

DISTRICT PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON

WEDNESDAY, 8 JULY 2015

Councillors Present: Pamela Bale, Jeff Beck, Paul Bryant (Vice-Chairman), Keith Chopping, Hilary Cole, Paul Hewer, Alan Law (Chairman), Alan Macro, Graham Pask, Garth Simpson and Virginia von Celsing

Also Present: Jake Brown (Planning Officer), Liz Patient (Solicitor), David Pearson (Team Leader - Development Control) and Gary Rayner (Development Control Manager), Councillor James Cole (Council Member) and Linda Pye (Principal Policy Officer), Councillor Anthony Stansfeld (Council Member)

Absent: Councillor Richard Crumly

PART I

3. Minutes

The Minutes of the meetings held on 25th March 2015 and 19th May 2015 were approved as a true and correct record and signed by the Chairman.

4. Declarations of Interest

There were no declarations of interest received.

5. Schedule of Planning Applications

(1) Application No. & Parish: 15/00277/FUL, Hunters Way, Craven Road, Inkpen

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application No. 15/00277/FUL in respect of the demolition of an existing bungalow and detached garage and the replacement with a new house.

The Western Area Planning Committee on 10th June 2015 had considered the proposal for the demolition of an existing bungalow and detached garage and the erection of a new house. The site was within the village of Inkpen which did not have a defined settlement boundary and lay within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The Committee had determined that the application should be approved as the proposed design of the dwelling was attractive and it would improve the site and give further variation to the village architecture. The Committee considered that the proposal would be well accommodated within the site and that there would be no adverse impact on local wildlife in the area.

During the debate Members had been made aware that Officers considered that the proposal for the replacement dwelling would be contrary to the development plan and that a recent appeal for a similar scheme on the site had been dismissed by the Planning Inspectorate. The Western Area Planning Committee held on 10th June 2015 had resolved to approve the application, subject to conditions. However, as previously mentioned the application, if approved, would comprise a departure from current Development Plan Policy in the Core Strategy 2006 to 2026 and West Berkshire District Local Plan Saved Policies 2007 and it was therefore referred up to the District Planning Committee for consideration and resolution by the Development Control Manager.

Since the Western Area Planning Committee meeting, a consultation response had been received from the North Wessex Downs AONB and this was attached as an appendix to the report. The North Wessex Downs AONB had objected to the application and

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considered that the design and siting of the dwelling in this current application did not appear to have addressed the reasons for the Appeal on the last application which was dismissed by the Planning Inspector. The North Wessex Downs AONB also considered that the current scheme remained at odds with the surrounding pattern of development and failed to meet the aims of local plan policy, the AONB Management Plan or the AONB Position Statement on Housing.

A response had also been received from the Campaign to Protect Rural England (CPRE) since the Western Area Planning Committee on 10th June 2015. The CPRE objected to the proposal and considered that the size and volume of the development would have a negative visual impact on the public footpath and was contrary to the adopted AONB Management Plan 2009-2014.

A further representation objecting to the proposed development had been received noting that the Design and Access Statement submitted with the application confirmed that pre-application advice had taken place. In addition the representation sought to clarify that a neighbour had not provided a positive response during a face to face encounter with the applicant.

Since the Western Area Planning Committee comments had also been received from the Inkpen Rights of Way Committee objecting to the development proposed citing the detrimental impact on the footpath through the development of a dominant, overly large two storey gabled domestic building.

The additional consultation responses and representations received were considered to support the officer's recommendation as set out in the Western Area Planning Committee report of 10th June 2015.

Since production of the Western Area Planning Committee minutes of 10th June 2015, Inkpen Parish Council had requested that a condition restricting the installation of external lighting should be attached, if the application was approved, in recognition of the dark skies within the North Wessex Downs AONB. Officers agreed that a condition requiring details of external lighting to be submitted and agreed by the Local Planning Authority, should the application be approved, would be appropriate and had therefore included this with the other recommended draft conditions provided in the appendices.

The site was located outside of any defined settlement boundary. The principle of development was acceptable provided that the proposal complied with the development plan and in particular Local Plan Policy ENV23, and Core Strategy Policies CS14 and CS19. The site also lay within the North Wessex Downs AONB, which the National Planning Policy Framework (NPPF), and Policy CS19 of the Core Strategy afforded the highest level of protection.

Officers considered that whilst the design of the dwelling was not unattractive, the increase in floor area and volume of the proposed dwelling upon the existing dwelling of 130% and 75% respectively, would result in a dwelling that was disproportionate in size to the dwelling being replaced therefore harming the character of the area. The existing dwelling had already been extensively extended. The original dwelling was approximately 74sq.m. in floor area and as such the proposal would result in an increase in floor area of approximately 692% when compared to the original dwelling.

The proposed siting of the dwelling would extend the built form of this part of the village more clearly into the views from the footpath (INKP/17/1), to an extent that the dwelling would be a dominant and jarring feature that would result in an uncharacteristically hard edge to the settlement at this point. The siting of the proposed dwelling close to the rear boundary would increase the likelihood of garden paraphernalia being more visible from the footpath. The introduction of a strong boundary treatment to prevent such

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paraphernalia would further accentuate the hard settlement edge harmful to the character and appearance of the AONB. Furthermore, the design and massing of the building proposed, and the set back of the building beyond the general building line at an angle were considered to be inappropriate to the character of the area. The large gabled features on the front and rear elevations were also not considered to be sympathetic to the street scene and increased the dominance of the proposal. In addition, views into the site from the public road would be opened up as a result of the proposed new access arrangement thereby increasing the visual prominence and intrusion of the proposed replacement dwelling. Although a number of changes had been made to the southern and northern elevations the three gable features to the rear of the property remained and it was considered that the proposed development would still have a negative and over bearing impact on the surrounding area. The application was therefore recommended by Officers for refusal.

The Planning Officer made reference to the appeal decision for application number 13/03005/FUL which was attached to the report as an appendix. The Inspector considered the impact on the public footpath in paragraphs 10 and 11 which stated:

'10. Crucially, the proposed dwelling would be sited further back into the site than the existing bungalow, close to its rear boundary. As such, it would extend the built form of this part of the village more clearly into the views from the footpath referred to above, to an extent that the dwelling would be a dominant and jarring feature that would result in an uncharacteristically hard edge to the settlement at this point.

11. The dominance would be further increased due to the proposed three large gable features on the rear elevation. There would also be the added likelihood of garden paraphernalia being more visible from the footpath, through the utilisation of the lawn area outside of the site to the rear of the proposed dwelling, albeit that it is not lawfully residential land. This would be due to the limited space there would be between the rear of the proposed house and the site boundary. Even if that land outside of the site were to be segregated off with a strong boundary treatment, such a structure would further accentuate the hard settlement edge referred to above.'

The Planning Officer also noted that the Inspector in paragraph 5 of the appeal decision made reference to paragraph 115 of the National Planning Policy Framework which stated that with regard to AONBs great weight should be given to conserving the landscape and scenic beauty of these areas.

Councillor Paul Bryant noted that the percentage increase of volume was 75% and the floor area increase was 130% and he asked for clarification on this anomaly in figures. The Planning Officer advised that part of the development included a flat roof and this therefore reduced the increase in volume. Councillor Bryant also asked if coppice management was a material planning consideration. It was confirmed that it was not.

Councillor Alan Macro referred to pages 57 and 61 of the agenda where there appeared to be some anomaly around the building line. Page 57 of the report in the Reason for Refusal stated that 'the design and massing of the building proposed, and the set back of the building beyond the general building line ...'. Whereas on page 61, paragraph 12 of the appeal decision stated 'although the house would be set further back than other houses, the surrounding dwellings are well spaced without any distinct building line.'. Councillor Macro asked for clarification on this point. Councillor Alan Law felt that the issue around the building line was open to interpretation.

Councillor Graham Pask asked for clarification around the volume of the dwelling which was refused at appeal and the volume of the proposed development. The Planning Officer confirmed that the volume of the dwelling dismissed at appeal was 2,070 cubic

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metres whereas the volume of the proposed development was 1,853 cubic metres, a reduction of 11%. The Planning Officer clarified that the percentage increase in floor area was 130% and that these calculations did not include the detached garage.

In accordance with the Council's Constitution, Dr. D. Thomas, Parish Council representative, Mr. Barrington, objector, Mr. Andrew Rowles, supporter, and Mr. Andrew Spiller, applicant/agent, addressed the Committee on this application.

Dr. D. Thomas in addressing the Committee raised the following points:

- The current application was very similar to the previous one which had been refused at appeal and it was felt that the conclusions which had been reached by the Planning Inspector would still be valid for this application;
- Inkpen Parish Council were in agreement with Officers that the proposed development would be harmful to the North Wessex Downs AONB and was overbearing in nature;
- There had been inaccuracies in the minutes from the Western Area Planning Committee where it stated that The Oaks had been increased by 200% and also in relation to the number of bungalows in the road;
- Inkpen was an historic village which was famous for its wild crocus field and its close association with Combe Gibbet. It also consisted of a number of heritage sites;
- The development site was in open countryside and the erosion of the current bungalow on the site would harm the character and appearance of the area as the scale and height of the dwelling would not compliment the adjacent dwellings bordering the site;
- When the application was considered by the Western Area Planning Committee the focus had been on the dwelling rather than the impact of the development on the village itself;
- The Parish Council felt that the proposed development was too large and too intrusive, it dominated the street scene and did not comply with the Local Plan or the Inkpen Design Statement;
- The applicant had tried to include land outside the curtilage of the property and this included land from the AONB and the Site of Special Scientific Interest (SSSI);
- The applicant demonstrated that he had little concern for the countryside and he had been warned that close mowing should not be carried out in the SSSI but it had continued;
- Moving the proposed development would increase the harm to the AONB and the street scene;
- West Berkshire Council, the Council for the Protection of Rural England, the Parish Council and the Inkpen Rights of Way Committee were all recommending refusal of the application and he urged the District Planning Committee to agree with that recommendation.

Councillor Hilary Cole noted that Dr. Thomas had mentioned the SSSI, however, she felt that he was referring to the Local Designated Wildlife Site. The Planning Officer confirmed that that was correct.

Councillor Virginia von Celsing stated that the design incorporated land outside the curtilage of the property and the plan gave the illusion that the development was situated

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in a large garden but this was not the case. The Parish Council felt that the applicant would absorb the Designated Wildlife Site within the development and the fact that the grass in this area had been closely mown gave the illusion that the land was part of the garden.

Councillor Graham Pask asked for clarification on the statement that there had been some inaccuracies in the minutes from the Western Area Planning Committee. Dr. Thomas confirmed that the existing bungalow sat in a row of five low level buildings and the minutes stated that there 'were a few on either side' which gave the impression that the number was not significant. The minutes also stated that the house at the end of Craven Road (The Oaks) had been extended by 200%. This was not true it had been extended by 70%.

Councillor Hilary Cole noted that Inkpen Parish Council had concerns that the proposed dwelling would be intrusive. However, Honeysuckle Cottage was a relatively new property on an elevated site, which in her opinion was even more intrusive, and she asked if the Parish Council had objected to that application. Dr. Thomas confirmed that the Parish Council had objected to that application on the grounds of siting and access.

Mr. Barrington in addressing the Committee raised the following points:

- Mr. Barrington confirmed that he was speaking on behalf of 15 local residents who supported the Officer's recommendation to refuse the application;
- Mr. Barrington made reference to the Development Plan and to the AONB position which stated that replacement dwellings in the countryside should not be larger or higher than the existing dwelling;
- The Planning Inspector in his determination of the appeal for the previous planning application on the site gave significant weight to the Council's Supplementary Planning Document in relation to Replacement Dwellings and Extensions to Dwellings in the Countryside, the AONB Management Plan 2009-2014, Supplementary Planning Guidance and the Inkpen Village Design Statement;
- The proposed development also did not comply with the National Planning Policy Framework or the Local Plan and it therefore undermined a number of national and local policies;
- The proposed development would be harmful to the nature of the AONB due to the size and mass of the dwelling and would therefore have a negative environmental impact;
- The issue in relation to the footpath was important and it was felt that the dwelling would have a jarring effect on the footpath;
- Screening did not make a large scale development acceptable and it could set a precedent for similar applications in the area and across the district;
- Mr. Barrington felt that there had been a misrepresentation as the route of the footpath as indicated by the agent had been incorrect.

Councillor Graham Pask noted that at the recent site visit Members walked the footpath and he queried whether the route of the footpath was now shown correctly on the plan. Mr. Barrington confirmed that the route indicated by the agent had been incorrect but that the footpath as walked was correctly shown on the plan included in the agenda papers.

Mr. Rowles in addressing the Committee raised the following points:

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- Mr. Rowles confirmed that he had called in the planning application in February 2015, whilst still a District Councillor, as it had been recommended for refusal by Officers under delegated powers;
- Mr. Rowles respected the views of Officers and other interested parties but on the whole he felt that this was a balanced application;
- The three main objections to the application were in relation to (i) that it was out of character with the street scene; (ii) there was a significant increase in the floor area; and (iii) it could be seen from the footpath;
- Other properties in Craven Road had been increased substantially and in particular The Oaks, although it might not have been increased by 200% it had been increased by over 50%. He felt that it was unfair that dwellings could only be increased by 50% in the countryside whereas in the towns it was possible to increase the size of a property by 100%;
- Craven Road was rural in nature and part of the character of the area was the diversity within it – there were Council houses at one end and a public house at the other with a range of cottages, bungalows and houses interspersed along the road. One cottage along the road had Dutch style windows;
- Mr. Rowles queried whether ribbon development was right for Inkpen;
- In regard to the issue of the footpath he questioned whether the proposed development would be seen from the footpath. Even if part of it could be seen from the footpath he could not see anything wrong with that as other properties were in sight along the footpath and he therefore did not understand the need to preserve the view;
- Mr. Rowles asked the Committee to approve the application.

Councillor Garth Simpson asked for clarification as to whether Vale Farm had originally been a bungalow. Mr. Rowles confirmed that it had been a bungalow and was now a two storey dwelling. He thought that the premises were currently used as an equestrian facility.

Councillor Alan Macro queried the statement in relation to the percentage increase in the countryside as opposed to the town and did not think that it was correct. Councillor Alan Law confirmed that there was no prescriptive rule around the percentage increase inside settlements but that it was around bulk and proportionality.

Councillor Alan Law asked for comments from Officers as to whether they considered that the decision on the application had been finely balanced as suggested by Mr. Rowles. The Planning Officer confirmed that there were clear reasons for refusal of the application.

Mr. Spiller in addressing the Committee raised the following points:

- Mr. Spiller stated that Supplementary Planning Guidance noted that either volume or area comparisons could be used. Consequently a volume comparison had been used which indicated that the proposed dwelling was 75% bigger in volume than the existing bungalow but only 42% when the detached garage was included in the calculations. There was commentary to support the view that the garage could be included;
- In terms of the ridge height the proposed dwelling was only 1.2m higher than the existing bungalow and it was 1.5 storeys high and not 2 as had been stated and therefore the impact would be minimal;

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- Mr. Spiller referred to the previous scheme and the reasons for dismissal of the appeal. The main concern had been around the visual impact of the proposed dwelling from the footpath. In order to mitigate this, the size of the dwelling had been reduced by approximately 0.7m in height, 69sq.m. in floor area and 217 cubic metres in volume and it had been rotated so that the distance between the rear of the proposed dwelling and the rear residential boundary had been increased by 5m at the closest point. Photographs taken in January showed that it was not possible to see the current property from the footpath and it would not be possible to see the new one either;
- Another concern had been around the volume increase of 75% which it was felt was disproportionate. Mr. Spiller confirmed that the proposed dwelling would be lower on the site on sloping ground and therefore the impact would be minimal;
- Mr. Spiller stated that there did not appear to be a distinct building line along Craven Road. The new dwelling faced Craven Road but would be set back;
- There were other examples of dwellings with gables in the surrounding area.

Councillor Pamela Bale asked for clarification that the roof height was 1.2m higher than the existing dwelling but that the proposed dwelling would be set down lower in the site. Mr. Spiller confirmed that that was the case.

Councillor Keith Chopping referred to the comment made by Inkpen Parish Council that the applicant appeared to have little concern for the countryside. Councillor Chopping felt that the proposed dwelling had been designed sensitively, the impact on the site would be minimal and that it would not be visible from the footpath. There was an existing bank on the property which it was proposed would be extended round to the front of the site.

Councillor Graham Pask asked for comments on the relevance of including the garage when calculating the volume. He also asked whether the bungalow had been subject to any previous extension. Mr. Spiller responded that when calculating the additional volume this would not normally include any outbuildings but they could be considered on their own merit. This was a detached garage within a residential curtilage and the Council could include it in the calculations if it wished to do so. Councillor Pask noted that this would be quite a large house and he therefore questioned whether further applications would be likely to be made in the future for the construction of a garage. Mr. Spiller confirmed that the applicant used the current garage as a gym which was being accommodated within the proposed dwelling and he therefore would not have a need for a garage in the future. Mr. Spiller informed Members that the bungalow has last been extended in 1977. Councillor Pask queried whether the percentage calculations had been based on the bungalow as built or on the existing footprint. Mr. Spiller confirmed that they were based on its current form.

Councillor Hilary Cole raised concerns around the curtilage and in particular the incursion into the wildlife area. On the site visit she noticed that the green area of land had fruit trees on it and she queried if that had been an orchard at some stage. Mr. Spiller stated that he did not know the history of the site but he had been told that it was agricultural land. A few years ago a Certificate of Lawful Use had been applied for but there had been no evidence to prove that it had been used as a garden for 10 years or more.

Councillors Anthony Stansfeld and James Cole, as Ward Members, in addressing the Committee raised the following points:

- Councillor Anthony Stansfeld stated that it would be unusual to over-rule a clear recommendation from Officers and the Parish Council for refusal of the application;

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- The decision taken by the Western Area Planning Committee to approve the application went against the Inkpen Village Design Statement and a number of West Berkshire Council policies such as the Local Plan and the AONB Management Plan. There was no point in having these policies in place if they were routinely over-ruled;
- Approval of this application would open the door for the development of further large houses which would mean that the opportunity for people to downsize would be reduced;
- Councillor James Cole confirmed that the application was for a large house which he felt would need additional outbuildings for storage etc;
- The grassed area to the rear of the property had been cut quite low and it was obvious that the intent would be to include this within the garden area of the property;
- Councillor James Cole referred to the comments from the Tree Officer which had been included on the Update Sheet. One of the large pine trees on the site which would be adversely impacted by the proposed development and there was a possibility that it would go into decline or die as a result of damage to the crown and roots due to the close proximity of the proposed dwelling;
- Councillor James Cole was in agreement with the comments made by the Parish Council and stated that the number of medium to large houses built in Inkpen had increased dramatically recently and he was of the opinion that no value to the community would be achieved through this application.

Councillor Paul Bryant asked how this proposed development went against the Inkpen Village Design Statement (VDS). Councillor Stansfeld stated that the VDS was against small houses being developed into larger houses as this did not provide the sort of accommodation that young people could aspire to.

The Planning Officer referred to paragraph 6.1.5 of the report to the Western Area Planning Committee where it stated that criterion b) of Policy ENV23 specifically referred to the dwelling being replaced and not the original dwelling. As such it was the existing dwelling upon which the calculations had been based. Paragraph 6.1.12 went on to say that the existing dwelling had been extensively extended upon the original. The original dwelling was considered to have been approximately 74sq.m. in floor area and as such the proposal would result in an increase in floor area of approximately 692% upon the original dwelling.

David Pearson, the Development Control Team Leader, stated that there had been a number of comments on the various issues and that it was up to Members to determine the application and to decide whether the material circumstances warranted refusal of the application. It was necessary to consider the material circumstances, what those might be and the impact of any decision across the district as a whole. In the Inspector's appeal report there had been little comment around the disproportionality but more around the high quality of the design.

Councillor Alan Law asked for clarification from Officers as to whether the garage should be included in the calculations or not. The Planning Officer referred Councillor Law to paragraph 6.1.9 of the Western Area Planning Committee report which stated that 'The loss of an existing outbuilding is a material consideration that would weigh in favour of the proposal. However, as the outbuilding is located approximately 10 metres from the existing dwelling this outbuilding would not be included in the calculations for percentage increase, in accordance with the SPG 'Replacement Dwellings and Extensions to

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Dwellings in the Countryside'. Paragraph 9 of the appeal decision also stated that 'Whilst the existing garage would be removed, the volume of this, being noticeably detached from the main dwelling, does not have the same visual or massing effect as would be the case with that volume being consolidated in the one proposed building.'

In considering the above application Councillor Graham Pask referred to the policy around proportionality. Residents in the district had previously expressed concerns on this issue which was why the policy had been developed and adopted and whilst Councillor Pask had some sympathy with the applicant he was of the opinion that the rules on proportionality had been stretched too far in this instance. He confirmed that he had read through the appeal decision for the previous application and he was struggling to see the main differences between the two applications. The CPRE and the North Wessex Downs AONB were also against the proposed development.

Councillor Keith Chopping was troubled by the application. A whole range of percentages and calculations had been referred to during the discussion on the application. He confirmed that he had no problem with the replacement of the bungalow with a house in this instance. The issue with the right of way could be a red herring as the footpath to the right of the development site ran through two existing buildings. He felt that the dwelling would sit well on the site and was of a good design using high quality materials and that the view from existing properties would not be affected. Councillor Chopping referred to paragraph 115 of the National Planning Policy Framework as mentioned in the Inspector's report and he was of the opinion that this referred to sweeping downlands and therefore was not relevant in this instance. He did, however, feel that the dwelling was sited too far back on the site.

Councillor Garth Simpson had a number of issues such as the SSSI, the Wildlife Heritage Site, the hard edge, the building line and volumes. He was most concerned about the volumes and he felt that further out-buildings would be required on the site for storage of garden equipment and tools. The issue around the footpath seemed to be over emphasised as he felt that the proposed dwelling would be less intrusive as it would be built from high quality materials. He had concerns around the village of Inkpen losing existing dwellings and being replaced by large properties which no-one would be able to afford.

Councillor Hilary Cole confirmed that when this application had been considered at the Western Area Planning Committee on 10th June 2015 she had been Portfolio Holder. The determination of the application by the Western Area Planning Committee had been unanimous. She felt that the house would sit low in the site and would be sheltered. The AONB was a consideration but she referred to Honeysuckle Cottage which was sited on higher ground and therefore was more intrusive. The close boarded fence around the current property was unlawful and was not particularly attractive and she felt that it had been disappointing that the CPRE and Inkpen Public Rights of Way Committee had not responded in time when the application had been considered by the Western Area Planning Committee. In relation to the appeal decision she stated that at times the Planning Inspectorate did make decisions which were not reasonable and therefore too much emphasis should not be placed upon that although it was recognised that it was a material consideration. Councillor Cole confirmed that she was still minded to support the application.

Councillor Paul Bryant stated that the key issue was around the numbers and the size and mass of the dwelling. The design of the building was modern but it was attractive and there was a variety of building designs along that road. The site was fairly sheltered and therefore the dwelling would not be highly visible and he felt that the view from the footpath of an attractive house would not be intrusive. Councillor Bryant recognised that

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Inkpen was in need of more starter homes and the proposed dwelling did not fall into that category as it was a five-bedroomed house.

Councillor Virginia von Celsing concurred with the comments already made. The footpaths around Inkpen did already go through built up areas and therefore this was not an issue. If the application was approved she suggested that a condition be included to remove the spruces which were not natural to the downland area.

Councillor Pamela Bale noted that this was a proposal to replace a small dwelling with a large house and Members needed to be mindful of the comments from the Parish Council. Parish Council's had been asked to produce Village Design Statements and therefore they should be taken into account when determining planning applications.

Councillor Paul Hewer confirmed that he was struggling to support the Officer recommendation. He knew the site well and he felt that the proposed development would sit nicely in that area.

Councillor Alan Law noted that a number of Members had made reference to the percentage increases and the figures of 50% and 100% were only there for guidance. The key issue was around proportionality and Members would need to decide whether the proposed application was too large. Should Members be minded to approve the application then they would need to consider what the special circumstances were in order to over-rule the Officer recommendation.

Councillor Graham Pask liked the design of the dwelling and felt that it sat well on the site. However, the proposed application was against policy and he therefore proposed the Officer recommendation to refuse planning permission. This was seconded by Councillor Pamela Bale. The Chairman invited Members of the Committee to vote on the proposal to refuse planning permission but this was lost on the vote.

A counter proposal to go against the Officer recommendation and grant planning permission was proposed by Councillor Hilary Cole and was seconded by Councillor Paul Hewer. This would include the additional condition as set out in the Update Sheet around details of the finished floor levels. It was also noted that Permitted Development Rights would be removed. Again the Chairman invited Members of the Committee to vote on the proposal to grant planning permission and this was carried on the vote.

The special circumstances for allowing this planning application were in relation to:

- The impact of this development in relation to size and massing on the surrounding areas would not be as great as had been suggested;
- The Committee disagreed with the Planning Inspector in relation to the view of the proposed development from the footpath in open countryside.

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

Conditions

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby approved shall be carried out in accordance with drawing title numbers P-21-001 Rev PL1, P-20-002 Rev PL1, P-20-001 Rev PL1, P-01-002 Rev PL1, P-00-002 Rev PL1 and E_00_001 Rev PL1 received on 2nd February 2015 and drawing title number P-01-001 Rev PL1 received on 6th May 2015.

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

3. No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the building hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials. Samples shall be made available to be viewed at the site or by arrangement with the Planning Officer.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV23 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Inkpen Village Design Statement (2002) and Supplementary Planning Document Quality Design (June 2006).

4. No development or other operations shall commence on site until a scheme of fencing and other means of enclosure to be erected on the site is submitted to and approved in writing by the Local Planning Authority and no buildings shall be occupied before the fencing and other means of enclosure have been erected to the satisfaction of the Local Planning Authority. The scheme of fencing must include a boundary treatment along the north-eastern boundary of the residential curtilage.

Reason: The fencing and other means of enclosure are essential elements in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these. Furthermore a strong boundary treatment is required along the north-eastern boundary of the residential curtilage to ensure that a change of use of the amenity land to the north east does not occur. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policies ENV22 and ENV23 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Inkpen Village Design Statement (2002) and Supplementary Planning Document Quality Design (June 2006).

5. 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 temporary 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, visitors, and other persons working on the site 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 offsite 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 Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing (to incorporate

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the use of a porous material to any hard surfaced areas) and materials to be used, a schedule of plants (noting species, plant sizes and proposed numbers/densities), an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- a) completion of the approved landscaping scheme within the first planting season following the completion of the development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority as part of the details submitted for this condition; and
- b) any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the next planting season by plants of the same size and species; and
- c) details of the carrying out of any earth moving operations concurrently with the carrying out of the building and other works.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping and hard surfacing in the interests of visual amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS16 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV23 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Inkpen Village Design Statement (2002) and Supplementary Planning Document Quality Design (June 2006).

7. No development or other operations (including site clearance and any other preparatory works) shall take place until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, to be 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. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV23 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Inkpen Village Design Statement (2002) and Supplementary Planning Document Quality Design (June 2006).

8. No development or other operations shall take place until details of the proposed access, hard surfacing, drainage, soakaways and services providing for the protection of the root zones of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.

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Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV23 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Inkpen Village Design Statement (2002) and Supplementary Planning Document Quality Design (June 2006).

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

Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV23 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Inkpen Village Design Statement (2002) and Supplementary Planning Document Quality Design (June 2006).

10. The dwelling hereby approved shall not be occupied until a detailed site management plan that maintains and enhances the designated Local Wildlife Site to the rear of the site, within the blue line area shown on drawing number E_00_001 Rev PL1 received on 2nd February 2015, has been submitted to and approved in writing by the Local Planning Authority. Such approved plan will be implemented in full.

Reason: To ensure a suitable plan for biodiversity opportunity within the designated Local Wildlife Site is achieved. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Core Strategy (2006-2026).

11. The dwelling hereby approved shall not be occupied until the vehicle parking and turning space have been provided in accordance with the approved plans. The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided for adequate parking facilities in order to reduce the likelihood of roadside parking which would be a danger to other road users in accordance with Policy 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. The dwelling hereby permitted 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). The dwelling shall not 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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13. No demolition or construction works shall take place outside the following hours:
7:30am to 6:00pm Mondays to Fridays;
8:30am to 1:00pm Saturdays;
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

14. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding AONB. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Policy ENV23 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 as well as Supplementary Planning Document Quality Design (June 2006).

15. No development shall commence until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby approved shall not be occupied until the external lighting has been implemented in accordance with the approved details. No additional external lighting shall be installed on the site without the prior approval in writing of the Local Planning Authority by way of a formal planning application made for that purpose.

Reason: The site is located within the North Wessex Downs AONB and the area is unlit at night and benefits from dark skies. Inappropriate external lighting would harm the special rural character of the AONB. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV23 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Inkpen Village Design Statement (2002) and Supplementary Planning Document Quality Design (June 2006).

16. No development shall take place until details of the finished floor levels of the dwelling hereby permitted in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

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(The meeting commenced at 6.30 pm and closed at 8.10 pm)

CHAIRMAN

Date of Signature