view that the size of the proposed development would be disproportionate to the existing dwelling on site.
 13. For the above reasons, I therefore conclude that the proposed development would harm the character and appearance of the area and would therefore fail to conserve and enhance the landscape and scenic beauty of the AONB.

14. As such, in this regard, the proposal is contrary to development plan Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policies C1, C3 and C7 of the HSADPD. In this respect it would also conflict with the North Wessex Downs AONB Management Plan 2014-2019, the Adopted Quality Design SPD and Policies contained within Part 12 and paragraph 172 of the National Planning Policy Framework (The Framework). These policies, amongst other things, require new development to demonstrate high quality design, which respects and enhances the character and appearance of the area and that it is appropriate in terms of its location, setting and design in its local context.

Other Matters

15. In coming to my decision, I have had regard to the previous Inspector's decision on the site¹. I note however that that proposal was for the provision of two dwellings on site and therefore fell to be assessed against different policy tests. As a consequence, the Inspector considered that Policy C7 was not relevant to the consideration of that appeal. I therefore find that the circumstances which were applied to the other case are not directly comparable to those before me. In any case, I am required to determine the appeal on its own merits.

16. The development would be required to make a financial contribution under the Community Infrastructure Levy. It is also put to me that the scheme meets the three overarching objectives for sustainable development as set out in the Framework. In this regard, I note that the Framework identifies that these should not be taken as criteria against which every decision can or should be judged. In any event, I consider that these benefits would be modest given the scale and the development proposed, such that they would be outweighed by the significant harm, when viewed against the importance the Framework gives to good design and protection of AONBs.

Conclusion

17. I conclude, for the reasons outlined above, that the appeal should be dismissed.

Adrian Hunter

INSPECTOR

¹ APP/W0340/W/18/3214091