# Notice of Meeting

# Eastern Area Planning Committee

# Wednesday, 8th September, 2010 at 6.30pm

in Calcot Centre, Highview (off Royal Avenue), Calcot

#### **Members Interests**

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday, 31 August 2010

#### FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Calcot Centre between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Stephen Chard Tel: (01635) 519462 Email: schard@westberks.gov.uk.

Further information, Planning Applications and Minutes are also available on the Council's website at <u>www.westberks.gov.uk</u>



# Agenda - Eastern Area Planning Committee to be held on Wednesday, 8 September 2010 (continued)

- To: Councillors Peter Argyle, Pamela Bale, Brian Bedwell (Chairman), Richard Crumly, Alan Law, Keith Lock, Royce Longton, Alan Macro, Tim Metcalfe, Irene Neill (Vice-Chairman), Graham Pask
- **Substitutes:** Councillors Keith Chopping, Lee Dillon, Manohar Gopal, Owen Jeffery, Tony Linden, Mollie Lock, Quentin Webb, Keith Woodhams

# Agenda

## Part I

 Apologies To receive apologies for inability to attend the meeting.

#### 2. Minutes

To approve as a correct record the Minutes of the meeting of this Committee held on 18 August 2010.

#### 3. **Declarations of Interest**

To receive any Declarations of Interest from Members.

4. Schedule of Planning Applications

 (Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications.)

 (1) Application No. & Parish: 10/01259/HOUSE\_Bradfield

#### (1) Application No. & Parish: 10/01259/HOUSE, Bradfield

Proposal:	Two storey rear extension, single storey side extension and double garage to replace single garage and car port.
Location:	The Firs, Tutts Clump, RG7 6JU
Applicant:	Mr and Mrs Poole
Recommendation:	To DELEGATE to the Head of Planning and
	Countryside to REFUSE PLANNING PERMISSION.



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#### (2) Application No. & Parish: 10/00727/FUL

Proposal:	Change of use of Public House to a four bedroomed house.
Location:	Thatchers Arms, North Street, Theale, Reading, Berkshire, RG7 5EX
Applicant:	Mr M Postles
Recommendation:	The Head of Planning and Countryside be authorised to GRANT conditional planning permission.

#### (3) Application No. & Parish: 10/00817/FUL, Wokefield

Proposal:	Demolition of existing house; erection of replacement 5 bedroom house; re-organising landscape to provide formal route to new house via existing access from road.
Location:	Oakfield Stables also known as Herron Lodge, New Road, Mortimer, Reading RG7 3AP
Applicant:	Mr G Cox
Recommendation:	The Head of Planning and Countryside be authorised to APPROVE Planning Permission subject to conditions.

#### (4) Application No. & Parish: 10/01220/HOUSE, Stratfield Mortimer

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Proposal:	Section 73A - Variation of Condition 1 (Time Limit and Plans) of planning permission 09/01814/HOUSE to incorporate a taller single storey extension and Variation of Condition 3 (windows) to amend windows granted under planning permission 09/01814/HOUSE (Conversion of two semi detached cottages to one detached dwelling. Ground floor extensions to provide hall,
Location: Applicant: Recommendation:	utility, wc, family room and garden room. Remove existing rear outbuilding and detached garage). 9 and 11 King Street, Mortimer Common, Reading Mrs Olwyn Hughes and Lesley Nelson The Head of Planning and Countryside be authorised to APPROVE Planning Permission
	subject to conditions.



(5)	Application No. & Parish: 10/01169/FUL, Bucklebury		51 - 66
	Proposal:	Erection of replacement dwelling following demolition of existing dwelling.	
	Location:	Osgood Holding, Sadgrove Lane Bucklebury, RG7 6SB	
	Applicant:	Mr and Mrs L Pitchfork	
	Recommendation:	To DELEGATE to the Head of Planning and Countryside to GRANT PLANNING PERMISSION.	
Items	s for Information		
5.	Purpose: To inform Me	<b>ating to Eastern Area Planning</b> embers of the results of recent appeal decisions Area Planning Committee.	67 - 68
6.	<b>Plans and Drawings</b> The plans and drawing this meeting.	as relating to the planning applications submitted to	69 - 92

#### **Background Papers**

- (a) The South East Plan: The Regional Spatial Strategy for South East England 2006-2026 (May 2009), West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (b) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (c) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (d) The Human Rights Act.

Andy Day Head of Policy and Communication

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## Agenda Item 2.

**DRAFT** AGENUA ILENI Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## EASTERN AREA PLANNING COMMITTEE

## MINUTES OF THE MEETING HELD ON WEDNESDAY, 18 AUGUST 2010

**Councillors Present**: Peter Argyle, Pamela Bale, Richard Crumly, Manohar Gopal (Substitute) (In place of Brian Bedwell), Alan Law, Keith Lock, Mollie Lock, Royce Longton, Tim Metcalfe, Irene Neill, Graham Pask.

**Also Present:** Arthur Cullen (Senior Tree Officer), Gareth Dowding (Senior Engineer), Liz Patient (Solicitor), Dave Pearson (Team Leader - Development Control), Jo Watt (Member Services Officer), Robert Alexander (Policy Officer)

Apologies for inability to attend the meeting: Councillor Brian Bedwell and Councillor Alan Macro

#### PART I

#### 26. Minutes

The Minutes of the meeting held on 28 July 2010 were approved as a true and correct record and signed by the Chairman.

#### 27. Declarations of Interest

Councillor Tim Metcalfe declared an interest in Agenda Item(s) 4.2, but reported that, as his interest was personal, but not prejudicial, he determined to retire to the audience and spoke only as Ward Member. Councillor Metcalfe did not vote on this application.

#### 28. Schedule of Planning Applications

#### 28(1) Application No. & Parish: 10/01063/FUL Basildon Parish Council

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 10/01063/FUL in respect of a replacement dwelling with associated car parking and landscaping.

Dave Pearson (Team Leader – Development Control) drew the committees attention to the size comparison given in the update sheet.

In accordance with the Council's Constitution, Mr Brian Groom, Parish Council representative, Mrs Nathalie Weekes & Mr Edward Lines, objectors, and Mr Tony Mullin, applicant/agent, addressed the Committee on this application.

Mr Groom (Parish Councillor) in addressing the Committee raised the following points:

- The site history of the application site showed ten applications. All of which had been refused with the exception of one.
- The new application did no in Mr Groom's opinion meet the recommendations of the Planning Inspector.
- The applicant claimed that the proposal was for a one-for-one replacement (Design & Access statement page 7) Mr Groom felt it was not. There was only one property on the site prior to the year 2000, and its replacement should have been the two new properties at the front of the site.

- The Inspector commented that the "the main issue was the area's character and appearance" - in that - it was part of the AONB. Mr Groom believed that any future development should respect the basic settlement pattern of the village.
- In a previous appeal, it had been agreed that the small existing one bedroom bungalow would be allowed to remain. However, Mr Groom felt that a bigger property on the site would be a tandem development which was not appropriate for the site.
- Previously an application had been rejected for a proposal of a floor area of around 100 sq meters; however the current proposal was close to 50% greater than the one refused. This represented an overall increase of 212% of the floor area of the existing bungalow.
- Lower Basildon was a rural area with older houses, including listed buildings. The new structure was 'ultra-modern' and was not in keeping with the other of the properties in the area.
- Mr Groom said that the Planning Officer had stated that the "high brick wall" that runs the length of the boundary of the plot was an "attractive feature". In Mr Groom's opinion this was no the case and the wall was falling down and hid bricks and other debris behind it.
- Another reason the Parish Council were objecting, was in relation to pluvial run-off. The introduction of such a building mass would restrict the surface area available to absorb the rain water.

Councillor Tim Metcalfe questioned the status of the walled garden and whether this area of land could be developed. Parish Councillor Brian Groom informed Councillor Metcalfe that it was his understanding that the walled garden was outside the parish boundary and could not be developed without a further planning application.

Nathalie Weekes and Edward Lines (objectors) in addressing the Committee raised the following points:

- Mrs Weekes began by informing the committee that two years ago, two semi detached houses had been permitted at the front of the 'Trees' site. At that time West Berkshire Council commented that it would find a refusal decision for these houses very difficult following comments from a previous Appeal Inspector who supported development at the front of site
- Mrs Weekes informed the committee that the current application with a flat roof was only 70cm lower than the previous refused application.
- Previously height comparisons had been based on ridge heights, the current submission compared the chimney height of the existing dwelling against the proposed flat roof height.
- This proposal had a floor area of 146m sq compared to the application that had been refused which has an area of 99m sq and the bungalow area of 69m sq. The proposed development was due to have a volume of 700 cubic metres, compared to the previously refused application which was 450 cubic metres and the bungalow which currently has 260 cubic metres.
- Mrs Weekes quoted the Planning Inspectors comments that the application "Conflicted with LP Policies HSG.1, OVS.2 and ENV.1." Mrs Weekes felt this

was important as it represented significant harm to Basildon's settlement pattern and the AONB. It was larger than the latest refused application.

- In addition, properties at the front of the site would be overlooked by the proposed development.
- The design was not in keeping with the character of Lower Basildon and has been described by local residents as an 'urban design' or 'modern sports complex'.
- Mr Lines said that the updated information did not include the roof plan and the level information was inaccurate.
- The building itself was proposed to be twelve feet higher than the six foot fence, and was in reality seven foot higher than it should have been, due to the inaccuracy of the plans
- Finally Mr Lines mentioned that the building would encroach on his garden.

Councillor Law asked Mr Lines had raised the issue regarding boundaries to the planning officers during the application process. Mr Lines had, and this was noted in the update sheet

Tony Mullin (Agent) in addressing the Committee raised the following points:

- He hoped the application would change a dilapidated building into a new modern family building.
- Mr Mullin had tried to find something acceptable to all involved and affected, he felt it was a secluded building barely visible except from the road.
- The 2.5m high wall would provide privacy to the site.
- The applicant carefully researched the proposal, and used feedback from previous applications, pre application discussions, the Planning Inspectors reports and the village design statement.
- The proposal took into account the fact that the site was located in an AONB, that applicant and agent had spoken at length with officers and local residents at the site visit in an attempt to explain the proposal. Mr Mullin felt that the design was something special.

Councillor Tim Metcalfe inquired as to the status of the red and blue lines on the site map. The Agent responded that the red line boundary showed the proposed development, and the blue line showed the land ownership. The blue line incorporated the walled garden.

Councillor Metcalfe was interested as to whether this meant development could take place within the blue boundary. Mr Mullin responded that this could happen, however it would require a separate planning application that would have to come to committee.

Councillor Metcalfe proposed that if the application was to be approved, that it should hold a condition that the wall should be kept in good condition.

Councillor Graham Pask wanted to know how the Agent would incorporate the Planning Inspectors views that the previous application was seen as "substantially larger than the existing one" and this one is bigger still. The Agent responded by noting that it is bigger, however, it wouldn't appear so, as the proposed building would have a 1m lower roof

than the existing bungalow, and the volumes of the building would be situated further back into the site to compliment it.

Councillor Bale reiterated the point that it is still in fact larger. The Agent acknowledged this, but said the offset and positioning would make it appear smaller.

Councillor Alan Law, speaking as Ward Member, made the following points:

- It was a very innovative design; however it didn't address issues of the previous inspectors, particularly the height issue. He felt that the data that had been put before committee in turns of the size differences was unclear.
- Councillor Law said that officers felt that the proposal was in keeping with the village design statements. However, Councillor Law said that he knew the authors to the Village Design and the types of dwelling they wished to see in Basildon were of a more traditional design.
- There was a long history to the site. All Planning Inspector reports recommended against tandem development.
- Councillor Law mentioned the planning application for the site across the road; Greensleaves was refused due to it being a tandem development.
- Councillor Law said he had come to the meeting open minded, however, when he saw the volume of the proposal had increased 3 times; this made him reconsider the application.

Dave Pearson informed the committee how he believed the Council face a challenge. If in such circumstance the Council was serious about creating new sustainable buildings, and then it would have to allow for innovative designs. The Committee noted that the Planning Inspector always gave evidence of specific harm caused by different reasons for refusals.

Councillor Graham Pask questioned why the site history indicated that the bungalow should be demolished when the planning permission was agreed for the two new houses at the front of the site, and the bungalow was still in place. He noted that the proposal was bigger than the bungalow and the last refused applications. Councillor Pask informed the Committee that he was not against modern/innovative designs, but questioned why it could not be a traditional looking house and sustainable.

Councillor Law told the committee that whilst hearing the response from fellow Councillors he proposed refusal. This was seconded by Councillor Keith Lock.

Councillor Keith Lock queried whether the bungalow should have been knocked down, and requested that this be looked into.

Councillor Royce Longton asked whether the original application included demolition.

Dave Pearson suggested deferring the application, as he didn't have the information required to hand. However, Councillor Alan Law believed the Committee should consider the facts in front of them and make a decision based on this.

Councillor Pamela Bale felt that the situation concerning the demolition of the bungalow needed to be looked at.

Councillor Richard Crumly put forward an alternative view that this was a vacant site, and it should be developed. The site he felt was substantial, and was tucked away. He felt that it was a modern design and it should be approved, therefore he wished to support the application.

Councillor Alan Law formally proposed to refer the application for the following reasons;

- Overdevelopment of the site and size of development.
- Serve to destroy character of village
- Inappropriate design not in keeping with AONB.

Following a discussion regarding the status of the bungalow, Dave Pearson confirmed that a condition to demolish the bungalow could not be added to the reasons for refusal. The Committee noted that the Council had separate powers for dealing with enforcement issues such as this.

At the Vote the proposal to refuse was carried. Councillor Metcalfe and Longton abstained from the vote.

In considering the above application Members **RESOLVED that** the Head of Planning and Countryside be authorised to **refuse** planning permission for the following reasons:

#### **Reasons for refusal**

- 1. The application would result in overdevelopment of the site, a tandem form of development, and a dwelling of a height, size and bulk that are all out of character with the established pattern and density of development in this part of Lower Basildon. The proposed development would therefore seriously damage the amenity and character of the immediate area around the site and also of the surrounding Area of Outstanding Natural Beauty (AONB). Accordingly the proposed development is contrary to Policies OVS.2 and HSG.1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007, the guidance contained in PPS1, PPS3, and PPS7, the advice contained in West Berkshire Council's Supplementary Planning Document 'Quality Design' 2006, the Basildon Village Design Statement March 2001 and the Basildon Parish Plan April 2008 which collectively seek to ensure that housing development in sensitive rural areas such as this, and located within an AONB, is sympathetic to, and will have an acceptable impact on, the existing character of the area.
- 2. The modern design of the proposed dwelling is inappropriate to the context formed by the traditionally designed dwellings that immediately surround the site and also characterise the settlement of Lower Basildon. As a result the incongruous nature of the development would erode the pleasant and distinct character of the area and also have a negative impact on the surrounding AONB. Accordingly the development is contrary to Policies OVS.2 and HSG.1 of the West Berkshire District Local Plan 1991-2006 Saved Policies, and the guidance contained in PPS1, PPS3, and PPS7, the advice contained in West Berkshire Council's Supplementary Planning Document 'Quality Design' 2006, The Basildon Village Design Statement March 2001 and the Basildon Parish Plan April 2008 which collectively seek to ensure that development achieves a high standard of design which respects and is in character with the context of the surrounding area.
- 3. As a result of the negative impacts identified in refusal reasons 1 and 2 above the proposal also fails to address the concerns raised by the Inspector when dismissing appeal reference APP/W0340/A/09/2118432 against the refusal of application 09/01776/FUL the previous application for a replacement dwelling on the site.

#### 28(2) Tree Preservation Order 201/21/860

Councillor Tim Metcalfe declared an interest in this item, but reported that, as his interest was personal, but not prejudicial, he determined to retire to the audience and spoke only as Ward Member. Councillor Metcalfe did not vote on this application.

Mr Arthur Cullen, Senior Tree Officer outlined the detail of the report as set out in pages 33-36 of the agenda.

Mr Rick Jones (Applicant) in addressing the Committee raised the following points:

- The tree in question had made his three car parking spaces unusable, and had resulted in his family having to park on the road.
- The berry shedding by the tree had increased considerably, making the land underneath it slippery to car users and pedestrians.
- Pigeons were attracted to the berries, and the droppings that were created were acidic, therefore caused damage to cars.
- The tree which was planted in 1950 and therefore is not an ancient tree, the applicant noted that it was the wrong tree in the wrong place and he was prepared to replace it with a mature tree of a different variety.

Councillor Richard Crumly enquired to the applicant whether he had considered trimming the tree. The applicant informed the Councillor that it had been done six years ago, by a tree surgeon.

Councillor Mollie Lock informed the Committee that she had owned a similar tree at a previous property. In her experience if the tree was trimmed every year it would be substantially smaller and tighter and would not create the type of problem experience by Mr Jones. Richard Jones informed the committee that last time it cost him several hundred pounds and he couldn't afford to do this every year.

Councillor Argyle was interested to know what tree would be planted instead; the applicant said that he would work closely with the Tree Officer in finding a suitable replacement.

Councillor Tim Metcalfe, speaking as Ward Member, raised the following points:

- The specimen in question was multi-trunk, and should therefore be classified as a 'bush' not a tree.
- There were other trees situated behind it, and the greenery in the area wouldn't be reduced if the tree was removed.
- A number of other villagers in the area supported the removal of the TPO.

Councillor Alan Law enquired as to a positive reason for taking the tree down. Councillor Metcalfe declared that there was not a good reason to keep it. The removal of the tree would open up space, and the neighbours were in favour of removing it.

Councillor Royce Longton noted the previous comments, however he stated it was a very good tree, and with proper management and care the problem could be overcome. Therefore he proposed the officers recommendation.

Councillor Alan Law was intrigued to know how much pruning would be required to make the tree more manageable. Arthur Cullen (Senior Tree Officer) informed the Committee that it should be trimmed/pruned regularly to be kept in good condition. However he recommended reducing the overall size by no more than, 20-25%.

In response to a further question from Councillor Alan Law, Arthur Cullen, Senior Tree Officer said that for a tree to create a 'legal nuisance' a third party would have to be involved. As the applicant was the owner of the tree it couldn't be classed as a 'legal nuisance'. Councillor Law enquired for the Tree Officers professional opinion on the best course of action. Arthur Cullen replied that if the tree was his, he would trim it down to the size it was six years ago.

Councillor Graham Pask told the committee that he had sympathy for the applicant; however, the tree was there before the applicant had purchased the property and the applicant bought the house knowing the tree was there. Councillor Pask informed the committee that he had the same problem with one of his trees; however it could and should be managed rather than having to remove the tree. For these reasons Councillor Graham Pask seconded Councillor Royce Longton's proposal.

Councillor Peter Argyle raised an opposite view, stating that common sense needed to be applied to the situation. The tree was causing a nuisance, and that the cost of upkeep for the applicant was considerable. The applicant, he noted, had agreed to replace the tree, and therefore Councillor Argyle proposed the removal of the TPO.

**RESOLVED that** the Head of Planning and Countryside be authorised to confirm the TPO.

#### 29. Appeal Decisions relating to Eastern Area Planning

Members noted the outcome of appeal decisions relating to the Eastern Area.

(The meeting commenced at 6.30pm and closed at 8.40pm)

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# Agenda Item 4.(1)

ltem No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	10/01259/HOUSE Bradfield	16 July 2010	Two storey rear extension, single storey side extension and double garage to replace single garage and car port.
			The Firs, Tutts Clump, RG7 6JU
			Mr And Mrs Poole
Recommendation Summary:			to the Head of Planning and <b>REFUSE PLANNING PERMISSION.</b>
Ward I	Member(s):	Cllr Quentin We Cllr Graham Pa	
detern	n for Committee nination: nittee Site Visit:		bo determine whether this is application relation to plot size.
Conta	ct Officer Details		
Name	:	Bob Dray	
Job Ti	itle:	Planning Officer	
Tel No	):	(01635) 519111	
Email	:	BDray@westbe	rks.gov.uk

#### 1. Site History

137374 Two storey residential extension – CP 18/07/90

#### 2. Publicity of Application

Site Notice Expired:	29 June 2010
Neighbour Notification Expired:	22 June 2010

#### 3. Consultations and Representations

- Parish Council: No objections
- Highways: No objections
- **Trees:** I have no objection to the application as it will not have a direct impact on trees; there is adequate space at the site for the storage of materials, without any impact on trees, so no requirement for tree protection.
- **Ecology:** I have no objections to this application. The roof looks tight and well maintained and there are rooms in the roof void which reduces space for some species of bat. I therefore do not consider that there is a reasonable likelihood of bats being present.
- Public Protection: No response
- Rights of Way: No response
- Rambers' No response Association:
- Adjacent Parish No response Council:
- **Correspondence:** One representation has been received supporting the application. The respondent commented that the development would not have an effect on any neighbouring property, would enhance the living conditions of the occupiers and that the plot could easily accommodate the proposed extensions.

#### 4. Policy Considerations

National Planning Policy and Guidance

- Planning Policy Statement 1: Delivering Sustainable Development (PPS1)
- Planning Policy Statement 1 Supplement: Planning and Climate Change (PPS1A)
- Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7)
- Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9)

West Berkshire District Local Plan 1991-2006 Saved Policies 2007

- OVS.1: The Overall Strategy
- OVS.2: Core Policy
- ENV.1: The Wider Countryside
- ENV.18: Control of Development in the Countryside
- ENV.24: Extensions to Dwellings in the Countryside

Supplementary Planning Guidance/Documents and other material considerations

- SPG 4/02: House Extensions (July 2004)
- SPG 4/03: Replacement Dwellings and Extensions to Dwellings in the Countryside (July 2004)
- Quality Design West Berkshire SPD

#### 5. Description of Development

- 5.1 The Firs is a detached dwelling in Tutts Clump. It has previously been substantially extended to the rear, and a garage building has been erected within the curtilage. This application seeks permission for the erection of a two storey rear extension, a single storey side and rear extension, the erection of a replacement garage, the insertion of a third dormer on the north-eastern side elevation, the demolition of the chimney on the south-western side elevation, the construction of a new chimney stack on the north-eastern side elevation, and associated works and internal rearrangements.
- 5.2 The application site is located outside of any defined settlement boundary, and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The site is well enclosed by dense vegetation along its boundaries, and the site abuts woodland to the rear. A public right of way runs along the south-western boundary.

#### 6. Consideration of the Proposal

The main issues raised by this proposal are:

- The principle of the development
- The impact on the character and appearance of the area (within the AONB)
- The impact on the amenities of neighbours
- Parking provision and highway safety
- Ecological matters

#### 6.1 Principle

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that a planning application is determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.1.2 In this instance, Policy ENV.24 of the WBDLP is the key development plan policy for establishing the principle of development. It states that the extension of existing dwellings in the countryside will be permitted subject to certain criteria. Because these criteria relate to the impact on the rural character of the area, they are considered in Section 6.2.

#### 6.2 Character and appearance

- 6.2.1 The existing dwelling has already been substantially extended to the rear. It appears the original house was relatively compact in plan form, and the existing extensions to the rear are in line with the original side elevations, creating an elongated rectangular plan form. According to the calculations submitted by the agent, the existing extensions amount to a 184% (floor space) and 158% (volume) increase over the original dwelling. The proposed extension would result in a 259% (floor space) and 226% (volume) increase over the original dwelling. The proposed garage is 25% (floor area) and 45% (volume) greater in size than the existing garage.
- 6.2.2 As demonstrated by the above figures, the existing dwelling has already been substantially extended, well in excess of the guidance contained within SPG 04/3. It is therefore already disproportionate in size to the original dwelling. The most recent planning permission for the site is 137374 for the two storey rear extension. This was granted prior to the publication of SPG 04/3. Any further extension would exacerbate the disproportionate size increase of the dwelling, contrary to Policy ENV24. The proposed extension would further increase the size of the house by 26% (in both floor space and volume).
- 6.2.3 The existing extensions are sited to the rear of the original house resulting in an unusual elongated plan form, that serves to reduce the existing visual impact. The site is well enclosed by boundary vegetation, and the only open view of the site is of the front elevation from the access. From this viewpoint, the bulk of the property is not visible. The proposed development would maintain this design approach.
- 6.2.4 However, the proposed extensions would further increase the amount of physical intrusion in a countryside location, and result into further encroachment into the garden. As such the application is considered to conflict with the aim of Policy ENV.24.
- 6.2.5 Amended plans have been received which have omitted the proposed cladding from the rear extension, and have changed the fenestration to be more in character with the existing windows.
- 6.2.6 The existing garage is in poor upkeep and its proposed replacement, despite its size, is considered to be subservient and in keeping with the host dwelling. Moreover, it is set substantially back from the front elevation whereby it would not have an excessive impact on the visual amenity of the property. It does however also contribute towards an overall increase in physical intrusion, contrary to Policy ENV.24.
- 6.2.7 The application site is well screened from the adjacent right of way by the boundary treatment. Only very narrow glimpses of the rear of the dwelling are possible through the dense vegetation to the rear. As such the proposed development is not considered to have an adverse impact on the amenity of the right of way.
- 6.2.8 As well as needing to conform to the specific requirements of Policy ENV 24 of the West Berkshire District Local Plan relating to the extensions to dwellings in the countryside the proposal also needs to conform to the general requirement that development should demonstrate a high standard of design as set out in Policy

OVS.2 of the West Berkshire District Local Plan, Which is supported by the guidance of design contained in PPS 1 and West Berkshire Council's 'Quality Design 'SPD. It is a generally accepted design principle which is reflected in the 'Quality Design' SPP that extensions should be subservient to the original dwelling. It is clear that when viewed from the side or rear the existing extensions dominate the original dwelling and the relatively modern proposed additions would result in the original dwelling being further subsumed by extensions in a manner which clearly contravenes West Berkshire Councils design guidance.

#### 6.3 Residential amenity

- 6.3.1 Policy OVS.2 requires all new development to safeguard the amenities of adjoining occupiers. This includes any adverse overlooking, overshadowing or overbearing impact. The application site has two direct neighbours; Steep Wood to the northwest, and Kimber House to the south-east.
- 6.3.2 Due to its siting and the existing boundary treatment, the proposed development is not considered to have an adverse effect on the amenities of the adjoining properties. The proposed garage abuts the boundary with Steep Wood, and therefore it is likely that the development of the site would result in loss of vegetation cover along this boundary. Given the scale of the proposed garage, it is not considered likely to have a significantly harmful impact on neighbouring amenity in the absence of the boundary vegetation.

#### 6.4 Parking provision and highway safety

6.4.1 The proposed development does not include any alterations to the existing access, and there is sufficient off-road parking irrespective of the proposed garage.

#### 6.5 Ecological matters

6.5.1 Given that the application site is adjacent to woodland which is designated a Local Wildlife Site, the application include the demolition of the existing garage building, and the development affects the roof space of a property within 200m of the adjacent woodland, the ecologist has been consulted. No objection has been raised because the roof has been well maintained and therefore the likelihood of bats being present is low.

#### 7. Conclusion

7.1 The principle of development is established by Policy ENV.24 of the WBDLP. The existing dwelling has already been extended to a disproportionate level, and the further extension is considered to result in an increased level of physical intrusion in designated countryside and an AONB. As such, the proposed development is in direct contravention of Policy ENV.24. It is also the case that in terms of general design considerations the proposed additions will increase the domination of the existing dwelling by extensions in a manner which contravenes the provisions of Policy OVS2 of the West Berkshire District Local Plan, and the guidance contained in PPS 1 and West Berkshire Council's 'Quality Design' SPD.

#### 8. Full Recommendation

**DELEGATE** to the Head of Planning and Countryside to **REFUSE PLANNING PERMISSION for the following reason:** 

#### 1. **Disproportionate**

The application site is located in designated countryside and within the North Wessex Downs Area of Outstanding Natural Beauty. The existing dwelling has already been substantially extended. The proposed extension would increase the size of the dwelling by approximately 26% (in terms of floor space and volume) over the existing dwelling, and thus 259% (floor space) and 226% (volume) over the original dwelling. It would therefore further increase the amount of physical intrusion within this sensitive location and result in an extended dwelling disproportionate in size to the original, contrary to Policy ENV.24 of the West Berkshire District Local Plan (Saved Policies 2007). The increased size of the surrounding area.

#### 2. Unacceptable Design

The existing extensions to the dwelling are not subservient to the original house and the proposed further increases in their size would significantly add to the domination of the original house by extensions. The proposal fails to demonstrate high quality design and is therefore contrary to the provision of policy OVS.2 of the West Berkshire District Local Plan (Saved Policies 2007), the general guidance of design contained in PPS 1 and the specific guidance on the design of extension contained in West Berkshire Council's 'Quality Design' SPD.

## 10/01259/HOUSE

### The Firs Tutts Clump Reading





Map Centre Coordinates : 458540.44 , 171104.87

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	One Inch =	63.5 Metres	
Metres	50	100	150

Scale : 1:2500

Organisation	West Berkshire Council
Department	Environment
Comments	
Date	31 August 2010
SLA Number	100015913

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ltem No	Application No. and Parish	Proposal, Location and Applicant Change of use of Public House to a four bedroomed house Thatchers Arms North Street Theale Reading Berkshire RG7 5EX Mr M Postles	
(2)	10/00727/FUL		
Recor	nmendation Summa	ry: The Head of Planning and Countryside be authorised to GRANT conditional planning permission.	
Ward	Member(s):	Mr K. L.D Chopping	
Reason for Committee determination:		Over 10 objections	
Comn	nittee Site Visit:	No	

Contact Officer Details	
Name:	Hazel Evans
Job Title:	Senior Planning Officer
Tel No:	(01635) 519111
E-mail Address:	hevans@westberks.gov.uk

#### 1. Site History

113187 Internal Alterations to bars and kitchen, new internal toilets and cellar block. Approved 23/6/1980 09/02190FULD – change of use of public house to a four bedroomed house – Withdrawn 24/12/2010

#### 2. Publicity of Application

Neighbour notification expired 25/5/2010 Site Notice expired: 28/5/2010

#### 3. Consultations and Representations

Parish Council:	Objects: village focal point and should not disappear; Commercial summary ignores the fact that in experienced hands the pub has made profits.
Highways: CAMRA	No objections subject to conditions and informatives 1. The pub is the only one in North Street and forms the only community facility in the village. To allow its loss would be to remove the only thing that prevents North Street becoming just a commuter dormitory. This would be contrary to the principle of social inclusion and lock the residents of North Street into a position of car dependency for their leisure activities. 2. The pub does not appear to have been marketed at a realistic price for a sufficiently long period to properly test viability, as required by the Council's "Public Houses" SPG. The agent has submitted a detailed account of why, in his opinion, a pub use in this location would not be viable. I acknowledge that his analysis is well thought-through and sets out a case that appears to be convincing. It remains, however, a theoretical analysis and has not been objectively tested for a realistic period under current market conditions.
Commercial valuers (Cookseys DMP)	Consultants were asked to review the evidence presented by the applicants and report on the likely viability of the premises as a public house. Their report is summarised below.

**Correspondence:** 5 letters of support have been received and 11 letters of objection. The points raised are:

Support:

Not viable and hasn't been for some time

Empty building becoming an eyesore

Car park not big enough

Not fit for purpose

Narrow access road

Objections:

Loss of focal point

Gives village character

Could be profitable with more food sales/ right management

Could work as a free house

Not isolated

Loss of nice pub/community facility/ place to eat

A further detailed submission was received on 9<sup>th</sup> July objecting to the proposal and stating that he represents the residents of North Street. This is discussed below.

#### 4. Policy Considerations

Planning Policy Statement 1: 'Delivering Sustainable Development' Planning Policy Statement 7: 'Sustainable Development in Rural Areas' Planning Policy Statement 4 'Economic Development' South East Plan Regional Spatial Strategy, May 2009 – CC1, CC6, BE5, C3

West Berkshire District Local Plan 1991-2006 – Policies OVS1, OVS2, ENV1, ENV.18, ENV19.

Supplementary Planning Guidance 19 – Public Houses

#### 5. Description of Development

5.1 The application is for the change of use of the public house in North Street known as the Thatchers Arms to a four bedroomed house. The site lies in the small hamlet of North Street and about 1 mile to the north of Theale High Street. It appears to have ceased trading early in 2009 when it was put on the market.

5.2 The site lies outside the identified settlement boundary on the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. The building is a traditionally built property built in the early 19<sup>th</sup> century with later additions. It consists of a two bar public house and kitchen on the ground floor with a self contained 3 bedroom flat above. Outside there is a small garden area at the front and a car park at the front and side of the building. There is no garden at the rear. The building is not listed. The site lies outside the AONB.

#### 6. Consideration of the Proposal

The main issues to be considered in relation to this proposal are

6.1 The principle of the development

6.2 The assessment of the proposal under SPG.19

6.3 The impact of the proposal on the character of the area and neighbouring properties.

6.4 Other issues

#### 6.1 The principle of the development

6.1.1 Planning Policy Statement 4- Planning for Sustainable Economic Development provides national guidance in relation to economic development. This states that when assessing planning applications which affect facilities such as public houses, local authorities should take account of the importance of the service to the local community and refuse planning applications which fail to protect existing facilities which provide for people's day to day needs (policy EC13.1).

6.1.2 It could be argued that this pub is a vital service to the community. However, there is no evidence that the pub was extensively used by the local community. Furthermore there are a number of other public houses and other community facilities and shops in Theale which is less than one mile from North Street.

6.1.3 The site lies outside any identified settlement boundary and therefore needs to be considered under Policies ENV.18 and ENV.19 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007, which relate to the control of development in the countryside and the circumstances under which the re-use of buildings in the countryside will be permitted.

6.1.4. Policy ENV.18 states that development outside settlements will only be permitted where it will benefit the rural economy in accordance with Policy ENV.19. Policy ENV.19 states that proposals for the re-use or adaptation of existing buildings in the countryside will be permitted subject to a number of criteria which need to be met. As there is no change to the appearance of the building proposed, the first five criteria of this policy are met as these relate to the impact of the alterations to the building which in this case are only internal.

6.1.5 Criterion (f) of ENV.19 relates to traffic generation. As the use of the building as a private house is unlikely to generate more traffic than its use as a public house, this criterion is also met.

6.1.6 Criteria (g) and (h) relate to the impact on the local environment and the possible presence of bats. Again, since there is no physical change proposed to the building it is considered that these are also met.

6.1.7 Supplementary Planning Guidance No 19. 'Public Houses' (adopted 25 September 2000 following extensive consultation) sets out the guidance against which to assess an application which seeks the loss of a public house. The guidance recognises that "Public houses serve important social, community and economic functions in maintaining the viability of rural villages". The aim of the guidance is to "safeguard the public house as a focus of community life" and as such the loss of a pub/restaurant must be fully justified.

The guidance sets out in paragraph 6.1 the criteria against which to assess such an application as a means to determine if the loss of such a use is justified.

6.1.8 The criteria established within SPG19 relate to whether the proposal would have an adverse effect on the local character, diversity and amenity of the area; whether it can be demonstrated there is alternative acceptable public house provision in the local area; whether there is evidence that the loss of the public house would result in an unacceptable decline in the standard of community services for locals and visitors; and whether it can be demonstrated that the public house is no longer economically viable and has been successfully marketed for a minimum period of 6 months

6.1.9 The following section will discuss in detail whether this proposal meets the criteria in SPG.19.

#### 6.2 The Assessment of the proposal under SPG.19 'Public Houses'

6.2.1. It is recognised in SPG19 that public houses serve important social, community and economic functions in maintaining the viability of rural villages and the vitality of larger urban areas.

6.2.2. SPG19 sets out a number of criteria to be used in the assessment of applications for development resulting in the loss of a public house as follows:

(i) whether it would have an adverse effect on the local character, diversity and amenity of the area;

(ii) whether it can be demonstrated that alternative acceptable public house provision exists (defined in terms of location, size, range of facilities and quality of provision) or can be made available in the local area/community;

(iii) evidence exists that the loss of the public house would comprise an unacceptable decline in the standard of community services for locals and visitors;

(iv) whether it can be demonstrated that the public house is no longer economically viable and that all reasonable attempts have been made to sell or let the building as a public house at a realistic price for no less than 6 months. Any attempts to sell the business at a price which reflects its current use should relate to the business in its entirety and not to parts of it. Evidence to demonstrate a sale has been unsuccessful would need to include estate agents literature, schedules of potential purchasers and trading figures'.

- 6.2.3 The SPG goes on to say that a commercial viability study should accompany any application for redevelopment or change of use. Evidence should also be produced to show what measures have been taken in an attempt to return the pub to a viable business.
- 6.2.4 The applicants have produced a report by Dunster and Morton, Chartered Surveyors which comments on the viability of the public house, trading potential, suitability and local competition.
- 6.2.5 This report concludes that the property is not viable and based on an optimistic turnover of £105,000 per annum, the profit available to the operator would be in the region of £18,500 per annum (or £28,800 without a mortgage). This should be compared to an employee who does not have the responsibility and input required in running an operation of this type. The report states that the Thatchers Arms is demonstrably unsuitable for continued use as a public house for the following reasons:

- 1. Isolated location with restricted accommodation and a small site with limited car parking
- 2. Poor trading history over long period even in better economic conditions
- 3. Lack of interest or offers from pubic house operators when being marketed in 2009. (It was marketed from February 2009 until August 2009 when contracts were exchanged with current applicant.)
- 4. Nature of licensed industry and public house market over past 5 years- smaller houses frequently closing.
- 6.2.6 In response to this report the Local Planning Authority commissioned an independent valuation by Cookseys DMP, Chartered Surveyors. They report that the Thatchers Arms is not a viable business. Their report estimates an even lower potential income for any licensee of £8,219 or £23,119 without the mortgage. With the likely hours for a couple working at the public house (estimated 120 hours a week) this equates to £4.28 per hour which is less than the minimum wage.
- 6.2.7 Cookseys report notes that it could be argued that not enough time was given to marketing the property to potential publicans, however they go on to say that the pub had changed hands on many occasions recently within a short period of time and that they had been twice associated with licensees facing financial problems as the property was generating insufficient profit. The reasons for non-viability are principally the changes which have occurred in the licensing trade, changes to drinking patterns, the recession and poor return in income.
- 6.2.8 Both reports discuss the competition in the local area. Although the Thatchers Arms is the only public house in North Street, this is a small hamlet of approximately 20 houses. North Street is less than a mile from Theale and according to Cookseys report there are 7 other public houses within I mile of the Thatchers Arms. Using the public footpath to Theale there are public houses within 0.7miles of North Street.
- 6.2.9 The Thatchers Arms was marketed for six months as a public house with no interest shown, the only interest being from those wishing to use it for residential use. The most recent landlords have left and the public house has now been closed for over a year.
- 6.2.10 A response has been received from CAMRA who object to the proposal. They feel that the loss of the pub would remove the only community facility in the village. They are also concerned that the pub was not marketed at a realistic price for a sufficiently long period to properly test viability as required by SGP.19. Cookseys report states that the sale price did reflect the value of the property as a public house and was below the market value for a residential property.
- 6.2.11 There are 11 objections from local residents regarding the loss of the pub and the social/community facility it provides. These cover a variety of points including loss of the only local social or community facility and many people were of the opinion that the pub could be viable with the right management.
- 6.2.12 There were also 5 letters of support for the proposal. Some local residents felt that the pub had not be viable for some time and it would improve the appearance of the village to have the building brought back into use.

- 6.2.13 A further submission has been received from a local resident Mr Alston who states that he represents the residents of North Street. He notes that the public house was placed on the market at the height of the financial crisis which was a challenging period for public houses. He notes that the agents Christie and Co have reported a 27% rise in the number of completed transactions in the first quarter of 2010 and that there is still significant interest in this sector. However, Cookseys report that the demand for public houses is at an all time low.
- 6.2.14 In the same submission by Mr Alston it is noted that the amount of sales for food may have been underestimated. A previous tenant reported that food sales were far higher than estimated in the Dunster and Morton report and that the business may be capable of generating around £45,300 a year rather than the £28,800 estimated by Dunster and Morton. Cookseys' report does not distinguish between food and drink sales but the overall figure is lower than that provided by Dunster and Morton. Both of these figures are estimates and therefore the actual amount of food sales can clearly vary considerably and may depend on the interest or ability of the owners.
- 6.2.15 Your officer recognises that the loss of the pub is not desirable and would result in the loss of a local facility. However SPG.19 states (para 6.3) that it must be accepted that planning authorities cannot control the closure of businesses which are not economically viable. Two separate reports have confirmed that the Thatchers Arms is not economically viable as a public house although a further submission states that it may be capable of producing a higher income. However the majority opinion is that the public house is not viable. It must therefore be accepted that the closure of the public house seems inevitable and therefore an alternative use for the premises needs to be considered.

# 6.3 The impact of the proposal on the character of the area and neighbouring properties

6.3.1 No changes to the building are proposed apart from fencing off the car park and adding a gate. The building would be altered internally but there are no proposals for any extensions. Some local residents have noted that it would be an improvement to have the property in use again as empty pubs can become an eyesore.

6.3.2. It is therefore considered that the proposal would not have an adverse impact on the character of the area or neighbouring properties.

#### 6.4 Other issues

No developer contributions have been requested as there is an existing residential flat above the public house and therefore no increase in numbers of dwellings.

#### 7.00 Conclusion

7.1 There are strong arguments for retaining the Thatchers Arms as a pub as there appears to be local support and its loss would result in the loss of a community facility. However, there are two main reasons which militate against this.

7.2 Firstly, two independent reports from professional chartered surveyors have concluded that the pub is not economically viable and is unlikely to be able to produce sufficient income to support the investment.

- 7.3 Secondly, whilst the Thatchers Arms is the only public house in North Street, there are several public houses in Theale which is less than 1 mile away and therefore effectively within walking distance of North Street.
- 7.4 The scheme is not considered detrimental to the appearance of the area or the environment and does not have an adverse impact on any adjoining properties. The proposal meets the criteria in Policy ENV.18 and ENV.19 as well as Policy OVS.2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.
- 7.5 In these circumstances it is considered that the balance of the evidence submitted supports the applicant and therefore it is recommended that the application is approved.

#### 8. Full Recommendation

- 8.1 DELEGATE to the Head of Planning and Trading Standards to GRANT PLANNING PERMISSION subject to the following conditions:
  - 1) The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policy OVS2 of the West Berkshire District Local Plan 1991-2006, Saved Policies 2007 should it not be started within a reasonable time.

- 2) Any gates to be provided at the access where vehicles will enter or leave the site shall open away from the adjoining highway and be set back a distance of at least 5 meters from the edge of the highway.
- Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interest of road safety in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007
- 3) The surfacing arrangements for the vehicular access to the highway shall ensure that a bonded material is used across the entire width of the access for a distance of 3 meters measured back from the carriageway edge.
- Reason: To avoid migration of loose material onto the highway in the interest of road safety in accordance with Policy T4 of the Berkshire Structure Plan 2001-2016 and Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.
- 4) The development shall not be brought into use until the visibility splays at the access have been provided in accordance with the approved drawing. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 meters above carriageway level.

- Reason: In the interest of road safety in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.
- 5) The development shall not be brought into use until the vehicle parking and turning space has been provided in accordance with the approved plan. The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.
- Reason: To ensure the development is provided for adequate parking facilities in order to reduce the likelihood of roadside parking which would be a danger to other road users in accordance with Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

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## 10/00727/FUL

#### Thatchers Arms, North Street, Theale





Map Centre Coordinates : 463746.22 , 172428.03

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Scale : 1:2500

Organisation	West Berkshire Council
Department	Environment
Comments	
Date	26 August 2010
SLA Number	100015913

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# Agenda Item 4.(3)

ltem No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(3)	10/00817/FUL Wokefield.	23 <sup>rd</sup> June 2010	Demolition of existing house; erection of replacement 5 bedroom house; re- organising landscape to provide formal route to new house via existing access from road.
			Oakfield Stables also known as Herron Lodge, New Road, Mortimer, Reading RG7 3AP.
			Mr G Cox.

Recommendation Summary:	The Head of Planning and Countryside be authorised to APPROVE Planning Permission subject to conditions.
Ward Member(s):	Cllr Keith Lock and Cllr Mollie Lock.
Reason for Committee determination:	Called to Committee by Cllr Keith Lock. Reason – concern over scale of building in relation to Council policy.
Committee Site Visit:	1 <sup>st</sup> September 2010.
Contact Officer Details	
Name:	Jake Brown
Job Title:	Planning Officer
Tel No:	(01635) 519 111
E-mail Address:	JPBrown@westberks.gov.uk

#### 1. Site History

14816 – Conversion of stables - Application approved 10<sup>th</sup> October 1967.

### 2. Publicity of Application

Site notice expired 4<sup>th</sup> June 2010.

Neighbour Notification expired 1<sup>st</sup> June 2010.

Amended Plans Neighbour Notification expired 10<sup>th</sup> August 2010.

#### 3. Consultations and Representations

Parish Council:	No objections. (Amended Plans – No response received)	
Tree Officer:	No objections subject to conditions.	
	No objections.	
Highways Officer:	Amended Plans – No objections.	
Design and Conservation Officer:	No objection in principle but further attention to detail necessary. Amended Plans – These significantly address the previous concerns suggest conditions.	
Public Protection:	No response received.	
Defence Estates:	No objections.	
Letters of objection:	1 letter of objection received citing:	
	<ul> <li>Replacement dwelling would be visually intrusive in the landscape detrimental to the open character of the area.</li> </ul>	
	<ul> <li>Dwelling disproportionate in size to the original</li> </ul>	
	<ul> <li>Scale mass and bulk of dwelling would have a greater visual impact</li> </ul>	
	<ul> <li>Introduction of a building prejudicial to the pattern of development in the locality.</li> </ul>	
	<ul> <li>Development would detract from the inherent character of the area.</li> </ul>	
	<ul> <li>Proposal does not complement the other buildings and features in the locality nor is it sympathetic in scale layout and siting of adjoining buildings.</li> </ul>	

- No landscaping details provided.
- Suburbanizing effect on countryside.
- No details of tree protection provided.

Further representations from the same persons were received following the removal of the proposed stable block from the scheme. The representations consider the proposal to remain contrary to policy and advice in Supplementary Planning Guidance.

#### 4. Policy Considerations

Planning Policy Statement 1 "Delivering Sustainable Development" (PPS1) Planning Policy Statement 7 "Sustainable Development in Rural Areas" (PPS7)

Policies OVS.1, OVS.2, ENV.1, ENV.18, ENV.23 and TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP).

Supplementary Planning Document "Quality Design" (adopted June 2006) Supplementary Planning Guidance SPG 04/3 "Replacement Dwellings and Extensions in the Countryside"

#### 5. Description of Development

- 5.1 The application is for the demolition of the existing dwelling and the erection of a replacement 5 bedroom dwelling. The application also seeks to alter the driveway from the existing access. The application originally included the erection of a stable block which has since been removed from the scheme. Furthermore the application has been amended to remove the proposed dormer windows within the roof and reduce the ridge height as well as lowering the ground level that the proposed dwelling would be sited on.
- 5.2 The application site is a large sized plot with an existing part single storey and part two storey dwelling.

#### 6. Consideration of the Proposal

The main issues to consider are:

The principle of the development The impact on the character of the area The impact on neighbouring amenity in terms of:

- sunlight
- daylight
- overlooking / privacy
- noise and disturbance
- overbearing
- 6.4 Highway Matters
- 6.5 Other matters

#### 6.1 Principle of Development

- 6.1.1 The site lies outside of any defined settlement boundary and is therefore within the open countryside. As the site lies within the open countryside, it is necessary to consider the proposal against the requirements of Policy ENV18 of the West Berkshire District Local Plan 1991 2006 Saved Policies 2007 (WBDLP). In addition, and in specific in relation to the replacement of Oakfield Stables, Policy ENV23 details a number of criteria against which this proposal must also accord.
- 6.1.2 In respect of Policy ENV18, the proposed dwelling is considered to accord with criteria (c) as it falls within permissible housing in the countryside and maintains the environment as discussed later in the report.
- 6.1.3 In respect of Policy ENV23, criteria (a) it is considered that the existing dwelling is long established. In respect of criteria (b) this Policy states that the proposed dwelling should not be disproportionate in size to dwelling being replaced. Descriptive advice regarding disproportional increase is set out within Supplementary Planning Guidance: Replacement Dwellings and Extensions to Dwellings in the Countryside. The proposed dwelling would increase the floor area by approximately 15.7% upon the existing dwelling would be reduced by approximately 24.6%. The footprint of the dwelling would be reduced by approximately 13%. Please note, in respect of the percentage increase in floor area the second floor has not been included in the calculations as this is designated as loft space in the amended plans that were submitted showing a reduced ridge height as well as removing the dormer windows in the roof. The use of the second floor as loft space is considered appropriate given that only two small openings are proposed to serve two of the spaces in the second floor.
- 6.1.4 In respect of criteria (b), section 3.3 of the Supplementary Planning Guidance: Replacement Dwellings and Extensions to Dwellings in the Countryside states:

'Policy ENV.23 is not prescriptive in setting precise limits on what is or is not disproportionate, as each proposal needs to be considered individually in terms of its actual impact on the site and the surrounding rural environment. A new dwelling should not have a materially larger impact than the dwelling it replaces and this impact will be assessed on a number of factors. The percentage increase in volume or floor area is a useful indicator of what may be disproportionate, but it is only one matter to be taken into account. Other factors which are likely to be key determinants are indicated in the supporting text to Policy ENV.23 and include:-

(i) the overall size, scale and massing of the replacement dwelling compared to the original; and

(ii) the site characteristics and visual prominence of the existing and proposed replacement dwellings. Visual prominence / intrusion may be reduced or increased by design factors; and

(iii) the impact on and relationship to adjoining buildings and uses in rural areas; and

(iv) whether on balance the proposed development maintains/enhances or detracts from the inherent character and nature of the site and the surrounding rural

environment (this is a judgement which can only be made on the merits or otherwise of each case).'

- 6.1.5 Taking into account the factors detailed above the floor area of the new dwelling would increase by approximately 15.7% and the volume, which is considered to be a more accurate reflection of the size and massing of a building, would increase by 24.6%. In addition the demolition of an existing greenhouse, shed and store, whilst not included within the above calculations, would further reduce the spread of built form within the application site. The increase in height upon the existing dwelling, as demonstrated in drawing number 5449/PL09C would be approximately 0.2 metres. It is considered that the proposed increase in floor area, volume and therefore massing, accords with the guidance regarding the percentage increase detailed in section 3.3.1 of the Supplementary Planning Guidance.
- 6.1.6 The site is largely screened from the public realm by mature woodland. The proposed dwelling would be located further within the site (81.5 metres from the edge of New Road at the closest point) than the existing dwelling at present which is located some 26 metres from the edge of New Road, at the closest point. Such an increase in distance when viewed from the road would increase the openness of the site and overcome any concerns regarding the minimal increase in the height of the dwelling. Furthermore the existing dwelling restricts views from the road to the countryside beyond due to the expanse of roof form that stretches across almost the entire view, whereas the proposed dwelling, whilst slightly higher, would be more compact, as the width of the built form at first floor level would be reduced from approximately 20.7 metres to 17.4 metres when viewed from the road, thus introducing more views of the countryside beyond. This is clearly demonstrated in figure 11 of the 'Architectural Design and Access Statement' submitted. As such the visual prominence is considered to be reduced by design factors.
- 6.1.7 The proposed dwelling would also reduce any impact on the neighbouring dwelling, Oakfield House, given the increase in distance between this property and the proposed dwelling from approximately 12 metres to approximately 65 metres. In respect of the letter of representation received the existing building is not subservient to the immediately adjacent neighbouring property, Oakfield House, as demonstrated in drawing number 5449/PL02. Whilst the original building on this site was a stable block it has been altered significantly since that use was in operation. Moreover the existing dwelling would not be read as an ancillary building to surrounding dwellings when viewed from the public realm.
- 6.1.8 Lastly in respect of the factors for consideration the proposed dwelling is not considered to harm the inherent character and nature of the site and the surrounding rural environment for the reasons discussed below.

#### 6.2 The impact on the character of the area

6.2.1 The character of the area is rural with wooded areas to the south and east of the application site and open fields to the north and west. Nearby dwellings include Oakfield House, immediately adjacent to the site, which is a two storey red brick cottage style dwelling. To the south stood West Lodge, a recently demolished two storey white rendered dwelling at the western entrance to Wokefield Park. Within Wokefield Park there are a number of buildings most notable of which is Wokefield

Mansion House – a large 18<sup>th</sup> century mansion. North-east of the application site is Oakfield Park, a large 3 storey red brick dwelling as shown in Figures 6,7, 8 and 9 of the 'Architectural Design and Access Statement' submitted.

- 6.2.2 As previously discussed the proposed dwelling would open up views through the site from the public realm of the New Road. Whilst the parts of the dwelling that would be seen from the road would be different to that which exists at present the proposed dwelling would maintain the characteristics of nearby built forms in particular Oakfield Park, as well as having similar features to that of nearby Wokefield Mansion House. Furthermore it is proposed to construct the dwelling with red brick, another feature that is prominent within the surrounding area in particular the adjoining neighbouring properties of Oakfield House and Oakfield Park.
- 6.2.3 The existing dwelling has a large footprint and is of no significant architectural merit. The proposed replacement dwelling would reduce the spread of built form and is considered to maintain the inherent rural character of the area whilst introducing a dwelling of architectural merit that is sympathetic to the character of the area.
- 6.2.4 Therefore the application is considered to accord with Policies ENV.18 and ENV.23 of the West Berkshire District Local Plan 1991 2006 Saved Policies 2007 as well as Supplementary Planning Guidance: Replacement Dwellings and Extensions to Dwellings in the Countryside.

#### 6.3 The impact on the neighbouring amenity

6.3.1 The proposed replacement dwelling would be located approximately 65 metres from the neighbouring dwelling, Oakfield House. Given the distance from the proposed dwelling to the adjacent property and any other neighbouring dwellings the proposal is not considered to introduce any harmful impact in terms of loss of light, loss of privacy or overbearing impact.

#### 6.4 Highways Matters

6.4.1 The proposal does not alter the existing access onto New Road. The internal driveway within the application site would be altered, however, sufficient off-road parking and turning would be available for the replacement dwelling. As such the proposal would not have a detrimental impact on highway safety.

#### 6.5 Other Matters

6.5.1 <u>Tree Matters</u>

A tree survey and arboricultural impact assessment has been submitted with the application detailing the impact of the development on the trees. The Tree Officer has assessed the application in respect of the impact on the trees within the application site. The Tree Officer has noted that the information submitted clearly identifies the impact to the trees and what levels of precautions are required to protect the trees to be retained. The report is very well constructed and follows a clear and constructive approach to the retention and protection of trees, down to site monitoring. Furthermore the landscaping within the application site could be

West Berkshire Council

improved through the attachment of a landscaping condition should the application be approved. As such no objections have been raised subject to the attachment of conditions should the application be approved.

#### 7. Conclusion

7.1. The proposal is considered acceptable in respect of its impacts on the character of the area, neighbouring properties and highway safety. The design, scale and form of the dwelling would be sympathetic with the character of the area. The application is therefore recommended for conditional approval.

#### 8. Full Recommendation

8.1 The Head of Planning and Countryside be authorised to APPROVE planning permission subject to the following conditions and informatives.

#### 8.2 Conditions

#### Time limit

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 should it not be started within a reasonable time.

#### Approved Plans

2. The development hereby approved shall be carried out strictly in accordance with drawing title numbers 5449/PL07A, 5449/PL06A, 5449/PL09C and 5449/PL10B received on 26<sup>th</sup> July 2010, drawing title number 5449/PL03 Rev A received on 7<sup>th</sup> June 2010 unless otherwise agreed in writing by the Local Planning Authority on an application made for that purpose.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against National, Regional and Local Planning Policy.

#### Samples of materials

3. No development shall commence until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall include the submission of samples of any external finishes including bricks and stone, tiles and any other roof finishes to be used. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

#### Arboricultural Watching Brief

4. No development, site works or demolition shall commence until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority, to supervise the recommendation provided in the tree report produced by Challice Consulting Ltd (ref: CC/581 AR919 dated 2<sup>nd</sup> June 2010) received on 3<sup>rd</sup> June 2010.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of West Berkshire District Local Plan 1991 - 2006 Policy OVS 2.

#### Tree protection

5. No development shall commence (including any preparatory works) until the protective fencing detailed in drawing title numbers TPP-CC/581 AR919 received on 3<sup>rd</sup> June 2010 and as identified in the tree report CC/581 AR919 dated 2<sup>nd</sup> June 2010 has been erected. At least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, storage of materials or machinery, parking of vehicles or fires whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figure 2 of B.S.5837:2005.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy OVS2 of West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

#### Landscaping

6. No development or other operations shall commence on site until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

a) Completion of the approved landscape scheme within the first planting season following completion of development.

b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policies OVS2 and OVS 3 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

#### Fencing and enclosures

7. No development or other operations shall commence on site until a scheme of fencing and other means of enclosure to be erected on the site is submitted to and approved in writing by the Local Planning Authority and no buildings shall be occupied before the fencing and other means of enclosure have been erected to the satisfaction of the Local Planning Authority.

Reason: The fencing and other means of enclosure are essential elements in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

#### Hard surfacing

8. No development shall commence on site until a scheme for the means of treatment of the hard surfaced areas of the site is submitted to and approved in writing by the Local Planning Authority. No building shall be occupied before the hard surfaced areas have been constructed in accordance with the approved scheme.

Reason: In the interests of visual amenity, in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

#### Parking

9. No development shall commence on site until the vehicle parking and turning space has been provided in accordance with drawing title number 5449/PL03 Rev A received on 7<sup>th</sup> June 2010. The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would be a danger to other road users in accordance with Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

#### Demolition of existing outbuildings

10. No development of the dwelling hereby approved shall commence until the shed, greenhouse and store, shown on drawing title number 5449/PL03 Rev A received on 7<sup>th</sup> June 2010, have been demolished.

Reason: To prevent the over-development of the site and harm to the character of the area in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

#### No additions or extensions

11. Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revision), no additions or extensions to the dwelling shall be built or ancillary buildings or structures erected within the curtilage, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

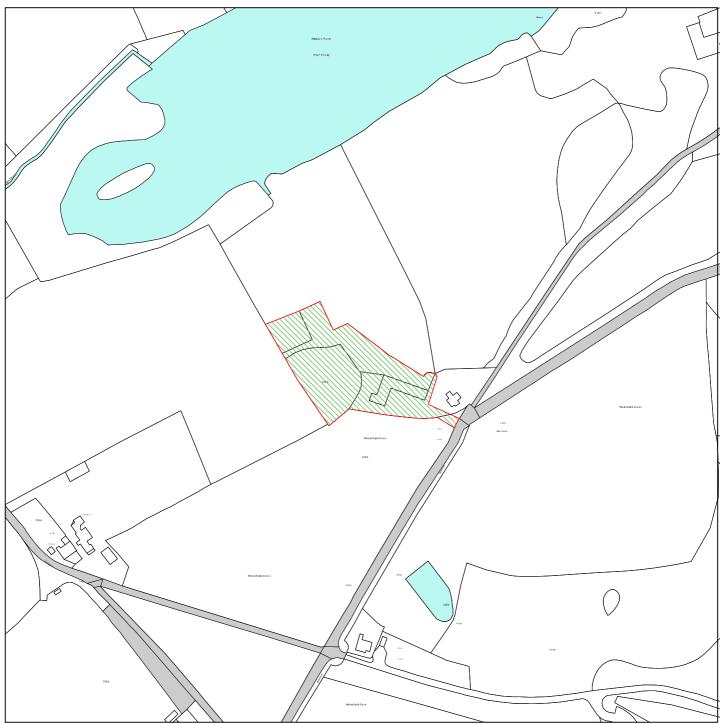
Reason: To prevent the over-development of the site and to safeguard the amenities of neighbouring properties in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

- 8.3 <u>Informatives</u>
- 1. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 2. The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
- 3. The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area or the residential amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.
- 4. All bats are protected by the Wildlife and Countryside Act 1981 (WCA) and the Conservation (Natural Habitat, &c.) Regulations 1994. Should you find bats during development, all work must stop until advice has been sought from Natural England. Their local contact number is 0118 9581222.

## 10/00817/FUL

### **Oakfield Stables Also Known as Herron Lodge, Mortimer**





Map Centre Coordinates :  $466961.00 \ , \ 166051.85$ 

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	One Inch = 63.5 Metres		
Metres	50	100	150

Organisation	West Berkshire Council
Department	Environment
Comments	
Date	26 August 2010
SLA Number	100015913

Scale: 1:2500

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# Agenda Item 4.(4)

<ul> <li>(4) 10/01220/HOUSE 14<sup>th</sup> July 2010 Section 73A - Variation of Condition 1 (Time Limit and Plans) of planning permission 09/01814/HOUSE to incorporate a taller single storey extension and Variation of Condition 3 (windows) to amend windows granted under planning permission 09/01814/HOUSE (Conversion of two semi detached cottages to one detached dwelling. Ground floor extensions to provide hall, utility, wc, family room and garden room. Remove existing rear outbuilding and detached garage.)</li> <li>9 and 11 King Street, Mortimer Common, Reading.</li> <li>Mrs Olwyn Hughes and Lesley Nelson.</li> </ul>	ltem No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
	(4)		14 <sup>th</sup> July 2010	<ul> <li>(Time Limit and Plans) of planning permission 09/01814/HOUSE to incorporate a taller single storey extension and Variation of Condition 3 (windows) to amend windows granted under planning permission 09/01814/HOUSE (Conversion of two semi detached cottages to one detached dwelling. Ground floor extensions to provide hall, utility, wc, family room and garden room. Remove existing rear outbuilding and detached garage.)</li> <li>9 and 11 King Street, Mortimer Common, Reading.</li> </ul>

Recommendation Summary:	The Head of Planning and Countryside be authorised to APPROVE Planning Permission subject to conditions.
Ward Member(s):	Cllr Keith Lock and Cllr Mollie Lock.
Reason for Committee determination:	Called to Committee by Cllr Keith Lock as the original application was objected to by the Parish Council and residents and the construction has not been according to the approval.
Committee Site Visit:	1 <sup>st</sup> September 2010.

Contact Officer Details	
Name:	Jake Brown
Job Title:	Planning Officer
Tel No:	(01635) 519 111
E-mail Address:	JPBrown@westberks.gov.uk

#### 1. Site History

09/01814/HOUSE – Conversion of two semi-detached cottages to one detached dwelling. Ground floor extensions to provide hall, utility, wc, family room and garden room. Remove existing rear outbuilding and detached garage.

#### 2. Publicity of Application

Site notice expired 26<sup>th</sup> June 2010. Amended Description Site notice expired 6<sup>th</sup> August 2010.

Neighbour Notification expired 17<sup>th</sup> June 2010.

#### 3. Consultations and Representations

Parish Council:	No objections.
Highways Officer:	No comment.
Public Protection:	No response received.
Ramblers	No response received.
Association:	

Public Rights of No response received.

Way Officer:

Representations:

9 interested parties have submitted representations of objection citing:

 Overbearing impact; extension overwhelms neighbouring property; materials do not match existing dwelling; overlooking and loss of privacy; noise; glare from slate tiles; out of keeping with existing dwelling and neighbouring properties; loss of small dwellings in the area; disproportionate roof on extension; mortar does not align with existing dwelling; extension is too tall; extension creates a lop sided appearance and is unattractive.

5 interested parties have submitted representations of support citing no overlooking due to sand blasted windows that are now fixed shut; extension is in keeping with existing building and street scene; height difference is minimal; brickwork is well matched; there are many varied extensions in the street scene, work is of a high standard.

1 representation has been received from the applicant stating that no overlooking is possible through the sandblasted and fixed shut windows, the doors and windows retain the character of the existing building.

#### 4. Policy Considerations

Planning Policy Statement 1 "Delivering Sustainable Development" (PPS1)

Policies OVS1, OVS2 and TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP).

Supplementary Planning Document "Quality Design" (adopted June 2006) Supplementary Planning Guidance 04/2 "House Extensions" (adopted 2004)

Stratfield Mortimer Village Design Statement (adopted November 2005)

#### 5. Description of Development

- 5.1 This application is made under section 73A of the Town and Country Planning Act 1990 (as amended). The application seeks permission for the variation of condition 1 to incorporate minor changes to the development from that previously approved under application 09/01814/HOUSE and a variation of condition 3 to amend the windows to a different design than those approved under permission 09/01814/HOUSE. The works on the extensions are substantially complete.
- 5.2 In respect of the conversion of two dwellings into one dwelling the amalgamation of 2 planning units with the same use into one is not considered to result in a material change of use and as such would not constitute development. This view is confirmed in previous appeals such as Uttlesford 28/9/07 DCS No. 100-050-591 and Penwith D.C. 27/06/90 DCS No. 035-856-482. Furthermore there are no specific policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 that restrict the conversion of two dwellings into one. As such the principle of the conversion of a pair of semi-detached dwellings into one detached dwelling does not fall to be considered as part of this application.
- 5.3 The plans submitted under planning permission 09/01814/HOUSE scaled the height of the single storey side extension where the roof joins the existing dwelling, when viewed from the east, as approximately 3.4 metres. The single storey extension built has a height where the roof joins the existing dwelling, when viewed from the east, of approximately 3.8 metres.
- 5.4 In addition the plans submitted under planning permission 09/01814/HOUSE scaled the height of the eaves of the single storey side extension, when viewed from the east, as approximately 2.35 metres. The single storey extension built has a height to the eaves, when viewed from the east, of approximately 2.38 metres, as well as a larger fascia board of 0.2 metres in depth rather than that approved of 0.12 metres.
- 5.5 Furthermore the single storey extension built differs from that approved plans under permission 09/01814/HOUSE due to the differing design of the openings to the extension. The differences of note are the design of the two openings on the side (east) elevation from the approved, top opening windows, to side opening windows that have been obscure glazed and fixed shut. In addition the rear (south) elevation has been constructed with a four pane full length glazed opening with no

velux windows in the roof as opposed to the two windows, a door and two velux windows that were approved under permission 09/01814/HOUSE.

- 5.6 Other non-material changes have taken place in respect of the windows on the existing dwelling, however, these changes are minimal and could be undertaken as permitted development under the Town and Country (General Permitted Development) Order 1995 as amended.
- 5.7 As such this application has been submitted to regularise the additional 0.4 metres in the height of the roof of the single storey extension when viewed from the east; the additional 0.03 metres in the height of the eaves when viewed from the east, and the additional 0.08m of fascia board, as well as the minor alterations to the windows described above.
- 5.8 It is important to note that all of the changes described above, apart from the increase in the height of the roof of the single storey extension, would be considered acceptable as a non-material amendment to the previously approved application. This is a significant consideration in the determination of this application.

#### 6. Consideration of the Proposal

The main issues to consider are:

The principle of the development The impact on the character of the area The impact on neighbouring amenity in terms of:

- sunlight
- daylight
- overlooking / privacy
- noise and disturbance
- overbearing
- 6.4 Highway Matters
- 6.5 Other matters

#### 6.1 Principle of Development

6.1.1 For the reasons set out in paragraph 5.2 the principle of the development does not fall to be considered, however, the specific impacts of the development on the character of the area, the amenities of neighbouring properties must be carefully considered together with the provision of accesses and highway safety.

#### 6.2 The impact on the character of the area

6.2.1 The character of the area consists of semi-detached and detached dwellings of varied design. The increase in the height of the single storey extension by 0.4 metres is considered minor and not significant enough to harm the character of the area or the street scene. The increase in the height of the eaves of the single storey extension by 0.03 metres is also considered minor and not significant enough to harm the character of the area or the street scene. In addition the

increase in the height of the fascia board by 0.08m and the amended designs to the openings of the property are also not considered significant enough to harm the character of the area or the street scene as demonstrated by the view of your officer that these changes to the approved scheme would be acceptable as a nonmaterial amendment should such an application be submitted.

- 6.2.2 In respect of the letters of objection the principle of the development and the impact of the single storey side and rear extension on the character of the area and street scene were fully considered in the determination of planning permission 09/01814/HOUSE. The previous extant permission is a significant material consideration in the determination of this application and bears great weight in the consideration of the impact of the minor changes described. Furthermore the materials used in the development are considered an acceptable match to those on the existing dwelling and the mortar alignment is not considered significant enough to justify refusing this application.
- 6.2.3 As such the application is considered acceptable in terms of the impact on the character of the area.

#### 6.3 The impact on neighbouring amenity

- 6.3.1 The previously approved scheme (09/01814/HOUSE) sought permission for three velux windows and 3 top-opening windows facing onto No. 15 King Street. The side elevation of No.15 King Street has an opening at ground floor level and an opening at first floor level that would be located almost opposite the proposed openings.
- 6.3.2 The amended scheme submitted shows two of the windows on the east elevation as not having a top opening panel. These have been constructed with sandblasted glazing and, as confirmed by the applicant, fixed shut. As such it is considered that no significant overlooking or loss of privacy is possible due to the amended type of window installed.
- 6.3.3 The increase in height of the single storey extension of 0.4 metres, at the point where the extension joins the existing dwelling, is not considered to introduce a significant overbearing impact or loss of light to the neighbouring property at No.15 King Street.
- 6.3.4 The increased size of the fascia board by 0.08 metres, less that half the width of this A4 page, is not considered to introduce an overbearing or harmful impact on the neighbouring dwelling at No.15 King Street.
- 6.3.5 The amended openings on the rear (south) elevation are not considered to introduce any impact on the neighbouring properties.
- 6.3.6 In respect of the concerns raised regarding glare from the roof tiles of the single storey extension these are considered well matched to the roof tiles on the existing dwelling and whilst it is appreciated that some reflective glare occurs at present at certain times of the day the tiles will soon weather reducing any glare. As such this issue is not considered sufficient to warrant a refusal of this application.

- 6.3.7 The altered types of windows within the existing dwelling have no significant impact on the neighbouring properties and, as previously discussed, could be undertaken without the need for permission from the Local Planning Authority.
- 6.3.8 The changes to the scheme approved under permission 09/01814/HOUSE have no impact on the neighbouring property No. 7 King Street.
- 6.3.9 Therefore the proposal is not considered to result in any significant detrimental impact to the amenities of neighbouring properties

#### 6.4 Highways Matters

6.4.1 None of the proposed amendments affect the existing access arrangement to the site and as such the application will not impact on highway safety.

#### 6.5 Other Matters

- 6.5.1 In respect of the letters of objection received the increase in the height of the single storey extension, when viewed from the side, together with the increased depth of the fascia board by 0.08 metres and the altered openings are not considered to introduce any additional noise upon what has been approved. Furthermore such matters are controlled by Environmental Health legislation.
- 6.5.2 The concern raised regarding the loss of affordable housing and small dwellings in the area is not a planning consideration for this application. As previously discussed the amalgamation of two dwellings into one is not considered development and as such would not require permission from the Local Planning Authority.

#### 7. Conclusion

7.1 The amendments to the previously approved scheme under permission 09/01814/HOUSE are not considered to harm the street scene or character and appearance of the area. Furthermore the amendments would not materially harm the amenities of the neighbouring properties or result in a detrimental impact on highway safety. As such the application is considered to accord with the relevant National and Local Planning Policies as well as Supplementary Planning Document 'Quality Design' and the Stratfield Mortimer Village Design Statement. The application is therefore recommended for approval subject to conditions.

#### 8. Full Recommendation

8.1 **DELEGATE** to the Head of Planning and Countryside to **GRANT** planning permission subject to following condition and informative.

#### 8.2 <u>Condition</u>

#### Windows

1. The two large windows serving the family room at ground floor level in the north elevation of the extension hereby approved shall retain the obscure glazing and be

fixed shut in perpetuity unless otherwise agreed in writing by the Local Planning Authority on an application made for that purpose. The small window in the north elevation of the extension hereby approved shall retain the obscure glazing in perpetuity unless otherwise agreed in writing by the Local Planning Authority on an application made for that purpose. Irrespective of the provisions of the Town and Planning (General Permitted Development) Order 1995 (or any subsequent revision), no additional openings shall be inserted in the ground floor north elevation of the single storey extension hereby approved without a formal planning application made to the Local Planning Authority for that purpose.

Reason: In the interests of the amenity of neighboring properties in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

- 8.3 Informative
- 1. The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area or the residential amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

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## 10/01220/HOUSE

### 9 and 11 King Street, Mortimer Common





Map Centre Coordinates : 465384.89 , 164744.79

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	One Inch =	63.5 Metres	
Metres	50	100	150

Organisation	West Berkshire Council
Department	Environment
Comments	
Date	26 August 2010
SLA Number	100015913

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# Agenda Item 4.(5)

ltem No	Application No. and Parish	8/13 week d	ate Proposal, Location and Applicant	
(5)	10/01169/FUL Bucklebury	8 July 2010	Erection of replacement dwelling following demolition of existing dwelling.	
			Osgood Holding, Sadgrove Lane Bucklebury, RG7 6SB	
			Mr and Mrs L Pitchfork	
Recon	<b>Recommendation Summary:</b> To <b>DELEGATE</b> to the Head of Planning and Countryside to <b>GRANT PLANNING PERMISSION.</b>			
Ward Member(s):		-	Cllr Quentin Webb Cllr Graham Pask	
Reason for Committee determination:			At the request of Cllr Pask because the application involves the demolition of a building of local interest.	
Committee Site Visit:		1 <sup>st</sup> S	September 2010	
Conta	ct Officer Details			
Name	:	Bob	Dray	
Job Ti	itle:	Plan	ning Officer	
Tel No:		(016	(01635) 519111	
Email:		BDra	BDray@westberks.gov.uk	

#### 1. Site History

08/02187/FUL Change of use to include grazing for horses. To erect a stable and hay barn consisting of three loose boxes, tack room and hay barn and roof storage area. – conditional permission 10/03/09

09/01636/FUL Erection of replacement dwelling and garage following demolition of existing dwelling and outbuilding complex. – withdrawn 30/10/09

#### 2. Publicity of Application

Site Notice Expired:	17 June 2010
Neighbour Notification Expired:	10 June 2010

#### 3. Consultations and Representations

**Parish Council:** Bucklebury Parish Council wishes to **OBJECT** to the proposed development at Osgood Holding.

A. In accordance with WBC SPG 'Replacement Dwellings in the Countryside,' it was felt that:

A1. The proposed dwelling would be disproportionate to the dwelling being replaced.

The figures specified in the application do not include the basement and specifically state that the development is spread over two floors, rather than three.

While ENV23 does not specify absolute limits the increase in size (including the basement) is well over 100%. The supporting documentation refers to an increase from 217m<sup>2</sup> to 355 m<sup>2</sup>, excluding the basement. When the basement is included, the proposed floor space is calculated to be approximately 540 m<sup>2</sup> which is a 140% increase in size. This would normally be regarded as disproportionate, being contrary to national and local policy, and would obviously be far more visually dominating. (3.3.1). Visual quality as required within the AONB, both near to and from distance, would be further exacerbated by moving the dwelling closer to the outbuildings to be retained.

This would lead to more massing and the impression of an even bigger building on the skyline. Although the area is large and partially screened this would detract from the character of the site and its rural environment, and its place within the AONB.

Also: a. There are extensions on the current property; parts of which the owner believes were built in the 50-60s. Therefore, it is not possible to define the actual 'original' building and this may be far smaller than the 600m3 assumed, making the percentage increase

even larger. If the current building is taken as the 'original' then it cannot be considered small, and there should be no requirement for a 'larger percentage increase.... to bring the dwelling up to modern living standards.'

b. The outbuildings have not been included in the calculations and it is not known if they are part of the 'original' dwelling. When the recently completed stables to the rear of the property are included (size unknown 08/02187/FUL) in calculations, the percentage size increase of the proposed house becomes even greater. c.

A2. The proposed design is not appropriate to the rural character of the area and does not take into account local design elements. While there is little doubt as to the quality of the design it is inappropriate to this particular rural setting. There are (as far as is known) no lime rendered buildings in the parish, and any timberframed buildings have either white render or, far more commonly, are timber-framed with brick. This would be a classic case of the replacement of a small country dwelling with a more grandiose house, which would radically change the character of the site from its current rural setting. The building design would only emphasise the suburbanising effect in detriment to the AONB, the preservation of which is defined as being of paramount importance (2.4).

A3. The development would not complement the only other building in the immediate vicinity; they would be of completely different styles.

A4. The development is not appropriate and is not sympathetic in scale, design, materials and layout to the character and setting of adjoining buildings and spaces. The proposal will be much larger and have far greater visual impact on the skyline than the current building, which will be further aggravated by the use of a design not found in this area.

A5. The required landscape scheme has not been included, apart from 2 sentences. What exactly is the minimum amount of hard landscaping? It is impossible to assess the overall visual impact on the surrounding area, a fundamental within the AONB.

A6. The replacement dwelling is not totally located on the site of the building it is to replace. (3.4.1)

A7. A bat assessment carried out October 2009 has been included with the application, but the information it contains is only valid for a period of 6 months and is therefore no longer valid.

B. It is felt the design would contravene Bucklebury Vision in the following areas:

B1. The development is not in keeping with this particular rural area and its AONB status. (3G1) (6G4)

B2. The beauty and visual quality of the area would not be enhanced. (3G2)

The building would not be in the style of local buildings (7G1), would

not be appropriate in colour (7G2) and would not blend with local character (7G3) and there is not enough detail to establish construction plans (7G4)

B3. The building, together with outbuildings and the recently developed stables would be an overdevelopment of the site. (7G5)

In summary, BPC felt that this design should be rejected through its failure to meet local and national planning guidelines, and would have an adverse effect on the rural area and the AONB. It would be an inappropriate development of the site through size, style and massing, and we cannot agree with the Design Statement that these issues have been addressed from the pre-application stage. It would irretrievably alter the character of this rural site and have a detrimental effect on the landscape and visual quality of this corner of the AONB.

Should this proposed development take place there are significant concerns from the Parish Council about large lorries being required to deliver large sized objects to the site, accessing it along a very narrow, in places gravel track.

It is requested that:

1. The current building, part of which is believed to date from the 1700s (owner information) is considered for listing.

2. A site visit is undertaken by planning officers.

3. A landscape plan is required before any further consideration, and this shows how landscaping will minimise the adverse visual impact on the AONB through screening, use of indigenous species etc.

4. WBC tree offices visit the site to impart protection orders on trees within the site, as planning restrictions within the parish have previously proven inadequate.

If planning permission were to be granted it is requested that the following conditions are included:

1. An external lighting plan for the whole site is required comparable to that stipulated for other houses in the AONB, to provide protection from light pollution.

2. Because of the vast increase in size a restrictive condition withdrawing future permitted development rights is imposed.

**Highways:** Plan requested showing parking layout [shall be reported in update sheet].

**Rights of Way:** No response to date.

Rambers' No response to date.

Association:

Trees: The plan provided has identified some of the trees as indicative circles only, but the general information provided regarding trees is very poor, considering the application is a full application and

question 16 as been ticked yes for both trees on and adjacent to the site, and no tree survey has been provided in accordance with BS5837:2005 as required.

The site contains a significant number of trees of various species condition, and sizes, some will clearly have to be removed to facilitate the development, although these appear to be small ornamental varieties, the majority can be retained and protected throughout the development, as the mature trees at the site are located around the boundaries and appear to have retained as part of the scheme.

There will be a requirement for a fully tree survey to clearly identify which trees will be removed and retained and details on tree protection, both as part of the demolition and construction phases of the site, and any services required which may affect the trees.

The details on landscaping have been provided as part of the design and access statement, and whilst the proposal is to retain the mature trees and hedgerows to provided a good level of screening and reduce any visual impact on the wider landscape area, additional landscaping should in provided to the boundaries to help, I note that some landscaping has been provided in areas of the site, but additional landscaping should be more structured around the site.

Overall, the information provided with the development is very limited and additional information will be required to cover this deficiency, and this can be covered by the conditions for the site which are listed below, and overall no objection to the application, subject conditions, being attached to any proposed consent for the site.

- **Ecology:** I have read the updated bat report and do not consider bats are at risk in this proposed development. I therefore have no objections.
- **Correspondence:** Two letters of support have been received and make the following comments:
  - The existing dwelling is in poor upkeep with unattractive alterations.
  - The proposed development is sympathetic and in keeping with the rural character of the area.
  - The house would be built using natural and high quality materials.
  - The proposed development would not have any direct impact on any neighbours.
  - The application site comprises a large plot of land.

A further third letter has requested that the right of way is maintained during the development of the site.

#### 4. Policy Considerations

National Planning Policy and Guidance

- Planning Policy Statement 1: Delivering Sustainable Development (PPS1)
- Planning Policy Statement 1 Supplement: Planning and Climate Change (PPS1A)
- Planning Policy Statement 3: Housing (PPS3)
- Planning Policy Statement 5: Planning for the Historic Environment (PPS5)
- Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7)
- Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9)
- Planning Policy Guidance Note 13: Transport (PPG13)

West Berkshire District Local Plan 1991-2006 Saved Policies 2007

- OVS.1: The Overall Strategy
- OVS.2: Core Policy
- OVS.10: Energy Efficiency
- ENV.1: The Wider Countryside
- ENV.18: Control of Development in the Countryside
- ENV.23: Replacement Dwellings in the Countryside
- TRANS.1: Meeting the Transport Needs of New Development

Supplementary Planning Guidance/Documents and other material considerations

- SPG 4/03: Replacement Dwellings and Extensions to Dwellings in the Countryside (July 2004)
- Quality Design West Berkshire SPD
- Bucklebury Vision: Planning for the Future of the Parish (VDS)

#### 5. Description of Development

- 5.1 Osgood Holding is a detached dwelling located off Sadgrove Lane in Bucklebury. The existing dwelling has two storeys and is located in the western side of the 0.42ha residential curtilage. Within the frontage there are several single storey ancillary outbuildings.
- 5.2 Planning application 09/01636/FUL proposed development comprising the demolition of the existing dwelling and outbuildings, and their replacement with a new dwelling and outbuilding complex. This application was withdrawn prior to determination in light of officer concerns regarding the scale of development, the impact on the adjoining byway, and insufficient information with regard to protected bat species.
- 5.3 Planning permission has been granted (08/02187/FUL) for the change of use of the land to the rear (north) for the grazing of horses. This application also granted permission for the erection of stabling and associated facilities. This development falls outside of the application site and residential curtilage of Osgood Holding.
- 5.2 This application seeks full planning permission for the demolition of the existing dwelling and the erection of a replacement dwelling. The proposed dwelling is the same that was considered under the withdrawn application. However, this application includes the retention of the existing outbuildings and the omission of the new garage complex. The proposed dwelling will contain five-bed accommodation across three floors to include a basement level.

5.3 The application site is located outside of any defined settlement boundary and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The site is accessed off Sadgrove Lane, which is a byway and public right of way. The land to the north and west of the residential curtilage are under the same ownership as the application site.

#### 6. Consideration of the Proposal

The main issues raised by this proposal are:

- The principle of the development
- The impact on the character and appearance of the area (within the AONB)
- The impact on the amenities of neighbours
- Parking provision and highway safety
- Others matters: trees, ecology

#### 6.1 Principle

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that a planning application is determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.1.2 In this instance, Policy ENV.23 of the WBDLP is the key development plan policy for establishing the principle of development. It states that the replacement of existing dwellings in the countryside will be permitted subject to certain criteria.
- 6.1.3 Criterion (a) is that the existing dwelling is long established and is not the result of a temporary or series of temporary permissions. It is considered that the existing dwelling meets this criterion.
- 6.1.4 Criterion (b) is that the proposed dwelling is not disproportionate in size to the dwelling being replaced; that is excessive in scale or massing and thereby physically and visually intrusive. Policy ENV.23 is not prescriptive in setting precise limits on what is or is not disproportionate. The Council's adopted SPG on replacement dwellings (SPG 04/3) provides further guidance in this respect.
- 6.1.5 The SPG states the percentage increase in volume or floor space is a useful indicator. Criterion (b) refers to the dwelling being replaced; it is therefore the *existing* dwelling that forms the baseline for this assessment.
- 6.1.6 According to the calculations submitted by the agent with the application, the development would comprise a 63% increase in floor area, and a 61% increase in volume over the existing. These calculations do not take into account the basement and existing outbuildings. Including the basement, the development would comprise a 142% increase in floor area, and a 153% increase in volume.
- 6.1.7 Given that Policy ENV.23 is concerned with preventing development which is physically and visually intrusive, it is considered that the external volumetric increase, excluding the basement, is the most useful indicator in this instance. The basement level would have no visual impact. However, the SPG is silent on this matter. It is noted that the basement may be constructed as permitted development. Because the existing outbuildings are located further than 5m from

the main house, they should not be included within the calculations. Moreover, they are being retained as existing.

- 6.1.8 The SPG advises that this increase may be acceptable depending on the site characteristics, scale and massing. The proposed dwelling matches the ridge height of the existing dwelling. The replacement dwelling would be 3.4m wider (at two storey level), 9.1m wider (in total with single storey side extensions), but have a 1.8m shorter ridge line. Due to its width and gabled front façade, the proposed dwelling would appear to have greater massing than the existing dwelling. However, its bulk is reduced by the fully hipped roof form and good articulation of the elevations.
- 6.1.9 Views into the site are limited from the east due to the ground levels, and from the north and west due to the mature landscaping along the boundaries. There are clear views into the site from the public right of way, but the proposed dwelling is set back approximately 30m, and ground levels drop by approximately 0.5 1m from the byway to the proposed dwelling. The visual impact from this viewpoint is further reduced by the retention of the existing outbuildings, and may be enhanced through appropriate landscaping. Therefore the proposed dwelling is considered to comply with criterion (b).
- 6.1.10 The general form, architectural details and materials are consistent with other buildings in rural West Berkshire, and the building is considered to be of a high standard of design that responds to the specific guidance on design contained within the local village design statement, including a well-accepted roof form, a hipped gabled roof, low eaves and good articulation of surfaces. It is therefore considered to comply with criteria (c) and (d).
- 6.1.11 Criterion (e) of Policy ENV.23 seeks landscaping which retains or improves the rural nature of the locality. The site benefits from mature landscaping which helps assimilate the existing buildings into their rural surroundings. This landscaping may be enhanced through the implementation of an appropriate landscaping scheme by way of a condition.
- 6.1.12 Overall the proposed development is considered to comply with the requirements of Policy ENV.23, and therefore the principle of development is established in accordance with the relevant development plan policy.

#### 6.2 Character and appearance

6.2.1 As well assessing the scheme against the specific requirements of Policy ENV23 the scheme has to comply with the relevant local plan policy and government guidance on design in general. PPS3 advises that matters to consider when assessing design quality include the extent to which development, *inter alia*, is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access; and the extent to which it creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity. PPS1 advises that local planning authorities should not attempt to impose architectural styles or particular tastes, but promote or reinforce local distinctiveness. This guidance is reflected in the requirements of Policy OVS2 of the West Berkshire District Local

Plan, that design of development achieves high quality and in the more specific design guidance contained in West Berkshire Council's 'Quality Design' SPD.

6.2.2 The previous application (09/01636/FUL) was withdrawn in response to concerns relating to its unsympathetic scale, layout and relationship to the plot and the public right of way. Under this previous proposal the site coverage was significantly increased, with the proposed dwelling and garage covering most of the site width. The loss of the existing outbuildings and resultant imposing development were also considered to have a detrimental effect on the amenity of the Byway.

#### Scale and layout

- 6.2.3 The existing dwelling has two storeys. The accommodation of the proposed dwelling is spread over three floors, including a basement level. The proposed dwelling would be the same height as the existing dwelling and the basement level would not be visible externally. The drawings show that the ground levels shall be lowed to achieve this. Despite having a large footprint, the proposal is considered to largely maintain the scale of development.
- 6.2.4 The land is lower to the west and banks to the east with ground levels approximately 3m higher. The land also slopes down towards the rear (north) of the site. The existing building is located in the western side of the application whereby it is relatively inconspicuous owing to the ground levels and mature landscape setting.
- 6.2.5 The previous application was withdrawn partly because the proposal was considered to significantly alter this layout. The proposal currently under consideration (retaining existing outbuildings and omitting new garage block) is considered to maintain the fundamental relationship of the buildings to their plot. The footprint of the proposed dwelling is located 2.6m further from the western boundary. This is owing to subsidence in the existing dwelling caused by the unstable land surrounding the stream along the western boundary. This change in layout with the re-siting of the dwelling is therefore considered reasonable in the circumstances.

#### Form and design

- 6.2.6 The proposed dwelling has a fully-hipped roof and a gabled front facade. Although the massing would be greater than the existing dwelling, it is considered to be to an acceptable level. This is because its impact is reduced by its hipped form, and the visual impact of the buildings bulk is further mitigated through its siting behind the existing outbuildings. Taken together with the existing landscaping, it is considered that the proposed dwelling would in time assimilate well with its surroundings.
- 6.2.7 The proposed design corresponds with the guidance contained in the local Village Design Statement by including a hipped gabled roof, low eaves, good articulation and visual break-up of the elevations, good spacing and mature frontage landscaping.
- 6.2.8 The building would be constructed using stock faced bricks and lime rendered panels. The roof would be covered with plain clay tiles. Window casements and doors would be of timber, and the hard surfaces will remain gravel. These materials

are considered to reflect the rural character of the area, whilst conserving the variety of housing styles recognised in the local Village Design Statement. The selection of appropriate materials can be adequately controlled by a condition requiring samples be submitted for approval.

#### Landscaping

6.2.9 The application site already benefits from substantial mature landscaping, and this is shown as being retained in the proposed development. The natural landscaping of the site is considered essential in maintaining the rural character of the area, and thus an appropriate landscaping scheme should be required by way of a condition.

#### Public right of way

- 6.2.10 The proposed development is considered to maintain the amenity of the adjoining Byway due to the retention of the existing outbuildings and the mature landscaping of the site. The dwelling has a substantial set back and is located on lower ground, thus reducing its impact from this viewpoint.
- 6.2.11 The proposed development is considered to maintain a similar relationship to its plot and landscape setting. The overall scale, layout, form, massing and materials are considered appropriate to the rural setting of the application site. The application is therefore considered to show a high standard of design which respects the character and appearance of the surrounding area, in accordance with Policy OVS.2. Similarly, the development is considered to show due regard to its setting within the wider AONB.

#### 6.3 Residential amenity

6.3.1 Policy OVS.2 requires all new development to safeguard the amenities of adjoining occupiers. This includes any adverse overlooking, overshadowing or overbearing impact. The closest neighbouring property to the application site is Sadgrove Farm, which is located approximately 80m from the western boundary of the application site. Views between the two properties are well screened by the boundary vegetation of the application site. Given the separation distance and level of screening, the proposed development is not considered to have an adverse effect on the amenities of the neighbour.

#### 6.4 Parking provision and highway safety

- 6.4.1 The proposed development does not involve any alterations to the access or parking provision of the application site. The site is accessed off Sadgrove Lane which is an unmade public byway. The development is not considered to result in a material intensification of use, and therefore the existing access and parking arrangements are considered acceptable.
- 6.4.2 Concern has been raised regarding construction traffic. The unmade surface and narrow width of the bridleway would clearly have a restrictive impact on construction traffic. Any construction traffic would be temporary in nature, and a level of disturbance is to be expected with any form of development. Furthermore, other legislation protects public rights of ways from unlawful encroachment or damage.

6.4.3 Because Sadgrove Lane is a narrow public right of way it is considered necessary for a temporary parking and turning area to be provided concurrently with the development. This is considered reasonable because the application site has sufficient space for off-road parking.

#### 6.5 Other matters

Trees

6.5.1 The information provided with the development is very limited and additional information will be required to cover this deficiency. This can be covered by the conditions for the site which are listed below, and overall the tree officer raises no objection to the application.

**Ecology** 

6.5.2 A bat assessment has been submitted in support of the application. It concludes that the main house does have the potential to support roosting bats. Consequently, bat emergence surveys have been carried out at the request of the ecologist. In receipt of this information, the ecologist raises no objections.

#### Code for Sustainable Homes

6.5.3 The applicant has volunteered compliance with level 3 of the Code for Sustainable Homes in support of the application. This submission is welcome in accordance with Policy OVS.10 of the WBDLP and SPD Quality Design. Appeal decision APP/W0340/A/09/2114310 clarified the Planning Inspectorate's position that it is reasonable to impose a condition if compliance is volunteered. A condition is recommended accordingly.

#### 7. Conclusion

- 7.1 The principle of development is established by Policy ENV23 of the WBDLP. The loss of the existing building is considered unfortunate, but not sufficient to outweigh the policy support. The proposed development largely maintains the existing scale and layout. The proposed dwelling has greater massing due to its width and form, but its impact is reduced by the mature landscaping of the site and the retention of the existing outbuildings. Its design incorporates many of the recommendations of the local Village Design Statement. The proposed development is also considered to comply with the requirements of Policy OVS2, that it should be of a high quality of design, the general design guidance contained within PPS1 and PPS3, and the specific design guidance contained within the SPD.
- 7.2 The proposed development would not have any adverse effect on the amenities of adjoining neighbours, and the impact on highway safety is considered acceptable. The protection of the existing trees to be retained can be ensured through the imposition of conditions.
- 7.3 The proposed development is considered to comply with the relevant development plan policies. The application is therefore recommended for conditional approval.

#### 8. Full Recommendation

**DELEGATE** to the Head of Planning and Countryside to **GRANT PLANNING PERMISSION subject to the following conditions:** 

#### 1. Time limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

#### 2. Plans

The development hereby permitted shall be carried out in accordance with [drawing numbers to be confirmed], unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning.

#### 3. Samples of materials

No development shall take place until samples of the materials and finishes visible external to the replacement dwelling, and samples of all other materials of the development visible externally such as those used in hard landscaping features (including hard surfaced areas) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity to ensure that appropriate materials are selected, in accordance with Policies OVS2, ENV1, ENV18 and ENV23 of the West Berkshire District Local Plan (Saved Policies 2007).

#### 4. Landscaping

No development shall take place (including site clearance and any other preparatory works) until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include a schedules of plants (noting species, plant sizes and proposed numbers/densities), an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

a) completion of the approved landscaping within the first planting season following the completion of the development; and

b) any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policies OVS2(a, b), OVS3(b), ENV1, ENV18 and ENV23(e) of the West Berkshire District Local Plan (Saved Policies 2007).

#### 5. Hard surfaces

No development shall take place until details of the external hard surfaced areas of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include a schedule of materials, means of treatment, and drawings demonstrating the layout of the hard surfaced areas. The dwelling hereby permitted shall not be occupied until the hard surfaced areas have been constructed in accordance with the approved details.

Reason: In the interests of visual amenity and surface water drainage, in accordance with Policies OVS2, ENV1, ENV18 and ENV23 of the West Berkshire District Local Plan (Saved Policies 2007).

#### 6. **Tree protection**

No development shall take place (including site clearance and any other preparatory works) until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include protective fencing, all in accordance with BS5837:2005. No development works shall take place until the approved fencing has been erected and at least 2 working days notice has been given to the Local Planning Authority that is has been erected. It shall be maintained and retained for the full duration of works or such a time as agreed in writing by the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protection areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified in Chapter 9 and detailed in Figure 2 of BS5837:2005.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy OVS2(b) of the West Berkshire District Local Plan (Saved Policies 2007).

#### 7. Arboricultural method statement

No development shall take place (including site clearance and any other preparatory works) until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy OVS2(b) of the West Berkshire District Local Plan (Saved Policies 2007).

#### 8. Tree protection – construction precautions

No development shall take place (including site clearance and any other preparatory works) until details of the proposed foundations providing for the protection of the root zones of trees to be retained have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy OVS2(b) of the West Berkshire District Local Plan (Saved Policies 2007).

#### 9. **External lighting**

No development shall take place until details of all external lighting have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details. No external lighting fixtures, other than those expressly authorised by this permission, shall be provided within the application site.

Reason: To prevent the effects of light pollution caused by intrusive external lighting. In the interests of preserving dark night skies and the protecting amenity of the AONB countryside. In accordance with the Council's adopted Supplementary Planning Document 'West Berkshire – Quality Design', Part 5 – External lighting; and Policies OVS2, ENV1, ENV18 and ENV23 of the West Berkshire District Local Plan (Saved Policies 2007).

#### 10. Removal of permitted development rights

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 to the dwelling shall be built, and no ancillary buildings shall be erected within the curtilage of the dwelling.

Reason: To prevent the overdevelopment of the site, which is in a sensitive location within the designated countryside, and the North Wessex Downs Area of Outstanding Natural Beauty. In accordance with Policy ENV1 and ENV23 of the West Berkshire District Local Plan (Saved Policies 2007), and the guidance contained within PPS7.

#### Informatives:

#### 1. **Decision to grant permission**

The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area or the residential amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

## 10/01169/FUL

### **Osgood Holding Sadgrove Lane Bucklebury**





Map Centre Coordinates :  $454829.70 \ , \ 169486.69$ 

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	One Inch = 63.5 Metres		
Metres	50	100	150

Scale : 1:2500

Organisation	West Berkshire Council
Department	Environment
Comments	
Date	31 August 2010
SLA Number	100015913

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# Agenda Item 5.

#### APPEAL DECISIONS EASTERN AREA-COMMITTEE

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Recommendation	Decision
BASILDON 09/00981 Pins Ref 2122109	West House, Gardeners Lane, Upper Basildon (Mr and Mrs P Barrett)	Erection of 1 no. dwelling	Delegated Refusal	Dismissed 16.8.10
BASILDON 09/02599 Pins Ref 2122907	West House, Gardeners Lane, Upper Basildon (Mr and Mrs P Barrett)	Erection of 1 no. dwelling	Delegated Refusal	Dismissed 16.8.10
STANFORD DINGLEY 09/01184 Pins Ref 2112314	Land at Meadside and Middle Cottage, Cock Lane, Stanford Dingley Marian Investments Ltd	Erection of a single dwelling with assoc car port and landscaping	Delegated Refusal	Dismissed 3.3.10

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### Agenda Item 6.



#### Plans and drawings relevant to reports submitted to

#### Eastern Area Planning Committee 8 September 2010 at 6.30pm

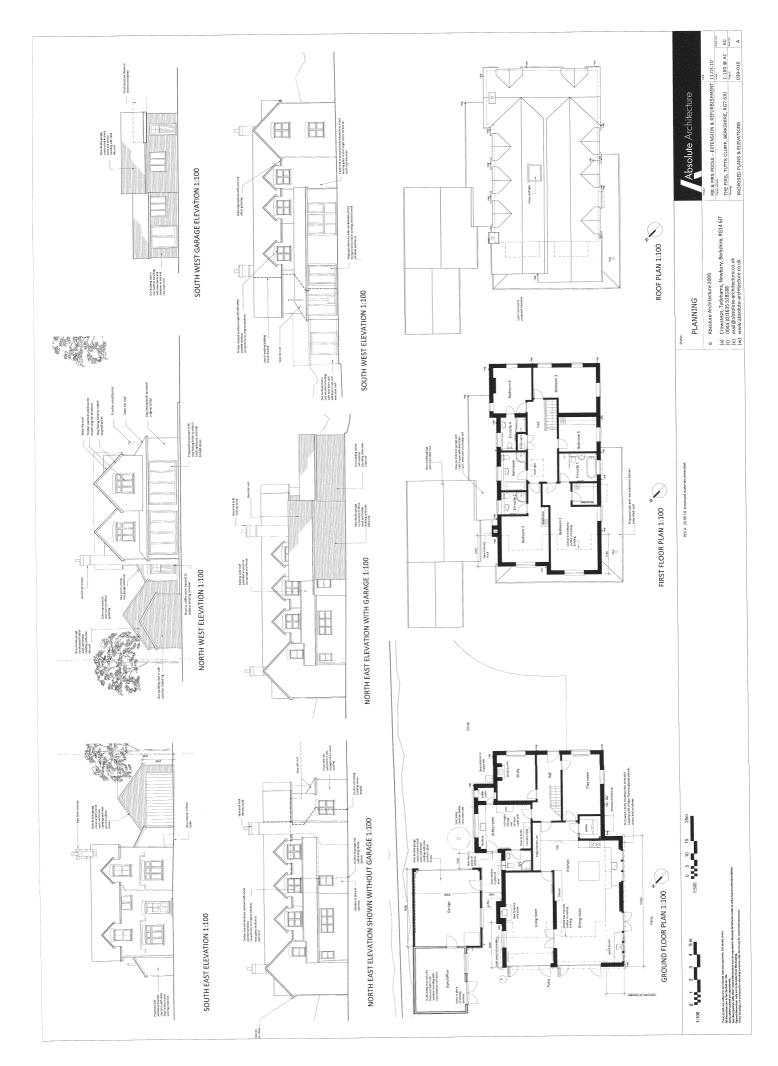
# at the Calcot Centre, Highview (off Royal Avenue), Calcot

[to be read in conjunction with the main agenda]

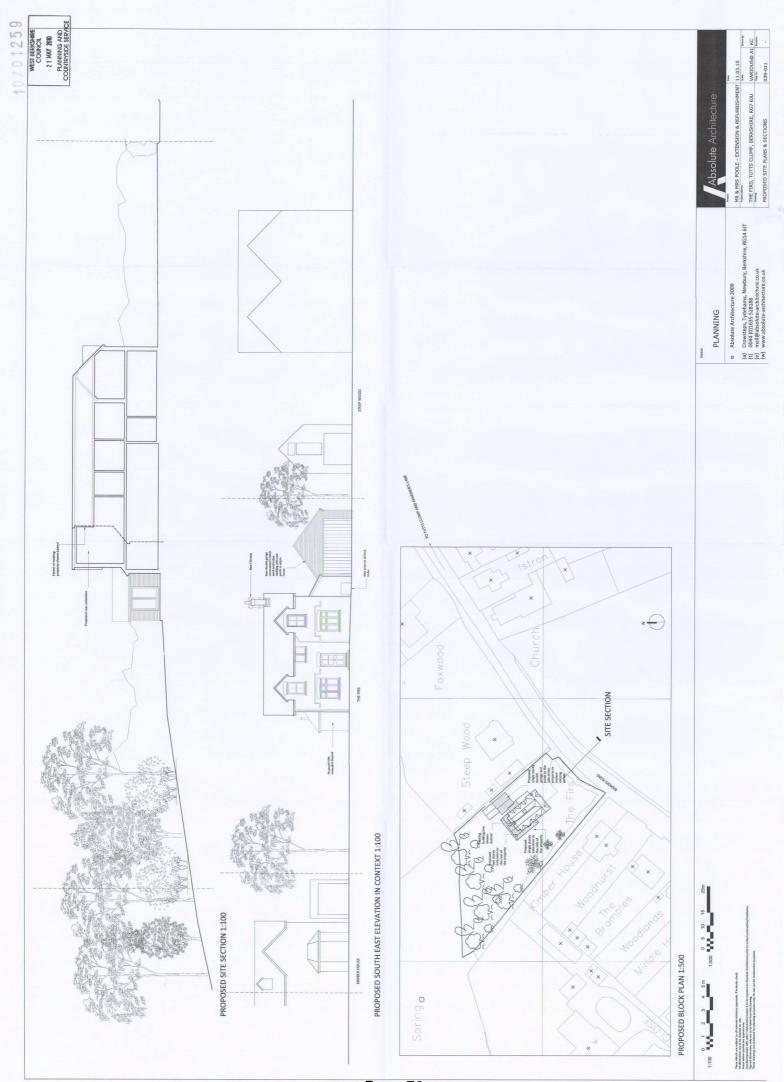
Please note:

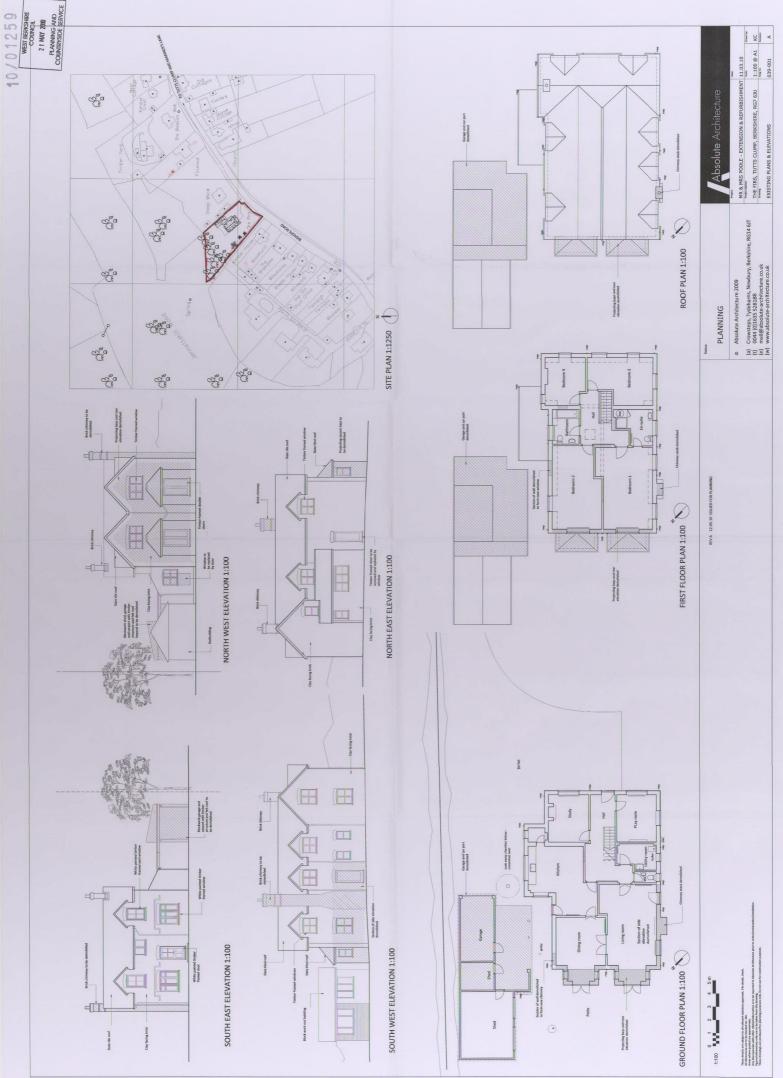
- All drawings are copied at A4 and consequently are not scalable
- Most relevant plans have been included however, in some cases, it may be necessary for the case officer to make a selection
- All drawings are available to view at <u>www.westberks.gov.uk</u>
- The application files will be available for half an hour before the meeting

10/01259/HOUSE The Firs Tutts Clump Reading



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Page 73





Photograph A, The Firs from the public highway. The proposals will have no impact at all on the street scene



Photograph C, The Firs rear and NorthWest elevation. The design of this elevation is extremely poor and bears no relation to the original cottage design. The square bays are particularly unattractive. The proposed extension will remedy this.



Photograph B, looking south west from the rear of the property. There will be still be significant distance to the trees and boundaries with the proposed extension.

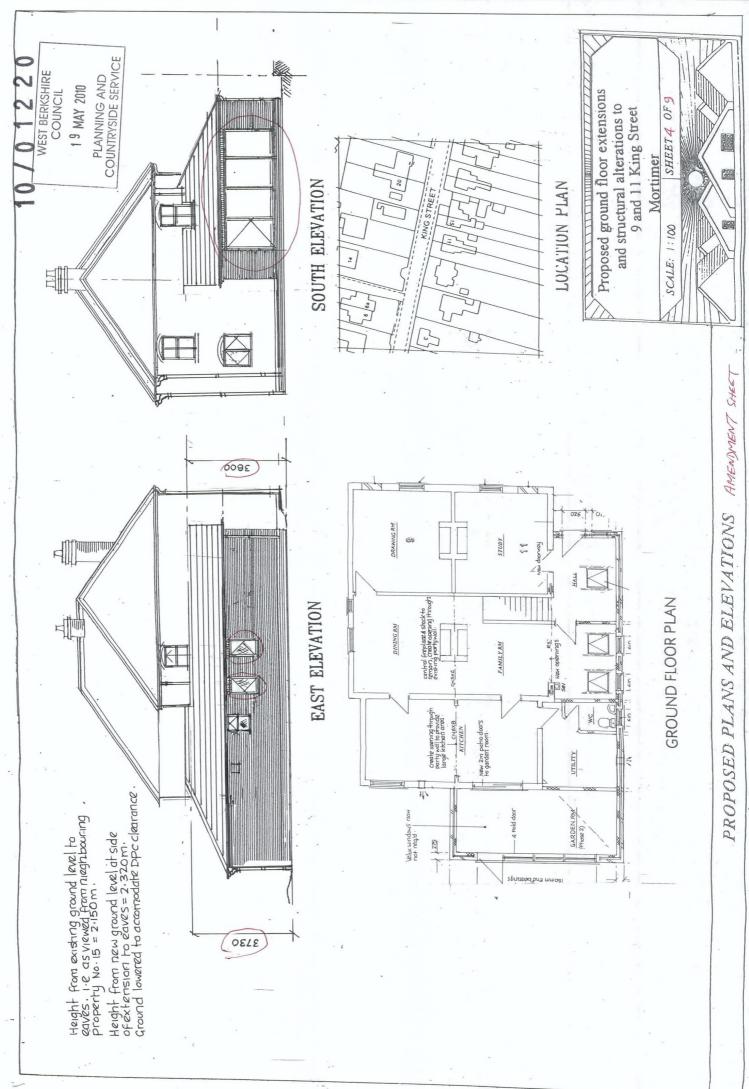


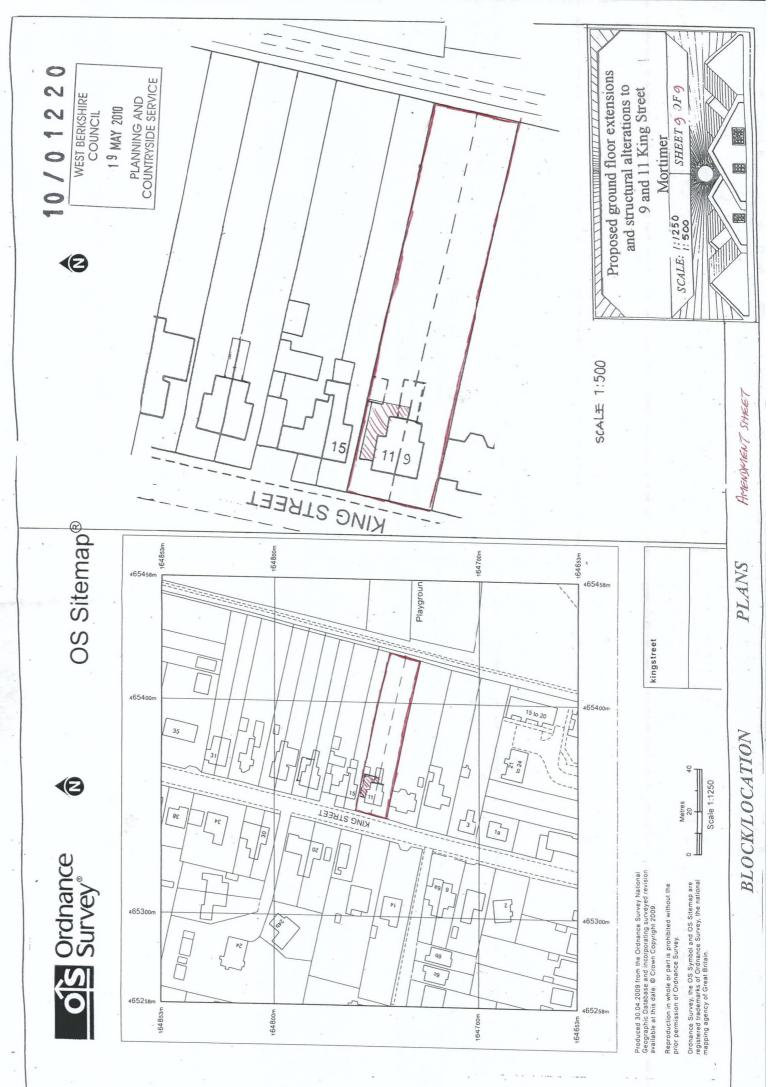
Photograph C, neighbouring property Steep Wood has been extended significantly and is considerably larger than The Firs. The proposed extension would not result in a property disproportionate to it's site and location.



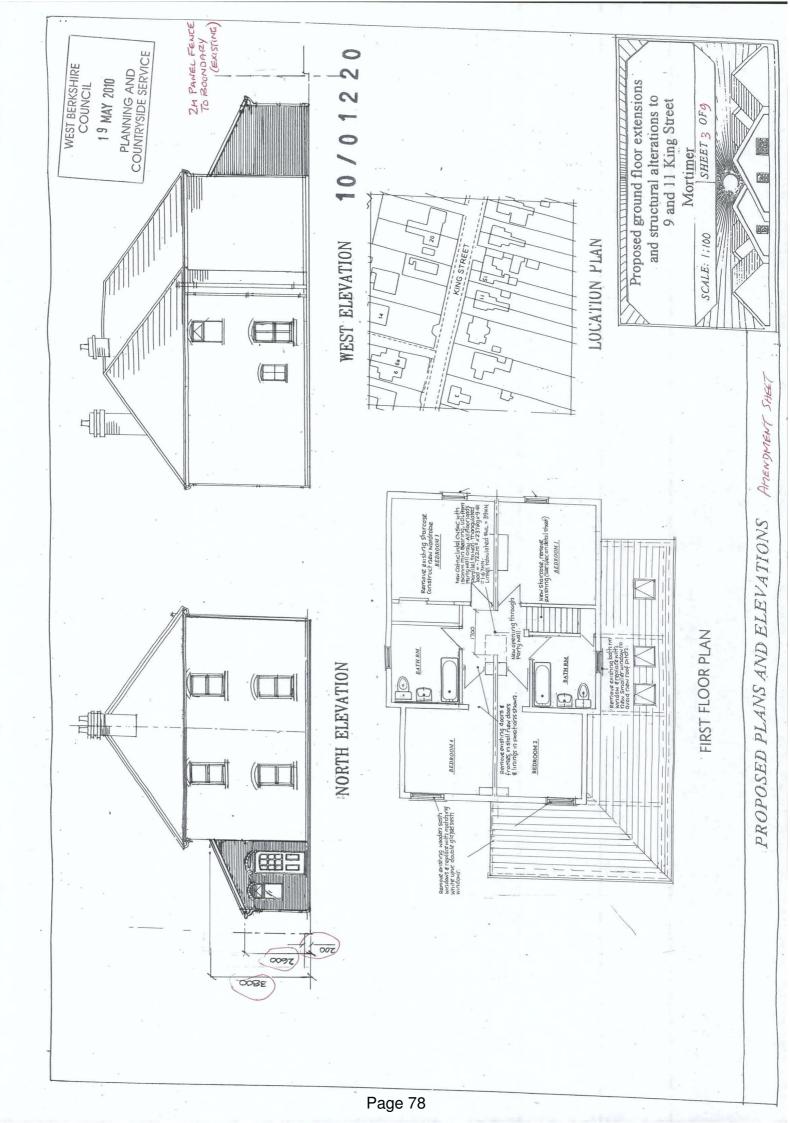
The Firs, Tutts Clump Planning application for extension - Photographic analysis - 29.06. 2010

10/01220/HOUSE 9 And 11 King Street Mortimer Common





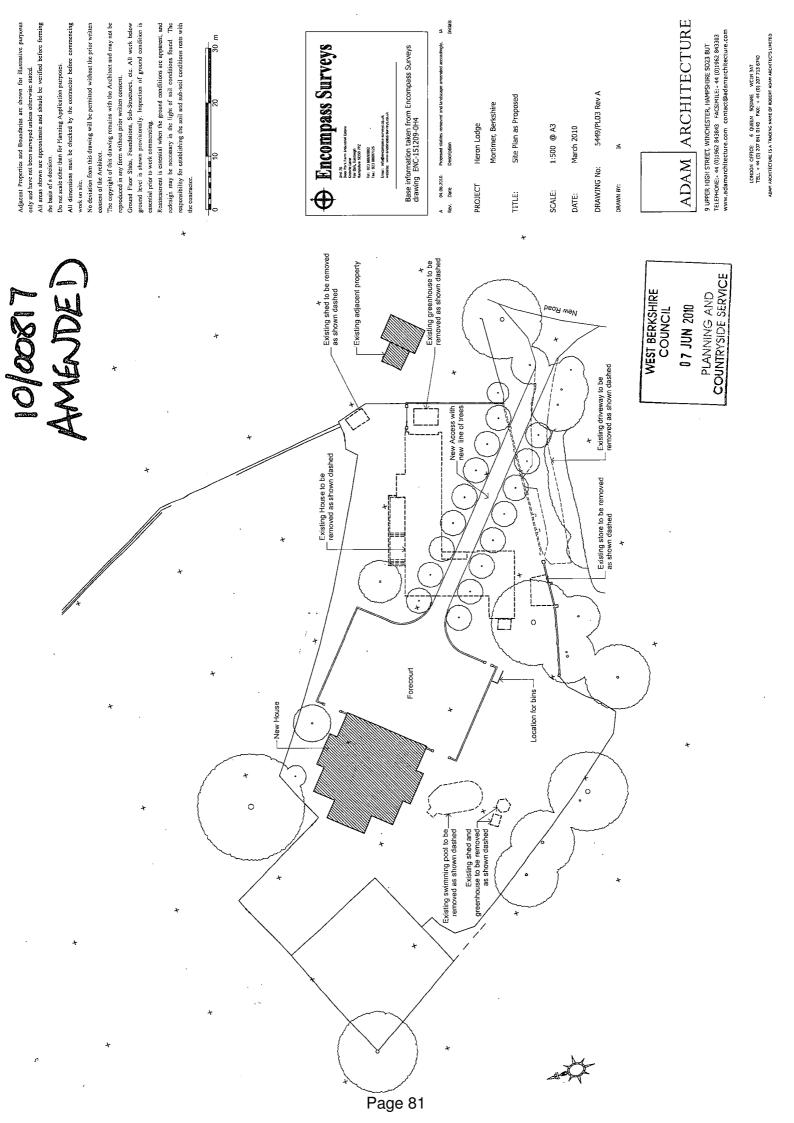
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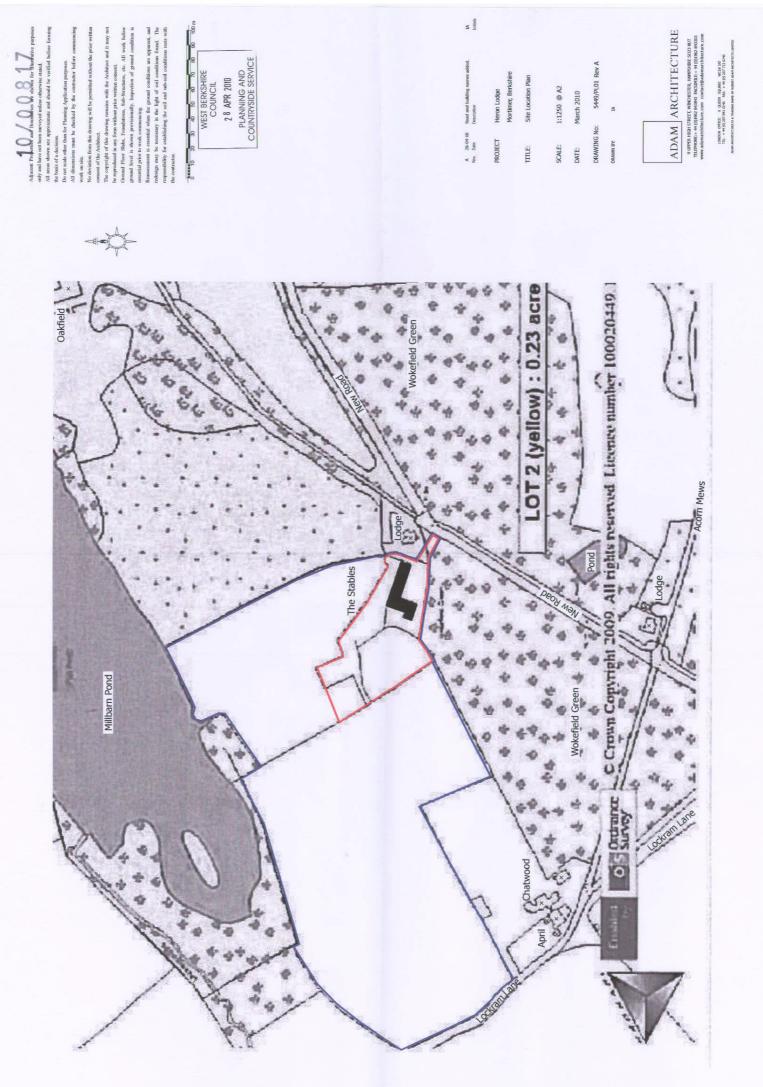


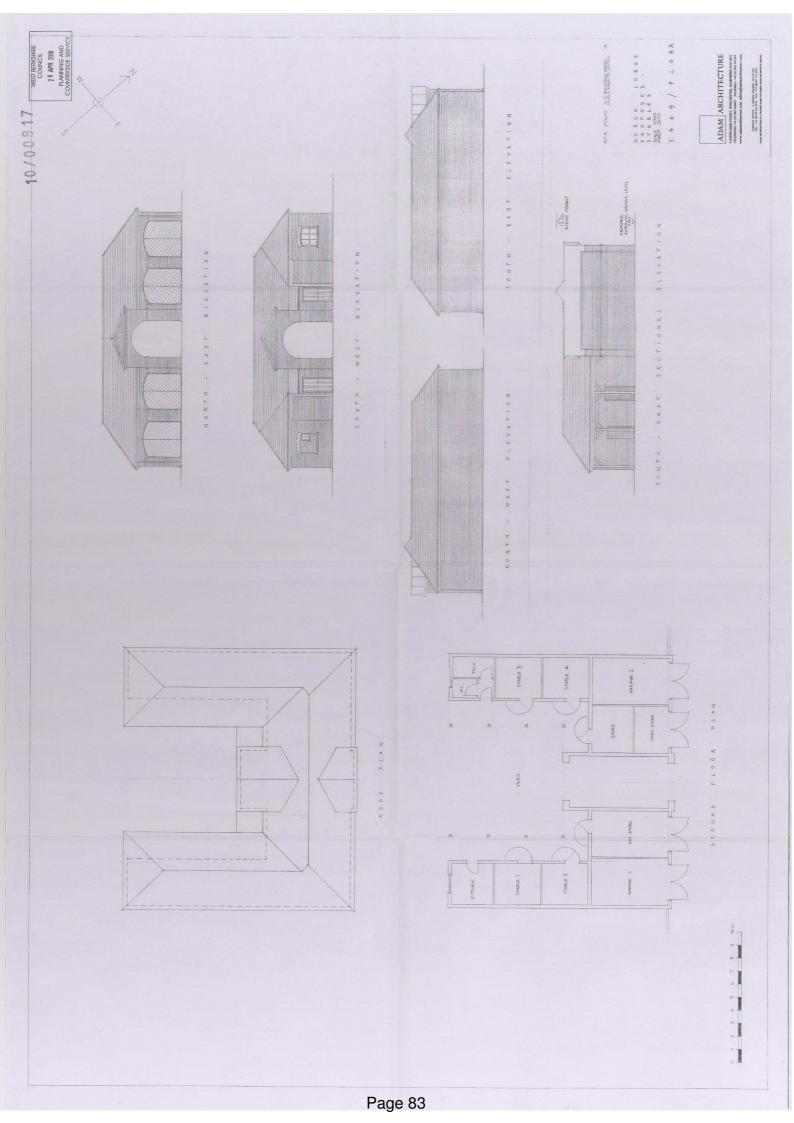
10/00817/FUL Oakfield Stables (Also Known As Herron Lodge) Mortimer



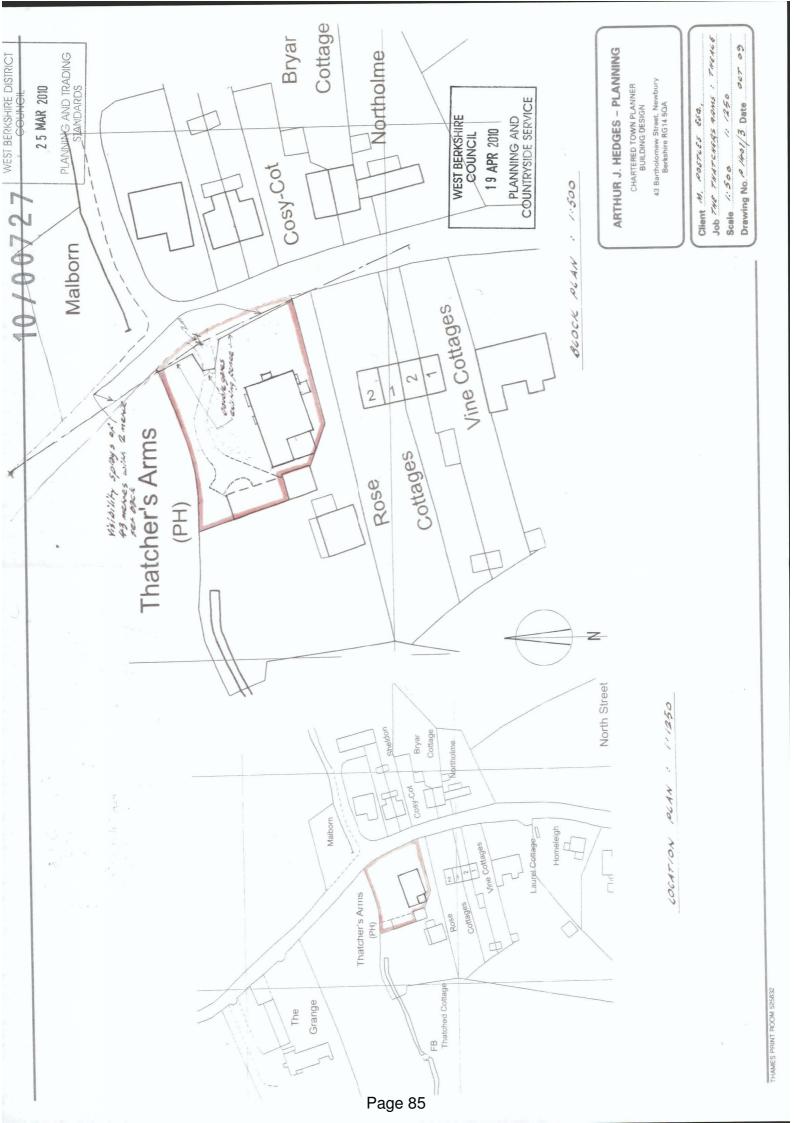
WEST BERKSHIRE COUNCIL 2 6 JUL 2010 PLANNING AND UNIRYSIDE SERVI



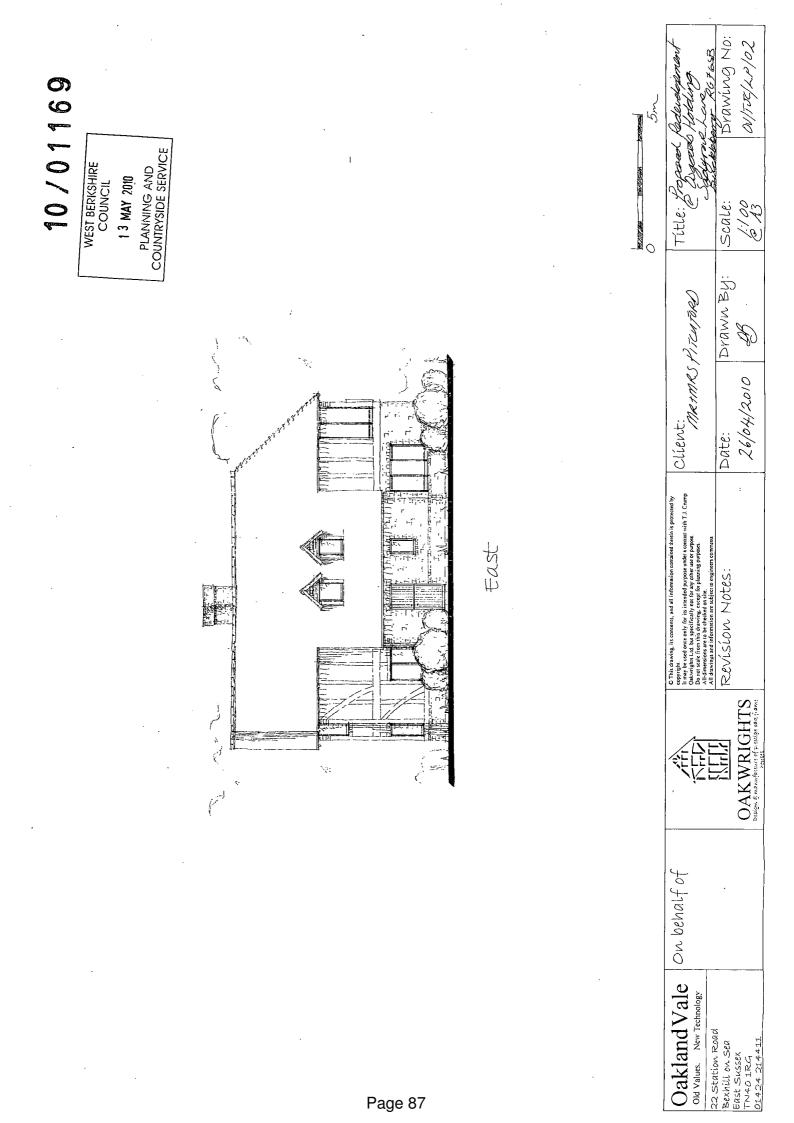




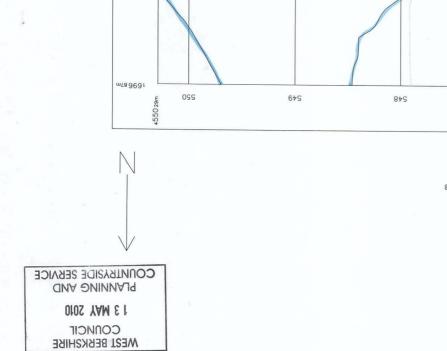
10/00727/FUL Thatchers Arms North Street Theale



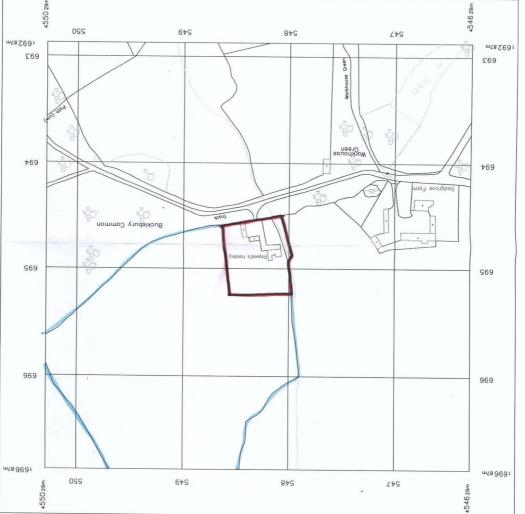
10/01169/FUL Thatchers Arms North Street Theale



## 69110/01



02 Zifemab Ordnance: Survey



Scale - 1:2500 Metres

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