

Notice of Meeting



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Western Area Planning Committee Wednesday 10 October 2018 at 6.30pm in the 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.

Further information for members of the public

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded. **Those taking part in Public Speaking are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.**

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 Jo Reeves on (01635) 519486 Email: joanna.reeves@westberks.gov.uk

Date of despatch of Agenda: Tuesday, 2 October 2018



Agenda - Western Area Planning Committee to be held on Wednesday, 10 October 2018
(continued)

To: Councillors Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Hilary Cole, James Cole, Billy Drummond, Adrian Edwards, Paul Hewer, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing

Substitutes: Councillors Jeremy Bartlett, Jeanette Clifford, Mike Johnston and Gordon Lundie

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
 2. **Minutes** 5 - 8
To approve as a correct record the Minutes of the meeting of this Committee held on 19 September 2018.
 3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
 4. **Schedule of Planning Applications**
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).
- (1) **Application No. and Parish: 18/01564/FULD - The Coach, Worlds End, Beedon, RG20 8SD** 9 - 26
- Proposal:** Erection of 2 semi-detached dwellings within curtilage of public house.
- Location:** The Coach, Worlds End, Beedon, RG20 8SD.
- Applicant:** Mr Thomson, Newperties Ltd.
- Recommendation:** **The Head of Development and Planning be authorised to grant planning permission.**



Agenda - Western Area Planning Committee to be held on Wednesday, 10 October 2018
(continued)

- (2) **Application No. and Parish: 18/01883/FULD - Land to the rear of The Sheiling, School Lane, East Garston, RG17 7HR** 27 - 38
Proposal: Conversion of existing stables and storage barn including new linking extension to form a 3 bedroom residential dwelling.
Location: Land to the rear of The Sheiling, School Lane, East Garston, RG17 7HR.
Applicant: Mr Davies and Dr Morgan-Jones.
Recommendation: **The Head of Development and Planning be authorised to refuse planning permission.**
- (3) **Application No. and Parish: 18/01646/HOUSE - Oakville, Ashmore Green Road, Ashmore Green, Thatcham** 39 - 46
Proposal: Remove conservatory and replace with part 1 part 2 storey extension
Location: Oakville, Ashmore Green Road, Ashmore Green, Thatcham
Applicant: Mr and Mrs Mercer
Recommendation: **The Head of Development and Planning be authorised to REFUSE planning permission.**

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

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



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Agenda Item 2.

DRAFT

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 19 SEPTEMBER 2018

Councillors Present: Jeff Beck, Paul Bryant (Vice-Chairman), Hilary Cole, James Cole, Adrian Edwards, Clive Hooker (Chairman), Anthony Pick and Virginia von Celsing

Also Present: Derek Carnegie (Team Leader - Development Control) and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Dennis Benneyworth, Councillor Billy Drummond and Councillor Garth Simpson

Councillor Absent: Councillor Paul Hewer

PART I

18. Minutes

The Minutes of the meeting held on 29 August 2018 were approved as a true and correct record and signed by the Chairman.

19. Declarations of Interest

There were no declarations of interest received.

20. Schedule of Planning Applications

(1) Application No. and Parish: 18/01914/HOUSE - Cherry Hinton, Newbury Hill, Hampstead Norreys

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/01914/HOUSE in respect of a proposed two storey side extension at Cherry Hinton, Newbury Hill, Hampstead Norreys.
2. In accordance with the Council's Constitution, Mr David Barlow, Parish Council representative and Mr Andy Wilcock and Ms Theresa Fleetwood, objectors, addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy and other material considerations. In conclusion the reports detailed that the proposals were acceptable and conditional approval was justifiable. Officers clearly recommended the Committee grant planning permission.
4. Councillor Barlow in addressing the Committee raised the following points:
 - The proposed development was inappropriate as it would be in close proximity to adjacent properties.
 - The drawings presented to the Committee were misleading and did not display the position of the garage to 1 Church Street correctly. The Committee would therefore not be able to understand the shadowing caused by the extension correctly.

WESTERN AREA PLANNING COMMITTEE - 19 SEPTEMBER 2018 - MINUTES

- A single storey extension was in the process of being constructed under permitted development rights to the rear of Cherry Hinton and therefore the plans misrepresented the total development to be undertaken on the site.
 - The residents of 1 Church Street were unhappy that their courtyard garden would be overshadowed by a high towering wall.
 - Policy CS14 stated that developments should make a positive contribution to the area, which the extension would not.
5. Councillor Anthony Pick asked what the typical separation between houses in Hamstead Norreys was. Councillor Barlow advised that it varied.
6. Ms Fleetwood in addressing the Committee raised the following points:
- She had occupied 1 Church Street, which bordered Cherry Hinton to the rear, for 12 years.
 - After the previous owner passed away, it was anticipated that improvements to the property would be made however Ms Fleetwood reported she remained in shock regarding the impact and scale of the proposals.
 - The impact of the development was understated as the plans did not show the extension currently being built to the rear.
 - The case officer wrote to the applicant in May 2018 to express concerns regarding the dominance of the proposed extension and the loss of gap between properties. The revised plans did not address the case officer's concerns and overall size reduction had been less than 10%.
 - The House Extensions Supplementary Planning Guidance (SPG) (2004) set out that light and overshadowing was a key consideration regarding the impact on neighbours. There would be a significant impact on light loss and Ms Fleetwood advised her kitchen would never receive sunlight again.
 - Cherry Hinton was on higher ground than 1 Church Street which exacerbated the impact of the height of the proposed extension.
 - The extension would deny other properties the view of the church spire.
7. Councillor Adrian Edwards asked whether the applicant had discussed the revised plans with Ms Fleetwood, who confirmed he had. Councillor Edwards asked how the gap between properties would be reduced. Ms Fleetwood advised that a path to 1 Church Street ran alongside Cherry Hinton and the extension would be closer to the path than the current building.
8. In response to discussions regarding the plans, Mr Wilcock advised that the block plan being projected was incorrect and the total height of the extension from 1 Church Street, including the different ground height, would be 28ft.
9. Councillor Hilary Cole asked whether the House Extensions SPG (2004) had not been superseded by the Development Plan Document (DPD) in 2016. Mr Wilcock advised it was the most recent document on the Council's website.
10. Councillor Hilary Cole further asked whether Flint House had already been built when Ms Fleetwood moved into 1 Church Street. Ms Fleetwood confirmed it had.
11. Councillor Bryant observed that 1 Church Street should still get midday sun but would not receive sunlight in the late afternoon.

WESTERN AREA PLANNING COMMITTEE - 19 SEPTEMBER 2018 - MINUTES

- 12. Councillor Virginia von Celsing in addressing the Committee as Ward Member raised the following points:
 - The Parish Council had unanimously voted to object to the proposed development.
 - She was concerned regarding the potential inaccuracy of the block plan.
 - The proposed development would be too high density.
- 13. Councillor James Cole requested clarification regarding the potential inaccuracy of the plans. Derek Carnegie advised that the applicant had submitted plans based on Ordnance Survey data and officers were satisfied that the implications of the application were acceptable.
- 14. In response to a question from Councillor Bryant, Derek Carnegie confirmed that planning was a subjective discipline and officers were content with the drawings provided by the applicant.
- 15. Councillor Bryant noted that the National Planning Policy Framework required developments to contribute to the street scene and asked whether that applied from the back of the dwellings. Derek Carnegie advised that it could be argued that the extension would contribute to the family's enjoyment of their home.
- 16. Councillor Hilary Cole asked whether the 2004 guidance on extensions was a saved policy; Derek Carnegie responded that it was still relevant to determination of the application.
- 17. Councillor Pick asked what the distance would be between the extension and the garage belonging to 1 Church Street. Derek Carnegie estimated that it would be 1.5m and the distance between the ridge lines would be around 2m. Councillor Pick asked whether a precedent would be set if the Committee were to approve the application; Derek Carnegie responded that any other application would be considered on its own merits so a precedent was unlikely.
- 18. After a discussion regarding which was the correct block plan, Councillor Hilary Cole suggested deferring the application until the issue could be resolved.
- 19. Councillor Beck reported that at the site visit Members had requested sight of the memo sent by the case officer to the applicant regarding the original application and reiterated that he thought this should be provided to the Committee. Derek Carnegie advised that it was common practice for the case officer to correspond with the applicant to set out any concerns and that the case officer had been satisfied their concerns were addressed in the amended plans.
- 20. Councillor Hilary Cole proposed that the Committee defer determination of the application until the block plans could be clarified. She highlighted that the Council could be subject to challenge if the Committee made a decision on information they were not sure of. The proposal was seconded by Councillor von Celsing. The Chairman put the proposal to Committee and at the vote was carried.

RESOLVED that determination be deferred.

(The meeting commenced at 6.30 pm and closed at 7.30 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	18/01564/FULD	28 August 2018 Extension of time until 11 October 2018	Erection of 2 semi-detached dwellings within curtilage of public house. The Coach, Worlds End, Beedon, RG20 8SD. Mr Thomson, Newperties Ltd.

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/01564/FULD>

Recommendation Summary: **The Head of Development and Planning be authorised to grant planning permission.**

Ward Member: Clive Hooker.

Reason for Committee Determination: More than 10 letters of objection.

Committee Site Visit: 4th October 2018.

Contact Officer Details

Name: Lydia Mather
Job Title: Senior Planning Officer
Tel No: (01635) 519111
E-mail Address: Lydia.mather@westberks.gov.uk

1. Site History

07/01143/FUL, 2007, Approval of extensions, alterations to form new kitchen, entrance lobby with level access and disabled toilet.

09/00639/COND1, 2009, Approval of details reserved by conditions 5, 6, 7 and 9 of permission 07/01143/FUL (odour, noise, waste disposal and air handling plant).

2. Publicity of Application

Site Notice Expired: 16 August 2018

3. Consultations and Representations

Parish Council:	Objection.
Highways:	Details on deliveries and turning for larger vehicles awaited. No objection to other matters subject to conditions.
Environmental Health:	No objection subject to conditions.
Tree Officer:	No objection subject to conditions.
Archaeology:	No objection subject to condition.
Waste Management:	No objection.
Public Rights of Way:	No objection subject to infomatives.
Thames Water:	No comments received.
Environment Agency:	No comments received.
Ecology:	No comments received.
CAMRA:	No comments received.
Ramblers' Association:	No comments received.
North Wessex Downs Area of Outstanding Natural Beauty:	No comments received.
Land Drainage:	No comments received.

Correspondence:

52 letters of objection. Matters raised:

- Proposed dwellings are over development involving the loss of utilities storage, car parking for the public house and its beer garden;
- Proposed dwellings are modern in design out of keeping with the traditional character of the area and the setting in the AONB;
- History of flooding to be exacerbated by loss of beer garden for surface water run off to drain into;
- Proposed dwellings will impact the viability of the public house in the short and long term and its use as a community asset;
- The proposed access width and parking layout is inadequate leading to on road parking, lack of segregation of vehicles and pedestrian, poor sight lines, conflict between public house users and residents parking;
- Loss of the public house beer garden;
- Loss of privacy of and overlooking into the neighbouring property, uncertainty in plans as to the boundary treatments;
- Poor quality of amenity for proposed dwellings adjacent to public house and car park;
- Lack of information on access and parking for deliveries and refuse collection vehicles;
- Loss of trees on boundary and within beer garden and associated impact on ecology.

4. Policy Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

The statutory development plan comprises:

- The West Berkshire Core Strategy 2006-2026
- Housing Site Allocations Development Plan Document 2006-2026
- The West Berkshire District Local Plan 1991-2006 Saved Policies 2007
- The South East Plan 2009 insofar as Policy NRM6 applies
- The Replacement Minerals Local Plan for Berkshire 2001
- The Waste Local Plan for Berkshire 1998

The Core Strategy and Housing Site Allocation policies carry full weight, whilst the saved policies of the West Berkshire Local Plan Saved Policies carry due weight according to their degree of conformity with the National Planning Policy Framework.

Core Strategy: Area Delivery Plan Policy 1: Spatial Strategy,
Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty,
CS1: Delivering New Homes and Retaining the Housing Stock,

CS4: Housing Type and Mix,
CS10: Rural Economy,
CS11: Hierarchy of Centres,
CS13: Transport,
CS14: Design Principles,
CS16: Flooding,
CS17: Biodiversity,
CS18: Green Infrastructure,
CS 19: Historic Environment and Landscape Character

Housing Site Allocations: C1: Location of New Housing in the Countryside,
C3: Design of Housing in the Countryside,
P1: Parking for New Residential Development.

Local Plan: OVS.5: Environmental Nuisance and Pollution Control,
OVS.5: Noise Pollution,
TRANS.1: Meeting the Transport Needs of New Development.

Supplementary Planning Document: Quality Design,
Supplementary Planning Guidance: Public Houses.

Other material Considerations: National Planning Policy Framework 2018
National Planning Practice Guidance
Manual for Streets
North Wessex Downs Area of Outstanding Natural Beauty
Management Plan 2014-2019

5. Description of Development

5.1 The application is for two houses as a semi-detached pair to the south west side boundary of The Coach public house. The houses would be similar in height to the main part of the public house, and set back from the edge of the pavement to be roughly in line with the public house, with gardens to the rear. A total of five car parking spaces are proposed for the dwellings, two at the front and three to the rear.

5.2 The proposed development is over the main car parking area and some of the beer garden of the public house, as well as involving the demolition of a store and other utility structures. It is proposed for the remainder of the beer garden to become the main car park. In total there would be 18 car parking spaces for the public house.

5.3 The proposed dwellings would be two storey with double dual pitched roofs on the side elevation. The first floor would be partly within the roof with dormers on the front and rear elevation. The front elevation would also have a mono-pitched single storey joined porch. The rear balconies have been amended to Juliet balconies. The proposed materials are brick and render walls at ground floor with tile hanging at first floor. The roof would be orange/red tile, and the windows a mixture of casement on the front elevation ground floor, dormer and velux-style. Close boarded fencing is proposed for the rear gardens.

- 5.4 The site is outside of a planning policy defined settlement boundary and within the North Wessex Downs Area of Outstanding Natural Beauty. It is in an area of archaeological interest.

6. Consideration of the Proposal

PRINCIPLE OF DEVELOPMENT

- 6.1 Policy C1 of the Housing Site Allocations DPD has a presumption against new housing outside of settlement boundaries. However, it does allow for some development in settlements with no defined settlement boundary. It states,

“In settlements in the countryside with no defined settlement boundary, limited infill development may be considered where:

- i. It is within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway; and*
- ii. The scale of development consists of infilling a small undeveloped plot commensurate with the scale and character of existing dwellings within an otherwise built up frontage; and*
- iii. It does not extend the existing frontage; and*
- iv. The plot size and spacing between dwellings is similar to adjacent properties and respects the rural character and street scene of the locality...”*

- 6.2 World’s End, Beedon is a settlement without a defined settlement boundary. The site has houses to the north, south and west which are sited fronting the road. The immediate surroundings on the east side of the road are closely knit, although further south and on the other side of the road to the north the dwellings are less closely knit.

- 6.3 The plot is small, although not completely undeveloped with the storage building required to be removed. There are a wide variety of plot sizes and spacing between dwellings in the area, in particular the two dwellings to the immediate north of the Coach public house are similar to the plots and spacing for the dwellings proposed. The immediate frontage is relatively built up, although less so further north, south and west, but would not be extended by the proposed dwellings.

- 6.4 There are other Core Strategy policies which relate to new housing. Policy CS1 does not identify land outside settlement boundaries as suitable, it directs housing to “primarily” allocated sites and land within settlements. Under Policy ADPP1 only appropriate limited development will be allowed in the countryside, focusing on addressing identified need and maintaining a strong rural economy.

- 6.5 The supply of housing in the Area of Outstanding Natural Beauty (AONB) is not forecast to fall short of the 2,000 maximum under policy ADPP5, although a small allowance for some housing units through windfall sites is included in this figure. Policy ADPP5 also makes some allowance for infill development. As the development is for housing it has a limited input into the rural economy compared to a business use. Whilst there may not be a specific identified need for housing in this location, 2 units would not necessarily prejudice the overall supply of housing in the AONB either.

- 6.6 Due to the varied pattern of development in the area there are some sites of a size and spacing which are similar to this site, and some which are not. Taken overall

the site and its more immediate surroundings are on balance considered to be in accordance with policies ADPP1, ADPP5, and C1 in terms of the principle of housing development.

DESIGN AND IMPACT ON THE CHARACTER OF THE AREA

6.7 Core Strategy Policy ADPP5 requires development to respond positively to the local context, conserve and enhance the sense of place and setting of the AONB. Policy ADPP1 states that “the scale and density of development will be related to the site’s current or proposed accessibility, character and surroundings.” Policy CS14 requires development to be of high quality design that respects and enhances the character of the area, and the design and layout are to be informed by the wider context not just the immediate area. Development will also contribute positively to sense of place. Policy CS19 requires consideration to be given to the sensitivity of the area to change, that new development be appropriate in location, scale and design in the context of the existing settlement pattern, form and character.

6.8 Of the Housing Site Allocations DPD policy C1 in addition to the criteria i. to iv. states:-

“Planning permission will not be granted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB or where development would have an adverse cumulative impact on the environment or highway safety.”

Policy C3 relates to design and requires housing development in the countryside to have regard to the character of the area as well as landscape character and sensitivity to change. Regard is also to be paid to the Quality Design SPD.

6.9 Given the current characteristics of the site within the curtilage of a public house, as well as being within a residential area with a variety of house designs, the sensitivity of the area to change is not as great as a more open, remote site in the countryside would be. There are examples of render/painted brick, red brick, red roof tiles and dormer windows locally. As previously discussed there are also examples of semi-detached properties. Whilst the proposed design is more contemporary than the buildings it is immediately adjacent to, it has responded to the general characteristics of the area and it is primarily the fenestration with the high level first floor windows in the apex of the gable ends on the side elevations and Juliet balconies to the rear that are more contemporary design features.

6.10 In terms of layout where policy C1 of the Housing Site Allocations DPD requires development to front the highway, this limits the layout opportunities. Having a public house car park set behind buildings is also not unusual. Having dwellings adjacent to one another rather than set back also limits direct overlooking from first floor windows directly facing one another.

6.11 The proposed dwellings will enclose the area currently used as the public house car park and storage building. This will impact on the street scene and character of the area. However, the degree of impact is not considered so harmful as to warrant refusal. The front elevation is shorter than the attached dwellings the other side of the public house, as well as the public house itself. That the dwellings are greater in

depth than other dwellings locally will not be evident in the street scene and is no greater than the public house or the adjacent property which is at 90 degrees to the road.

- 6.12 There are a number of trees and shrubs within and just over the boundary of the site. A tree report has been submitted and a constraints plan indicating the areas where tree protective fencing is required, a temporary site storage area during construction, and an area of no dig sub-base with porous surface for 3 of the car parking spaces. Two new trees are proposed in the rear garden of one of the dwellings.
- 6.13 The Council's Tree Officer required the tree survey and has been consulted on the documents. They accept the findings which are to be secured by condition for the tree protection, landscaping to provide the new trees and the 'non dig' sub base.
- 6.14 Boundary treatments are proposed to the rear gardens of the proposed dwellings. They would be close boarded but the height has not been advised. It is also not clear from the plans whether it would include a fence along the north boundary with the neighbouring property where there is also a wall (shown on the tree constraints plan). A condition for further details of the boundary treatments to address this is recommended.
- 6.15 The site is in an area of archaeological interest and the Council's Archaeologist has been consulted on the application. They advise the site is of some historic and archaeological interest, and the applicants have commissioned a well-researched Heritage Statement and archaeological desk-based assessment which considers this interest. There was a dwelling on part of the development site from at least the 19th century up until the 1950s: there may therefore be below ground remains of this cottage. In addition features of Late Iron Age to early Roman date were found during an evaluation nearby in 1997.
- 6.16 Due to this archaeological potential Officers suggest that the applicants be asked to commission a programme of archaeological supervision (watching brief) during the excavation of the foundations and any related groundworks for the dwellings. This can be secured as a condition.
- 6.17 Beedon Footpath 18 is opposite the application site. The Public Rights of Way Officer has confirmed that it would not be affected by the proposed development but recommends informatives during construction works.
- 6.18 Overall the design and impact on the character of the area is considered on balance to be in accordance with the development plan policies.

QUALITY OF LIFE

- 6.19 Policies CS14 and CS19 of the Core Strategy require development to contribute positively to quality of life. The Quality Design SPD and its reference to the House Extensions SPG outline considerations with regard to private amenity space provision, daylight and outlook.
- 6.20 The proposed dwellings will impact the amenity of the occupant of the dwelling to the south of the site. All but one of the windows that will be affected on the north

elevation of that dwelling are not habitable rooms. The window that is a habitable room serves a ground floor study which is close to the enclosed boundary. Unfortunately the existing circumstances are such that the outlook from this window and the amount of light that can enter are already limited. The additional bulk of the proposed dwellings would not alter the outlook and being to the north the additional loss of light is not considered so harmful as to warrant refusal.

- 6.21 Where the proposed dwellings are alongside the neighbouring property, the first floor windows serve bathrooms and not habitable rooms. The windows in the apex of the gable ends are high level and above head height. As such the proposed dwellings would not directly overlook the neighbouring property.
- 6.22 The rear elevation balconies have been removed and replaced with Juliet balconies. This was due to the slightly off set rear gardens proposed which would result in direct overlooking at a high level whilst standing on the balcony.
- 6.23 The rear gardens meet the minimum 100m² area outlined in the Quality Design SPD for each proposed dwelling. The garden of the dwelling proposed closest to the boundary would be overshadowed by neighbouring trees, but would not cause significant loss of light into the dwelling itself.
- 6.24 Environmental Health have been consulted on the application. They note occupants of the proposed dwellings may be affected by noise from the A34 to the east, and noise and odour from the kitchen extractor in the public house. They advise that conditions be applied should the application be granted permission for a scheme of works to minimise the effects of odour and noise.
- 6.25 Environmental Health also note that where the development is over a car park there may be land contamination. A condition is recommended for a watching brief for unforeseen land contamination in order to protect future occupants from potential contamination.
- 6.26 The application raises a number of quality of life issues outlined above. Environmental Health have advised that potential disturbance from odour and noise can be mitigated by conditions, as well as land contamination. The proposed dwellings would have adequate private amenity space, would not directly overlook the neighbouring property, and whilst the buildings would cause additional loss of light into a window of the neighbouring property due to the current circumstances of that window already receives limited light and has a limited outlook. Overall the impact on quality of life is considered acceptable under development plan policies and guidance.

HIGHWAYS

- 6.27 Submitted plans indicate the public house currently has a parking area that can accommodate up to 17 vehicles. The proposed plans indicate that 18 spaces can be re-provided by using the current pub garden to the east of the site, with an access of 4.6 metres between the side elevation of the public house and the nearest proposed dwelling.
- 6.28 Highways require the footway fronting the site to have the drop kerbs returned to full height where they are no longer required, which can be secured by condition.

- 6.29 With regard to the access width the minimum required for two cars to pass is 4.1 metres. Where this is between two buildings a greater width is required and it has been demonstrated 4.6 metres can be achieved.
- 6.30 Highways have advised that the five car parking spaces for the two proposed dwellings meet the requirements of policy P1 of the Housing Site Allocations DPD for parking for new housing. Some of the car parking spaces are directly off the road over the footway which would require reversing in or out of the spaces. Whilst this would not usually be acceptable, it is something that already occurs on the site. A revised car parking layout was submitted that addressed the spaces which were difficult to access which the Council's Highways now accept.
- 6.31 Cycle storage is shown within the rear gardens of the proposed dwellings which meets the Council's requirements and can be secured by condition along with electric vehicle charge points.
- 6.32 The outstanding matter at the time of writing is delivery details and tracking for larger vehicles with the proposed access layout.
- 6.33 Of the matters which have been addressed, the car parking layout, cycle storage, access width and re-instating full kerbs along the footway, can be addressed by condition. The tracking and delivery details will be provided and saved to the website and the Highways response included in the update sheet.

ECOLOGY

- 6.34 Policy CS17 of the Core Strategy requires all development to maximise opportunities to achieve net gains in biodiversity. A stage 1 ecological assessment was submitted with the application. No protected species were identified on the site and no further surveys required. An external lighting condition is recommended to avoid illuminating large areas that may affect bats.
- 6.35 The presence of ivy-clad trees and shrubs on site may support nesting birds. Nest boxes for common species is required and as part of the development as are bat boxes advised as a biodiversity gain. These matters can be secured by condition.

OTHER MATTERS

CIL

- 6.36 New houses are liable to pay the Community Infrastructure Levy which is charged per square metre of gross internal floor space.

FLOODING

- 6.37 The site is not in a flood risk or critical drainage area. The Council's Land Drainage have not commented on the proposal. Objections to the application note that there have been past flooding issues on site. Under policy CS16 a flood risk assessment is not required for this site. However, the policy does require all development to incorporate sustainable drainage methods. Given that the proposal results in the overall loss of permeable areas for surface water to drain it is considered necessary

to apply a condition for the drainage measures to be submitted to and approved by the planning authority. A condition on materials can include hardstanding and require it to be permeable.

PUBLIC HOUSE

- 6.38 Objections have been received on the impact of the development on the operation of the public house. The proposal does result in the loss of the existing pub garden. There is other land within the blue line of the application to the rear of the public house that is understood to be available to provide a new garden area. Conditions have been identified to protect the proposed dwellings' occupants from noise from the public house. There are existing attached properties to the north of the public house and there have been no reports of these being impacted by the operation of the public house such that there have been constraints on the public house licence. It is also not unusual, even with rural pubs, for the car park to a public house to be to the rear of adjacent dwellings. The planning application does not otherwise involve the public house or its operation. It is possible to apply a condition for a construction method statement and the requirement for a temporary car parking layout during construction to enable the public house to continue to operate during the works.
- 6.39 The Case Officer has checked the Council's register of assets of community value. At present The Coach is not on that register. Community Groups can use the Community Right to Bid to 'pause' the future sale of buildings or land they care about to give them time to develop a bid to buy it. This includes privately owned assets.
- 6.40 Were the land owner to decide in future to cease trading from the public house and apply for planning permission for a change of use or redevelopment the Council's Supplementary Planning Guidance on Public Houses requires that it be demonstrated that the public house is not viable and the accounts are independently assessed. The guidance also requires that the public house be marketed for at least 6 months as a public house and this is also subject to independent assessment. The Council's policies do not support the loss of public houses unless these tests have been met and national policy guidance recognises public houses for their benefit to local communities.

7. Conclusion

- 7.1 The proposed development would provide 2 houses in a settlement without a defined boundary in the AONB. There is a policy to support limited infilling in such locations. The proposed houses would impact the street scene by enclosing a relatively open area of the public house car park. This impact is not considered harmful on the character of the area or the AONB given the pattern of development locally.
- 7.2 The proposed houses would impact the car park and beer garden of the public house, the amenity of the occupants of the property to the south of the boundary, the trees on site and on the boundary, and the occupants of the proposed dwellings from noise from the A34 and the public house. For the reasons outlined in the sections above these matters are not considered so harmful as to warrant refusal and that conditions can be applied which mitigate these impacts. Conditions on

materials, permeable paving, and ecology have also been identified. There is scope for a new beer garden to be provided on land within the same ownership to the rear of the public house, although this has not been formally provided in the submitted plans. On balance the proposed development is considered to be in accordance with the development plan and is recommended for approval subject to the conditions identified.

8. Full Recommendation

- 8.1 The Head of Development and Planning be authorised to grant conditional planning permission.

CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the approved drawing numbers 3934 GA01 Revision C received 4 September 2018, 3934 GA04 Revision A received on 19 September 2018, 3934 SK10 received on 21 September 2018, and Extended Phase I Ecological Assessment by Pro-Vision, Design and Access Statement and Heritage Statement and Desk-based Archaeological Assessment of Development Proposals by Keevill Heritage Ltd received on 3 July 2018, and Arboricultural Report reference SCD 05139/2018 by Duckworths Arboriculture received on 21 September 2018.

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

3. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:
 - a. The parking of vehicles of site operatives and visitors;
 - b. Loading and unloading of plant and materials;
 - c. Storage of plant and materials used in constructing the development;
 - d. The erection and maintenance of security hoarding;
 - e. Measures to control the emission of dust and dirt during construction;
 - f. A scheme for recycling/depositing of waste resulting from demolition and construction works.

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework 2018, Policies CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS.1 of the West Berkshire Local Plan Saved Policies 2007.

4. No development/site works shall take place on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a

written scheme of investigation which 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 statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is imposed in accordance with paragraph 199 of the National Planning Policy Framework 2018, and Policy CS 18 of the West Berkshire Core Strategy 2006-2026.

5. No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework 2018 and Policies CS14 and CS19 of West Berkshire Core Strategy 2006-2026.

6. Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing Tree Protection Plan within the Arboricultural Report reference SCD 05139/2018 by Duckworths Arboriculture received on 21 September 2018. Within the fenced area, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework 2018 and Policies CS14 and CS19 of West Berkshire Core Strategy 2006-2026.

7. 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 2018, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.6 of the West Berkshire Local Plan Saved Policies 2007.

8. Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning Authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the Local Planning Authority shall be approved in writing by the Local Planning Authority and carried out to agreed timescales. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority before the dwellings hereby approved are occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. This condition is imposed in accordance with the National Planning Policy Framework 2018, Policies CS14 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.5 of the West Berkshire Local Plan Saved Policies 2007.

9. No development above ground level shall commence until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the dwellings 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.

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 2018, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design.

10. No development above ground level shall commence until details, to include a plan, indicating the means of treatment of the additional hard surfaced areas of the site has been submitted and approved in writing by the Local Planning Authority. The hard surfacing shall incorporate the use of a porous material. The hard surfacing shall be completed in accordance with the approved details before the dwellings hereby permitted are occupied.

Reason: In the interests of visual amenity and flooding. This condition is imposed in accordance with the National Planning Policy Framework 2018, Policies CS13, CS14, CS16 and CS19 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS.1 of the West Berkshire Local Plan Saved Policies 2007.

11. No development above ground level shall commence until a scheme for the protection from noise of the dwellings hereby permitted from traffic on the adjacent A34 road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the dwellings hereby permitted are occupied.

Reason: In the interest of amenity of the occupiers of the dwellings. This condition is imposed in accordance with the National Planning Policy Framework 2018, Policies CS14 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.6 of the West Berkshire Local Plan Saved Policies 2007.

12. No development above ground level shall commence until a scheme of works or other such steps as may be necessary to minimise the effects of odour and noise from the preparation of food associated with the adjacent use on the dwellings hereby permitted. The scheme shall be implemented in accordance with the approved details before the dwellings hereby permitted are occupied.

Reason: In the interest of amenity of the occupiers of the dwellings. This condition is imposed in accordance with the National Planning Policy Framework 2018, Policies CS14 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.6 of the West Berkshire Local Plan Saved Policies 2007.

13. No development above ground level shall commence until a scheme of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable drainage principles to deal with surface water with the application site. The scheme shall be implemented before the dwellings hereby permitted are occupied in accordance with the approved details.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework 2018, and Policy CS16 of the West Berkshire Core Strategy 2006-2026.

14. No dwelling shall be occupied until details, include a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted and approved in writing by the Local Planning Authority. The boundary treatment shall be installed in accordance with the approved details before the dwellings hereby permitted are occupied.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework 2018, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design.

15. No dwelling shall be occupied until details of the external lighting to be used in the areas around and to the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details before the dwellings hereby approved are occupied. No external lighting shall be installed except for that authorised by the approval of details as part of this condition.

Reason: To protect the amenities of adjoining occupiers and for biodiversity. This condition is imposed in accordance with the National Planning Policy Framework 2018, Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design.

16. No dwelling shall be occupied until the ecological mitigation measures described in the Extended Phase I Ecological Assessment by Pro-Vision received on 3 July 2018 have been implemented in full and the measures retained thereafter.

Reason: To ensure the protection of protected species, which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework 2018, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

17. No dwelling shall be occupied until details of the footway to be constructed between the curtilage of the dwellings hereby permitted and the road to the west have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied 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 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 2018 and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

18. No dwelling shall be occupied until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plans. 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 2018, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.

19. No dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

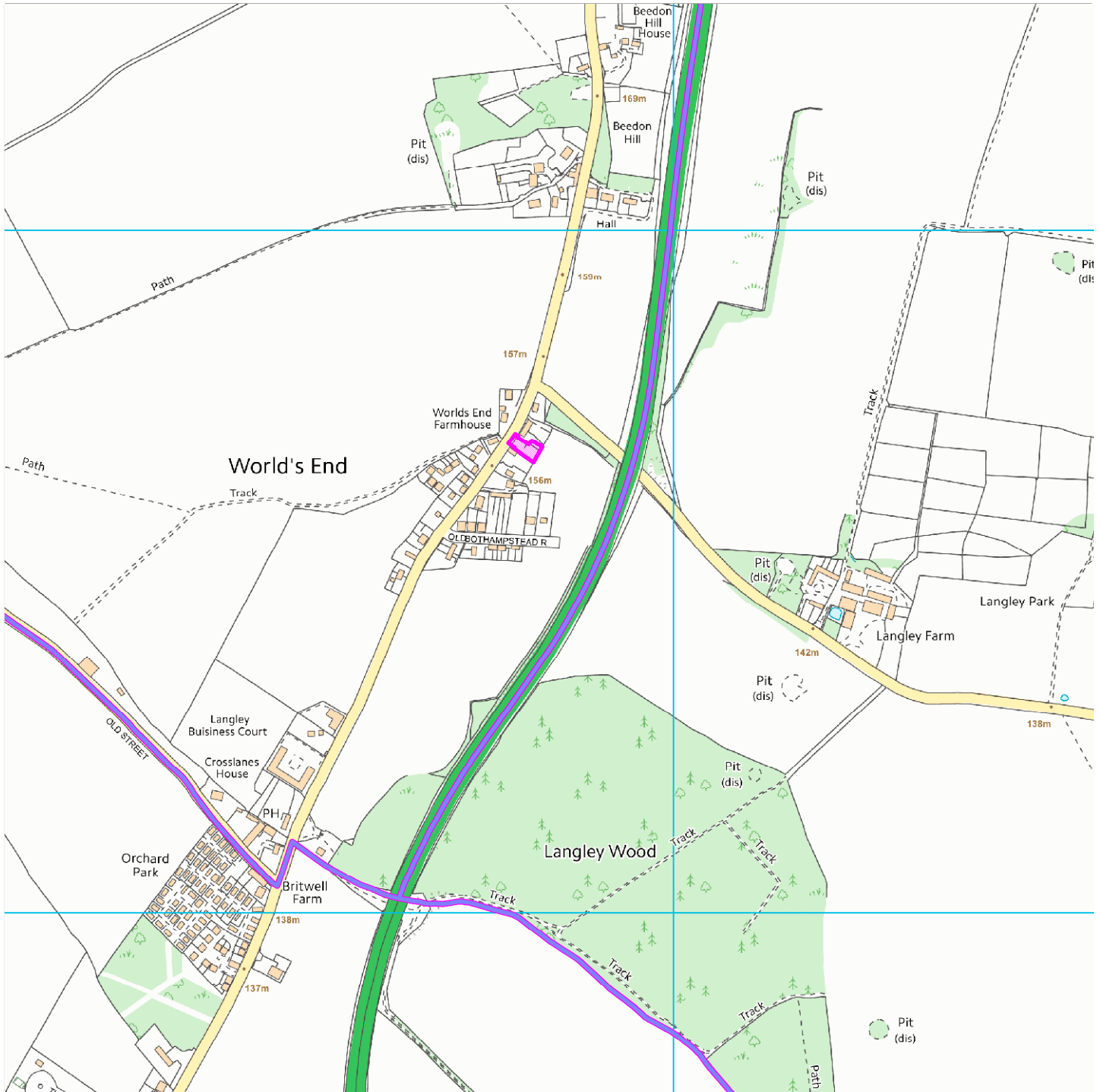
Reason: To promote cycling by providing convenient and safe bicycle storage. This condition is imposed in accordance with the National Planning Policy Framework 2018, and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

20. No trees, shrubs or hedges shown as being retained on tree protection plan shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework 2018 and Policies CS14 and CS19 of West Berkshire Core Strategy 2006-2026.

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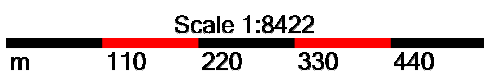


Map Centre Coordinates :

Scale : 1:8421

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	27 September 2018
SLA Number	0100024151

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Agenda Item 4.(2)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(2)	18/01883/FULD East Garston	21 September 2018. Extension of time 11 October 2018.	Conversion of existing stables and storage barn including new linking extension to form a 3 bedroom residential dwelling. Land to the rear of The Sheiling, School Lane, East Garston, RG17 7HR. Mr Davies and Dr Morgan-Jones.

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/01883/FULD>

Recommendation Summary: **The Head of Development and Planning be authorised to refuse planning permission**

Ward Members: Councillor Gordon Lundie
Councillor Graham Jones

Reason for Committee Determination: Ward Member Call In (Cllr Lundie)

Committee Site Visit: 4 October 2018

Contact Officer Details

Name: Lydia Mather
Job Title: Senior Planning Officer
Tel No: (01635) 519111
E-mail Address: lydia.mather@westberks.gov.uk

1. Site History

16/03160/FULD, January 2017, Refusal, Conversion of existing stables and storage barn and new linking extension to form a 3 bed residential dwelling.

No other planning history for the agricultural land, only the dwelling of The Sheiling.

2. Publicity of Application

Press Notice Expired: *

Site Notice Expired: 12 September 2018

3. Consultations and Representations

East Garston

Objection. Comments:

Parish Council:

Councillors consider that the development of this land is contrary to West Berkshire Development Plan and is contrary to the Parish Council's objective of maintaining the rural character of the community of East Garston, on the following grounds.

- The land is outside of the settlement boundary
- It is considered to be backfilling of a residential property and encroaching onto a rural environment
- The proposed property is directly adjacent to agricultural land on which livestock is kept.
- It would set a precedent contrary to the WBC site allocation plan which restricts sustainable development in East Garston to within the settlement boundary and/or brown field sites.
- There is concern over the future implications of shared access to the Sheiling and the proposed development.
- There is concern regarding the visual impact of this development on a rural site within the Area of Outstanding Natural Beauty

Highways:

No objection subject to condition.

Environmental Health:

No objection.

Natural England:

No objection subject to condition.

Ecology:

Awaiting updated phase 1 ecological assessment.

Thames Water:

No comments received.

Environment Agency:

No comments received.

Land Drainage:

No comments received.

Waste Management:

No comments received.

Representations: 2 letters of support. 7 letters of objection.

Matters raised in support:

- Proposed conversion is sympathetic and would improve the visual impact of the redundant buildings;
- The Construction Environmental Method statement is sufficient to protect the Site of Special Scientific Interest;
- Building no longer has equine benefit;
- Development is of a limited scale.

Matters raised in objections:

- Access to the site past the property of The Sheiling is unsuitable for additional car movements and deliveries;
- Additional traffic from development along access road which is single lane and used by farm vehicles and race horses using gallops;
- Loss of agricultural land and stables for equestrian rural economy;
- Site next to land where livestock kept;
- Visual impact on Area of Outstanding Natural Beauty and from the Public Right of Way;
- Site is outside the village envelope where development restricted, development here may set a precedent for further development;
- Potential flooding where surrounding land at higher ground level;
- Overlooking by The Beeches and Somerdown House.

4. Policy Considerations

RELEVANT PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

The statutory development plan comprises:

- The West Berkshire Core Strategy 2006-2026
- Housing Site Allocations Development Plan Document 2006-2026
- The West Berkshire District Local Plan Saved Policies 2007
- The South East Plan 2009 Policy in so far as Policy NRM6 applies
- The Replacement Minerals Local Plan for Berkshire 2001
- The Waste Local Plan for Berkshire 1998

The following Core Strategy policies carry full weight and are relevant to this application:

- National Planning Policy Framework Policy
- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty
- CS 1: Delivering New Homes and Retaining the Housing Stock
- CS 10: Rural Economy
- CS 13: Transport
- CS 14: Design Principles

- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

The following Housing Site Allocations policies carry full weight and are relevant to this application:

- C 3: Design of Housing in the Countryside
- C 4: Conversion of Existing Redundant Buildings in the Countryside to Residential Use
- P1: Parking Standards to Residential Development

The saved policies of the West Berkshire District Plan carry due weight according to their degree of conformity with the National Planning Policy Framework. The following saved policies are relevant to this application:

- TRANS.1: Meeting the Transport Needs of New Development
- OVS.5: Environmental Nuisance and Pollution Control

Other material considerations include government guidance, in particular:

- The National Planning Policy Framework 2012
- The Planning Practice Guidance Suite 2014
- Manual for Streets
- Conservation of Habitat and Species Regulations 2010

In addition the following locally and regionally adopted policy documents are material considerations relevant to this application:

- The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019
- The North Wessex Downs Area of Outstanding Natural Beauty Position Statements 2012
- East Garston Parish Plan
- Supplementary Planning Document: Quality Design 2006

5. Description of Development

- 5.1 The site is agricultural land with a stable and barn located centrally towards the east boundary. The site is outside of the settlement boundary of East Garston. The site is therefore in the countryside as well as the North Wessex Downs Area of Outstanding Natural Beauty; a national landscape designation. Immediately adjacent to the site to the east and north is a bio-diversity opportunity area and a public right of way.
- 5.2 The application is to convert the stable and barn to a 3 bedroom dwelling with an extension to link the two, and change of use of land from agricultural to residential including an access driveway and private amenity space.
- 5.3 The buildings are single storey and brick built. Including the extension the overall footprint would be 25.4 metres by 4.8 for the converted stable, 4.8 by 10.5 for the converted barn, and 3.4 by 6.4 for the link. The existing buildings are 3.5 metres in height to the ridge. The proposed conversion to the barn would raise the height to 4 metres. There would also be some excavation works to the east of the site to provide level ground.

- 5.4 The external materials are proposed to be clay tile roof, horizontal weatherboarding and render to the walls. The pattern of openings would be similar to the existing buildings, but enlarged, and some additional windows on the north east elevation of the stable building. The whole domestic curtilage, excluding the main part of the driveway access would be approximately 21 by 38 metres with a 1.2 metre post and rail fence.

6. Consideration of the Proposal

PRINCIPLE OF DEVELOPMENT:

- 6.1 Area Delivery Plan Policy 1 of the core strategy directs development to within existing settlement boundaries with consideration to be given to the scale and density of development in relation to the site character and surroundings. The application site is outside the settlement boundary of East Garston. Therefore a new dwelling on this site would normally be unacceptable and contrary to this policy, as well as C1 of the Housing Site Allocations Development Plan Document. However, Policy C4 of the Site Allocations Development Plan Document makes an exception for conversions of buildings to residential use in rural areas. Provided the development meets the criteria of this policy the conversion of the stables and barn may be acceptable in principle.
- 6.2 Policy C4 of the Site Allocations Development Plan Document requires that:
- i. the proposal involves a building that is structurally sound and capable of conversion without substantial rebuilding, extension or alteration.
- 6.3 The stable and barn buildings are brick built and structurally sound. The proposal involves increasing the height of the barn by 0.5 metres, replacing the roofs and cladding the exterior of both barns. The link proposed between the buildings is small in footprint. The pattern of openings to provide windows and doors is similar to those on the existing buildings. The works to convert the buildings are therefore not considered substantial.
- ii. the applicant can prove the building is genuinely redundant and a change to a residential use will not result in a subsequent request for a replacement building.
- 6.4 The planning statement at 4.6 states that “the stable and storage barn are currently and have been redundant and disused for the last 14 years approximately”. An appendix to the planning statement submitted with this application includes a rental agreement dated 19th February 2006 has clause 5 which states the stables/buildings will not be used unless by prior written agreement. It was signed by the hirer on 18th February 2006. The submitted Ecological Assessment undertaken in November 2016 states that the buildings are in constant use as stables. When the officer visited the site as part of the previous application refused in January 2017 the stables were not boarded up, there was horse paraphernalia within the stables and 2 horses were grazing the land immediately to the north and west of the stables.
- 6.5 It cannot be the case that both the stables have been redundant for 14 years at the time of the submission of the application, and at the same time constantly in use at

the end of 2016 / beginning of 2017. It would appear that at some point after the rental agreement was signed there was agreement that the stables could be used and that continued at least until the previous application was refused. Indeed an additional statement from the agent of the previous application advised the horses were stabled, but that this only occurred on cold nights.

6.6 On the site visit for the current application there were no horses grazing the land and the stable building had boards over the openings above the stable doors. It would appear that since the refusal of the previous application, at some point after January 2017 both the agreement for the stables to be used and the use of the fields for grazing has been withdrawn. As such the building and land is currently unoccupied.

6.7 Being unoccupied does not necessarily entail that the buildings are genuinely redundant. The supporting text to policy C4 of the Housing Site Allocations DPD at 4.31 states,

For a building to be considered redundant, it is important that the original use of the building for that purpose no longer exists. If the building is performing an essential function and the conversion will lead to a request that a replacement building be provided elsewhere, now or within the foreseeable future, then the conversion will not be covered by this policy. A subsequent application for a replacement building may well be refused.

6.8 The planning statement at 6.2 II states that “the grazing land and fields can continue to be in use alongside the proposal”. It would appear that the intention is for horses to return to graze the adjacent land. It can be reasonably expected that such horses would be provided with over-night shelter, for which there is none on site currently. It is not conclusive that there would be no subsequent request for a replacement stabling building, and therefore not conclusive that the building is genuinely redundant and meets criteria ii. of policy C4.

iii. the environment is suitable for residential use and gives a satisfactory level of amenity for occupants.

6.9 The proposal meets the Quality Design Guidance for providing a minimum of 100m² garden area. The internal area and height meet the DCLG Housing Standards – Nationally Described Space Standard. The level of amenity for the occupants of the converted dwelling is considered satisfactory. Some of the representations made on the proposal note that the dwelling would be in close proximity to agricultural uses. Environmental Health have been consulted on the application and raise no objections to the conversion to residential. It is therefore considered that the environment is suitable for residential use. The impact of the development on the amenity of adjacent land uses is considered in a separate section below.

iv. it has no adverse impact on; does not affect rural character and the creation of the residential curtilage would not be visually intrusive, have a harmful effect on the rural character of the site, or its setting in the wider landscape.

6.10 The site is not considered well related to the settlement of East Garston. The settlement boundary is to the south, the other side of the railway embankment. All

of the existing properties to the north of this are within the countryside. They are also set more immediately off School Lane, particularly on the east side. The introduction of a residential curtilage set further off School Lane and more removed from existing dwellings is considered harmful in terms of the wider landscape setting. Notwithstanding the proposed curtilage has been kept to a minimum, and the boundary treatments would be relatively open with post and rail fencing of 1.2 metres in height, the introduction of a residential use and curtilage in this location is nevertheless considered to detract from the wider rural setting and Area of Outstanding Natural Beauty.

v. the conversion retains the character, fabric and historic interest of the building and uses matching materials where those materials are an essential part of the character of the building and locality.

6.11 The proposed conversion would alter the existing external appearance in terms of materials. However, the overall form and fabric would be retained and the proposed external materials sufficiently rural in character.

vi. the impact on any protected species is assessed and measures proposed to mitigate such impacts.

6.12 The submitted Ecological Assessment concluded that there was no evidence of protected species on site in November 2016. Given that the stable building at that time was considered by the ecologist to be in constant use as stables therefore had a low bat roost potential, where the building is now boarded an up to date ecological assessment needs to be undertaken. It cannot therefore at this time be concluded that vi. can be met by the proposal.

DESIGN AND IMPACT ON THE CHARACTER OF THE AREA:

6.13 Policy CS 14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. It further states that development shall contribute positively to local distinctiveness and sense of place.

6.14 Policy CS 19 seeks to conserve and enhance the functional components of the landscape character and environment. Particular regard will be given to the sensitivity of the area to change, and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Area Delivery Plan Policy 5 seeks to preserve local distinctiveness, sense of place and setting of the Area of Outstanding Natural Beauty.

6.15 As outlined in the previous section the works to convert the stables and barns are considered sympathetic in design and to maintain their existing character. It is the introduction of a domestic curtilage and residential use in this rural location that makes the location of the development unacceptable with regard to the existing settlement pattern and character. The position statements by the North Wessex Downs Area of Outstanding Natural Beauty discuss the domesticating impact of residential uses in the countryside.

- 6.16 The proposed additional landscaping is not considered sufficient to mitigate this impact. It is the case that the site is set at a lower ground level and would not be visually prominent in the landscape from further afield. There is the railway embankment in closer proximity to the site. Otherwise the buildings proposed to be converted are set towards open fields rather than towards the residential houses more immediately off the road. When viewed from the more immediate surrounding fields and public right of way the site and surrounding fields to the north and east are characterised by openness and limited soft landscaping. It is not considered that additional soft landscaping is appropriate given these characteristics.
- 6.17 Furthermore, where the red line of the location plan has been reduced from the previous application to be the north elevation of the stable building the majority of additional landscaping and the fence would not be within the domestic curtilage of the proposed dwelling. There is also concern that the conversion would result in future demand for replacement stables as part of maintaining the remaining paddock land which would increase the built form on the wider site.

IMPACT ON QUALITY OF LIFE:

- 6.18 Planning Policies CS 14 and CS 19 of the West Berkshire Core Strategy are of importance with regard to the potential impact upon neighbouring amenity. Policy CS 14 requires new development to make a positive contribution to the quality of life in West Berkshire.
- 6.19 The separation distance between the proposed dwelling and Somerdowns and The Sheiling is greater than 21 metres identified in supplementary planning guidance under which direct overlooking may occur with directly facing windows. Whilst the properties would be in view of each other there would not be direct overlooking into the properties themselves. Environmental Health have not raised any concerns regarding the change of use to residential in terms of proximity to agricultural land.
- 6.20 The proposed access and driveway would be directly alongside the dwelling of The Sheiling. There would be an impact on the amenity of the occupants of The Sheiling with regard to vehicles and at certain times of day/year their lights passing the property. It is likely the driveway area for The Sheiling would also be used as a passing place where occupants might on occasion be entering or exiting at the same time. However, as the access would only serve one dwelling the number of vehicle movements to and from the site would be low as would vehicle speeds. The impact is therefore not so harmful as to warrant refusal.

HIGHWAYS:

- 6.21 Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to highways considerations. The Council's Highways were consulted on the application and raise no objections. The proposed parking and turning area is sufficient for the size of dwelling and the access width adequate.
- 6.22 Representations were received that the access from the highway before the driveway is jointly owned. No evidence was submitted on this point to confirm whether or not this was the case. Certificate A was completed with the application indicating the whole of the land within the red line to which the application relates was in the sole ownership of the applicant. Were this not to be the case the

application would be invalid for incorrect certificate of ownership and failing to serve notice on all owners of any part of the land to which the application relates.

- 6.23 Waste Management were consulted on the application. They did not comment on this application but previously advised that the bins for the proposed dwelling would need to be taken to the edge of the carriageway for collection.

GREEN INFRASTRUCTURE:

- 6.24 Policy CS 18 of the Core Strategy requires green infrastructure such as tree protection orders and public rights of way to be conserved by development. No comments were received from the Council's Public Rights of Way but they previously had no objection to the proposal.
- 6.25 Some of the objections to the application note that there is an existing access point off the public right of way to the north from the field to the north of the application site. Any works to install a domestic driveway in this location would require planning permission for change of use of land and operational development.

BIODIVERSITY AND GEODIVERSITY:

- 6.26 Policy CS 17 of the Core Strategy requires development to conserve biodiversity. An ecological assessment was submitted with the application but as previously discussed requires to be undertaken afresh given the change in circumstances in the use of the stable building. At present the proposal does not satisfy the requirements of policy CS17.
- 6.27 Natural England have been consulted on the application as the site is just under 170m from the River Lambourn which is a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). This is within the SSSI Impact Risk Zone. A Construction Environmental Construction Plan was submitted with the application. Natural England have no objection to the proposal subject to the requirement that the foul sewerage is connected to the mains sewer and not the proposed package treatment plant.

7. Conclusion

- 7.1 The proposed conversion to a dwelling is not considered acceptable in principle where, from the submitted documents with this application and the previous application which is a material consideration, it is not conclusive that the buildings are genuinely redundant and will not result in a subsequent request for replacement stabling. Furthermore, an up to date ecological assessment is required as the building is no longer in constant use as stabling. Where the building is now boarded there is a greater potential for protected species on site. As such the proposal is contrary to policy C4 of the Housing Site Allocations DPD.
- 7.2 The additional landscaping proposed is not considered to mitigate the domesticating impact of the change of use of the building and associated domestic curtilage on the rural character of the area and the AONB.
- 7.3 The ecological impact of the development is only acceptable to Natural England if the foul sewage is connected to the mains and not the proposed package treatment

plant. The impact of the development on highways, waste collection. Public Rights of Way and quality of life are considered acceptable under development plan policies, subject to a condition on parking and turning being provided as per the plans.

8. Full Recommendation

The Head of Development and Planning be authorised to refuse planning permission.

REASONS

- 8.1 Whilst the stables and land are currently unoccupied or used the application fails to demonstrate that the buildings are genuinely redundant and there will not be a subsequent request for replacement stables within the blue line of the location plan. As such the proposed conversion to residential use is contrary to the requirements of Policy C4 of the Housing Site Allocations Development Plan Document.
- 8.2 The proposed residential curtilage would be visually intrusive and have a harmful effect on the rural character of the area and its setting within the wider landscape. The site is further east than the existing pattern of residential development off School Lane and not well related to it. It is set within agricultural land and open to the north and east to the North Wessex Downs Area of Outstanding Natural Beauty. The proposed residential curtilage would introduce a formal garden area and associated domestic paraphernalia into this rural setting, contrary to Policy C4 of the Housing Site Allocations Development Plan Document, and Policies ADPP5 and CS 19 of the West Berkshire Core Strategy 2006-2026.
- 8.3 Insufficient information has been submitted with the application to assess the ecological impact of the proposed change of use and conversion works to the buildings on site to residential use. There may be protected species on site which would be impacted upon by the proposed development. As such the proposed development is contrary to Policy C4 of the Housing Site Allocations Development Plan Document, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

DC

The Sheiling, School Lane, East Garston, Hungerford. RG17 7HR

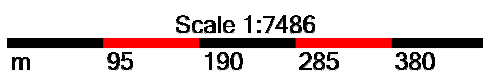


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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	27 September 2018
SLA Number	0100024151

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Agenda Item 4.(3)

Item No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(3)	18/01646/HOUSE Cold Ash	10 August 2018	Remove conservatory and replace with part 1 part 2 storey extension Oakville, Ashmore Green Road, Ashmore Green, Thatcham Mr and Mrs Mercer

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/01646/HOUSE>

Recommendation Summary: **The Head of Development and Planning be authorised to REFUSE planning permission.**

Ward Member(s): Councillor Garth Simpson

Reason for Committee determination: Requested by Ward Member

Committee Site Visit: 4 October 2018

Contact Officer Details

Name: Liz Moffat
Job Title: Assistant Planning Officer
Tel No: (01635) 519111
E-mail Address: elizabeth.moffat@westberks.gov.uk

1. Site History

17/02935/HOUSE – Part one/part two storey rear extension REFUSED 20.12.2017
17/02824/HOUSE – Front Porch APPROVED 22.11.2017
17/01565/HOUSE – Two storey rear extension and new porch REFUSED 04.09.2017
07/00762/HOUSE – Conservatory APPROVED 24.05.07
155395 – Two storey side extension APPROVED 08.09.99

2. Publicity of Application

Site Notice Expired: 02.08.18

3. Consultations and Representations

Parish Council: No objections

Highways: No objections

Environmental Health No comments

Public Representations: Two letters of objection from neighbours to either side concerning increase in overlooking and loss of privacy to private amenity areas; loss of light and overshadowing to living room; overdevelopment of narrow plot, noise and disturbance; misleading photos of outlook; disruption by construction vehicles.

4. Policy Considerations

4.1 The statutory development plan includes the West Berkshire Core Strategy 2006-2026 (WBCS), the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP), and the Housing Site Allocations DPD 2006-2026 (HSA DPD).

4.2 Other material considerations include government guidance, in particular:

- The National Planning Policy Framework 2018 (NPPF)
- Planning Practice Guidance (PPG)

4.3 The following policies from the West Berkshire Core Strategy are relevant to this application:

- ADPP1: Spatial Strategy
- ADPP3: Thatcham
- CS13: Transport
- CS14: Design Principles
- CS19: Historic Environment and Landscape Character

4.4 The following policies from the HSA DPD are relevant to this application:

- P1: Residential Parking Standards

4.5 In addition, the following locally adopted policy documents are relevant to this application:

- Supplementary Planning Document, Quality Design (June 2006)
- Supplementary Planning Guidance, House Extensions (July 2004)

5. Description of Development

- 5.1. The application site is a detached house located within the settlement boundary of Ashmore Green. The original property has been extended at two storey level to the north side. In 2017 permission was refused on two occasions for applications proposing a two storey rear extension due to serious concerns relating to the detrimental impact on neighbouring properties. This application is a repeat of the latter, refused application which did not include the porch (approved under a separate application). The proposal is for a two storey and single storey extension to the rear of the property, replacing an existing conservatory. This will provide an enlarged dining area/garden room and kitchen with a new utility room and WC. The existing fourth bedroom at first floor level will be enlarged to create a master bedroom with a second en-suite and includes a large glazed window with full height doors with a Juliet style balcony.

6. Consideration of the Proposal

The main issues raised by this development are:

- 6.1. The principle of development
- 6.2. The design and impact on the character of the area
- 6.3. The impact on the living conditions of the neighbouring properties
- 6.4. The impact on highways and parking

6.1. The principle of development

- 6.1.1 The application site lies within the settlement boundary of Ashmore Green, a small village surrounded by open countryside, outside of but a short distance south of the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Within settlement boundaries there are no development plan policies which specifically preclude or limit householder development, and so the principle of development is considered acceptable. The development plan does, however, include generally applicable policies relating to the design and impacts of all developments. According to Core Strategy Policy ADPP1, development in West Berkshire will follow the existing settlement pattern, and smaller villages with settlement boundaries, such as Ashmore Green, are suitable only for limited development subject to the character and form of the settlement.

6.2. The design and impact on the character of the area

- 6.2.1 According to the NPPF, good design is a key aspect of sustainable development; planning decisions should ensure that developments are sympathetic to local character and history. Policy CS14 of the Core Strategy states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Policy CS19 seeks to ensure that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.2.2 The application site and the associated street scene along this section of Ashmore Green Road consists of detached houses to the east side of the road, which are well set back within their respective plots with generous gardens which slope upwards to the rear. There is a fairly strong building line, although staggered, and many properties have been extended with various rear and side extensions and outbuildings. Nevertheless the properties are well spaced apart and this helps to contribute to the attractive rural character of this part of Ashmore Green where these properties benefit from having open fields to the east and west.

6.2.3 Oakville sits centrally within a large rectangular shaped plot and the house, as extended, together with the detached garage essentially fill the full width of the plot. The proposal will have a wider footprint than the conservatory but it will not be any deeper. The design is considered acceptable and in keeping with the host property. The proposal, together with previously approved extensions, results in a significant increase in the amount of built form on the site. However, due to its location and acceptable design, the proposal is, on balance, not considered to undermine local character, and therefore complies with the aforementioned policies.

6.3 The impact on the amenities of the neighbouring properties

6.3.1 With regard to the impact on neighbour amenity, Policy CS14 of the West Berkshire Core Strategy (2006-2026) seeks all development to have a positive impact on quality of life in the district. Conversely, developments that have a negative impact on quality of life would not accord with the policy. In terms of house extensions and their impact on amenity, SPG 04/2: House Extensions, identifies loss of light (natural and direct), overshadowing, overbearing and loss of privacy as the issues of primary concern. It is considered that the primary impact of the development would be to 'Underhill' to the north.

6.3.2 The revised proposal for the two storey extension extends to the same depth as the conservatory and has been set down from the existing ridge height. A large area of glazing at first floor level is proposed within the gable end which serves a master bedroom. Although a bedroom window currently exists at first floor level, the proposal will bring this significantly closer towards the private amenity area to the rear of the neighbouring property 'Underhill' to the north. This property is already set back from the front of 'Oakville' and given that it is at a slightly higher ground level, the proximity of the proposed extension and therefore bedroom window is considered to result in an unacceptable level of overlooking and perceived intrusion on the patio area to the immediate rear of 'Underhill'. It is not considered that any form of fencing or planting will sufficiently mitigate the harm, and the enjoyment of this space would be significantly reduced, causing unacceptable harm to the living conditions of the occupiers.

6.3.3 Potential overlooking toward the rear of 'Mulsanne' to the south is considered less intrusive; however given the gradient of the gardens the proposed bedroom window will result in an increase in potential or perceived overlooking.

6.3.4 In terms of loss of light and overshadowing, owing to its size and location, the proposed two storey extension would have a significant impact on the amount of natural light entering the living room of 'Underhill'. Although a dual aspect room, the affected window is on the south side of the property and the amount of light currently enjoyed by the occupants would be reduced.

6.3.5 The comments regarding noise and disturbance from interested parties are noted. The Council cannot resist development on the basis of short-term construction noise, but a condition restricting working hours is appropriate to minimise adverse impacts. There is a large parking area to the front of the application site for construction vehicles.

6.3.6 Overall, it is concluded that the proposed development would demonstrably harm the living conditions of neighbours, and therefore the application conflicts with the aforementioned policies.

6.4 The impact on highways and parking

6.4.1 There is sufficient off road parking and there are no objections from the Highways Authority.

7. Community Infrastructure Levy

- 7.1 The increase in internal floor space of the proposed house extension is less than 100 square metres. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations, house extensions of less than 100 square metres are not liable to pay the Community Infrastructure Levy.

8. Conclusion

- 8.1. 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 unacceptable as it results in a poor form of development which fails to maintain an acceptable level of amenity for existing neighbours and would be contrary to design principles set out in the SPG for House Extensions and Core Strategy Policy CS14, along with advice contained within the NPPF

9. Full Recommendation

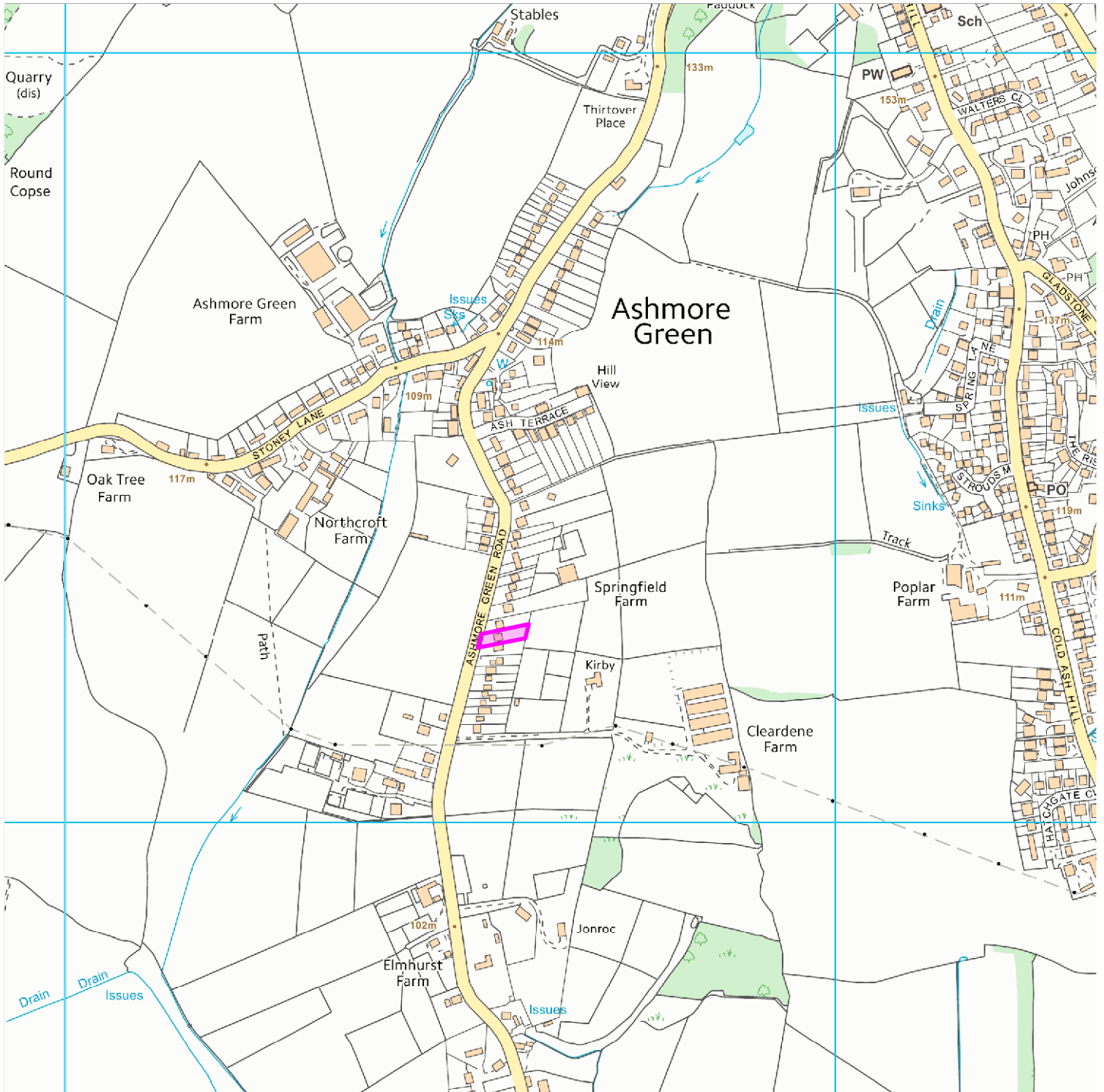
- 9.1 The Head of Development and Planning be authorised to **REFUSE** planning permission for the following reasons:-

1. The proposed two storey extension would bring an existing bedroom window at first floor level within closer proximity to the private amenity area to the immediate rear of the neighbouring property 'Underhill'. The rear elevation would be largely glazed at first floor level, increasing the opportunities for actual overlooking and resulting in a greater sense of perceived overlooking for the neighbouring property. This would result in an unacceptable level of overlooking to the detriment of the amenities of current and future occupiers of 'Underhill'. The proposal therefore fails to secure a good standard of amenity for existing and future occupants of neighbouring properties as required in the provisions of the National Planning Policy Framework, Policy CS14, of the West Berkshire Core Strategy (2006-2026), the Quality Design West Berkshire SPD (Part 2: Residential Development), and the House Extensions SPG.

2. The proposed two storey extension, by virtue of its relationship with the adjacent property 'Underhill' to the north, represents an overly dominant form of development that would be harmful to the residential amenities resulting in an unacceptable level of overshadowing and specifically loss of light to the living room of this neighbouring property. The proposal therefore fails to secure a good standard of amenity for existing and future occupants of neighbouring properties as required in the provisions of the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026, which seeks to ensure that new development is appropriate in terms of location, scale and design. In addition the proposed extension would run contrary to Supplementary Planning Guidance 'House Extensions' Part 5 - The Effect on Neighbours.

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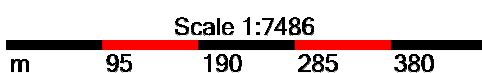
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