

Appeal Decision

Site visit made on 18 April 2005

by Penny Davies BSc (Hons) MA MRTPI

an Inspector appointed by the First Secretary of State

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Date

13 MAY 2005

Appeal Ref: APP/X0360/A/04/1170383
Belscot, Reading Road, Eversley, Berkshire

- 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 Streamhill Ltd against the decision of Wokingham District Council.
- The application, Ref F/2004/2731 dated 17 August 2004, was refused by notice dated 26 October 2004.
- The development proposed is the refurbishment and change of use of Building A to bin/cycle store and maintenance shed; refurbishment and change of use of building B to B1/B8 use.

Summary of Decision: The appeal is allowed, and planning permission granted subject to conditions set out below in the Formal Decision.

Procedural Matters

1. The appellants' written submissions state that approval for the refurbishment and change of use of Building A has been granted by the Council. Notwithstanding that the reason for refusal refers only to Building B, I have not been provided with a copy of any planning permission relating to Building A and neither have I been provided with a copy of Drawing BKS324 Fig 1C which the appellants say relates to the said approval. Moreover, the Council's written evidence clearly refers to both buildings. I have therefore based my decision on the description given in the planning application and accordingly I have considered both Building A and B in my assessment of this appeal.

Main Issue

2. I consider that the main issue is the effect of the proposed development on the character and appearance of the countryside, having regard to national and local policies on the re-use of agricultural buildings.

Planning Policy

3. The development plan includes the Berkshire Structure Plan 1991 – 2006 Incorporating Alterations adopted in August 1997 (SP) and the Wokingham District Local Plan adopted in March 2004 (LP). SP Policy C2 says that development outside built-up areas and settlements will be strictly controlled and permitted only where, amongst other things, it is for the re-use, adaptation or redevelopment of existing buildings and provided it is both appropriate in scale, form, impact, character and siting to its location in the countryside. LP Policy WCC1 largely repeats these objectives.
4. LP Policy WRE2 relates specifically to the re-use and adaptation of rural buildings for commercial uses. In addition to considerations of the general impact of the proposed re-

and its associated works and activities on its surroundings, the building should be suitable for the proposed re-use without major rebuilding or alteration.

5. The appeal site is in an Area of Special Landscape Importance where LP Policy WLL2 provides that land uses or built development will not be permitted that would have detrimental impact on the open, countryside character or special landscape qualities of the area.
6. National planning policy on rural areas is contained in *Planning Policy Statement 7: Sustainable Development in Rural Areas* (PPS7). This supports the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives.

Reasons

7. The appeal site is in the open countryside, outside but close to the built-up settlement of Eversley. With the exception of some housing to the south, it is generally adjoined by open and undeveloped land. It is accessed from Reading Road, a busy main route and comprises a large area of land slightly elevated to the road and occupied by three single-storey buildings, A, B and C, that lie, generously spaced alongside each other, towards the rear of the site. The site is almost completely screened by tall established vegetation within and around its edges and views into the site are generally confined to the existing access in the south-west corner. It is scarcely noticeable from the road and because of the single-storey height of the buildings and their position at the back of the site, neither are they unduly prominent.
8. None of the buildings are unusually large but Building C is the biggest. Planning permission for B1/B8 use of this building together with access and parking was granted on appeal (Ref: APP/X0360/A/02/1086226) in January 2003 while at the same time similar proposals for Buildings A and B were dismissed. In reaching his conclusions, the previous Inspector determined that Building C had not been substantially rebuilt and, in relation to this building only, the proposed development would have a low key impact on the rural character of the area. From the evidence before me, Buildings A and B have been substantially rebuilt. In 2001 the Council's principal building control surveyor judged them as unfit for the uses applied for at that time (B1/B2/B8) and this is not challenged by the appellants. Moreover, the appellants submit that considerable repairs were undertaken to Buildings A and B to make them suitable for B1 and/or B8 purposes.
9. From the available information, it would therefore seem to me that the proposed development would increase the extent of built form on the site. That said, at my visit, I observed that the site has an extensive gravel surface that provides for the access and turning of vehicles within it. In my opinion, this gives the site an industrialised appearance that diminishes its contribution to the rural qualities of the surrounding countryside. Moreover, I note that the approved details for Building C include a parking area for 12 cars and one lorry, a turning area for articulated lorries and access improvements. I consider that all of this would be likely to significantly change the appearance of the site, giving it a predominantly industrial character. I have already said that Buildings A and B are not, even in their rebuilt form, unduly prominent, and given their single-storey height and simple and modest proportions, I do not consider that in the context of the commercial appearance of the site both as it is and in terms of the development approved for Building C, their

refurbishment would materially detract from the rural or landscape character of their surroundings.

10. I recognise that buildings of the nature proposed have the potential to generate additional activities within and to and from the site with associated impacts on the character and appearance of an area, particularly in rural locations. Using the TRICS database, the appellant calculates that Building C would generate around 8 vehicular movements per day if in B8 use or 21 per day for B1 use. In my estimation, the cumulative use of Buildings A and B would approximately double these predicted movements. I would regard this as significant, but for the reasons given below, not unacceptable.
11. The appeal site is close to a built-up area. PPS7 says that particular support should be given to the re-use of buildings that are adjacent or closely related to country towns and villages, for economic uses. Although it stipulates that this is in relation to 'suitably constructed buildings', I have found that the buildings themselves would have minimal impact on the character and amenity of the surrounding countryside and therefore the environmental objectives of PPS7 would largely be met. Overall therefore, the proposal would be consistent with the thrust of national policy for rural areas. In addition, the site is accessed from a busy main road which I saw carried a high volume of traffic. In my opinion, the movements and activities associated with the proposed development would not be significantly out of keeping with existing traffic conditions in the locality and would not therefore materially detract from the character of its surroundings.
12. I accept that by involving the substantial rebuilding of Buildings A and B, the proposal would not comply with criterion B) of LP Policy WRE2. However, it would not detract materially from its aims or the aims of the other relevant development plan policies and national planning guidance. These are material considerations that indicate to me that a decision not in accordance with criterion B) of LP Policy WRE2 is called for in this case.
13. In reaching my decision, I have fully considered the previous appeal decision relating to this site, however, as I have found, each case has its own particular set of circumstances and I have determined this appeal on its own merits in the light of current planning policies and material considerations.
14. I conclude that the proposal would not be harmful to the character and appearance of the surrounding countryside and it would comply with the aims of SP Policy C2 and LP Policies WCC1, WLL2 and PPS7.

Conditions

15. In suggesting conditions, the Council has referred to those imposed by the previous Inspector on the development relating to Building C. I have considered these in the light of the circumstances of the proposal before me and the advice in *Circular 11/95 'The Use of Conditions in Planning Permissions'*. Conditions relating to external lighting and landscaping are necessary in the interests of visual amenity and to safeguard the countryside character of the area. For the same reasons, conditions restricting further extensions and alterations, the use of the buildings and the external storage of materials, containers and equipment are necessary. Having regard to the residential area to the south of the site, a condition relating to the noise insulation of any plant / machinery and delivery times is necessary to protect residential amenity.

16. Details of parking, turning and unloading are provided with the application, however a condition relating to their provision and retention is necessary in the interests of highway safety. In order to provide for all modes of transport, a condition relating to the provision of cycle parking is necessary. In order to ensure the safe ingress and egress of vehicles to and from the site, conditions relating to visibility splays, the road junction, the stopping up of the access in the south east corner of the site, the set back of gates and surfacing of the access are necessary.

Conclusions

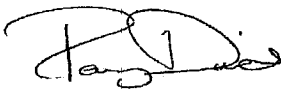
17. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

18. I allow the appeal, and grant planning permission for the refurbishment and change of use of Building A to bin/cycle store and maintenance shed; refurbishment and change of use of building B to B1/B8 use at Belscot, Reading Road, Eversley, Berkshire in accordance with the terms of the application, Ref F/2004/2731 dated 17 August 2004, and the plan submitted therewith, subject to the following conditions:
- 1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.
 - 2) Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no extensions or alterations permitted by Class A of Part 8 of the Second Schedule of the 1995 Order shall be carried out without the prior written permission of the local planning authority.
 - 4) The premises shall be used for uses under Classes B1 and B8 only of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
 - 5) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development
 - 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
 - 7) Before any specified plant and/or machinery is used on the premises, it shall be enclosed with sound-insulating material and mounted in a way that would minimise transmission

of structure borne sound in accordance with a scheme to be approved in writing by the local planning authority and that scheme shall be carried out as agreed.

- 8) No deliveries shall be taken at or despatched from the site outside the hours of 07:00 and 19:00 Mondays to Saturdays nor at any time on Sundays, Bank or Public Holidays.
- 9) No materials, containers or equipment shall be stored on the site outside buildings except for waste materials contained within suitable and sufficient waste containers for removal.
- 10) No building shall be occupied until space has been laid out within the site in accordance with drawing No BKS324 Rev.E 2 for cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. These areas shall be retained for these purposes at all times.
- 11) No building shall be occupied until space has been laid out within the site for bicycles to be parked in accordance with details to be submitted and approved in writing by the local planning authority.
- 12) No development shall commence until visibility splays of 3 metres by 110 metres to the west and 3.5 metres to the east have been provided at the existing western access. No structure or erection exceeding 0.6 metres in height shall be placed within these sight lines.
- 13) Development shall not begin until details of the junction between the proposed service road and the highway have been submitted and approved in writing by the local planning authority; and the buildings shall not be occupied until that junction has been constructed in accordance with the approved details.
- 14) The existing eastern vehicular access to the site shall be stopped up and abandoned, and within one month of the completion of the new access the footway and/or verge crossings shall be reinstated in accordance with details that have been submitted to and agreed in writing by the local planning authority.
- 15) Any gates provided shall be set back a distance of at least 12 metres from the carriageway edge and shall not open towards the highway.
- 16) No building shall be occupied until the vehicular access has been surfaced with a bonded material across the entire width of the access for a distance of 12 metres measured from the carriageway edge.



INSPECTOR