

Notice of Meeting

Western Area Planning Committee

Wednesday, 10 July, 2013 at 6.30pm

**in Council Chamber Council Offices
Market Street Newbury**

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, 2 July 2013

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Council Chamber, Market Street, Newbury 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 the Planning Team on (01635) 519148

Email: planapps@westberks.gov.uk

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

Any queries relating to the Committee should be directed to Jenny Legge on (01635) 503043 Email: jlegge@westberks.gov.uk



Agenda - Western Area Planning Committee to be held on Wednesday, 10 July 2013
(continued)

- To:** Councillors David Allen, Jeff Beck, Paul Bryant (Chairman), George Chandler, Hilary Cole, Paul Hewer, Roger Hunneman, Garth Simpson, Anthony Stansfeld, Julian Swift-Hook, Ieuan Tuck and Virginia von Celsing (Vice-Chairman)
- Substitutes:** Councillors Howard Bairstow, Billy Drummond, Adrian Edwards, Mike Johnston, Gwen Mason, Andrew Rowles and Tony Vickers
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Agenda

Part I

Page No.

1. **Election of Chairman for this meeting**
In the absence of the Chair and Vice-Chair the Committee is required to elect a Chairman for this meeting.
2. **Apologies**
To receive apologies for inability to attend the meeting (if any).
3. **Minutes** 1 - 10
To approve as a correct record the Minutes of the meeting of this Committee held on 19 June 2013.
4. **Declarations of Interest**
To receive any declarations of interest from Members.
5. **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. and Parish: 13/00995/FULD - Land adjoining 12 Barn Crescent, Newbury.** 11 - 22
Proposal: Construction of three, 3 bed houses.
Location: Land adjoining 12 Barn Crescent, Newbury.
Applicant: Sovereign Housing Association.
Recommendation: The Head of Planning and Countryside be authorised to **GRANT** planning permission, subject to the completion of a s 106 planning obligation.



Agenda - Western Area Planning Committee to be held on Wednesday, 10 July 2013
(continued)

- (2) **Application No. and Parish:13/00988/FUL - Land at Manor Farm, Farnborough, Wantage.** 23 - 32
- Proposal:** Change of use of land for the siting of a temporary dwelling.
- Location:** Land at Manor Farm, Farnborough, Wantage.
- Applicant:** Lesley Chandler - Chandler Manor Farm Stud
- Recommendation:** The Head of Planning and Countryside be authorised to **APPROVE** planning permission.

Items for Information

6. **Appeal Decisions relating to Western Area Planning Committee** 33 - 38
Purpose: To inform Members of the results of recent appeal decisions relating to the Western Area Planning Committee.

Background Papers

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The 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.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Andy Day
Head of Strategic Support

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If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



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WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 19 JUNE 2013

Councillors Present: David Allen, Howard Bairstow (Substitute) (In place of Jeff Beck), Paul Bryant (Chairman), George Chandler, Hilary Cole, Paul Hewer, Roger Hunneman, Garth Simpson, Ieuan Tuck and Virginia von Celsing (Vice-Chairman)

Also Present: Emmanuel Alozie (Solicitor), Derek Carnegie and Elaine Walker (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Jeff Beck, Councillor Anthony Stansfeld and Councillor Julian Swift-Hook

PART I

8. Minutes

The Minutes of the meeting held on 29 May 2013 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

Page 3, paragraph 4: 'to iterate' should read 'to comment'

Page 4, final sentence: 'but alleviated' should read 'but was needed to alleviate'

9. Declarations of Interest

Councillors Ieuan Tuck, David Allen, and Howard Bairstow declared an interest in Agenda Item 4(3), but reported that, as their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

10. Schedule of Planning Applications

10(1) Application No. and Parish:13/00421/HOUSE; Ivy Cottage, Ermin Street, Lambourn Woodlands

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 13/00421/HOUSE in respect of the extension of the existing garage to include a one bedroom self contained annex.

In accordance with the Council's Constitution, Mr Colin Sheppard, agent, addressed the Committee on this application.

Mr Colin Sheppard, in addressing the Committee, raised the following points:

- When the applicant had initially considered undertaking the work, thought was given to the existing garage being extended to the west and it being linked to the main house, however this was rejected as it would have created a much larger footprint, and additionally, the applicant was keen to retain the car port area for storage;
- The materials were to be in keeping with its current construction, and were intended to give the appearance of a detached agricultural building;

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- The applicant proposed to use the living accommodation to accommodate his elderly parents in order to afford them independence whilst remaining in close proximity to provide assistance, and would therefore be happy to accept a conditional tie to the main house;
- By calculating the floor area at a distance of 1.5m above the floor level, the increase in footprint across the site was calculated to be 37%, significantly less than the guideline of 50%. Mr Sheppard explained that a measurement taken at this height accounted for the unusable floor space under the eaves;
- Consideration was given to introducing bonnet hips on the extended building, but had decided against this as it would not match the house design. However the applicant would be happy to amend the design to incorporate bonnet hips if the Committee were so minded;
- Mr Sheppard confirmed that the applicant would be prepared to provide additional tree planting to screen the extension if the Committee were so minded.

Councillor Graham Jones, as Ward Member, in addressing the Committee, raised the following points:

- Councillor Jones was broadly in support of the application as the site was a large plot and the application had received no objections from neighbours or Highways;
- Whether the extension would have an impact on the area was a subjective opinion;
- Although the 50% increase in footprint noted in the report was disputed by the agent, Councillor Jones noted that this was a guideline and therefore a matter of judgement;
- Councillor Jones was pleased that the applicant would be happy to accept a conditional tie to the main house.

Councillor Hilary Cole requested clarification of the figures used in calculating the increase in footprint. Derek Carnegie explained that estate agents would routinely measure the floor space from this height to reflect the useable floor area.

Councillor Hilary Cole acknowledged that the location of the site was isolated and was unlikely to have a direct impact on neighbours. However consideration had to be given to the Council's planning policy and that the site was in the AONB (Area of Outstanding Natural Beauty). The increase in height and length of the building would be bulky. Councillor Cole was pleased that the conditional tie to the main house would be accepted, but expressed concern that this could be varied in the future.

The Chairman asked Councillor Cole whether she believed the hipping to the roof to be essential. Councillor Cole affirmed that in her opinion it was essential in order to create a differentiation between the main building and annex. Councillor Cole advised the Committee that she could not support the application.

Councillor Roger Hunneman expressed his belief that the Council's policy required buildings of this nature to be subservient to the main building, and felt that this application did not meet this criterion. Councillor Hunneman commented that he would have been happier if the annex had been designed with a hipped roof as it was in place on the donor building, but stated that he could not support the application.

The Chairman asked when the main house was built. Councillor Cole responded that it had been built in 2003.

Councillor George Chandler believed that the extended garage, as a secondary building on the site, should not be as imposing as in this application. Councillor Chandler felt that the extended building would be too tall and bulky in comparison to the house and advised

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the Committee that he was not in favour of this application. Councillor Chandler added that any future alterations to the garage should retain the hipped roof.

Councillor Paul Hewer expressed agreement that the hipped roof should have been retained, and further asked what implications there would be if the building was used as offices in the future. Derek Carnegie responded that Planning Officers provided a consistent view with regard to development in the AONB, and continued by offering the view that the size of the proposed building would result in it losing its subservience. The relationship between the current main house and garage was viewed as comfortable.

Councillor Cole proposed that the Officer recommendation to refuse planning permission be accepted. This was seconded by Councillor Hunneman. When put to the vote, the proposal was carried.

RESOLVED that the Head of Planning and Countryside be authorised to refuse planning permission for the following reasons:

The proposed garage extension would result in a large, visually prominent and incongruous residential outbuilding in the countryside and Area of Outstanding Natural Beauty. Its size, scale, height and mass would result in a dominant structure within the site, not subservient or proportionate to the main dwelling, and at odds with the surrounding natural landscape. This would be contrary to the landscape protection provided to the AONB by the National Planning Policy Framework, the provisions of the West Berkshire Core Strategy 2006-2026 Policies ADPP5, CS 14 and CS 19 and their requirement for development to conserve and enhance the character of the area, and the provisions of West Berkshire District Local Plan Saved Policies 2007 policy ENV.24 by having a materially harmful impact on the surrounding area, disproportionate in size to the original dwelling.

10(2) Application No. and Parish: 13/00620/HOUSE; Sandalwood, Front Street, East Garston.

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 13/00620/HOUSE in respect of the erection of a two storey extension to provide garaging and living accommodation.

In accordance with the Council's Constitution, Mr Paul Smith, applicant, addressed the Committee on this application.

Mr Paul Smith, in addressing the Committee, raised the following points:

- The property did not have a garage or other storage on site other than a garden shed, and Mr Smith was keen to provide security for his car and prevent the need to park on the byway;
- A previous application for a detached garage had been refused due to its location across a public right of way;
- Mr Smith undertook a commitment to clear the ford banks as part of the development;
- The design was to provide a 1.5 car width garage in a design which Mr Smith considered subservient to the main dwelling. Rather than leave the roof space empty, Mr Smith had proposed to extend the existing extension into the space and provide a first floor room;
- The Parish Council, East Garston and Highways had raised no objections, and the owner of the neighbouring property was supportive of the application;
- Mr Smith concluded by explaining that the application intended to provide the facilities normally found within the site of a detached house.

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Councillor Cole asked what Mr Smith considered to be most important, a garage or extra accommodation. Mr Smith responded that a garage was a priority.

Councillor Graham Jones, as Ward Member, in addressing the Committee, raised the following points:

- Councillor Gordon Lundie had called the item to Committee as no local objection had been received;
- Councillor Jones did not believe that there would be a significant impact on the area, but acknowledged the matter was complicated by the presence of the by way.

Councillor Hunneman expressed sympathy with the applicant's desire to provide a garage, but had concerns about the design of the extension. Whilst acknowledging that the appearance of a building was a personal opinion, Councillor Hunneman felt that the dormer windows and glazing in particular did not fit with the existing building design. The applicant had stated that his priority was for a garage, and Councillor Hunneman believed that the application should have been constrained by this requirement.

Councillor Cole expressed agreement with Councillor Hunneman's views, and added that the location was closer to the public right of way and opposite a bridge across the River Lambourn. The design of the building would give a feeling of bulk and Councillor Cole could not support the application. Councillor Cole acknowledged the need for a garage and appreciated the offer to improve the ford, but commented that improvements to the ford could be obtained elsewhere. Councillor Cole believed that the applicant should have limited his application to a garage only.

Councillor Chandler commented in particular on the dormer windows which he felt to unnecessarily draw the attention to that part of the structure.

The Chairman agreed that the dormer windows appeared incongruous and added that the Velux windows on the other side added little to the design.

Councillor Paul Hwer recognised the lack of objections from neighbours and Parish Councils, and suggested that the Committee consider carefully the grounds on which the application was refused. The Chairman reminded the Committee that the views of the Committee were restricted to discrete areas when considering grounds for refusal, however neighbours and Parishes were free to use any considerations they felt appropriate.

Councillor Hwer asked whether a condition could be imposed to prevent the garage from being converted to living accommodation at a future date. Derek Carnegie responded that that would not be a reasonable condition to impose, and confirmed that should an owner wish to alter the accommodation like this, then planning permission would need to be sought at which point due consideration would be given.

Councillor Cole proposed that the Officer recommendation to refuse planning permission be accepted. This was seconded by Councillor Virginia von Celsing. When put to the vote, the proposal was carried.

RESOLVED that the Head of Planning and Countryside be authorised to refuse planning permission for the following reasons:

The proposed extension would result in an elongated dwelling, visually more prominent and incongruous in its setting in the countryside and North Wessex Downs Area of Outstanding Natural Beauty. Its scale and mass would result in a dominant extension within the site, of a design that is visually more dominant than the main dwelling, and consequently not subservient or to the main dwelling. This would be contrary to the landscape protection provided to the AONB by the National Planning Policy Framework, the provisions of the West Berkshire Core Strategy 2006- 2026 Policies ADPP5, CS 14

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and CS 19 and their requirement for development to conserve and enhance the character of the area, and the provisions of West Berkshire District Local Plan Saved Policies 2007 policy ENV.24 by having a materially harmful impact on the surrounding area.

10(3) Application No. and Parish: 13/00636/HOUSE; 103 Andover Road, Newbury.

(Councillors Tuck, Allen and Bairstow declared a personal interest in Agenda item 4(3) by virtue of the fact that they were members of Newbury Town Council Planning and Highways Committee, but all reported that they would look afresh at the information presented in the current application. As their interest was personal and not prejudicial or a disclosable pecuniary interest they determined to take part in the debate and vote on the matter).

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 13/00636/HOUSE in respect of the erection of a detached garage port.

The Chairman requested clarification that the garage that had been constructed on a neighbouring property had been approved prior to the current supplementary planning guidance, and asked whether under this guidance, the application would have been approved. Derek Carnegie expressed his view that it would have been considered more critically and there would have been a greater chance of refusal.

In accordance with the Council's Constitution, Mr Phil Barnet, Newbury Town Council representative and Mr Nicholas Kitchin, applicant, addressed the Committee on this application.

Mr Phil Barnet, in addressing the Committee, raised the following points:

- The Newbury Town Council Planning and Highways Committee had considered a number of applications on this property, and no strong views had been raised for this application;
- Initially the Committee had questioned the type and colour of materials to be used, but were satisfied that they would tie in with the existing house;
- The garage would be well screened by existing mature trees and shrubs;
- The location of the property was near to terraced houses situated close to the street;
- The Committee had been mindful of the precedent set by the garage built at number 101, although Mr Barnet acknowledged the comments raised during this evening's meeting;
- The Committee were content with the design, style and height of the property and had no objections.

Councillor David Allen asked whether the Newbury Town Design Statement had been raised during the Committee deliberations. Mr Barnet responded that he had not been present at the meeting but believed that it had been. Mr Barnet expanded by advising that the Design Statement identified several discrete areas along the Andover Road each with its own character and ambience.

Councillor Hilary Cole recalled that Newbury Town Council were generally keen to preserve the entrance to Newbury as a pleasant progress into the town centre, and was therefore interested that Newbury Town Council had not found this application as relevant as others. Mr Barnet referred to the various identified areas previously mentioned and stated that Andover Road could not be considered as a whole when planning applications were being decided. Mr Barnet commented that a number of large

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houses in the road had been lost in recent times having been converted into blocks of flats, and the character of the road had altered since the Design Statement had been created.

Councillor Hunneman asked whether Newbury Town Council considered this particular location as a transitional area where the housing type was changing from large plots, to small terraces. Mr Barnet agreed that this location could be considered as such and added that the opposite side of the road was different again.

The Chairman referred Mr Barnet to adjacent houses with large open gardens and asked whether Mr Barnet would be happy if all of these properties applied to build garages in their front gardens. Mr Barnet reminded the Committee that one of the reasons that Newbury Town Council had not objected was the surrounding trees and shrubs which provided screening for the proposed garage, and advised that there might have been a different view had the screening not been in place.

Mr Nicholas Kitchin, in addressing the Committee, raised the following points:

- The application represented an appropriate and functional addition to this family home, and was not intended to be a blot on the street scene;
- Neighbours and Newbury Town Council had not objected to the original submission of a larger building, however following discussions with the Planning Department, Mr Kitchin had agreed to a reduction in the size and height of the garage;
- The design of the roof on the road side had been chosen to reduce impact on the street scene;
- Mr Kitchin believed that the application met all of the relevant policies including the Quality Design SPD;
- The design retained the line of existing trees as well as the eye line to the house from the driveway;
- The street scene was extremely varied with little homogeneity between properties, and there was no prevailing or uniform frontage to them;
- A forward garage was present in eight nearby properties and refusal would seem inequitable;
- Mr Kitchin acknowledged that views of this application were finely balanced, and noted that some concern appeared to be around the loss of views to the house from the road, however the front was already almost fully obscured;
- Although pleasing to the eye, the line of trees was not without issue as birds and sap caused damage to vehicles parked below;
- Mr Kitchin believed that the garage and car port were appropriate to the size and nature of the plot.

Councillor Chandler asked what size the garage would be. Mr Kitchin responded that the enclosed garage would equal the width of 1.5 cars to allow for the accommodation of a car and a motorbike. The car port area was additional to this.

Councillor Ieuan Tuck, as Ward Member, in addressing the Committee, raised the following points:

- There were few vantage points on the Andover Road where the building would be visible;
- The garage in the neighbouring property was a useful comparator and Councillor Tuck believed that if a passer by was not aware of the garage, they would not see it;

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- The location of the wall, trees and shrubs would greatly obscure the garage;
- Councillor Tuck was supportive of this application.

The Chairman asked how much weight should be attributed to the garage in the neighbouring property. Derek Carnegie responded that the decision was finely balanced and that the desired changes to the property were generally supported. Derek Carnegie added that the possibility of setting a precedent was not sufficient reason to refuse an application, however consideration should be given in this case to the possibility of a further 10 to 15 properties submitting similar applications. The recommended refusal of the application represented a concern for the impact on the street scene and possible future applications.

Councillor Chandler acknowledged the need for a garage, but felt that this design was more suited to a rural location.

Councillor Hewer believed the design to be appropriate for the location, and felt the application was acceptable, but stressed that the detail needed to be appropriate. Councillor Hewer advised the Committee that he was as yet undecided.

Councillor Cole expressed her view that a favourable decision should not be made on the basis of a similar structure next door. Councillor Cole acknowledged the changing nature of the street scene in Andover Road, but was not convinced that this design was appropriate, and raised a concern that the trees and shrubs being relied on to obscure the building could be removed in the future. Councillor Cole did not feel able to support this application.

[Note: Councillor Johnston, as Ward Member, approached the Chairman to request permission to speak, but the request was refused permission as the opportunity for Ward Members to speak had passed. Councillor Johnston had been invited to speak as Ward Member in the time allotted for this purpose, but had agreed that Councillor Tuck speak.]

Councillor Hunneman commented that as Newbury Town Council would normally be expected to oppose any application that went against their Design Statement, their lack of objection should be considered carefully. Councillor Hunneman did not feel that the garage would have a big impact on this part of the road which has been described as transitional, and was therefore in favour of the application.

Councillor Allen was also interested that there had been no objection in relation to the Newbury Town Design Statement, but felt that the mixture of buildings in this transitional section of the road explained the Town Council's position. Councillor Allen was supportive of the application.

Councillor Howard Bairstow commented that the neighbouring garage was a mistake and he believed it to look incongruous in its setting. In addition, Councillor Bairstow believed that the current application was too high, and would be a large mass that was noticeable from the road. Councillor Bairstow felt that a flat, or slowly rising roof, would have brought a more favourable response.

Councillor von Celsing was supportive of the design and took heed of the views of Newbury Town Council in giving her support to the application.

Councillor von Celsing proposed to approve planning permission contrary to Officer recommendation. This was seconded by Councillor Hewer. When put to the vote, the proposal was carried.

RESOLVED that the Head of Planning and Countryside be authorised to grant planning permission subject to the following conditions:

Conditions

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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 Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 should it not be started within a reasonable time.

2. The materials to be used in this development shall be as specified on the plans or the application forms. No other materials shall be used unless prior agreement in writing has been obtained from the Local Planning Authority.

Reason: In the interests of amenity in accordance Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

3. The development hereby approved shall be carried out in accordance with drawings nos. 946/3 - PL01, PL02 and PL03 received on 20 March 2013 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

4. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837:2012. Such fencing shall be erected prior to any development works taking place and 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 or storage of materials 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 6 and detailed in figure 2 of B.S.5837:2012.

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 CS18 of West Berkshire Core Strategy 2006 - 2026.

5. No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and 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.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy CS18 of the West Berkshire Core Strategy 2006 - 2026.

6. The existing boundary wall facing on to the Andover Road shall be retained and maintained to the satisfaction of the local planning authority.

Reason: To maintain the amenities of the local environment in accord with Policy CS14 of the West Berkshire Core Strategy 2006 - 2026.

11. **Appeal Decisions relating to Western Area Planning Committee**

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

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Derek Carnegie provided an update to the Committee on an initiative to encourage retailers to include street numbering on their shop fronts along Bartholomew Street. He reported that there had been overwhelming support with only one developer resisting the idea, and was able to show photographs of many shop fronts where the building number and road name had been incorporated.

The Committee agreed that this had been a valuable exercise and the Chairman asked that the Officers involved in this initiative be congratulated.

Councillor Hewer suggested to the Committee that they revisit the Priory in Hungerford to view the results of the application that had been put before the Committee.

The Committee were enthusiastic and requested that if it were possible, and if it fitted with existing site visit arrangements, any significant or contentious application could be visited following its construction.

The Chairman asked Derek Carnegie to make the appropriate arrangements.

(The meeting commenced at 6.30 pm and closed at 8.03 pm)

CHAIRMAN

Date of Signature

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Agenda Item 5.(1)

Item No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(1)	13/00995/FULD Newbury	3 rd July 2013.	Construction of three, 3 bed houses. Land adjoining 12 Barn Crescent, Newbury. Sovereign Housing Association.

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=13/00995/FULD>

Recommendation Summary: **The Head of Planning and Countryside be authorised to GRANT planning permission, subject to the completion of a s 106 planning obligation.**

Ward Member(s): Councillors Bairstow and Edwards.

Reason for Committee determination: Called in by Councillor Edwards due to local concerns re. parking issues on Barn Crescent.

Committee Site Visit: 4th July 2013.

Contact Officer Details

Name: Michael Butler
Job Title: Principal Planning Officer
Tel No: (01635) 519111
E-mail Address: mbutler@westberks.gov.uk

1. Site History

12/00353/fuld. Construction of three 3 bed houses, plus a 2 bed unit with car parking. Withdrawn April 2012.

2. Publicity of Application

Site notice erected 15 May 2013. Expiry 5 June 2013.
25 neighbours notified. Expiry date 3 June 2013.

3. Consultations and Representations

Town Council:	Objection/comment: Members are concerned at removal of parking; out of character; concern at access and Members feel that nothing will alleviate this problem. If the development were to proceed, a £5,763 S106 contribution is requested towards the medium term plan for improvements to immediately adjacent open spaces at Barn Crescent and Elizabeth Avenue.
Highways:	Concerns with effective loss of local informal car parking adjacent the existing garages to be demolished on the site. A s278 agreement to re-provide these on adjacent dwelling curtilages is required. Traffic generation is acceptable as is parking for the new dwellings. Road will need to be widened by 0.6m to 4.8m plus new footway fronting the site. S106 SPG4/04 contribution of £9,000 in addition, is sought. Conditional permission accordingly is recommended.
Environment Agency	Application is one of low flood risk - consequently there are no objections to the proposal.
Housing Officer	It is proposed that all the units are for affordable purposes. This is supported. However see below for further explanation in the agenda report.
Public Open Space	£5763 requested under SPG4/04.
Education	£656 as above.
Library Service	£798 as above
Waste Services	Nil contribution requested under SPG4/04.
Adult Social Care	£2154 requested under SPG4/04.
Tree Officer	No trees of any special importance will be impacted by the scheme. No objections. Conditional permission.
Archaeologist	The application site lies adjacent the Newbury Battlefield site. However it lies in the existing built up area of the town, and is brown field. Taking these factors into account it is not considered that any archaeological assessment or programme of investigation and recording will be necessary in relation to the current proposal and that the development will not have a significant impact on the heritage asset that is the Newbury battlefield. No objections and no conditions recommended.
PROW	No objections.

Ecologist	No objections.
The Newbury Society	Strongly object to the application on the grounds of loss of car parking. The legal right to park on the site has been removed by Sovereign Housing, but considerable local parking pressures remain which will be exacerbated by this application.
Thames Water	Sewers cross the site. The applicant needs to be aware of this. Otherwise, no objections to the application.
Correspondence:	Nine letters of objection received. All concerned with the local parking difficulties that the application will create if the scheme proceeds, causing local distress and safety problems. Also some worries about local visual impact of houses and loss of orchard.

4 Policy considerations

National Planning Policy Framework 2012.
 West Berkshire Core Strategy 2006 to 2026.
 Policies CS6, CS14, CS17 AND CS18.
 West Berkshire District Local Plan 1991 to 2006 Saved Policies - Policy HSG1.
 Cil Regulations of 2010 Para 122.
 SPG4/04. Developer contributions amended /updated 2010.
 Newbury Town Design Guide

5. Description of Development

5.1. The applicant is proposing the demolition of the block of 6 garages on the site, and the erection of a terrace of three 3 bedroomed 2 storey houses. The houses will have fully hipped roofs and will be of traditional style and design. Each will have its own individual garden to the rear [west] facing the open fields that forms part of the Newbury Battlefield area / designation. To the north will be a new formalised vehicle [agricultural] access to the fields beyond. To the south will be an area of 6 car parking spaces set out in tandem for each dwelling i.e. a parking ratio of 2 spaces per dwelling. Cycle and bin stores are also to be provided. The dwellings will have a minimum set back from the highway of 3m and the site frontage will have a continued footway across it. The distance to No. 12 Barn Crescent to the north will be 8m. Effectively this modest terrace of new housing will extend the current crescent of dwellings as the submitted street scene drawings indicate. Finally, since the application site area is 0.1ha, the overall density of the scheme equates to 30 units per ha.

6. Consideration of the Proposal.

The application will be examined under the following planning issues:-

- 6.1. Policy HSG1 - principle, form and scale of the scheme.
- 6.2. Affordable housing.
- 6.3. Car parking /access issues.

6.1. Policy HSG1 in the Saved Local Plan.

- 6.1.1. Policy HSG1 in the current saved Local Plan provides that new housing is acceptable in principle within defined settlement boundaries, subject to a range of criteria being satisfied. Matters of impact upon local amenity, and upon the prevailing nature and character of the surrounding area are to be taken into account.
- 6.1.2. Firstly, the density of the scheme at 30 units per ha is at the “low” point of urban densities encouraged in the NPPF, for sites such as this. However, the application location is within a 1950s suburban estate which has a characteristically generous density, which is being adhered to in this scheme. Accordingly, the density is considered to be satisfactory.
- 6.1.3. Secondly, the design, scale and form of the new terrace equates well to the existing and mature, relatively attractive street scene in Barn Crescent, and indeed fully respects that overriding simple and rhythmic nature of semi detached housing, albeit this is a terrace of three units. The proposed elevations are kept simple, with brick and tile to match the existing dwellings. So, the nature of the site respects adjoining properties.
- 6.1.4. Thirdly, there will be virtually no overlooking of adjoining properties to the rear, [i.e. No. 12 Barn Crescent] by virtue of the separation involved, and the angle of the terrace facing in a more north westerly direction to the rear than the adjacent housing to the north. Given this, any overshadowing will also be minimal. Next, the plot sizes are all satisfactory, although it is recognised that given the physical site constraints to the rear, the configuration/garden sizes of plots 1 and 2 are not ideal, but still acceptable, in terms of overall space provided. In addition, facing west will assist in the amount of sunlight gained.
- 6.1.5. Finally, whilst there are a number of shrubs on the site, the Council’s Tree Officer does not consider that these need to be retained, but in the light of an appropriate landscaping condition, the loss of such greenery is considered to be acceptable. On this issue one objector mentions an “orchard”, but no such orchard exist on the site, and it would not be public in any event. Finally, it is understood that the applicant is willing to enter into the necessary s 106 planning obligation, should the application be approved by the Committee.

6.2. Affordable Housing.

- 6.2.1. In the original application description, it was proposed that all of the three units be for affordable purposes, at rent [i.e. not shared equity]. This was on the basis that it would be a surrogate site for application 13/00996/fulmaj at Himley Lodge in St Johns Road in Newbury. That scheme is proposing 13 flats, via new build and conversion. Policy CS6 provides for 30% of such applications to be for affordable use i.e. 4 units. The applicants were indicating that just one unit [shared ownership] at Himley Lodge be for affordable use however, with the balance being set out at Barn Crescent. In principle, the Local Planning Authority officers including support from the Council’s Housing Officer, has accepted this. It would [and still may] be achieved via a s106 agreement attached **ONLY** to the Himley Lodge application.

6.2.2. However given that the threshold in policy CS6 in the Core Strategy is 4 units and above, for any affordable units, the present freestanding application at Barn Crescent cannot provide [on its own] for any affordable housing. Accordingly, the s106 obligation to be attached will only involve developer contributions, and a s 278 [highway works]. This is not to say of course that should the applicant, being Sovereign Housing, still “make” the houses affordable, this would not be supported, given the obvious local need for such dwellings in the town, but this cannot be achieved via any agreement. Indeed it is the applicants written intention, subject to the necessary funding, that all of the units at Himley Lodge will be for shared ownership, and all three of the Barn Crescent units will be for affordable rent.

Car parking issues.

6.3.1. Members will appreciate that this is the predominant issue in the current application site. Such issues should be resolved to the satisfaction of officers and the Council as Planning Authority, in accordance with the advice in the NPPF, [para. 35 in particular], policy HSG1 in the Saved Local Plan, and policy CS14 in the Core Strategy. In this instance the applicants have submitted a detailed and comprehensive assessment of the local access and parking issues, by I Transport, which the Council’s Highways Officers have carefully examined, and indeed undertaken the necessary site visits.

6.3.2 It is the case that currently informal parking does occur on the hardstanding outside the garage block, which clearly alleviates any local parking pressures on the road in Barn Crescent. However, as the applicants have correctly pointed out, this is not “authorised” and has no legal basis. Having said that, they do recognise as a responsible land owner/ applicant that if the situation can be improved, they will endeavour to do so. Accordingly, they are willing to enter into a s278 highways agreement to undertake street works at their own cost, which will provide 3 vehicle cross over points at Nos. 11, 13 and 15 Barn Crescent, opposite the application site. This will then allow for on curtilage parking for those three dwellings where none exists at present, if the owners/ tenants so wish. In addition, the width of the road will be increased to 4.8m so if cars still park on the road, large vehicles will still be able to pass by safely. Since local highway safety is an issue raised by objectors, this should assist.

6.3.3 It is also understood that only one garage tenant within 400m of the application site [i.e. No. 11 Barn Crescent] has zero off street parking. Three other garages are rented by the occupier of No. 15 Barn Crescent who has 2 informal on curtilage parking spaces. One remaining garage is not leased and the other has a tenant over 400m distant. The re-provision arrangements noted above will resolve any possible parking problems created by the garages demolition. Finally, by providing 2 parking spaces per 3 bed unit on the application site itself, being in excess of the Council’s parking standards of 1.5 per 3 bed unit, this is considered to be generous, but perhaps sensible in the local context.

6.3.2. In writing, the legitimate local objections are well understood, but the Council’s officers are not in a position to recommend refusal to the application, on the basis of local parking issues, since, on technical / policy grounds, this cannot be justified, and would be difficult to defend at appeal.

7. Conclusion

- 7.1. The application site is an underused brown field are, within the settlement of the town. It is something of an eyesore, becoming increasingly dilapidated and unkempt. The NPPF and indeed the Core Strategy seeks to re-use such sites for more effective purposes, and this scheme achieves exactly that. There are not considered to be any amenity, design or density issues on which the application could be rejected, and the car parking issues have been assessed in some detail, to the satisfaction of officers, notwithstanding the local objections received and the Ward Members concerns.
- 7.2. The application has been considered in the light of the three strands of the NPPF. In economic terms, the application, if approved, will, on a temporary basis, provide housing in the District, and in environmental terms, these issues have been fully examined above.
- 7.3. Accordingly, in the light of the strong reasons to support the planning application, it is consequently recommended for approval, subject to appropriate conditions, and the required s 106 obligation.

8. Full Recommendation

The Head of Planning and Countryside be authorised to GRANT planning permission, subject to the completion of a s106 planning obligation by the end of August 2013.

Should the agreement not be completed by that date the application be refused, if expedient, for the following reason:-

Notwithstanding the Local Planning Authorities acceptance of the application in principle, the applicant has failed to enter into the required s106 planning obligation, which would mitigate the impact caused by the new occupants of the housing, on the District's services, facilities and infrastructure. Accordingly, the application is contrary to the advice in the NPPF of 2012, policy CS5 in the West Berkshire Core Strategy of 2006 to 2026, para. 122 of the CIL Regulations, and the Council's SPG4/04 as amended. The application is thus unacceptable.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 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 to comply with Section 91 of the Town and Country Planning Act (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).should it not be started within a reasonable time.

2. Prior to the commencement of development, samples of the materials to be used in the proposed development shall be submitted on the application site, 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 where necessary include the submission of samples of glass, plastic and mortar materials. 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 CS14 of the West Berkshire Core Strategy 2006 to 2026.

3. 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 dwellings 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 Saved Policy HSG1 of the West Berkshire District Local Plan 1991 to 2006.

4. Prior to the commencement of development details of floor levels in relation to existing and proposed ground levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed dwellings and the adjacent land in accordance with Policy HSG1 of the West Berkshire District Local Plan 1991 - 2006.[Saved Policies 2007].

5. The hours of work for all contractors (and sub-contractors) for the duration of the site development shall, unless otherwise agreed in writing by the Local Planning Authority, be limited to; 7.30 am to 6.00 pm on Mondays to Fridays, 7.30 am to 1.00 pm on Saturdays, and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding residents in accordance with policy CS14 of the West Berkshire Core Strategy 2006 to 2026.

6. No development shall take place until details of a 1.5 (or 1.4 if insufficient space) metre wide footway to be constructed on the northern side of Barn Crescent, to link with the existing footway, have been submitted and approved in writing by the Local Planning Authority. The development shall not be brought into use until the footway has been provided in accordance with the approved scheme and any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

7. The gradient of private drives shall not exceed 1 in 8 or, where dwellings are likely to be occupied by the mobility impaired, 1 in 12.

Reason: To ensure that adequate access to parking spaces and garages is provided. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

8. No development shall take place until details of the surfacing arrangements for the vehicular access(es) to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access(es) for a distance of 3 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

9. No development shall take place until visibility splays of 2 metres by 43 metres have been provided at the accesses. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

10. No dwelling shall be occupied until the vehicle parking has been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or 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 that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

11. No dwelling shall be occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

12. No development shall take place until details of a temporary parking and turning area to be provided and maintained concurrently with the development of the site have been submitted to and approved in writing by the Local Planning Authority. The approved parking and turning area shall be provided at the commencement of development and thereafter maintained in accordance with the approved details until the development has been completed. During this time, the approved parking and turning area shall be kept available for parking and used by employees, contractors, operatives and other visitors during all periods that they are working at or visiting the site.

Reason: To ensure that the development is provided with adequate parking and turning facilities during the construction period. This condition is imposed in order to minimise the incidences of off site parking in the locality which could cause danger to other road users, and long terms inconvenience to local residents. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

13. No development or other operations shall commence on site until a detailed scheme of landscaping for the site is 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 Policy CS18 of the West Berkshire Core Strategy 2006 to 2026.

14. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837:2012. Such fencing shall be erected prior to any development works taking place and 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 or storage of materials 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 6 and detailed in figure 2 of B.S.5837:2012.

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 CS18 of West Berkshire Core Strategy 2006 to 2026.

15. No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and 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.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy CS18 of the West Berkshire Core Strategy 2006 to 2026.

16. No dwelling hereby permitted shall be commenced, until the s278 works as agreed for vehicle crossovers to numbers 11, 13 and 15 Barn Crescent have been undertaken and completed to the satisfaction of the Highway Authority.

Reason: to ensure there is no undue parking pressures caused in the area, in accord with policy CS14 of the West Berkshire Core Strategy 2006 to 2026.

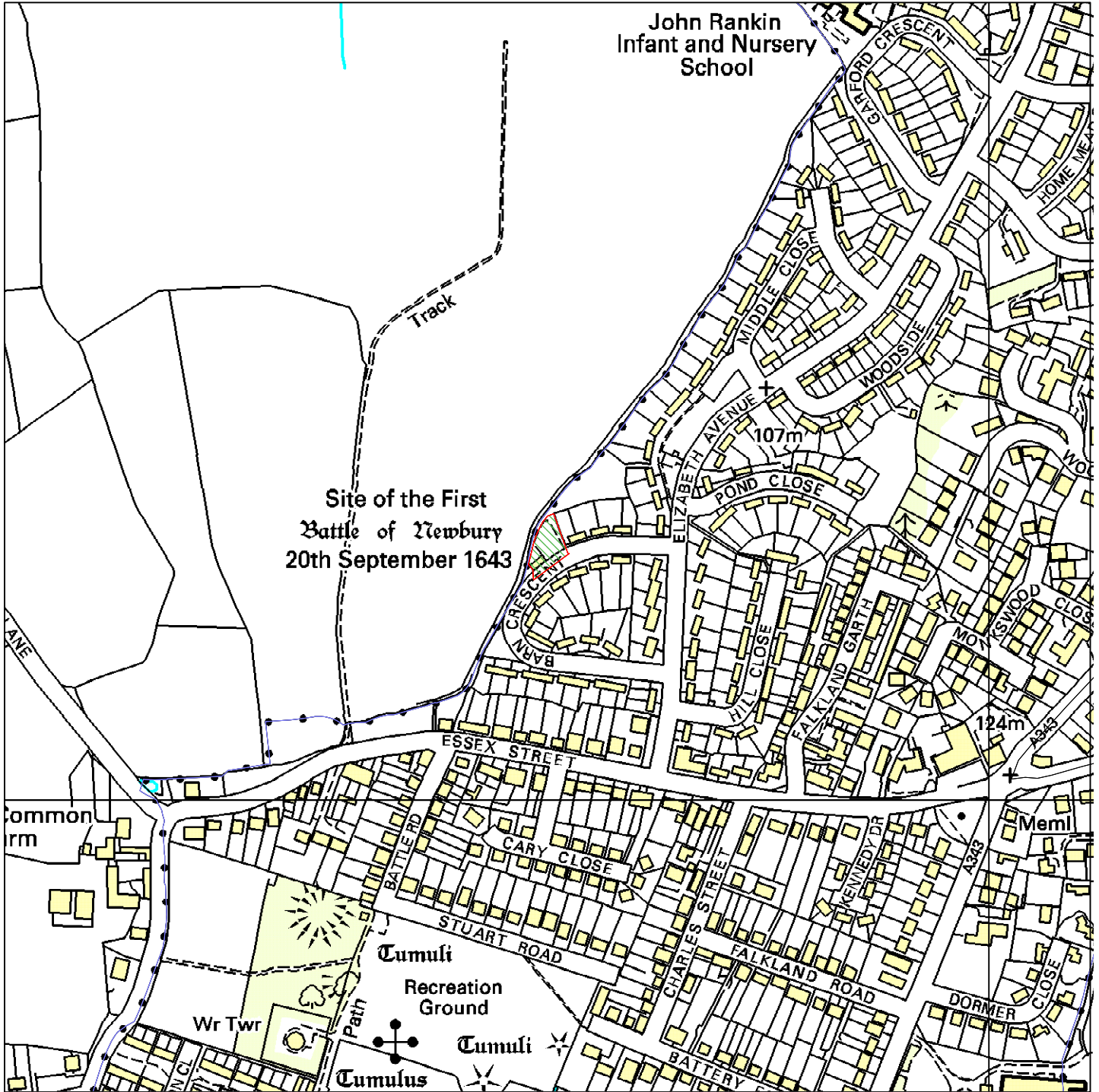
17. The dwellings shall achieve Level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme). No dwelling shall be occupied until a final Code Certificate relevant to it, certifying that Code level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme) has been achieved, has been issued and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

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Land adjoining 12 Barn Crescent, Newbury

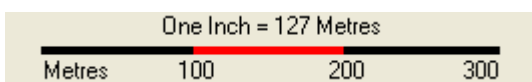


Map Centre Coordinates : 445617.23 , 165220.16

Scale : 1:5000

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Organisation	West Berkshire Council
Department	Environment
Comments	
Date	27 June 2013
SLA Number	100015913

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**WESTERN AREA PLANNING COMMITTEE
ON 10TH JULY 2013**

UPDATE REPORT

Item No:	(1)	Application No:	13/00995/FULD	Page No.	11 - 22
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Site: Land Adjoining 12 Barn Crescent, Newbury

Planning Officer Presenting: Michael Butler

Member Presenting: N/A

Parish Representative speaking: Cllr. Anthony Pick – Newbury Town Council.

Objector(s) speaking: Lawrence Fletcher

Support(s) speaking: N/A

Applicant/Agent speaking: Adrian Best – Sovereign Housing Association

Ward Member(s): Councillors Edwards and Bairstow.

Update Information:

The policy section should also include reference to the Newbury Town Design Statement which notes that the application site lies in the Valley Road area of the Town where the visual rhythm of the street scene is important. It also notes [inter alia] that many of the houses had no on-site parking but were provided with distinct garage blocks. The area is attractive despite the general uniformity of the dwellings.

As stated within the main report the development will include highway works that will widen the road fronting the site by 0.6 metres to a width of 4.8 metres. This creates a road that is wide enough for a car to park and a larger vehicle to pass. In recognition of continued concern regarding car parking, the applicant has offered to extend this widening from the 38 metres currently proposed to a total distance of 64 metres, in a southerly direction. This will provide space to enable 8 cars overall to park on the road and a larger vehicle to pass without difficulty.

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Agenda Item 5.(2)

Item No.	Application No. and Parish	8 Week Date	Proposal, Location and Applicant
(2)	13/00988/FUL Farnborough	10 th July 2013	Change of use of land for the siting of a temporary dwelling. Land at Manor Farm, Farnborough, Wantage. Lesley Chandler Chandler Manor Farm Stud

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=13/00988/FUL>

Recommendation Summary: **The Head of Planning and Countryside be authorised to APPROVE planning permission.**

Ward Member(s): Councillor G.W. Chandler

Reason for Committee determination: Constitutional requirement as the Ward Member is related to the applicant.

Committee Site Visit: 4th July 2013

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

1. Site History

82/18109/ADD, Agricultural barn for the storage of farm products. APPROVED 1982

05/01274/FULD, Erection of staff dwelling. APPROVED March 2006

2. Publicity of Application

Site Notice Expired: 24 June 2013.

Neighbour Notification Expired: 12 June 2013.

3. Consultations and Representations

Parish Council: No objections. Re-incarnation of previously approved scheme.

Highways: A similar proposal was approved at this site in 2005, application 05/01274/FUL. This application is similar in layout. Highways raise no objection providing the dwelling is attached to the farm use. In accordance with Supplementary Planning Guidance Note 4/04, updated 1st May 2010, a contribution of £1,000 per bedroom would be sought towards improvements to pedestrian, bus, cycle facilities or to highway safety improvements within Farnborough Parish, or improvements to bus services within West Berkshire. A total of £3,000 is therefore sought.

PROW No PROW objections - no impact on network.

NWAONB The North Wessex Downs AONB Unit request that the Council before forming a decision on this application take specialist advice to confirm whether this proposal has a financial / functional need, whether the location is the most appropriate in terms of the organisation of the business and whether other forms of existing accommodation locally have also been fully considered. The AONB Unit has also not seen any detailed elevations or site layout plans so are unable to form any decision in terms of overall landscape impact. If these are available we would be happy to comment in more detail. Should the Council decide that the need for this development is justified and the scheme does not cause harm to the AONB landscape then a legal agreement and appropriate planning conditions should be used to control the use and tie it to the appropriate land area

4. Policy Considerations

National Planning Policy Framework 2012 (NPPF)
West Berkshire Core Strategy 2006-2026 Policies:-
ADPP1 Spatial Strategy;
ADPP5 North Wessex Downs Area of Outstanding Natural Beauty;
CS14 Design Principles;
CS19 Historic Environment and Landscape Character.

5. Description of Development.

- 5.1 The application seeks the change of use of land at Pondview Farm, forming land at Manor Farm, Farnborough, for the siting of a temporary dwelling. The temporary dwelling is required to enable the supervision of the equine enterprises, both proposed and existing, which operate from Pondview Farm (forming part of Manor Farm Stud). A similar application was approved in 2006 but was never implemented as outlined above, application 05/01274/FULD.
- 5.2 The proposed temporary dwelling is to be sited adjacent to the existing stables at Pondview Farm. The site is set within the AONB. There are long reaching views to the south and east of the site over paddocks and farmland. The existing stables and barns at Pondview Farm would largely obscure the view of the temporary dwelling from the west and existing screen on the northern boundary of the site would restrict views from the highway.
- 5.3 The proposed temporary dwelling is a modest 3 bedroom timber cabin. The construction of the temporary dwelling is designed to be of a temporary construction to allow for its removal once the temporary period has expired.
- 5.4 The size of the temporary dwelling is approx. 6.5 metres to the ridge height, 2.1 metres to the eaves, 7.5 metres deep and 8.8 metres in length. The footprint of the dwelling would be some 60m².
- 5.5 Submitted with this application, along with the plans, is a planning report by Acorus Rural Property Services and a design and access statement. The Council has instructed an independent consultant, Kernon Countryside Consultants, to assess the functional and financial need for the proposed temporary dwelling. In summary, they have reported the following finding of the equine business at Pondview Farm, which as outlined above, forms part of Chandler Manor Farm Stud.
- 5.6 *The Kernon Report states that "Pondview Farm is farmed by the Chandler Family in conjunction with Manor Farm, Farnborough. Together the two units extend to approximately 125 hectares (310 acres). In 1998 planning permission was granted for the use of parts of both Pondview Farm and Manor Farm for stud and livery uses. In 2005 consent was granted for additional buildings to be used for equine purposes.*
- 5.7 *The facilities at Pondview Farm comprise of 2 portal framed buildings which have been subdivided into 5 deep litter loose housing pens which are capable of housing at least 13 horses. Two external boxes have recently been built and a further five internal boxes are to be constructed within the open storage barn, with space for another 5 if required. There are currently 3 hectares of paddocks adjacent to Pondview Farm with a further 3 hectares being established in 2013 for use in 2014.*
- 5.8 *The equine enterprise that is currently operating on the farm is known as Chandler Manor Stud and has been established for a number of years. I understand that the business currently utilises the buildings at both Manor and Pondview Farm. Currently there are 37 horses on site of which 29 are on livery and 8 are owned by the Chandler Family. The livery horses range from those on a basic livery for retired horses through to horses on rest and recuperation and brood mares which will foal down on the farm.*
- 5.9 *From the information provided within the Acores Report it appears that the business, which mainly utilises the stabling and facilities at Manor Farm, has reached a stage where if it wishes to continue growing it needs to be able to fully utilise the buildings at Pondview Farm.*
- 5.10 *Part 4 of the Acorus report states that the broodmares are to be kept at Pondview Farm, together with some of the rehabilitation/problem horses and young stock for preparation, which we assume refers to youngsters being prepared for the sale.*

5.11 *The business plan which has been prepared by the applicant indicates that initially the Pondview site will be used to accommodate:*

- *5 horses on full-livery;*
- *7 horses on working and rehabilitation livery; and*
- *3 mares on foaling livery.*

5.11 *As the business expands so to will the number of horses at Pondview Farm with year 3 of the business plan showing there being up to 23 horses on site at anyone time comprising of:*

- *9 horses on full-livery;*
- *7 horses on working and rehabilitation livery; and*
- *7 mares on foaling livery.*

5.12 *Pondview Farm would be operated by Rachel Chandler, the applicant's daughter, who already helps on the holding. Rachel would be assisted by employed part-time help. Rachel is also a McTimoney Chiropractor practitioner for humans and will look to provide this service to horses that come for rehabilitation at the Farm".*

6. Consideration of the Proposal.

6.1 Pondview Farm, forming land at Manor Farm, Farnborough is outside of any defined settlement boundary and is therefore considered as set within the countryside. It is also located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The main issues raised by this development are:-

The principle of the proposed development
Design and impact on the character of the area and the AONB;
Impact on neighbouring amenity;
Impacts on highway safety;
An assessment of sustainable development;
Other matters.

6.2 Principle of the proposed development

The principle of the proposed development is considered by virtue of an assessment of the functional need for the proposed temporary dwelling and the financial viability of the equine business at Pondview Farm, forming part of Manor Farm Stud. As outlined in the previous section of this report, Kernon Countryside Consultants were instructed to assess the need and financial viability. The following section of this report sets out their assessment and conclusion:-

Assessment

1. ***Essential Need*** - *Whether or not a worker needs to live on site is a matter of judgement based on factors such as the frequency of out-of-hours problems, the ability of a resident worker to identify and address those problems, the severity of loss if the problems are not addressed and the potential for notification of problems to a worker living off site (by alarms, for example).*
2. *The buildings at Pondview have the ability to accommodate up to 24 horses, based on the information set out in the applicant's budgets. A number of the horses that are to be accommodated at Pondview Farm will have specialist welfare requirements over and above a typical riding horse in that they will either be brood mares or horses on rest and recuperation.*

3. *Section 7.2 of the Acorus report sets out the applicant's arguments as to why there is a functional need to live on site. I have no reason to dispute the arguments put forward and would agree that with the number and type of horses that will be stabled at Pondview Farm there will be a need for an on-site worker.*
4. *In this particular case there may be opportunities for the more vulnerable horses i.e. those that require the highest levels of care and attention such as the brood mares and the horses on recuperation and rehabilitation to remain stabled at Manor Farm where they can be provided with the necessary levels of care and supervision by the applicant, Mrs Chandler, who lives in the farmhouse at Manor Farm. Such an arrangement could be seen as being a way in which the business could be developed so as to avoid the need for an additional dwelling at Pondview Farm.*
5. *However even if the more vulnerable horses were still kept at Manor Farm, there would still be up to 24 stabled horses at Pondview Farm. In my opinion the stabling of this number of horses, on a full-livery basis, would still warrant an on-site worker to deal with the problems that can and will occur such as colic, horses becoming cast or tangled in rugs / hay nets etc.*
6. *In summary I am satisfied that if Chandlers Manor Stud is to fully utilise the stabling at Pondview Farm then there is an essential need for an on-site worker.*
7. **Sustainability considerations** *Although there is no longer a specific test in the Framework regarding profitability in relation to the provision of rural workers' dwellings, the Framework only promotes "sustainable development in rural areas" (paragraph 55, in relation to housing). Economic sustainability and the ability to carry out the proposals as described must be part of this. An applicant therefore still needs to demonstrate economic sustainability.*
8. *The applicant has prepared budgets for the proposed enterprise at Pondview Farm. It is not clear as to the source of the figures used in the budgets, but given that the enterprise has been operating for a number of years, albeit mainly at Manor Farm, I assume that they are based on the applicant's existing business.*
9. *Having analysed the gross margin figures they appear reasonable and from my experience with similar enterprises the livery charges, in particular for the horses on rehabilitation and working livery, are actually on the low side. I would also comment that there are no figures shown for vet and med. or farrier costs. However it would not be uncommon for these charges to be levied direct to the owners so their absence does not present me with any particular concerns.*
10. *The projections include for all of the expected costs, and also include for a return on land and capital invested.*
11. *I would comment that with up to 24 horses on site on a "full" livery basis the labour charges appear light. However if the majority of horses are on deep litter as set out in the Acorus Report this will significantly reduce the labour input. Further unlike most full livery enterprises a number of these horses will not be ridden and given the prices shown for the "full livery" I assume that the service does not include for any exercising. In any event if additional labour does need to be taken on then there is some room within the budgets to allow for this.*
12. *In summary, despite my concerns about the low levels of labour, I am satisfied that the budgets show a sufficient return to cover the full-time labour of Rachel Chandler. Accordingly I am satisfied that the enterprise is likely to be financially sustainable..*

13. *In this particular case the applicant has applied for a temporary dwelling and therefore if the Council are minded to grant consent then there will be the opportunity to view the actual financial performance of the business and assess whether it has been financially sustainable at the end of the temporary period.*
14. *As part of the overall sustainability of the project it is important to assess whether there are any other dwellings which could serve the functional needs of Pondview Farm. As set out above there is already a dwelling at Manor Farm, this is approximately 850 m away from the stables at Pondview. The Acorus report states at section 7.4 that “**due to the topography of the land and the position of other buildings there is no direct line of sight of Pondview Farm from Manor Farm**”. I have not visited the site but having viewed aerial photography I have no reason to dispute this statement. I would share the view that the existing farmhouse is too far away to meet the functional requirements of the proposed equine enterprises at Pondview Farm.*
15. *The Acorus report also makes reference to the potential use of CCTV cameras to provide supervision. Although CCTV cameras can significantly help in the monitoring of animals, particularly foaling mares, they are not, in my opinion, a substitute for an on-site worker.*
16. *The application seeks consent for a temporary essential workers’ dwelling in connection with an existing but expanding equine enterprise. Having assessed the proposal against the appropriate tests set out in paragraph 55 of The Framework I conclude that:*
- **Essential need.** *I am satisfied that there is an essential need for a worker to live “permanently at or near their place of work”.*
 - **Financial sustainability.** *Having viewed budgets for the next three years I am on balance satisfied that the business is likely to be financially sustainable.*
17. *In summary I am satisfied that the proposal for a temporary dwelling meets with the appropriate policy tests set out in paragraph 55 of the Framework”.*

6.2.1 Design and impact on the character of the area and the AONB

- 6.2.2 As outlined in section 5 of this report (description), the site is set within the countryside and in the North Wessex Downs AONB. The site is well screened to the north and west but open to the south and east.
- 6.2.3 The proposed temporary dwelling is a modest structure and is constructed in a way which enables it to be removed from the site with relative ease, allowing the site to be returned to its previous use. The external material is timber and is set against the backdrop of the tree line to the north.
- 6.2.4 By virtue of the design, scale and siting of the proposed development it is not considered to have any significant harm on the quality or character of the surrounding environment and would not impact upon the AONB. Further to this, the proposed development is for a temporary dwelling and therefore the impact of a dwelling in this location can be further assessed in situ and on a temporary basis.
- 6.2.5 Taking the above in account, the proposed development is found to accord with the NPPF and Policies ADDP5, CS14 and CS19 of the West Berkshire Core Strategy 2012.

6.3 Impact on neighbouring amenity

- 6.3.1 The proposed development is located some 100 metres from the closest neighbouring dwellings at Coombe Down Cottage. The proposed temporary dwelling would be difficult to

see from the neighbouring occupiers and by virtue of the distance between the site and the neighbouring properties, it is not envisaged that the proposed would have any detrimental harm on their amenity.

6.4 The impact highway safety

6.4.1 The Highways Officer does not have any objections to the proposed development.

6.5 Sustainable development

6.5.1 The NPPF places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal. The environmental considerations have been assessed in terms of design, amenity and impact on the area. Social considerations overlap those of environmental in terms of amenity. The economic impacts have been assessed as part of the financial justification for the proposed development and are included within the assessment for the principle of the development. Accordingly, as outlined above, it is considered that the proposed development is sustainable development in the context of the NPPF.

6.6 Other matters

6.6.1 Highways have requested contributions to offset the impact of the proposed development on local infrastructure and services. However, as the proposed development is for the siting of a temporary dwelling, contributions can not be sought.

7. **Conclusion**

7.1. Having taken account of all relevant policy considerations and the material considerations referred to above, it is considered that there are clear reasons why the development proposed is acceptable. The principle of the proposed development is considered acceptable both in functional and financial assessments and the design of the development would not have a detrimental impact on the character of the area set within the AONB. Further to this, by virtue of the distance between the proposed temporary dwelling and neighbouring occupiers it is not felt that the proposed development would have a significant impact on neighbouring occupiers. There are no objections from Highways and the proposed development is considered to be sustainable development in the context of the NPPF. As such, the proposed development, subject to conditions attached, is in accordance with the NPPF, Core Strategy Policies ADPP5, CS14 and CS 19.

8. **Full Recommendation**

The Head of Planning and Countryside be authorised to APPROVE planning permission subject to the following conditions:-

1. The temporary agricultural dwelling hereby approved shall be removed on or before the 10th July 2016. All associated plant, materials and equipment shall be removed within 3 months of this permission ceasing. The land shall be returned to a condition agreed in writing with the Local Planning Authority within 6 months of this permission ceasing.

Reason: In accordance with the criteria of the NPPF and with regard to the temporary nature of the building.

2. The occupation of the dwelling shall be limited to a person solely or mainly employed, (or retired through old age or ill health), in the equestrian enterprise on site, as defined in Section 336 of the Town and Country Planning Act 1990, or a dependant of such a person residing with that person (but including a widow of such a person), on the land identified in this planning permission.

Reason: This permission has been given because the need for the dwelling outweighs the planning objections to the development. The Local Planning Authority are concerned to ensure that the dwelling remains available for the equestrian use on site in accord with the NPPF.

3. The materials to be used in this development shall be as specified on the plans or the application forms. No other materials shall be used unless prior agreement in writing has been obtained from the Local Planning Authority.

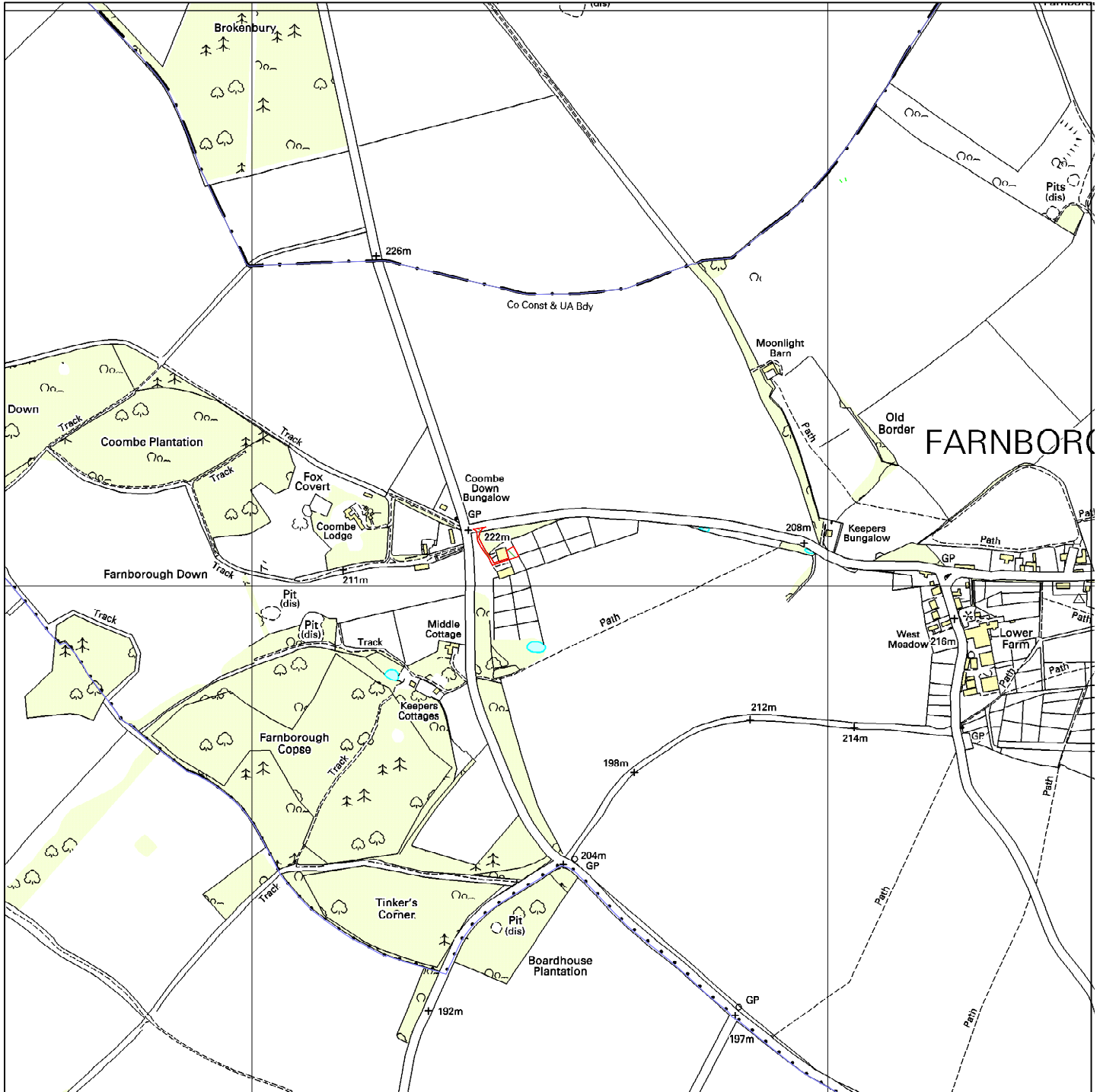
Reason: In the interests of amenity in accordance with Policy CS14 of the West Berkshire Core Strategy 2006 - 2026.

4. The development hereby approved shall be carried out in accordance with drawing title numbers: LOCATION PLAN; PLANS AND ELEVATIONS AND CONSTRUCTION DETAILS received on 15th May 2013.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against Policy CS14 of The West Berkshire Core Strategy 2006-2026.

DC

Land at Manor Farm, Farnborough, Wantage

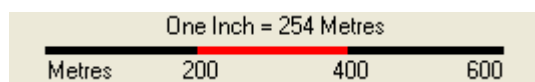


Map Centre Coordinates : 442516.76 , 182066.52

Scale : 1:10000

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Organisation	West Berkshire Council
Department	Environment
Comments	
Date	27 June 2013
SLA Number	100015913

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**WESTERN AREA PLANNING COMMITTEE
ON 10TH JULY 2013**

UPDATE REPORT

Item No: (2) **Application No:** 13/00988/FUL **Page No.** 23 - 32

Site: Land at Manor Farm, Farnborough, Wantage, Oxfordshire

Planning Officer Presenting: Derek Carnegie

Member Presenting: N/A

Parish Representative speaking: Tony Pell, Chairman - Farnborough

Objector(s) speaking: N/A

Support(s) speaking: N/A

Applicant/Agent speaking: N/A

Ward Member(s): Cllr. G W Chandler

Update Information:

No further Update information.

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Agenda Item 6.

12/01814 Pins Ref 2188549	Copyhold Farm Quarry, Curridge, Newbury RG18 9DR	Materials recycling facility (MRF) for a temporary period until 31 December 2016, and amended restoration of remainder of former quarry.	Dele. Refusal	Allowed 11th June 2013
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Main issue

The Inspector considered the main issue to be the effect of the proposal upon the character, appearance and amenity of the rural area, and in particular the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Reasons

Copyhold Farm Quarry is an active sand extraction site. The appeal proposal is for a materials recycling facility (MRF) with a throughput of 25 - 30,000 tonnes per annum of 'skip waste'. It would be located within an area of just under one hectare which is already used as an aggregates recycling facility (ARF). The appeal proposal includes a steel-framed waste reception building, a staff welfare cabin and a toilet cabin. The ARF and the MRF would operate together until 31 December 2016 (the date until which the ARF is permitted).

The appeal proposal was preceded by an application (withdrawn) which sought permission for a permanent MRF and permanent use of the ARF. The existing mineral-working permission allows filling to continue until October 2018. Although the proposed buildings could be dismantled and re-used elsewhere, they represent a considerable investment for a facility with a life of less than four years. It is clear from the evidence that although the proposal before him is for a temporary facility linked to the life of the ARF, there is at least a possibility that the appellants might seek an extension of time once the facility was established. However, the Inspector's decision relates solely to a temporary facility as applied for.

Policy considerations

The recycling of waste is a key element of both national and local planning policy (set out in Planning Policy Statement 10: *Planning for Sustainable Waste Management* and in the Waste Local Plan for Berkshire), and in principle the proposed MRF should be supported provided that other material considerations do not weigh against it. In this instance the main consideration is the location of the appeal site within the countryside and the AONB. Whilst promoting sustainable development, the National Planning Policy Framework ('the Framework') says that great weight should be given to conserving landscape and scenic beauty in AONB, and that planning should recognise and respect the intrinsic character and beauty of the countryside.

Under the Countryside and Rights of Way Act 2000 there is a duty to have regard to the purpose of conserving and enhancing the natural beauty of the AONB. Area Delivery Plan Policy 1 of the West Berkshire Core Strategy (WBCS) says that most development will be within or adjacent to identified settlements, and that only limited appropriate development will be allowed in the open countryside. Area Delivery Plan Policy 5 of the WBCS seeks to conserve and enhance the special landscape qualities of the AONB. 8. Policy WLP29 (xiii) of the Waste Local Plan for Berkshire (WLPB) sets out a strong presumption against waste management development within the AONB, except for the restoration of mineral workings, and where temporary recycling and transfer facilities are located on landfill sites in accordance with Policies WLP15 and WLP24. These policies contain the important proviso that the recycling should relate to waste brought to the site for disposal. In the present case, it is clear

from the appellants' own figures that very little of the waste brought to the site would be utilised in the restoration of the mineral workings: the great majority would be exported for sale or further processing. Nevertheless, for the purposes of the policy, there would be a limited relationship between the recycling activity and the quarry restoration.

Key planning and management issues in this part of the AONB include increased traffic, pressure for development and the loss of tranquillity.

The impact of the appeal proposal upon its surroundings would be perceived primarily in terms of visual amenity, noise, dust and vehicle movements. In addition to the policies mentioned above, saved Policy OVS.6 of the West Berkshire District Local Plan and Policy WLP30 of the WLPB bear upon these matters.

The MRF would serve a wide area including Newbury, Thatcham, Hungerford, Theale, Reading, south Oxfordshire and north Hampshire. It would also serve the AONB, but the Inspector did not think it could reasonably be said that the prime justification for the site is to meet needs arising within the AONB. Similarly, a very small proportion of the imported waste would be landfilled as part of the quarry restoration, but that cannot be claimed as the main justification for the facility.

He noted the parties' arguments about the availability and suitability of various existing and proposed alternative sites. However, he did not attach great weight to these arguments, for the following reason. It is clear from national and local policy concerning the countryside, and AONBs in particular, that it is highly unlikely that an MRF would be permitted in this sensitive location were it a pristine site, unless there were very convincing reasons. It might be argued that such reasons could include an absence of alternative sites in less sensitive locations. However, it is not necessary to examine such arguments in this case. The appeal site has already been worked for minerals, it is already used as an ARF, and it shares an access with a working quarry. Provided that the MRF did not occupy the site beyond the period of mineral working and infilling, and that there were no cogent objections in terms of visual amenity, noise, dust and vehicle movements, it would be reasonable and beneficial to permit co-location with the quarry. Once the quarrying was finished, the site could be returned to agricultural use compatible with the tranquillity appropriate to an AONB.

The Inspector had already said that there is at least a possibility that the appellants might seek an extension of time once the facility was established. Any such application would have to be determined in the light of the circumstances prevailing at the time.

The Framework says that planning permission should be refused for major developments in AONB except in exceptional circumstances. 'Major developments' (plural) in this context are not defined. 'Major development' (singular) for the purposes of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (DMPO) includes all waste disposal proposals, of whatever size and nature. As the appellants argue, it does not seem reasonable to assume that a definition made for the purposes of a procedural order can be imported without qualification or question into a national planning policy document. Emerging waste planning policies in both West Sussex and Oxfordshire recognise that sometimes 'small scale' waste management facilities for local needs might be acceptable within AONB, and in the light of common sense and experience that would seem a prudent approach. In the absence of specific parameters, whether any particular proposal is 'small scale' must be a matter of fact and degree taking into account all the circumstances in each case. However, as a guideline, the emerging Oxfordshire policy says that it is unlikely that a

waste management facility with a throughput of more than 20,000 tonnes per annum would be compatible with an AONB.

There was no convincing evidence before him to suggest that the Framework (or indeed the policy guidance which it replaced) intended 'major developments' (plural) to mean exactly the same as 'major development' (singular) in the DMPO. The Inspector recognised that the Inspector in appeal decision APP/W0340/A/12/2173977 concluded that the mineral-working proposal before him (which was larger in scale than the proposal here) amounted to 'major development' in both senses, but he did not consider that his conclusion amounts to conclusive evidence that the Framework should be interpreted only in the light of the DMPO.

In any event, the point is not of great significance in this case. The proposal before him was not 'small scale' according to the Oxfordshire definition, and it is not primarily intended to serve local needs within the AONB, but the appeal site is already used for aggregates recycling, and the proposal is for a temporary period, linked to the life of the existing quarry and ARF.

The buildings, traffic, noise, excavations and stockpiles associated with the existing quarry and ARF are considerable, and are out of character with the beauty and tranquillity which ought to typify an AONB. However, minerals must be worked where they occur, and the effects are temporary. The Inspector had no doubt that the buildings, traffic and noise associated with the proposed MRF would also be out of character with the beauty and tranquillity of the AONB were the existing activities not already taking place. The key question is therefore whether the additional impact of the proposed MRF (the intensification of activity and the introduction of more buildings) would be unacceptable for the temporary period proposed.

Visual impact

The main visual impact of the proposal would arise from the introduction of the waste reception building and from increased traffic to and from the site. Because of the contours and the existing tree screen, from most vantage points the building would not be noticeable. The main impact would be upon horseriders, walkers, runners and cyclists using the public rights of way surrounding the site. According to the appellants' Landscape Appraisal, the impact would vary between 'minor' and 'significant' in winter and between 'insignificant' and 'moderate' in summer, depending on the viewpoint.

The Landscape Appraisal concedes that the limited local visual impact of the waste reception building is an example of one of the pressures contributing to the dilution of the area's distinctive landscape character, and that it would be contrary to the conservation objectives appropriate to the AONB. On the other hand, the building would be located on an existing waste management site which is visually well contained, its visual impact would be very localised, and under the appeal proposal its effect would be temporary. The proposed additional screen planting would not be likely to have a significant effect within the next three years.

Noise and dust

Apart from Copyhold Farm, said to be occupied by the owner of the site, and already subject to noise from the quarry, there are no noise sensitive properties within 500 metres of the site. A crusher and screen are already used by the existing ARF facility. Any additional noise from the appeal proposal would have little or no impact, except upon users of the public rights of

way. Despite the representations from local residents, there is no history of formal complaints about noise from the site.

Dust emissions could be monitored and controlled by means of a condition.

Traffic

The appellants' estimates of traffic movements suggest that there would be an increase from historic mean levels of 48 movements a day (with backloading) to 100 movements a day (with backloading). This would be a substantial increase, and in his opinion would have a noticeable impact, visually and in terms of noise and disturbance, upon the character of the rural area and the AONB. However, there would be little or no impact upon residential properties, the roads serving the site are able to accommodate the increase, and the extra traffic would be limited to the life of the MRF. Vehicles entering and leaving the site and users of the public rights of way would need to exercise due caution at crossing points, but there is no convincing evidence to suggest that the increase in traffic would be detrimental to highway safety. On the basis that this would genuinely be a temporary use, linked to, and limited to the duration of, the ARF and the restoration of the quarry, the Inspector considered that the extra disturbance to the rural area and the AONB could be tolerated.

The Highway Authority recommend a condition limiting daily movements to 130 (an allowance of 30% above the mean estimate) as agreed by the appellants in September 2012. The appellants now argue for a limit of 200 movements a day, which on the evidence before him appears excessive. If the limit of 130 were to prove too low in practice, the condition could be re-assessed in the light of experience, and in particular the effect upon the character and appearance of the rural area.

Other matters

The Inspector recognised that horse-riding is an important activity in the area surrounding the site, and that the bridleways around the site serve an important recreational and commercial function. However, the disturbance from the proposed MRF would be limited both by conditions governing its hours and days of operation, and by its overall lifespan.

There is no evidence that there would be any significant impact upon protected species or other interests of ecological importance.

There is no evidence of flood risk or drainage issues.

Light pollution could be minimised and controlled by means of a condition.

Conclusion

For the above reasons he concluded that whilst the proposal would be harmful to the character, appearance and amenity of the rural area, and in particular the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the harm could reasonably be tolerated so long as the MRF was associated with active mineral extraction and restoration operations. To that extent the proposal would comply with the development plan.

He took into account all other matters raised, including the views of the Chieveley Parish Council, but for the reasons given above he concluded that the appeal should be allowed, and planning permission granted, subject to the conditions set out in the attached schedule.

Conditions

In order to minimise the impact of the development upon the character and appearance of the area, and to control the hours and days of operation, noise, dust, light pollution, traffic, highway safety, and restoration, he imposed the conditions suggested by the Council, modified to remove duplication, increase precision, and, where appropriate, to take account of the appellants' concerns. In his view the conditions are necessary and reasonable, and meet the tests set by Circular 11/95.

The appellants propose that vehicles leaving the proposed MRF should use their existing wheel cleaning facilities. However, these lie outside the site edged red, and were (presumably) provided under the terms of a previous planning permission with its own conditions. In order to ensure that vehicles leaving the MRF are in a clean and safe condition, in the interests of highway safety, the Inspector considered it necessary that details of the wheel washing arrangements should be separately approved for the proposed MRF, even if the existing facilities are to be used. Similar arguments apply to the conditions dealing with crossings of public rights of way and dust control.

He recognised that the appellants intend to use 'white noise' reversing alarms within the appeal site, but it is in his view essential that precise details be approved to ensure that the condition is effective and enforceable.

The application purports to be for two things: (i) the MRF, and (ii) amended restoration proposals for the remainder of the former quarry. The site edged red encompasses only the site of the proposed MRF and its access road. The amended restoration proposals lie within the site edged blue. The parties have agreed that the matter can be dealt with means of a condition.

The Council's suggested Condition 2 does not allow a period for site restoration following the cessation of waste processing. The Inspector therefore amended the condition to allow a year for restoration. The Council's Condition 17 (his Condition 21) then requires a further 5-year aftercare programme.

Decision

The appeal is allowed and planning permission is granted for a materials recycling facility (MRF) for a temporary period until 31 December 2016, and amended restoration of remainder of former quarry, at Copyhold Farm Quarry, Curridge, Newbury RG18 9DR in accordance with the terms of the application, Ref 12/01814/MINMAJ, dated 20 July 2012, and the plans submitted therewith, subject to the conditions set out in the attached schedule.

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REVIEW OF COPYHOLD FARM APPEAL DECISION.

The Inspector identified the key issue in respect of this appeal as being the effect of the proposal upon the AONB, and perhaps more specifically, whether the additional impact of the proposed Materials Recycling Facility (MRF) would be unacceptable for the temporary period for which it is proposed.

He agreed with the Council that only a very limited amount of waste imported to the proposed skip waste facility would be utilised in the restoration of the adjacent mineral workings, however despite acknowledging this was a very limited functional link, he was satisfied that there was indeed a linkage between the proposals and the restoration of the mineral site. On the basis that the MRF did not occupy the site beyond the period of mineral working and infilling, and that there were no cogent objections in terms of visual amenity, noise, dust and vehicle movements, the Inspector concluded that it would be reasonable, and beneficial, to permit co-location with the quarry.

Council Officers are of the view that whilst the Inspector has granted this appeal, giving temporary consent for the facility, it is apparent that had this application proposed the facility be retained permanently then he would have viewed the situation quite differently. He makes a number of references to this point and it is clear that when he has balanced the key issues, the fact that the proposal is temporary in nature is clearly a critical point that has informed his decision making.

This is clearly a very balanced case, and the Inspector has acknowledged that the proposals will be harmful to the AONB, however given that he is satisfied that there is a (very limited) linkage between the proposal and the existing uses, and that the proposal is only temporary (with the operational life limited to the temporary mineral extraction and restoration operations), he is satisfied that the level of harm can be tolerated.

Officers considered that the functional link between the proposals and the other temporary uses on the site was insufficient to justify approval given the location of the site in the AONB, the Inspector seems to have concluded that although the functional link was limited, it was sufficient to justify the location and given this linkage the level of impact on the AONB that would be only generated on a temporary basis then on balance the proposals were acceptable.

Matthew Meldrum, Principal Minerals and Waste Officer

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