

12/03049 Pins Ref 2199951	Greenacres, Lower Green, Inkpen, RG17 9DN	Demolition of existing dwelling and timber shed and the construction of a replacement dwelling and detached cart shed.	Dele. Refusal	Spilt Decision 03/09/2013
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### Main Issue

The effect of the proposed development on the character and appearance of the surrounding area.

### Reasons

The appeal site is situated outside of any settlement boundary as defined in the West Berkshire District Local Plan (2007) [LP]. The site is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy ADPP1 of the West Berkshire Core Strategy (2012) [CS] relates to settlement hierarchy. Policy ADPP5 of the CS refers to housing policy within the AONB. Policy CS14 requires new development to demonstrate high quality sustainable design that respects and enhances the character and appearance of the area. Policy CS19 of the CS seeks to ensure that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.

There is an extant planning permission (13/00563/FUL) for the demolition of the existing bungalow and timber shed and its replacement with a two storey dwelling and detached cart shed. The proposal before the Inspector differs from the approved scheme in that it includes a projecting rear element, a larger garage/store in a different location on the site and the siting of the proposed dwelling would be slightly further to the south. Both schemes would be sited in the area of the footprint of the existing dwelling. The key issue before him therefore is whether the changes associated with the appeal scheme in comparison with the approved dwelling would be acceptable in policy terms.

Policy ENV.23 of the LP and the supporting Supplementary Planning Guidance: *Replacement Dwellings and Extensions to Dwellings in the Countryside* (2004) [SPG04/3] are particularly pertinent in this regard. The policy sets out a number of criteria which any replacement dwelling in the countryside has to meet. In his judgement, criteria (b), (c) and (e) are directly relevant in this case. Criterion (b) requires that the proposed dwelling is not disproportionate in size to the dwelling being replaced. Section 3 of SPG04/3 relates to replacement dwellings in the countryside. It states that the percentage increase in volume or floorspace is a useful indicator of what may be disproportionate, but is only one matter to be taken into account.

Other factors to be considered include the comparison of the overall scale and massing of the replacement dwelling and the existing dwelling; the site characteristics and visual prominence; the impact on and relationship to adjoining buildings; and whether on balance, the proposed development maintains/enhances or detracts from the inherent character and nature of the site and surrounding rural environment. SPG04/3 indicates that an increase in floorspace of more than 50% would generally be regarded as disproportionate dependent upon site characteristics, scale and massing. It further states that an increase in excess of 100% would normally be regarded as disproportionate as it would be more visually dominant than the original, have a greater impact on the countryside and would not normally be considered a one for one replacement.

The Council has indicated a 293% increase in floorspace for the appeal scheme. The appellant has contended that the actual figure is 205%. In any event, the percentage increase would be

well in excess of 100%. The planning statement submitted in support of the approved dwelling and the Council officer's report indicate a floorspace increase of about 90%.

Criterion (c) of Policy ENV.23 requires that the new dwelling is of a high standard and appropriate to the rural character of the area. The appearance and scale of the main element of the dwelling which faces towards the road is identical to that of the approved scheme. The proposed rear and side elements would be subservient to and harmonise with the main element. The Inspector found no conflict therefore with this criterion in this case.

The Council has contended that the scale of the dwelling would be out of character with the existing residential development in the locality. There are however two further factors which, in his judgement, are material in this particular case. The first relates to the plot ratio. Although this is not specifically referred to in SPG04/3; as indicated above, the site characteristics and the inherent character and nature and the site are alluded to. In this context, the appeal site is of a significant area and the proposed dwelling would sit comfortably within it without unduly diminishing its inherent spacious character or nature. The proposed dwelling would not therefore appear out of keeping with its immediate setting. In this regard the appellant has submitted a contextual analysis plan. The plan indicates that the site coverage of 6.1% for the proposed development is lower than the average when compared to 10 of the other plots in the locality.

The Inspector recognised the concern expressed in SPG04/3 that even where a site is well screened, any increase in floor area in excess of 50% could harm the rural nature and qualities of the area and have a suburbanising effect, and if repeated, the impact on the countryside could be considerable. However, each case has to be considered on its own merits. In this particular case, the proposed dwelling would not have a suburbanising effect as the enlarged footprint would not appear over dominant in relation to the very generous size of the plot and the proposed extensions would relate well to the main element of the dwelling. Furthermore, the appellant has provided information relating to the approval of a number of sizable dwellings in Inkpen and he observed that there are dwellings with a reasonably generous footprint in the surrounding area of the appeal site.

Criterion (e) requires that the development is appropriate and sympathetic in scale, design, materials, layout and siting to the character and setting of adjoining buildings and spaces. The additional scale and massing of the appeal dwelling would be essentially related to the proposed two storey rear element and the single storey side element which would be attached to it. The site is well screened and proposed two storey addition would not be visually intrusive given its relationship to the main building element. In his judgement, the changes to the proposed dwelling vis a vis the approved scheme would therefore have no adverse visual impact on adjoining buildings (The Old School and Graftons) to the south of the appeal site or the wider street scene. However, the proposed larger detached garage which would be sited in front of the dwelling would result in a greater concentration of development at the front of the site in contrast to the approved scheme.

## **Conclusions**

In light of the above considerations, the Inspector found that the proposed dwelling would respect the character and appearance of the surrounding area and would be appropriate in terms of location, scale and design in the context of the existing settlement. Paragraph 115 of the National Planning Policy framework (the Framework) states that great weight should be given to conserving landscape and scenic beauty in AONBs. He noted however that the North Wessex Downs AONB Unit has commented that the proposal appears more modest in terms of

scale and overall design than the previously refused application and has made no adverse comments in respect of its impact on the wider AONB. In light of his findings above, he agreed with that view.

Accordingly, in overall terms, the proposed dwelling would not conflict Policies ADPP1, ADPP5, CS14 and CS19 of the CS, or Policy ENV.23 of the LP or SPG04/3. Nor would it be contrary to the Framework.

The Inspector had no concerns in terms of the principle of a detached garage/store on the site or the size and design of the structure before him. However, the proposed position of the building would be out of keeping with the surrounding area as it would result in an over concentration of development at the front of the site. This element of the proposed development would therefore cause unacceptable harm to the character and appearance of the surrounding area. The garage/store is physically and functionally independent from the proposed dwelling as the dwelling would be capable of being built without the garage/store and the proposed layout indicates an adequate level of parking space would be available in the absence of the garage/store. A split decision is therefore possible in this case.

Consequently, the Inspector found that the proposed garage/store would conflict with Policies CS14 and CS19 of the CS, Policy ENV.23 of the LP and SPG04/3. It would also be contrary to the Framework.

### **Conditions**

The Inspector imposed conditions to safeguard visual amenity. In this respect, Circular 11/95: *The Use of Conditions in Planning Permissions* states that conditions restricting permitted development rights should only be imposed in exceptional circumstances. He considered such a condition necessary in this case given location of the site within the AONB. He also strengthened the materials condition due to the site location and imposed a condition to protect wildlife habitats in the context of the Conservation and Habitats Regulations 2010. He also imposed a condition to confirm all of the plans upon which the decision to approve the proposed dwelling has been made for the avoidance of doubt and in the interests of proper planning.

### **Conclusion**

The Inspector considered all of the matters before him and, for the reasons given above; the appeal in so far as it relates to the proposed dwelling succeeds but, in so far as it relates to the proposed garage/store, does not succeed.

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