

Notice of Meeting



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Western Area Planning Committee Wednesday 12 December 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, 4 December 2018



Agenda - Western Area Planning Committee to be held on Wednesday, 12 December 2018 (continued)

- To:** Councillors Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Hilary Cole, James Cole, Billy Drummond, Adrian Edwards, Paul Hower, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing
- Substitutes:** Councillors Jeremy Bartlett, Jeanette Clifford, Mike Johnston and Gordon Lundie
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Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
 2. **Minutes** 7 - 20
To approve as a correct record the Minutes of the meeting of this Committee held on 21 November 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: 18/02623/FULD - Hungerford** 21 - 34
- Proposal:** Resubmission of previously approved scheme for a replacement dwelling (17/03089/FULD) to provide a summer house/exercise room to the rear of the dwelling house.
- Location:** Site of former 145 Priory Road, Hungerford
- Applicant:** John and Sylvia Downe
- Recommendation:** **The Head of Development and Planning be authorised to grant planning permission.**



Agenda - Western Area Planning Committee to be held on Wednesday, 12 December 2018 (continued)

- (2) **Application No. and Parish: 18/01315/HOUSE - Greenham** 35 - 44
Proposal: Proposed single storey building within the rear garden.
Location: 1 Lower Farm Court, Hambridge Lane, Newbury, RG14 5TH
Applicant: Mr Page
Recommendation: **The Head of Development and Planning be authorised to GRANT planning permission subject to conditions.**
- (3) **Application No. and Parish: 18/01090/FULD - Welford and Wickham** 45 - 62
Proposal: Conversion of four agricultural buildings to residential use including parking, landscaping and associated works.
Location: Elton Farm, Weston, Newbury, RG20 8JG
Applicant: Mr J H L Puxley Esq LL
Recommendation: **The Head of Development and Planning be authorised to GRANT 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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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, 21 NOVEMBER 2018

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

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

Councillor Absent: Councillor Paul Hewer

PART I

29. Minutes

The Minutes of the meeting held on 31 October 2018 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

Page 6, paragraph 5: replace the paragraph with the following:

Councillor Garth Simpson commented that the Parish Council had a major concern with Condition 11, specifically Access and potential loss of an existing mature hedgerow. A site survey the previous weekend led him to the conclusion that the proposed three-access treatment was not realistic and that a valuable signature of the eastern gateway to Cold Ash was at risk. The Committee raised concern that in achieving three sets of visibility splays for the proposed driveways much of the mature hedgerow could be lost. Councillor James Cole said that there was a distinct possibility that the entire hedgerow could be lost

Page 10, second bullet from the top: replace 'OBS5' with 'OV35'.

Page 10, paragraph 6: delete 'from top down'.

Page 11, paragraph 14: replace '50mm' with '0.5m'.

Page 12, paragraph 33: replace three references to 'river' with 'River Bar'.

In reference to Agenda Item 4 (1) (18/01564/FULD - The Coach, Worlds End, Beedon) which was considered at the meeting on 10 October 2018, it was recalled that the Committee's disappointment with the absence of the Parish Council had been recorded. It had subsequently come to light that Mr Steve Price, the Chairman of Beedon Parish Council, had sent an email to the Chairman of the Committee which advised he had not known he was permitted to speak at the meeting and enclosed his views. The Chairman wished to record his apologies to Mr Price. In addition, he requested that any persons wishing to address the Committee at a future meeting contact the Planning Registration Team via email at planapps@westberks.gov.uk or via phone on 01635 519148.

30. Declarations of Interest

Councillor James Cole declared an interest in Agenda Item 4(1) and reported that, as his interest was an other registrable interest, he would not participate in the Committee's discussion but would address the Committee as the Ward Member.

31. **Schedule of Planning Applications**

(1) Application No. and Parish: 18/01441/HOUSE - West Woodhay

(Councillor James Cole declared an other registrable interest in Agenda Item 4(1) by virtue of the fact that he owned land which abutted the site. As his interest was personal and not a disclosable pecuniary interest, he would stand down from the Committee during the course of consideration of the matter and would take no part in the debate or voting on the matter, but would remain present and address the Committee as Ward Member.)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/01441/HOUSE in respect of the demolition of a garden store, external alterations to the Eastern Pavilion including the provision of rooflights (retrospective), the erection of new Western Pavilion to provide home office facilities at ground level, guest accommodation at first floor and a basement level garage at Hayward Green Farm, West Woodhay.
2. In accordance with the Council's Constitution, Robert MacDonald, Parish Meeting representative, Mr Ewan Christian and Mr Harry Henderson, objectors, and Mr Steven Sensecall, agent, addressed the Committee on this application.
3. Matthew Shepherd introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers on balance recommended the Committee grant planning permission.
4. Mr Macdonald in addressing the Committee raised the following points:
 - The Parish Meeting objected to overdevelopment of the AONB.
 - The site was previously a farm before permission was granted for a small dwelling. There had been 25 planning applications under different names in recent years. There had been no engagement with the neighbours or Parish Meeting for any of the applications.
 - It was unlikely that the applicant would comply with conditions.
 - The dwelling on the site was already having an impact on neighbours' boreholes, ponds and aquifers.
 - It was disappointing that there had been no consultation response from the SUDS officer or AONB board.
 - A near identical application submitted the previous year had been refused.
 - The internal and external lighting would have an adverse impact on the dark night skies.
 - There was inconsistency in the planning approach as an underground car park was proposed for permission whereas an application for a four bedroom house in West Woodhay had recently been refused additional parking spaces.
 - There were inconsistencies around the presentation of the building's residential curtilage, including apparent increases over time.
5. Councillor Paul Bryant asked why there was a concern regarding water when Thames Water had raised no objections. Mr Macdonald responded that there were pumps under the existing dwelling on the site which neighbours believed was having an adverse impact on boreholes in the area. Boreholes were not Thames

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Water's responsibility and a full survey should be carried out before the application was determined.

6. Councillor Anthony Pick asked whether the strict lighting conditions were satisfactory. Mr Macdonald expressed the view that the applicant had previously demonstrated poor compliance with conditions and he was concerned that the additional pavilion would increase the impact of light pollution on neighbours by the site.
7. Mr Christian and Mr Henderson in addressing the Committee raised the following points:
 - The level of light pollution was inappropriate for a rural area.
 - There were discrepancies regarding the residential curtilage.
 - The basement of the main house was below the water level and required pumps to keep it dry. This was having an adverse impact on the area. A large underground car park would require more pumps. A survey should be undertaken at the expense of the applicant.
 - All windows faced away from the site's central courtyard and therefore all light pollution would impact upon neighbours. If the Committee were minded to grant the application the Pavillion should be rotated so the light spilled into the courtyard.
 - Visitors to the village had made adverse comments regarding the existing dwelling on the site.
 - The Committee should not permit any further development on the site.
8. Councillor Bryant asked where the pumped water went. Mr Christian advised that surrounding buildings with a slightly elevated ground level were having issues with their water supplies. Water was being pumped down the valley. West Woodhay was a wet area.
9. Councillor Pick expressed the view that officers had understood the lighting issue and suggested appropriate conditions, he asked why these were not accepted. Mr Christian noted that he had not read the proposed conditions, which in any event could only deal with external and not internal lighting. All except one window faced away from the courtyard and the applicant should bear the burden of light pollution rather than the neighbours and road users.
10. Councillor Adrian Edwards asked whether Thames Water were responsible for boreholes. Councillor Hilary Cole advised that the Council's Environmental Health Team was responsible and they had submitted no objections.
11. Mr Sensecall in addressing the Committee raised the following points:
 - Officers had confirmed that the application was in accordance with the relevant policies.
 - In relation to the character of the AONB, the tighter cluster of buildings would be a visual improvement and was not deemed unacceptable.
 - Demolition of the garden store and a planning condition to instruct that use of the pavilion be ancillary would prevent overdevelopment.
 - The officer considered that the lighting would cause no significant harm. The nearest neighbour was 200m away. The applicant would accept an external lighting condition relating to the whole site.

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- Neither Thames Water nor Environmental Health had raised objections. No further information had been requested from the applicant in relation to water issues. There was no evidence to support claims that there were problems with boreholes in the area.
 - There was a long planning history on the site. The house and existing permission had consent. The additional pavilion would add symmetry and accord with the neoclassical style of the house.
12. Councillor Virginia von Celsing asked why the Committee should trust that the garden store would be demolished when previous conditioned demolitions had not. Mr Sensecall advised that although there had been discussions, demolition of a building had not previously been included in the list of decisions.
 13. Councillor von Celsing asked for a view on whether the house was already light polluting in the AONB. Mr Sensecall expressed the view that it was not.
 14. Councillor von Celsing asked whether a neoclassical style house was appropriate where a small farmhouse had previously been sited. Mr Sensecall advised that the Committee were not looking at the application from that starting point.
 15. Councillor Bryant asked where the pumped water went. Mr Sensecall advised that it filled a pond near the eastern boundary.
 16. Councillor Edwards enquired whether a hydrological survey had been undertaken prior to the proposal that the ground should be dug out for a car park. Mr Sensecall advised that it had not. Councillor Edwards posited that it would be sensible, before removing a large amount of earth in a wet area, to establish whether there might be any impact on the water table.
 17. Councillor Beck asked why there had been no engagement by the applicant with the Parish Meeting. Mr Sensecall stated that he could not speak for the applicant but expressed the view that he could see how engagement would be beneficial. He maintained that a lack of engagement was not a sufficient planning reason to refuse the application.
 18. Councillor Pick asked what light pollution would be caused by the internal lighting. Mr Sensecall responded that it would not be reasonable to impose a condition on internal lighting.
 19. Councillor Pick enquired whether the applicant would be amenable to the removal of permitted development rights. Mr Sensecall noted that the Committee could remove permitted develop rights if it chose.
 20. Councillors Anthony Stansfeld and James Cole in addressing the Committee as the Ward Members raised the following points:
 - What had formerly been a henhouse outside a hamlet now looked like a Travelodge and was the consequence of weak planning.
 - The officer's report was inadequate and had not made clear what the application was for. It had been described as the demolition of a garden store but the application was actually for the erection of a large dwelling, bigger than the average dwelling.
 - The paper trail regarding changes to the residential curtilage of the site was inadequate.
 - The Council wanted development that enhanced the AONB, not developments that were only 'not unacceptable'.

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- There would be a significant ecological impact, including on swallows and newts.
 - They agreed with other issues raised by the Parish Meeting and objectors.
 - The proposals did not respect the area and would be a carbuncle in West Woodhay.
 - The Committee should not worsen the damage already done by permitting the site and existing pavilion.
 - A mansion had been built on a marshy field. Thames Water's nearest waste water infrastructure was half a mile away from the site. Councillor James Cole stated he could provide more information regarding the water flow.
21. Councillor Beck requested more information regarding the water flow. Councillor James Cole advised that he owned the land downstream from the site. Overspill from the small pond near the site's eastern boundary would flow into woodland and eventually into the River Enborne. The issue was not relevant to Thames Water. The land in the area was wet and the existing house on the site could not have been built without water pumps. Further construction on the site would require more pumps. No survey had been completed regarding the water impact.
22. Councillor Bryant asked if it was the Ward Members' view that not development larger than a three bedroom house should be permitted in the AONB. Councillor Stansfeld stated that three large houses would not be permitted anywhere else in the AONB so questioned why they should be permitted in West Woodhay. Councillor Bryant challenged that similar houses could be found near Kintbury.
23. Councillor Hooker asked what observations there were regarding the absence of a response from the AONB Board. Councillor Stansfeld explained that the Board was comprised of three volunteers who looked after the entirety of the North Wessex Downs AONB which stretched eastwards towards Swindon.
24. Turning to questions to officers, Councillor Hilary Cole sought to view the photographs of the site and these were displayed to the Committee.
25. Councillor Beck requested more information regarding allegations about the residential curtilage of the property. Matthew Shepherd advised that the curtilage shown matched a previous application on the site and officers were content with the red line proposed in the application.
26. Councillor Pick queried why there was no comment from the SUDS officer. Matthew Shepherd advised that the officer was invited to respond to the consultation and was prompted but could not be compelled to provide a response. The site was not in a critical drainage zone and there had been no evidence submitted in relation to the ground water issues. Derek Carnegie added that the SUDS officer would not usually be concerned about a property of such a distance from the nearest property.
27. Councillor Pick enquired whether Condition 7 applied to the whole site. Matthew Shepherd advised that it included the eastern pavilion but he would not recommend applying the condition to the main house as it had been covered in a previous planning permission.
28. Councillor von Celsing asked for more information on the property's curtilage. Derek Carnegie advised that officers were content that the curtilage had been accurately allocated in the submitted plans.

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29. Councillor von Celsing asked if officers could expand on the judgement that there would be no adverse impact on the AONB. Derek Carnegie advised that the AONB Board had been consulted for their views and that if they had advised there would be an adverse impact then it would have added weight to that argument.
30. Councillor Bryant noted the Parish Meeting's claim that an application nearby had been refused on the grounds that it had sufficient parking already and asked whether the Council had set a maximum level. Matthew Shepherd advised that the Council could not set a restriction.
31. Councillor Edwards asked whether a hydrological survey was required when an excavation was carried out. Matthew Shepherd advised that there had been nothing to ask the agent to action as no evidence of any risk had been received.
32. Councillor Dennis Benneyworth asked for more information regarding the windows. Matthew Shepherd explained that most of the pavilion windows would face the trees on the edge of the site. Lightspill from internal lighting could not be controlled through the Planning process. Councillor Benneyworth asked if additional screening could be conditioned. Matthew Shepherd advised that Condition 6 covered the matter.
33. Councillor Hooker asked what the distance was to the nearest neighbour from the proposed pavilion. Matthew Shepherd estimated 300 yards.
34. Councillor Beck enquired whether a condition to require a hydrological survey could be imposed if the Committee were minded to approve the application. Derek Carnegie advised that it would be preferable to complete the survey before consent was granted in case any issues arose.
35. In commencing the debate, Councillor von Celsing expressed the view that the application would be fundamental overdevelopment of a site in the AONB and proposed that officers recommendation not be accepted and instead planning permission be refused. The proposal was seconded by Councillor Beck.
36. Councillor Beck stated that reasons for refusal should include: no reply had been received from the AONB Board and a response should be awaited for this significant development, no response had been received from the SUDS officer and the Committee had heard of a potential significant impact on water access for nearby residents. Derek Carnegie suggested that the Committee may have a case to defer determination of the application until all the information required had been gathered.
37. Jo Reeves advised the Chairman that that a motion had already been put to the Committee so it should be determined before an alternative proposal to defer was entertained.
38. Councillor Edwards recalled that at the Parkway development in Newbury water pumping had been required. Despite a survey which concluded there would be no harm to the area, cracks began to appear in nearby Victoria Park. While the application before the Committee was not on the same scale the terrain was marshy and there was a risk that nearby houses. It was imperative that a survey was completed.
39. Councillor Pick expressed concern that the application was able to be brought to the Committee without a comment from the SUDS officer.
40. Councillor Hilary Cole stated that the proposal to refuse planning permission could be withdrawn, rather than voted upon.

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41. Councillors von Celsing and Beck withdrew the proposal to refuse planning permission.
42. Councillor Beck proposed that the Committee defer determination of the application until the requested information was available. This was seconded by Councillor Pick.
43. The Chairman invited the Committee to vote on Councillor Beck's proposal as seconded by Councillor Pick, to defer planning determination. At the vote the motion was carried.

RESOLVED that the application be deferred to a later meeting.

The Committee adjourned between 8.03pm and 8.05pm.

(2) Application No. and Parish: 18/01864/HOUSE - Cold Ash

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/01864/HOUSE in respect of the proposed first floor extension to current bungalow and associated alterations, new sauna, plus rendering of the entire property and widening of the existing access at Glendale Manor, Collaroy Road, Cold Ash.
2. In accordance with the Council's Constitution, Mr Philip Greatrix, objector, and Mr Stephen Hammond, applicant, addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers strongly recommended the Committee grant planning permission.
4. Mr Greatrix in addressing the Committee raised the following points:
 - His wife had intended to address the Committee but had had to go home to look after their two young children.
 - They had lived next door to the property for two and a half years. In that time there had been ten applications to respond to.
 - They were not opposed to development so long as it was considerate. The Council's policy regarding home extension advised that the impact on neighbours should be a primary concern.
 - The bedroom window would overlook Mr Greatrix's property and the sauna would be located 30ft from his children's bedrooms.
 - A condition had been removed from the previous permission which would impact on overlooking. The previous application had also included a restriction on outbuildings.
 - The applicant had made no attempts to address their neighbours' views and had not been considerate.
 - There would be a detrimental impact on their privacy; Mr Greatrix's son had already been subject to the Hammonds' CCTV. This had been reported to the government watchdog.
 - Mr Greatrix and his family were being forced to change the way they lived in their own home as a result. This impacted upon his human right to live a private and family life.

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- Another developer on the road was unable to stand up to Mr Hammond because he was seeking an extension on his home.
 - The obscure glazing had been removed from the previous permission.
 - It would be possible for the applicant to amend the internal dimensions and move the proposed bedroom to the front of the property in order to reduce the impact on privacy but they had not.
5. Councillor Beck asked Mr Greatrix to expand on his objection to the location of the sauna. Mr Greatrix explained that the sauna would be sited on a lower ground level than the waste water pipe so when it was cleaned water would need to be pumped uphill. No account had been taken of the noise impact. The applicant had sent letter regarding the noise of Mr Greatrix's children playing in the garden; their noise would not overshadow the noise of sauna parties.
 6. Councillor Bryant asked whether there was an objection to the simplified roof lines of the extension; Mr Greatrix advised that it was not a concern.
 7. Councillor Simpson asked for an estimate of the view Mr Greatrix would have into the proposed bedroom window. Mr Greatrix guessed that for someone of his height it would be 100% and for someone of his son's height it would be around 30%. Councillor Simpson further asked what detail of Mr Greatrix's home that applicants would be able to see from their bedroom window. Mr Greatrix advised that they would be able to see right through the house, including the study and people who entered the front door.
 8. Councillor Simpson noted that there had been letter from the applicant stating that their property was overlooked by Mr Greatrix's garden and asked how much time the family spent there. Mr Greatrix advised that it was a small garden measuring around 10ft by 12ft. The family would have lunch in the garden in the summer and there was a trampoline and small lawn but the family did not use the garden frequently anymore.
 9. Mr Hammond in addressing the Committee raised the following points:
 - He and his wife bought the property in 2012 as their forever home.
 - In February 2018 the Committee approved the extension, but the application was resubmitted in July 2018 with a redesigned road, sauna and all weather surface to the front of the house.
 - Concerns had been expressed regarding the complex design of the roof so it had been simplified.
 - The extension would be inkeeping with the area.
 - The sauna would house a hot tub currently stored in a green polytunnel and the surface to the front of the property would support pedestrians.
 10. Councillor Beck asked what would be the use of the room, about which the objector was concerned. Mr Hammond advised it would be a bedroom.
 11. Councillor Hilary Cole asked if the sauna and hot tub would be stored in the same place; Mr Hammond confirmed that was correct.
 12. Councillor Bryant asked for more information regarding pumping the hot tub. Mr Hammond advised that it would need to be emptied via a pump two or three times a year and refilled with a hose. The pump was portable.

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13. Councillor Billy Drummond asked why the neighbours had not been consulted regarding the application. Mr Hammond advised that due to a number of disputes between them there was a police condition only to communicate via a solicitor.
14. In response to a query from Councillor Simpson, Mr Hammond advised that the neighbour's kitchen could not be seen from the loft window.
15. Councillor Simpson asked for more information regarding Mr Hammond's statement that they were overlooked daily by Mr Greatrix's property. Mr Hammond advised that it was a risk which existed permanently. Councillor Simpson expressed the view that Mr Hammond had made a gross overstatement.
16. Councillor Simpson in addressing the Committee as Ward Member made the following points:
 - The Parish Council had been unable to attend and had sent apologies.
 - There was a vexatious history and there had been no consultation.
 - Supplementary Planning Guidance on extensions was clear.
 - The application would be overdevelopment and increase overlooking. All other houses in the area had rooflights and Glendale Manor should reciprocate to lessen the impact on the neighbours.
 - He did not understand why the obscure glazing condition had been removed.
 - The Greatrix family suffered overlooking and a loss of privacy.
 - The scale of the sauna block was unacceptable and the balcony should be reviewed.
17. Councillor Hilary Cole stated that the extant permission granted by the Committee in February 2018 could be built out, regardless of the outcome of this application. Councillor Simpson expressed the view that the Committee had made the wrong decision.
18. Councillor Beck asked why Councillor Simpson objected to the siting of the sauna, who responded that it would be an area of entertainment close to the children's bedrooms next door.
19. Turning to questions for officers, Councillor Pick enquired what paragraph 6.3.4 of the committee report meant. Gemma Kirk advised that under Permitted Development Rights, the applicant could insert windows in the side elevation. Councillor Bryant asked whether it was in the Committee's gift to remove Permitted Development Rights, Derek Carnegie confirmed it was. Derek Carnegie further reminded the Committee that the application approved in February 2018 could be built immediately.
20. Councillor James Cole asked whether it was in the Committee's gift to change the windows. The Chairman advised that the Committee must determine the application before them.
21. In commencing the debate, Councillor Bryant noted that the Committee held an extensive discussion in February 2018. The sauna could be erected under Permitted Development Rights and the Committee had heard there would not be an issue with the noise. The objector had no issue with the roof line. He proposed that the Committee accept officer's recommendation and grant planning permission. Councillor Hilary Cole seconded the proposal.

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22. In seconding the proposal, Councillor Hilary Cole expressed the view that people did not live in their bedroom and most people would be able to see into their neighbour's garden from their bedroom. She stated that it was disappointing that the Committee were being asked to arbitrate a neighbour dispute; the applicant had advised that they could only communicate via a solicitor. The application was an improvement on the previous design and the applicant could hold parties sauna or no sauna.
23. Councillor James Cole considered that the problem would be the noise of parties in the sauna against the fence line.
24. Councillor Dennis Benneyworth determined that he would reluctantly accept the proposal as he did not believe that the Council would be successful at any appeal. He expressed the view that the applicant should have altered the internal design to locate the bedroom at the front of the property.
25. Councillor Pick stated that he was uncomfortable with the situation and undecided.
26. The Chairman invited the Committee to vote on the proposal of Councillor Bryant, as seconded by Councillor Hilary Cole. At the vote the motion was carried.

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

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 drawings listed below:

- (i) Location Plan (1:1250) 2775-01C received on 03.07.2018;
- (ii) Block Plan (1:200) 2775-05F received on 03.09.2017;
- (iii) Proposed 2775-05F received on 03.09.2017;
- (iv) Site Section A:A 2775-05F received on 07.09.2018;
- (v) Proposed Sauna 2775-05C received on 03.07.2018;
- (vi) Landscape Plan 2775-05F received on 23.10.2018;

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

3. The materials to be used in the development hereby permitted shall be as specified on the approved plans.

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 (July 2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance 04/2 House Extensions (July 2004) and Cold Ash and Ashmore Green Village Design Statement (2002).

4. 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.

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Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policy CS14 of the West Berkshire Core Strategy (2006-2026).

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions and buildings or any other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, D, E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policies CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006).

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

Reason: To ensure that adequate access to parking spaces and garages is provided. This condition is imposed in accordance with the National Planning Policy Framework (July 2018) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

7. No development (including site clearance and any other preparatory works) shall commence on site until protective fencing is erected in accordance with the tree and landscape protection scheme identified in the Construction Site Plan Ref: 2775-05 F (A) received on 05.11.2018. At least 2 working days notice shall be given to the Local Planning Authority that the protective fencing has been erected. The protective fencing shall be maintained and retained for the full duration of the works or until such time as agreed in writing with the Local Planning Authority. Within the fenced area(s), 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 NPPF (July 2018) and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because the installation of tree protection measures is required to be undertaken before construction begins on site to ensure the protection of the trees protected by Tree Preservation Orders.

8. The hereby permitted development shall not be carried out except in accordance with the Construction Method Statement (Oct 2018) received on 24.10.2018 and Construction Site Plan (2775-05 F (A)) received on 05.11.2018, unless otherwise agreed in writing with the Local Planning Authority.

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 (July 2018) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

9. The hereby permitted development shall not be carried out except in accordance with the SuDS Drainage Plan (2775-05F) received on 23.10.2018, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National

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Planning Policy Framework (July 2018), Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

10. The hereby approved extension shall not be brought into use until 2 metre obscure glazed privacy screens are fitted on the north and south elevations of the proposed balcony, in accordance with Proposed (2775-05F) received on 03.09.2018. The screens shall be permanently retained in that condition thereafter.

Reason: To prevent overlooking of Alamein and the approved dwelling under 16/03610/FULD in the interests of amenity. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

11. The development shall not be brought into use until the vehicle parking spaces have been surfaced and provided in accordance with the approved plans. The parking spaces 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 (July 2018), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Informatives: DEC4 (Approval – need for revision/ Reps rec'd), HI1 (Access construction), HI3 (Damage to footways, cycleways and verges), HI4 (Damage to carriageway), HI8 (Excavation in close proximity to the highway).

32. **Application No. and Parish: 18/02595/HOUSE - Welford**

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 18/02595/HOUSE in respect of a two storey rear extension at Cobb Cottage, Lambourn Road, Weston.
2. In accordance with the Council's Constitution, Ms Caroline Conran, objector, addressed the Committee on this application.
3. Derek Carnegie Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers recommended the Committee grant planning permission.
4. Ms Conran in addressing the Committee raised the following points:
 - There had been a significant number of objections to the application. Many were anonymous due to their sensitive nature.
 - The extension was not inkeeping with the area.
 - The application was retrospective to change the material of construction from brick to breeze block and render.
 - The grey colour was intrusive and visible from the riverbank. The plans were incorrect.
 - The Parish Council signed off the application without hearing the objections, possibly because the applicant was a councillor and the meeting was not quorate.

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5. Councillor Anthony Pick asked in what way the plans were incorrect. Ms Conran replied that she did not know but had been told that by others in the village. The Chairman recalled from the site visit that a door had not been bricked up.
6. Councillor Pick asked why render would be unsuitable. Ms Conran expressed the view that brick would be softer and more countrified.
7. Councillor Pick asked whether residents had been consulted, Ms Conran advised they had not.
8. Councillor James Cole asked if the objections would stand if the extension was painted white. Ms Conran suspected they would.
9. Councillor James Cole asked how long the cabin had been in the property's garden. Ms Conran estimated around a year.
10. Councillor Garth Simpson noted that the property next door to the site was render with imitation mortar lines and was not clear what the objection was.
11. Councillor Anthony Stansfeld in addressing the Committee as Ward Member raised the following points:
 - The extension had been constructed cheaply but render would be inkeeping with the area.
 - There were other issues at play which were not planning matters.
 - There was a hut with a chimney in the rear garden which was close to the river, a Site of Specific Scientific Interest (SSSI). He hope that the Council's planning enforcement officers would investigate.
12. Turning to questions for officers, Councillor Pick sought clarification that this was a retrospective application. Derek Carnegie explained that the extension already had planning permission and this application was retrospective to seek a change in materials.
13. Councillor Clive Hooker queried how far a developer could go using the wrong materials. Derek Carnegie advised that the applicant would know they were taking a chance and the Council had to deploy resources to enforce planning conditions carefully.
14. Councillor James Cole asked whether a decision had been taken not to enforce. Derek Carnegie advised that officers regularly had to prioritise enforcement resources.
15. Regarding the cabin in the rear garden it was noted that the matter might come under building control rather than planning regulations.
16. Councillor Bryant proposed that the Committee accept the officer's recommendation and grant planning permission. This was seconded by Councillor Pick.
17. In seconding the proposal, Councillor Pick stated that all letters of objection were identical. In situations where an applicant did not consult their neighbours, disputes arose. Determination of the application was not a proper use of the Committee's time it could have been handled promptly by officers under delegated powers. He urged the residents and the applicant to resolve their differences.
18. Councillor James Cole agreed with Councillor Pick. He stated that now enforcement issues had been identified, these needed to be actioned by the Council.

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19. The Chairman invited the Committee to vote on Councillor Bryant’s proposal as seconded by Councillor Pick. At the vote the motion was carried unanimously.

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

Conditions

1. The development hereby approved shall be carried out in accordance with drawing Ellard 2017/06 Revision F received on 5 November 2018 and 2017/03 received on 11 October 2018.

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

2. The materials to be used in this development shall be as specified on the plans or the application forms.

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

3. The new bathroom window at first floor level on the front (south) elevation shall be fitted with obscure glass before occupation. The obscure glazing shall be permanently retained in that condition thereafter. Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no additional openings shall be inserted in the side elevations of the development hereby approved.

Reason: In the interests of the privacy and amenity of neighbouring properties and in accordance with the National Planning Policy Framework 2018, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

33. Appeal Decisions relating to Western Area Planning Committee

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

(The meeting commenced at 6.30 pm and closed at 9.25 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	18/02623/FULD Hungerford	5 December 2018	Resubmission of previously approved scheme for a replacement dwelling (17/03089/FULD) to provide a summer house/exercise room to the rear of the dwelling house. Site of former 145 Priory Road, Hungerford John and Sylvia Downe

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/02623/FULD>

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

Ward Member(s): Councillor P Hewer
 Councillor J Podger

Reason for Committee Determination: 11 letters of objection

Committee Site Visit: Thursday 6th December 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

Application Number	Decision	Date	Description of Development
18/01925/FULD	Cannot determine	2018	Section 73: Variation of condition 10 approved plans of permission 16/02244/FULD. Previously amended by permissions 17/01709/FULD and 17/03089/FULD.
17/03089/FULD	Approved	2017	Section 73: Variation of conditions 7: balcony screening, 9: hours of delivery, 10: approved plans of permission 17/01709/FULD.
17/01709/FULD	Approved	2017	Replacement of existing dwelling to supersede the previously approved replacement dwelling under permission 16/02244/FULD.
17/02942/COND1	Approved	2017	Application for approval of details reserved by conditions 2: construction method statement, 3: surfacing arrangements, 5: spoil, of permission 17/01709/FULD.
16/02244/FULD	Approved	2016	Replacement dwelling.

2. Publicity of Application

Press Notice Expired: *

Site Notice Expired: 21 November 2018

3. Consultations and Representations

Hungerford Town Council:	Clarification sought with reference to Section 73 and that documents are available to public view.
Highways:	No objection subject to condition.
Environmental Health:	No objection.
Tree Officer:	No objection subject to condition.
Waste Management:	No objection.
Thames Water:	No comments received.
Environment Agency:	No comments received.
North Wessex Downs Area Of Outstanding Natural Beauty:	No comments received.
Land Drainage:	No comments received.
Representations:	11 letters of objection. Matters raised include: <ul style="list-style-type: none"> • Over development of the plot • Impact on neighbour amenity • Impact on biodiversity • Noise and chemical smell from plant associated with swimming pool • Replacement dwelling out of keeping with area • Replacement dwelling dominant in street scene

4. Policy Considerations

- 4.1 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.
- 4.2 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
- 4.3 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 13: Transport
CS 14: Design Principles
CS 19: Historic Environment and Landscape Character
- 4.4 The following Housing Site Allocations Development Plan Document policies carry full weight and are relevant to this application:
P1: Parking Standards for Residential Development
- 4.5 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.6: Noise Pollution
- 4.6 Other material considerations include government guidance, in particular:
The National Planning Policy Framework 2018
The Planning Practice Guidance Suite
Manual for Streets
- 4.7 In addition the following locally and regionally adopted policy documents are material considerations relevant to this application:
Supplementary Planning Document: Quality Design 2006

5. Description of Development

- 5.1 The application is primarily for an outbuilding in the rear garden. It would have a footprint of 7.1 metres by 4.2 metres, be single storey with a mono-pitch roof of 2.25 metres on the elevation towards the boundary with the neighbouring property, and 2.5 metres on the elevation facing into the rear garden. There would be an additional low section to the far side of the building which would house the plant machinery for the swimming pool to be housed within the outbuilding.

- 5.2 The external materials proposed are painted cement board cladding on the lower elevation, painted V groove MTX cladding to the other elevations, mix fascia roof, and colour coded aluminium windows and doors. The elevation into the garden would have central tri-sliding doors and full height windows either side, a narrow high level window to either end, and a single width door on the south west side elevation. The colour of the external materials are not stated. There would be a paved area through the rear garden to the side door and along the front elevation of the proposed outbuilding.
- 5.3 Included in the application are the same plans as permission 17/03089/FULD for the replacement dwelling on site. At the time of the case officer's site visit the replacement dwelling permitted by 17/03089/FULD had been ostensibly completed externally. Works regarding landscaping to the front and rear of the property had not at that time commenced.

6. Consideration of the Proposal

PRELIMINARY MATTERS

- 6.1 Representations have included queries regarding the planning history of the site and Section 73 applications. The following points seek to answer these queries.
- (1) The original permission for a replacement dwelling on site was 16/02244/FUL. This permission has not been implemented.
 - (2) A separate application was granted permission under 17/01709/FULD. Although reference to the previous permission was made in the description of development it was not an application under Section 73 of the Town and Country Planning Act.
 - (3) Permission 17/03089/FULD was made under Section 73. This part of the legislation allows for applications to remove or vary conditions subject to which a previous permission was granted. The permission varied the conditions of permission 17/01709/FULD – namely the plans to include a car port, the balcony screening, and the hours of delivery. The Section 73 permission sits alongside the original permission. These permissions have commenced on site.
 - (4) The current application is separate. Although the plans for the replacement dwelling are the same as permission 17/03089/FULD the application has not been made under Section 73. The replacement dwelling element of the application is retrospective in so much as that development has commenced, but does not need to be made under Section 73A because it already has planning permission.

PRINCIPLE OF DEVELOPMENT

- 6.2 The proposed outbuilding would normally be permitted development which does not require planning permission (although a certificate of lawfulness for proposed works may be submitted to obtain confirmation from the planning authority). Domestic outbuildings fall under class E of part 1 under schedule 2 of the General Permitted Development Order.

- 6.3 However, when the outbuilding was first proposed under application 18/01925/FULD the original dwelling had been demolished and work had yet to commence on the replacement. As such a householder application was not possible. Furthermore, permission 17/01709/FULD removed permitted development rights and the conditions attached to this permission continue to apply alongside the amendments under 17/03089/FULD. As such it was not possible to submit a householder application for the outbuilding, and there are no permitted development rights available, so the case officer advised that an application for full planning permission for the outbuilding was required.
- 6.4 The submitted plans under this application include the replacement dwelling granted permission by 17/03089/FULD. This was queried during the registration of the application as it already has permission which has commenced and is not a requirement for the outbuilding application.
- 6.5 To restate the content of previous case officer reports policy ADPP1 of the Core Strategy directs development to within settlement boundaries, which this site is. A replacement dwelling is therefore acceptable in principle subject to the development otherwise being in accordance with the development plan. There has been no substantial change to the development plan since the previous permission, although government guidance within the National Planning Policy Framework is now that of 2018 rather than that of 2012.
- 6.6 In terms of the proposed outbuilding usually being permitted development as outlined in paragraph 6.1 above:
- (1) the dwelling on site has not been granted under classes M, N, P, or Q of Part 3 of the General Permitted Development Order (criteria a);
 - (2) the total area of ground covered by buildings within the curtilage would not exceed 50% (criteria b);
 - (3) the outbuilding would not be forward of the principal elevation of the dwelling (criteria c);
 - (4) the outbuilding is not more than single storey (criteria d);
 - (5) the height would not exceed 2.5 metres where it is within 2 metres of a boundary (criteria e);
 - (6) the height of the eaves would not exceed 2.5 metres (criteria f);
 - (7) the outbuilding would not be within the curtilage of a listed building (criteria g);
 - (8) the outbuilding does not include the provision of a veranda, balcony or raised platform (criteria h);
 - (9) the outbuilding does not relate to a dwelling or a microwave antenna (criteria i);
 - (10) and the outbuilding is not a container where there are limits on volume (criteria j).
 - (11) As the site is in the AONB paragraphs E.2 and E.3 also apply; as the building is within 20 metres of a wall of the dwelling it is not restricted in floor area under E.2, and it is not between a side elevation of the dwelling and the curtilage boundary under E.3.

DESIGN AND IMPACT ON THE CHARACTER OF THE AREA

- 6.7 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. 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. Policy ADPP5 requires development to conserve the landscape setting of the AONB.
- 6.8 That the outbuilding would normally be permitted development is a material consideration when assessing its design and impact on the character of the area. The proposed outbuilding is relatively large in footprint, but given the overall size of the rear garden it would not result in an unacceptable level of built form within the plot. The design of the outbuilding is otherwise compact in terms of height and simple in form with the main fenestration facing into the garden. The colours of the external materials have not been submitted, a condition for a schedule of the materials to be submitted prior to any works above ground level is therefore to be applied to ensure the outbuilding blends in with its surroundings. A condition is also to be applied that any spoil arising (as it includes providing a pool) be removed from site within 3 months of the completion, to ensure that the existing ground levels are maintained.
- 6.9 With regard to the replacement dwelling permission 17/03089/FULD is a material consideration and has commenced. Comments from objectors include the significant difference in design between the replacement dwelling and other dwellings within the vicinity, the impact on the street scene and the bulk of the built form being greater than anticipated. Whilst these comments are acknowledged the determination of this application does not affect the previous permission.
- 6.10 There have been no changes to the development plan since the previous permission. As the replacement dwelling plans are the same as the most recent permission, which was assessed as acceptable in terms of design and impact on the character of the area, the replacement dwelling continues to be in accordance with the development plan in this regard.

IMPACT ON AMENITY

- 6.11 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. The Supplementary Planning Document Quality Design discusses light and private garden space.
- 6.12 That the outbuilding would normally be permitted development is a material consideration when assessing the impact on amenity. Whilst the boundary between the application site and that of No. 143 is currently quite open due to the ongoing works for the replacement dwelling, there is a full landscaping scheme within the approved plans of the commenced permission that includes substantial hedging.

Being single storey the proposed outbuilding would not cause substantial overshadowing or loss of light into the residential property of No. 143.

- 6.13 The Council's Tree Officer has requested that previous conditions regarding landscaping are re-applied. Once established, only the eaves and roof would be visible from within the rear garden of No. 143. It is noted that the previous permission although it included the landscaping details in the approved plans condition the landscaping management plan contains dates for the planting which have now passed and that element is no longer capable of fully complied with. As this is an essential element of the proposal and important mitigation to the neighbouring property of both the dwelling and the outbuilding a specific condition to secure the implementation of the landscaping is considered necessary.
- 6.14 The outbuilding would include plant machinery for the pool which could cause noise disturbance to neighbouring occupiers, and policy OVS.6 of the Local Plan requires appropriate measures to minimise any adverse impact from noise generated by development. Details of the power unit to be installed were included within the planning statement and assessed by Environmental Health. They raise no objection to the proposal with regard to the noise impact. A condition that the plant machinery be installed in accordance with the details submitted would be applied.
- 6.15 With regard to the replacement dwelling permission 17/03089/FULD is a material consideration and has commenced. Comments from objectors include the impact on the neighbouring occupiers in terms of overlooking. Whilst these comments are acknowledged the determination of this application does not affect the previous permission.
- 6.16 There have been no changes to the development plan since the previous permission. The first floor level windows on the north-west elevation of the replacement dwelling serve the landing area and bathroom, and not habitable rooms. It is noted that the additional screen to the balcony at the time of the case officer's site visit had yet to be installed. This can be secured by condition. It is also noted that the visibility between properties is greater at present where there is limited boundary treatments and the full landscaping scheme has yet to be implemented. The landscaping will limit the inter-visibility and is to be conditioned.
- 6.17 As the replacement dwelling plans are the same as the most recent permission, which was assessed as acceptable in terms of impact on amenity, the replacement dwelling continues to be in accordance with the development plan in this regard subject to conditions.

HIGHWAYS

- 6.18 Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to highways. Highways were consulted on the application and raise no objection subject to the previous conditions being applied regarding parking and surfacing for the replacement dwelling.

7. Conclusion

- 7.1 Paragraph 54 of the National Planning Policy Framework is clear that Local Planning Authorities should consider whether otherwise unacceptable development

could be made acceptable through the use of conditions. The National Planning Policy Framework goes on to state at Paragraph 55 that conditions should only be imposed where they are: necessary; relevant to planning and to the development to be permitted; enforceable; precise; and reasonable in all other respects. It is also clear that whether it is appropriate for the Local Planning Authority to impose a condition on a grant of planning permission will depend on the specifics of the case. The conditions relating to the previous permission for the replacement dwelling are to be re-applied and updated where necessary as that development has not yet been completed. These include the balcony screen, landscaping, surfacing and parking, as well as conditions for a materials schedule, spoil, and for the plant machinery for the proposed outbuilding.

- 7.2 The proposed outbuilding would provide a domestic outbuilding incidental to the use of the replacement dwelling. Its impact in terms of design, character of the area and amenity are considered acceptable and in accordance with the development plan. That the building would usually be permitted development has also been taken into account.
- 7.3 The plans for the replacement dwelling are the same as the most recent permission. There have been no changes to the local development plan since that permission. The representations regarding the impact of the proposed development have been taken into account. The most recent permission has commenced and can continue to be implemented under that permission. Overall the replacement dwelling is considered to remain in accordance with the development plan.

8. Full Recommendation

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

CONDITIONS

- 8.2 Commencement of Outbuilding

Development of the domestic outbuilding hereby permitted as shown on the block plan 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).

- 8.3 Approved Plans

The development hereby permitted shall be carried out in accordance with the approved drawings 001 Rev B, 002 Rev B, 518/026/01 Rev A, 518/026/02 Rev A, 003 Rev A, 004 Rev A, 005 Rev A, and 17.DWN.501 Rev C and Planning Statement by Altas Planning received on 10 October 2018.

Reason: For the avoidance of doubt and in the interest of proper planning in accordance with policies ADPP1, ADPP5, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, policy P1 of the West Berkshire Housing Site Allocations DPD 2006-2026, and the National Planning Policy Framework 2018.

8.4 Construction Management Statement

The development hereby permitted shall incorporate and be undertaken in accordance with the Construction Method Statement received on 24 October 2017 approved by 17/02942/COND1.

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety 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.

8.5 Hours of Work

No external 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 in accordance with the National Planning Policy Framework 2018 and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

8.6 Deliveries

During the development no deliveries shall be taken at the site within the following hours:

08:20am - 09:05am and 14:50pm - 15:50pm, Mondays to Fridays.

Reason: To safeguard the living conditions of adjacent occupiers, and the interests of highway safety particularly pedestrians at the neighbouring school in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

8.7 Materials schedule for outbuilding

No development above ground level of the outbuilding hereby approved as shown on the block plan shall take place until a schedule of the materials, including final colour, to be used in the construction of the external surfaces of the outbuilding has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. 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 in accordance with the National Planning Policy Framework 2018, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

8.8 Surfacing

The dwelling hereby permitted shall not be occupied until the driveway has been surfaced in accordance with the approved details on drawing 17.DWN.501 Rev C received on 10 October 2018.

Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework 2018 and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

8.9 Parking

The dwelling hereby permitted shall not be occupied until the vehicle parking and turning space have been surfaced and provided in accordance with the approved drawing 17.DWN.501 Rev C received on 10 October 2018. 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 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.

8.10 Balcony Screen

The dwelling hereby permitted shall not be occupied until the balcony at first floor level on the northern side of the rear elevation (adjacent to 143 Priory Road) has been fitted with an obscure glass screen in accordance with approved drawings 005 Rev A and 004 Rev A received on 10 October 2018. The obscure glazed screen shall be retained in perpetuity, until the balcony is removed. Any replacement shall be like for like, or details of an alternative screen shall be submitted to and agreed in writing by the local planning authority before the screen is changed and which shall then be retained in perpetuity or until the balcony is removed.

Reason: In the interests of neighbouring amenity and to minimise overlooking of the private amenity space at 143 Priory Road in accordance with the National Planning Policy Framework 2018, Policy CS14 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

8.11 Plant Machinery in Outbuilding

The domestic outbuilding hereby permitted as shown on the block plan shall not be brought into use until the plant for the endless pool has been installed in accordance with paragraphs 2.15 to 2.20 of the Planning Statement by Atlas Planning received on 10 October 2018. Any replacement of the plant machinery for the endless pool shall be like for like or details of an alternative along with details of its noise output shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity and to minimise noise in accordance with the National Planning Policy Framework 2018, Policy CS14 of the West Berkshire Core

Strategy 2006-2026, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies 2007.

8.12 Landscaping

All landscape works shall be carried out in accordance with the approved plan 17.DWN.501 Rev C received on 10 October 2018 and with the exception of the dates stated the Landscape Implementation, Maintenance and Management Plan by RALD received on 12 June 2017 approved by 17/01709/FULD and 17/03089/FULD. The landscaping scheme shall be implemented within the first planting season following the first occupation of the dwelling. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of the approved landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the National Planning Policy Framework 2018, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

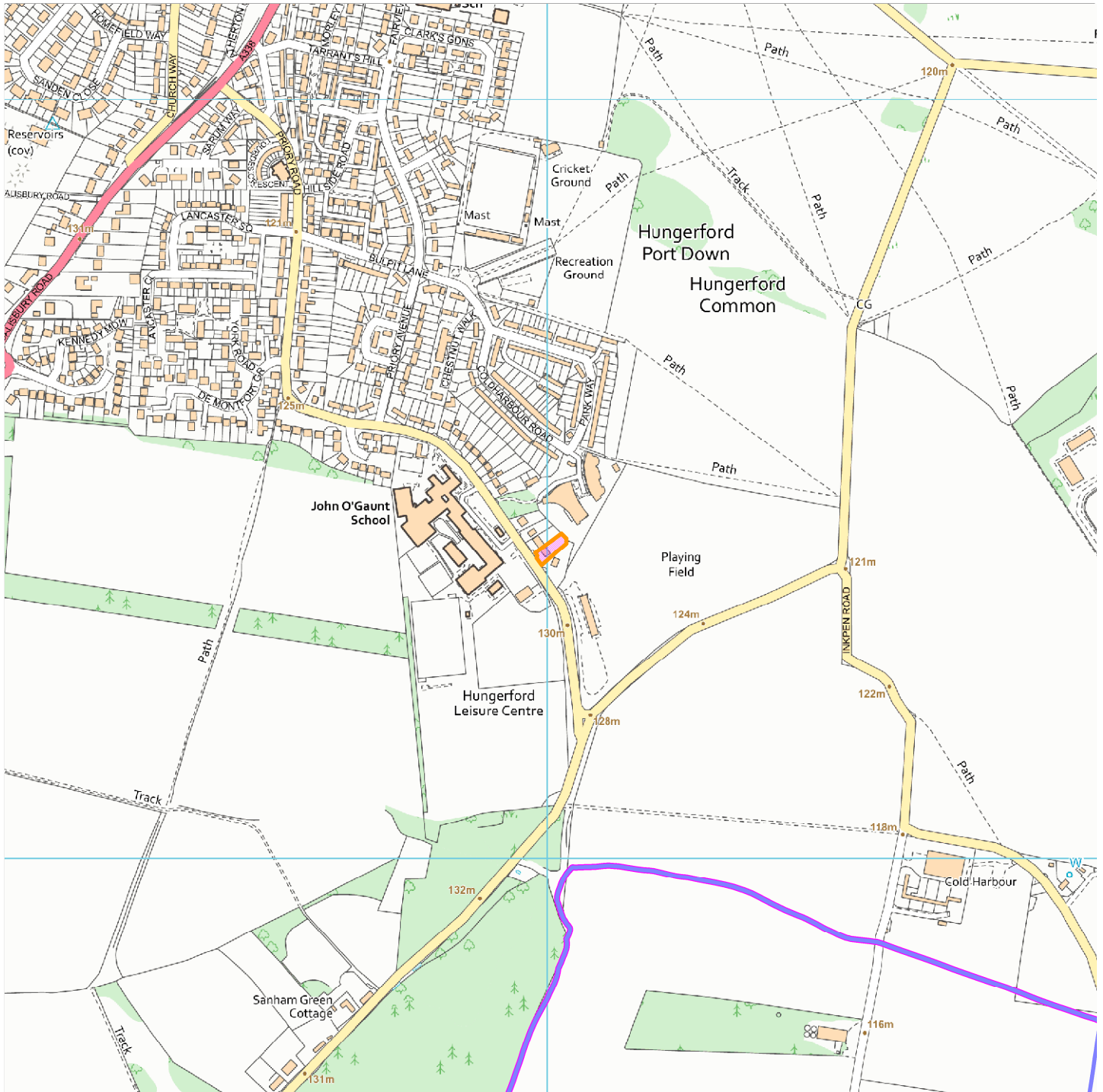
8.13 Spoil

All spoil arising from the development hereby approved shall be removed from site within 3 months of completion of the development.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area in accordance with the National Planning Policy Framework 2018, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

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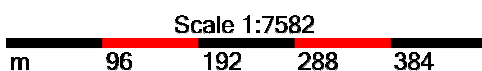
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	29 November 2018
SLA Number	0100024151



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Agenda Item 4.(2)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(2)	18/01315/HOUSE Greenham Parish Council	5 th November 2018	Proposed single storey building within the rear garden. 1 Lower Farm Court, Hambridge Lane, Newbury, RG14 5TH Mr Page

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/01315/HOUSE>

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

Ward Member(s): Councillor Drummond and Councillor Bartlett

Reason for Committee Determination: Called in by Councillor Drummond due to concerns that the proposal will exacerbate existing parking problems.

Committee Site Visit: 6th December 2018

Contact Officer Details	
Name:	Gemma Kirk
Job Title:	Planning Officer
Tel No:	(01635) 519111
E-mail Address:	Gemma.Kirk@westberks.gov.uk

1. Site History

No recent planning permissions.

2. Publicity of Application

Site Notice Expired: 31.10.2018

3. Consultations and Representations

Parish Council:	Three in favour and three abstentions.
Highways:	No objection: The building will be provided within the rear garden and according to the plans submitted, will be used for the storage of bicycles, canoes, garden machinery and tools. Being entirely within the rear garden, it does not remove any existing car parking or turning area. I therefore have no objection to the proposal.
Tree Officer:	No objection: The proposal shows the removal of a small section of hedgerow. There are no trees to be removed. The hedge can be removed subject to replacement landscaping scheme. I have no objections in principle subject to a landscaping condition. 06.11.2018: the landscaping scheme is satisfactory. Please use a landscaping implementation condition.
PROW Officer	No comments received.
Ramblers Association:	No comments received.
Kennet and Avon Canal:	No comments received.
Archaeological Officer:	No comments received.
River Thames Society:	No comments received.
Correspondence:	1 letter of objection. The material planning considerations can be summarised as below:- <ul style="list-style-type: none">- Negative impact on the rural character of the area- Exacerbate the existing parking problems at Lower Farm Court- There are more suitable locations- In the future could be converted to garage accommodation

4. Policy Considerations

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

4.2 Other material considerations include government guidance, in particular:-
- The National Planning Policy Framework (July 2018) (NPPF)

- The Planning Practice Guidance
- 4.3 The following policies from the West Berkshire Core Strategy are relevant to this application:-
- Area Delivery Plan Policy 1: Spatial Strategy
 - CS 13: Transport
 - CS 14: Design Principles
 - CS 18: Green Infrastructure
 - CS 19: Historic Environment and Landscape Character
- 4.4 The following policies from the West Berkshire District Local Plan are relevant to this application:
- OVS.6: Noise Pollution
 - TRANS.1: Meeting the Transport Needs of New Development
- 4.4 The following policies from the Housing Site Allocations Development Plan Document (HSA DPD) are relevant to the following application:
- C 3: Design of Housing in the Countryside
 - C 6: Extension of Existing Dwellings within the Countryside
 - P 1: Residential Parking for New Development
- 4.6 In addition, the following locally adopted policy documents are relevant to this application:
- Supplementary Planning Guidance: House Extensions (2004)
 - Quality Design: West Berkshire Supplementary Planning Document (2006)

5. Description of Development

- 5.1 Planning permission is sought for a single storey outbuilding to be constructed on the eastern boundary of the application site. The approximate dimensions of the outbuilding are: (w): 5.4 metres, (d): 7.2 metres, (h): 4.3 metres. One set of double doors are proposed that will open out onto the existing parking spaces for the application site. According to the application, the outbuilding is intended for the storage of garden machinery, bicycles, tools etc. On the south roof slope PV solar panels are proposed to be installed.
- 5.2 The application site is located in Lower Farm Court this is formed of 6 dwellings located to the east of Newbury adjacent to Newbury Racecourse. The 6 dwellings were converted from agricultural buildings to residential properties in the 1990s. Lower Farm Court is accessed off Hambridge Lane and a public footpath (a Public Right of Way (PROW)). An additional 3 properties are to the south of the Court.
- 5.3 No.1 Lower Farm Court is positioned centrally in the courtyard development, adjoined to the rear by No. 4 Lower Farm Court and adjacent to Nos. 2 and 5 Lower Farm Court. The dwelling is accessed through the rear garden. To the south-west of the dwelling is an existing brick built garage with two parking spaces positioned in front of the garage. The site is accessed from a shared gravel drive. A 1.8 metre close boarded fence and a 5 metre laurel hedge form the existing boundary between the rear garden and the shared drive.

6. Consideration of the Proposal

The main considerations in the determination of this application are:-

- 6.1 The principle of the development
- 6.2 The impact on the character of the area
- 6.3 The impact on neighbouring amenity
- 6.4 The impact on highway safety and PROW

- 6.5 Community Infrastructure Levy (CIL)
- 6.6 The assessment of sustainable development

6.1 The principle of the development

6.1.1 The application site is not located within an established settlement boundary therefore Policy C6 of the HSA DPD applies. According to Policy C6 there is a presumption in favour for an extension to an existing dwelling providing that it is appropriate in terms of scale, materials, impact on the character of the area and neighbouring amenity; which are discussed below.

6.2 The impact on the character of the area

6.2.1 The NPPF outlines the importance of good design in the built environment. Policy CS14 seeks high quality design to ensure development respects the character and appearance of the area. Policy CS19 seeks the enhancement of the natural and built environment. It states that particular regard will be given to the sensitivity of the area to change, and to ensuring 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 Policy C6 requires the scale of the proposed works to be both subservient to and in character with the existing dwelling and the proposed materials to be appropriate. The proposed single storey garage is approximately 4.3 metres high and set away from the dwelling at 1 Lower Farm Court and is therefore subservient to the existing dwelling. It is considered that the scale, design and materials of the outbuilding resemble other common outbuildings found in domestic gardens and therefore not out of character with the main dwelling.

6.2.3 Due to the layout of Lower Farm Court there is no orthodox street scene. The outbuilding will be located at the end of a shared drive. Within this locality are three garages and an area of parking. It is considered that the proposed outbuilding is in-keeping with the context of this locality and will not appear incongruous to the setting and character of the area.

6.2.4 It is acknowledged that objections were received which considered that the outbuilding and the removal of the existing hedge would have an adverse impact on the rural character. It is considered that these works are small scale, will not significantly urbanise the existing residential area, and is a form of development which is in keeping with the character of the existing buildings. Furthermore, a landscaping scheme has been agreed with the Tree Officer which will provide some compensation for the loss of the 5 metre laurel hedge. The proposal will replace sections of the existing close boarded fence. It is considered as this is a replacement of an existing fence it will not have a significant impact on the character of the area. The Tree Officer has recommended the landscaping plan to be conditioned to ensure the planting is carried out in accordance with the details submitted.

6.2.5 Due to the large rear garden the proposal can be accommodated comfortably within the plot. It was suggested in the letters of objection for the proposal to be relocated within the garden. However, the applicant has responded, which is available on our website, outlining the reasons as to why this is not possible. The Council is obliged to determine the application before it, which as detailed above is considered acceptable on its merits.

6.2.6 The solar PV panels are considered to be acceptable and will not have a negative impact on the character of the area this is because these are commonly found on domestic properties, and these particular panels are not proposed in a particularly prominent location.

6.2.7 Overall, it is considered that the proposed outbuilding will not have an adverse impact on the rural character of the area, due to the scale, position and design which all ensure it is in-keeping with the existing dwelling and character of the area. The proposal therefore complies with the aforementioned policies.

6.3 The impact on neighbouring amenity

6.3.1 The proposed outbuilding will be positioned away from No. 3 Lower Farm Cottages, to the south of the garage, by approximately 5.8 metres. This distance is considered sufficient to avoid any material impact on neighbouring amenity for this property. Furthermore, due to the orientation of the application site the proposal will not have a significant impact on daylight/sunlight received to this dwelling.

6.3.2 The outbuilding proposes a window on the north elevation this will not create overlooking into the neighbouring dwellings.

6.3.4 It is considered the surrounding dwellings in the locality are sufficiently separated from the proposal to not be adversely impacted in terms of neighbouring amenity.

6.3.5 It is recommended a condition is added, in the event planning permission is granted, for the outbuilding to remain ancillary to 1 Lower Farm Court to protect the amenity of the surrounding residential properties from any changes of use.

6.3.6 It is recommended a condition is added for construction hours to protect neighbouring amenity during the construction of the outbuilding.

6.4 The impact on highway safety and PROW

6.4.1 Letters of objection were received due to the concerns that the proposal will exacerbate existing parking problems in the locality.

6.4.2 The Highway Officer was consulted and provided the following response: the building will be provided within the rear garden and according to the plans submitted, will be used for the storage of bicycles, canoes, garden machinery and tools. Being entirely within the rear garden, it does not remove any existing car parking or turning area. I therefore have no objection to the proposal.

6.4.3 The proposal will not create a loss of parking spaces in this area nor impact on the existing turning circle. It is considered that the proposal will not negatively impact on the existing parking on site. As a result it is considered that the proposal will not have a detrimental impact on highway safety.

6.4.4 The public footpath (PROW) is approximately 30 metres from the application site. It is considered that the proposal will not have a significant impact on the footpath.

6.5 The assessment of sustainable development

6.5.1 The NPPF identifies the 3 dimensions of sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

6.5.2 The proposal makes no significant impact on the social and economic dimensions and therefore is not considered to be harmful. The environmental dimension considers the impact on the natural, built and historic environment which the proposed development respects.

6.6 Community Infrastructure Levy (CIL)

6.6.1 The proposed internal floor space will not increase by more than 100m². Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council the development is not liable to pay CIL.

7. Response to letters of representation

- 7.1 Letters of representation are noted and have been addressed in the report.
- 7.2 Concerns were raised that the outbuilding would be converted to a garage. The application can only be assessed on the information provided. The applicant has taken steps, including removing a set of garage doors, to demonstrate that the outbuilding will be used as a store rather than vehicle parking.

8. Conclusion

- 8.1 Having taken in to account the relevant policy considerations and the material considerations referred to above, it is considered that the development is acceptable and conditional approval is justifiable for the following reasons: the proposal's scale, design and materials resemble other domestic outbuildings and therefore will not detract from the character of the area and there will be not be a significant harmful impact on neighbouring amenity. The proposal accords with the NPPF (July 2018), Policy C6 of the Housing Site Allocations Development Plan Document (2006-2026) and Policy CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

9. Full Recommendation

The Head of Development and Planning be authorised to **GRANT** planning permission subject to the following 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 drawings listed below:

- (i) Location Plan (1:2500) received on 10.09.2018;
- (ii) Proposed Site Layout (58995: 4B) received on 06.11.2018;
- (iii) Proposed Elevations and Floor Plan (31-70694-SHEET2 A) received on 11.10.2018;
- (iv) Proposed Section and Technical Specification (31-70694-SHEET1) received on 11.10.2018.

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

3. The materials to be used in the development hereby permitted shall be as specified on the application form and approved plans.

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 (July 2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

4. The approved landscaping plan 58995:4B received on 06.11.2018 shall be implemented within the first planting season following completion of development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority. Any trees, shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF (July 2018) and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

5. 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 (July 2018) and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

6. The single storey outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary and/or incidental to the residential use of the dwelling known as 1 Lower Farm Court.

Reason: In the interests of amenity and the creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policies ADPP1, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

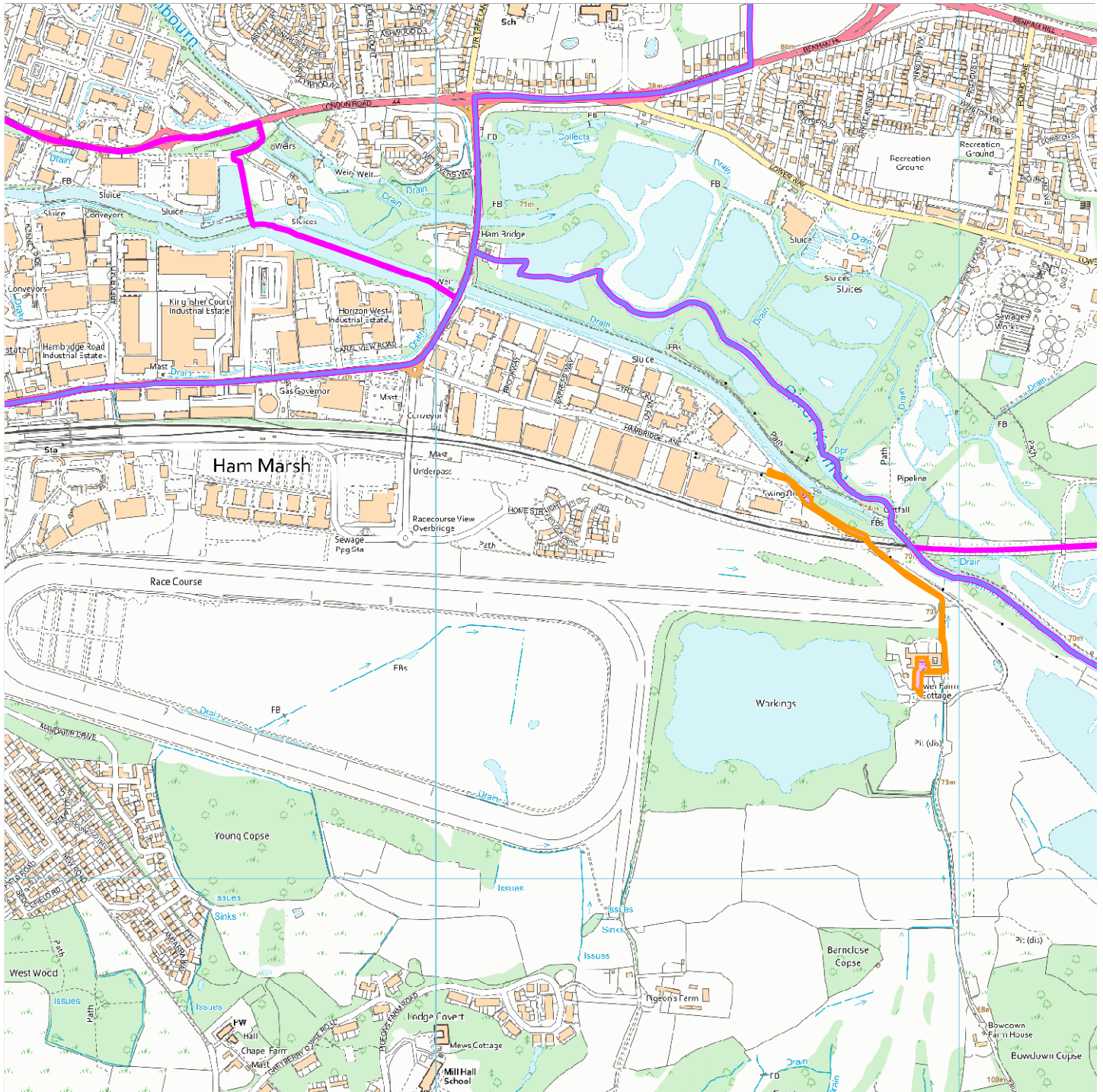
Informatives: DEC3 (Approval - objection/support received), I4 (Consent to enter adjoining land)

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18/01315/HOUSE

1 Lower Farm Court, Hambridge Lane, Newbury, RG14 5TH



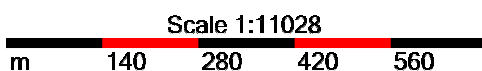
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	29 November 2018
SLA Number	0100024151



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Agenda Item 4.(3)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(3)	18/01090/FULD Welford and Wickham Parish Council	4 th July 2018 E.O.T 14 th December 2018	Elton Farm, Weston, Newbury, RG20 8JG Conversion of four agricultural buildings to residential use including parking, landscaping and associated works. Mr J H L Puxley Esq LL

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/01090/FULD>

Ward Member(s):

Councillor A.G.R. Stansfeld
Councillor James Cole

Reason for Committee determination:

The discretion of the Development Control Manager due to the sensitive issues arising from the neighbouring site.

Committee Site Visit:

6th December 2018

Recommendation.

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

Contact Officer Details

Name: Mrs Sue Etheridge
Job Title: Senior Planning Officer
Tel No: (01635) 519111
E-mail Address: susannah.etheridge@westberks.gov.uk

1. Site History

1.1. No recent relevant planning history

2. Publicity of Application

2.1. This application was advertised by a Site Notice which expired on 27th June 2018.

3. Consultations and Representations

Consultations

Welford Parish Council	<p>No objection.</p> <p>The Parish Council do not object to this application and agree that it is a sympathetic development, using existing footprints and preserving the farm building rather than letting them go in to disrepair. However, we insist the following matters are dealt with and agreed prior to full consent being granted:</p> <ol style="list-style-type: none">1. The Parish Council would not wish to see any effluent from any sewage system discharged into the River Lambourn and given the issues with the neighbouring development at Tee Kay Farm, we insist that a sewage solution is agreed in full before any commencement of work. We would like to be kept informed on the solutions the applicant is considering and be part of the consultation process on the final decision.2. The Parish Council has serious concerns about increasing the traffic that is using this blind junction of the Elton Lane and Newbury Road. There is currently no clear sight line for cars coming out of Elton Lane, and within 10 yards of the junction cars using the Newbury Road are still legally travelling at 60mph. We wish to see the applicant / highways agree a solution to this problem prior to commencing any development.3. Concerns have been raised to the Parish Council about this area being one of the few remaining habitats for the rare Desmoulin's Whorl Snail. We wish this to be investigated fully and independently to ensure the development is not detrimental to the habitat.
Environmental Health	<p>No objection. The site is former farm buildings and close to a dismantled railway line. A private water supply is proposed. A condition in respect of unforeseen contamination is suggested and advice regarding compliance with the Private Water Supplies (England) Regulations 2016</p>
Archaeology	<p>Further details on impact on non-designated heritage assets also WSI may be necessary.</p>
Conservation	<p>No objection. The conversions look to be a good tidy up of the existing buildings, with the proposed works in keeping with and respectful of the farmyard vernacular</p>
Highways	<p>No highway objection, following receipt of amended details relating to access drive, provision of passing bay and parking. Conditions suggested to secure parking and turning, access road width and passing bay provision.</p>

	With regard to the safety of the access into site from Newbury Road, the Highway Officer has confirmed that given the neighbouring development at the former Tee Kay Farm site (Grayling Lane) and the former use of this site as a working farmyard, no objection to use of access for four additional houses.
Waste Management	The collection point for refuse and recycling from the existing farm house is on the public highway at Elton Lane. The addition of 4 further dwellings may cause an issue on collection days with bins and containers at the kerbside however this is not necessarily unusual in rural areas.
AONB Management	No response at 28 th November 2018.
Drainage Engineer	Further soakage tests requested to assess impact of proposal to ensure risk of flooding not increased. Drainage Strategy received during consideration of the application. Further comments on strategy awaited.
PROW	Welford Footpath 16 runs through the farmyard to Elton Farm. This is part of the Lambourn Valley Way (a WBC promoted path) particularly popular in the summer. The proposal shows a few minor landscaping features lie within the historic width of this footpath. Amendments requested to ensure that the development would not obstruct the PROW. Amended plans requested and submitted to address comments. Final comments and conditions/informatives awaited and will be reported in the Update.
Ramblers Association	The Ramblers Association wish to object to the proposals on the following grounds:- The current farm track through the site is also a Right of Way (Welford footpath 16). The application lacks any detail as to what will become of the footpath. The existing track whether tarmacked or not will be the access into the site and therefore will be at conflict with the walking public. Moreover the footpath is also part of the Lambourn Valley Way and is treated as a long distance path and as so should be considered as a prime route.
Natural England	Detailed comments on impact of proposed foul drainage on River Lambourn. Further details and Drainage Strategy (Cole Easdon) received during consideration of the application. The scheme will allow discharge of surface water and treated foul water into the ground, with each dwelling plus the existing farmhouse having a sewage package treatment plant (providing an additional level of treatment) located in excess of 20 metres from the river. Connection with mains or the neighbouring private facility (former Tee Kay Farms site) is not feasible. Proposal subject to full implementation of Drainage Strategy acceptable to Natural England. No comments provided in respect of the impact of the development on the Desmoulin's Whorl Snail.
Ecology	No response at 30 th November 2018.

Environment Agency	No response at 30 th November 2018.
BBOWT	No response at 30 th November 2018.
Thames Water	No response at 30 th November 2018.
MOD	No response at 30 th November 2018.

4. **Representations**

- 4.1. Ten letters of representation some of which are duplicates or from the same contributor.
- 4.2. The matters raised in the letters of objection (summarised by officers) are:

Impact of proposed Sewage Package Treatment Plant (STP) on ecology of River Lambourn which is a SSSI and SAC,
 Safety of junction onto main road given poor visibility and traffic speeds
 Impact on the Desmoulin's whorl snail from proposed development and SPT.

5. **Planning Policy Considerations**

- 5.1. The statutory development plan relevant to this application comprises:

- West Berkshire Core Strategy (2006-2026)
- Housing Site Allocations DPD (2006-2026)
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)

- 5.2. The following policies from the West Berkshire Core Strategy are relevant to this application:

Area Delivery Plan Policy 1: Spatial Strategy
 Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty.
 CS4: Housing Type and Mix
 CS 5: Infrastructure requirements and delivery
 CS 10: Rural Economy
 CS 13: Transport
 CS 14: Design Principles
 CS 16: Flooding
 CS 17: Biodiversity and Geodiversity
 CS 19: Historic Environment and Landscape Character

- 5.3. The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by future development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

TRANS1: Meeting the Transport Needs of New development.
 OVS5: Environmental Nuisance and Pollution Control.
 OVS.6: Noise Pollution

- 5.4. The following Housing Site Allocations Development Plan Document policies are relevant to this application:

C1: Location of New Housing in the Countryside
 C3: Design of Housing in the Countryside
 C4: Conversion of Existing Redundant Buildings in the Countryside to Residential Use
 P1: Residential Parking for New Development

5.5. Other material considerations for this application include:

The National Planning Policy Framework (2018) (NPPF)
Planning Practice Guidance (PPG)
Quality Design Supplementary Planning Document (SPD)
Community Infrastructure Levy

6. Proposal

- 6.1. The proposal is for the convert and alter existing farm buildings to create four dwellings each comprising four bedrooms.
- 6.2. Building 1, a brick and flint barn with slate roof will be converted to create H1. Existing corrugated metal structures to the front and side (north) elevation will be demolished. The dwelling will comprise entrance hall, snug, open plan kitchen/sitting/dining area, boot room, living room, office and WC with stairs leading to the first floor (accommodated within the existing roof space) with four bedrooms, one with en-suite. The form and character of the building will be retained, with new window/doors opening using existing apertures or bays, conservation style roof lights are proposed in the roof.
- 6.3. Building 2, a large timber framed barn with pitched roof clad mostly in slates will be converted to H2 comprising entrance hall, open plan kitchen/breakfast/dining/family area, utility room, guest room, study, snug, shower room , three bedrooms and family bathroom. Stairs leading to the first floor, contained within the roof, comprising master bedroom with en-suite and gallery with void over the dining/family area. New conservation style roof lights are proposed. Other new openings respect the character and form of the existing building.
- 6.4. Building 3, a single storey partially open fronted tractor shed/store of brick and slate construction will be converted and extended with a wing attached to the southwest end, constructed on the same footprint as the existing Pig Shed to create H3. It will comprise an entrance hall leading to three bedrooms with family bathroom and master bedroom (including en-suite) contained within the original building. The new wing, will provide a dining room, leading to family room and kitchen with a corridor then serving a utility room, boot room, study, guest room, shower room and TV/Playroom. New openings respect the character and form of the other buildings within the complex Existing hay shed and stalls to the southwest will be demolished. An existing timber shed will be replaced to provide a garden room.
- 6.5. Building 4, is a large single storey barn comprising three spans (parallel ranges) each with nine bays. The structure comprises concrete posts supporting the roof structure of steel trusses. It is clad with corrugated concrete roof, with sides comprising breeze block and corrugated concrete and wood, the easy elevation is open fronted. H4 will be created by removing one range completely and two bays form the retained ranges. Internally existing support posts will be used to create a single storey dwelling with entrance hall, open plan family/dining and kitchen area, snug, utility room, WC, study, four bedrooms plus guest room all with en-suites. Externally the walls will be clad in horizontal timber boarding. New openings will be similar to those proposed for H1 to the south. A new double detached garage is proposed to the south.
- 6.6. Access to the dwellings will be via the existing farm track. Each dwelling will be provided with three car parking spaces, some of which are within open sided car ports. Each dwelling will have private amenity space. There are no changes to the existing farm house or granary within the site.

7. Site Location and Description

- 7.1 The application site comprises redundant farm buildings at Elton Farm Weston. The buildings were originally set out in an informal U-shape including the farm house to the southwest at the end of the 19th Century. Additional buildings including Building 4, additions and ramps/silos have been added since that time. The farm track which leads from Elton Lane to the southeast runs past the buildings and leads up to the dismantled railway line which runs in a northwest-southeast direction to the northeast of the site. The farm track forms part of the public footpath WELF/16/1 which forms part of the Lambourn Valley Way. The River Lambourn Site SSSI (Site of Special Scientific Interest) and SAC (Special Area of Conservation) lies to the south and west of the application site. The site lies outside of Flood Zones 2 and 3. It is partly within a bio diversity opportunity area and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

8. Consideration of the Proposal

The main issues for consideration in the determination of this application are:

- 8.1. The Principle of Development
- 8.2. The Impact on the character of the area and AONB
- 8.3. The Impact on Highway Safety
- 8.4. The Impact on Drainage , Flooding and Ecology
- 8.5. Impact on Amenity
- 8.6. Community Infrastructure Levy
- 8.7. The Assessment of Sustainable Development

8.1 Principle of Development

- 8.1.1 National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy, the Saved Policies of the West Berkshire District Local Plan and the West Berkshire Housing Site Allocations Development Plan Document.
- 8.1.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The key policies that relate to the delivery of housing within West Berkshire, and are relevant to this application, are Core Strategy Policies ADPP1, ADPP5 and CS1 and Housing Site Allocations DPD Policy C1.
- 8.1.3 The site is located outside of any identified settlement within open countryside as defined by Policy C1. The site is within the North Wessex Downs AONB. Policy ADPP1 of the Core Strategy states that 'only appropriate limited development in the countryside will be allowed, focused on the addressing identified needs and maintaining a strong rural economy'. Policy CS1 of the Core Strategy states that new homes will be located in accordance with the settlement hierarchy outlined in Policies ADPP1 and ADPP5. The Policy goes on to state that new homes will be primarily developed on:
- Suitable previously developed land within settlement boundaries.
 - Other suitable land within settlement boundaries.
 - Strategic sites and broad locations identified on the Core Strategy Key Diagram.
 - Land allocated for residential development in subsequent Development Plan Documents.

Exceptions are limited to rural exception housing schemes, conversion of redundant buildings, housing to accommodate rural workers and extension to or replacement of existing residential units. The conversion of redundant buildings in the countryside to residential use is supported by policy C4 of the HSA DPD, subject to specific criteria.

- 8.1.4 The current proposal will result in the conversion of existing buildings, no longer suitable for modern farming practices, removal of redundant buildings, plant and machinery, alterations and some new build to create four new dwellings within the countryside. The proposals will retain the existing structures, with some new build and an overall reduction of the built form on the site. Main dimensions will remain with no increase in height. There will be new openings to each building with existing or suitable alternative roof and wall materials. The application is supported by Structural Engineering Assessments confirming the buildings are structurally sound. The buildings form a group of farm buildings, the proposal will reduce the overall built form but retain the traditional farmstead layout.
- 8.1.5 The principle of the proposal to convert these redundant buildings to create four dwellings is therefore considered acceptable, subject to considerations below.

8.2 The Impact on the Character and Appearance of the Area and AONB

- 8.2.1 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. It further states that development shall contribute positively to local distinctiveness and sense of place.
- 8.2.2 Policy CS19 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 form, pattern and character. It also requires the conservation, and where appropriate, enhancement of heritage assets and their settings. ADPP5 seeks to preserve local distinctiveness, sense of place and the setting of the Area of Outstanding Natural Beauty.
- 8.2.3 The site lies within the original farmyard of Elton Farm just to the north of the original farm house. The site comprises redundant farm buildings, hard standing areas, associated farm storage areas, machinery and plant and an area of unused grassland to the east. To the east of the application site is the residential development comprising 11 modern dwellings at Grayling Lane. The application site does not contain any trees of significance. To the south of the site is the River Lambourn a SSSI and SAC. Public footpath WELF/16/1 passes through the site. The ground slopes upwards in a northwesterly direction.
- 8.2.4 The buildings form part of the agricultural landscape of the area. The proposed works will improve the appearance of the farmyard, retaining the agricultural heritage of the area and result in a reduction in overall built form and removal of modern unsightly structures. The conversion works and new build will use materials and finishes appropriate to this rural area. Given the fact that a PROW passes through the site the development will be easily visible from public vantage points. The PROW Officer has raised no objection to the scheme, following slight amendments to the layout to ensure that the legal width of the footpath is not obstructed. It is considered that the scheme, which has been sensitively considered would preserve and enhance the character of the area and group of traditional farm buildings within the AONB.
- 8.2.5 If approved, it is considered that, conditions should be attached to ensure materials and hard landscaping is appropriate to the character of the area. In addition PD Rights in respect of extensions and means of enclosure should be removed to ensure that the site is not overdeveloped nor compromises the visual character of the area within the AONB.

8.2.6 The proposal in terms of siting, form and scale is considered appropriate to the rural character of the area, within the AONB. The proposal subject to conditions to ensure design details/ materials will therefore meet the objectives of policies CS14 and CS19 of the Core Strategy and advice set out within the NPPF.

8.3 The Impact on Highway Safety

8.3.1 Policies CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to highways and transport considerations. P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.

8.3.2 The Highway Officer expressed concern regarding the width of the access track. Amended plans have been received to provide a passing spaces to enable large vehicles to safely pass. The proposal is considered to be acceptable in terms of layout, access width and car parking provision. The new use would not result in an increase in the number of traffic movements compared to the former use as a working farm. It has been noted that both local residents and the Parish Council are concerned regarding the safety of the access onto Newbury Road from Elton Lane and the deregulated speed of traffic (60mph) close to the existing junction. The Highway Officer is aware of poor sightlines, however on balance, compared to use by farm traffic it is considered acceptable and the new use would not compromise highway safety.

8.3.3 The proposed development is considered acceptable in terms of highway safety and meets current guidelines. It will comply with the criteria contained within Policy CS13 of the Core Strategy, Policy P1 of the HSA DPD, and advice contained in the NPPF.

8.4 The Impact on Drainage, Flooding and Ecology,

8.4.1 The application site is close to the River Lambourn SSSI and SAC. Given the location away from mains drainage and water supply a private sewage package treatment plant (STP) for each dwelling and the existing farm house and private water supply is proposed. Concern has been expressed by the Parish and locally residents and initially by Natural England regarding the use of a STP and impact of infiltration of surface water and foul water on the River Lambourn. Following detailed discussions and the submission of a Drainage Strategy (Cole Easdon), Natural England are satisfied that the proposed strategy will not result in harm to the sensitive SSSI and SAC. The strategy includes infiltration tests, confirming suitability of cellular soakaways and filter drains for surface water drainage. Foul water will be managed by private STPs for each dwelling. This will treat foul water and enable discharge, by infiltration to drainage fields in excess of 20 metres from the river. The discharge will be into specially designed and constructed drainage fields before infiltrating into the ground. In addition the old system at the farmhouse will be upgraded to a new STP, draining into a new drainage field, offering betterment. Maintenance responsibility will be with the property owner of each dwelling. These arrangements will ensure that the quality of effluent entering the groundwater body, and ultimately to the River Lambourn SSI/SAC via subsurface flow routes is below any threat level. It is acknowledged that there were concerns regarding the recent development at the former Tee Kay Farm site (now Grayling Lane) to the east. The applicant has fully explored the possibility of connection to the private drainage at this site. However the specifications of the drainage system is such that it does not have capacity for additional dwellings.

8.4.2 The proposal involves conversion of redundant buildings. The application is supported by a Phase I and II Protected Species (Bat and Reptile) survey. Evidence of one bat emerging from Building 1 and bats foraging and commuting within the site was found. No reptiles were found. An EPS licence will be required to legally carry out destructive works on

Building 1. A mitigation strategy to provide an alternative day bat roost (bat access tile in the roof of H1) and biodiversity enhancements (bat and bird boxes and native species of new planting). Development should be in accordance with the Phase I and II Protected Species Report.

- 8.4.3 The report also refers to pollution prevention, given the location close to the River Lambourn SSSI and SAC, during construction and post development. Procedures are set out in the report. A condition would ensure protection of this sensitive area.
- 8.4.4 The Parish Council and local residents have raised concern of the impact of the scheme on the Desmoulin's Whorl snail. The submitted survey did not provide evidence of this snail within the application site. The suggested pollution control/protection measures above should ensure that the development does not harm this species.
- 8.4.5 The application, subject to appropriately worded conditions, is therefore considered to comply with European and national protected species legislation and requirements for sustainable drainage. The proposal is in accordance with Policies CS16 and C17 of the Core Strategy and advice set out in the NPPF.

8.5 Impact on Amenity

- 8.5.1 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. The West Berkshire Quality Design SPD and the West Berkshire House Extensions SPG provide guidance on the impacts of development on neighbouring living conditions.
- 8.5.2 There are existing dwellings to the east and south of the site. Given the separation distance it is not considered that the new use would unduly harm the amenities of these existing residents. A condition to restrict hours of construction is suggested.
- 8.5.3 Public Footpath WELF/16/1 passes through the site. The PROW Officer is satisfied that given the existing/former use of the site as a working farm the amenity of users of the PROW would not be compromised. It is noted that the Ramblers Association has expressed concern regarding potential conflict, future surfacing and safety of walkers. Details of surfacing to ensure the rural character is retained could be secured by condition. Warning signage may be necessary. These details along with informatives suggested by the PROW Officer could be attached.
- 8.5.4 The private amenity space for each new dwelling meets the guidelines set out within the Quality Design Document. Given the former use of the site also close to the dismantled railway line there is the potential for unforeseen contamination. A condition has been suggested by the Environmental Health Officer. A condition requiring details of spoil use and disposal is required to ensure the amount of evacuated material is dealt with acceptably.
- 8.5.5 Therefore subject to conditions, the proposal is acceptable in terms of impact on amenity and in accordance with policies CS14 and saved policies OVS5 and OVS6 and advice set out within the NPPF.

8.6 Community Infrastructure Levy

- 8.6.1 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations new dwellings are liable to pay the Community Infrastructure Levy. In this instance the site is within the Area

of Outstanding Natural Beauty charging area under which the chargeable rate is £125(indexed) per m2 of gross internal area. A separate Community Infrastructure Levy liability notice detailing the chargeable amount is to be sent with planning decision notices.

8.7 Sustainable Development

8.7.1 The NPPF has introduced a presumption in favour of sustainable development, which should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.

8.7.2 Future residents would make a contribution to the local economy, and the development would provide employment in construction for a short period. The environmental considerations have been assessed in terms of the impact on the character and appearance of the area and the AONB, impact on highway safety, ecology and amenity. For the reasons given above this is considered acceptable. The development would bring social benefits in terms of providing housing required to meet the needs of present and future generations. As these have been found acceptable the development is considered to constitute sustainable development.

9 Conclusion

9.1.1 Having taken account of all the relevant policy considerations and the other material considerations referred to above, this proposal is acceptable and a conditional approval is justifiable for the following reasons.

9.1.2 The proposal will not unduly harm the character and appearance of the surrounding area and the AONB, neighbouring amenity, highway safety, ecology or amenity. It will provide new housing which will add to the type and mix of housing within the District and retain many of these traditional farm buildings. Concerns relating to the impact from surface water and foul water infiltration on the River Lambourn SSSI and SAC have been address and the Drainage Strategy is accepted by Natural England. There are no other material considerations that indicate planning permission should otherwise be refused. It is recommended that the application be approved.

10 Recommendation

The Head of Development and Planning be authorised to APPROVE Planning Permission subject to the following conditions:-

1. Full planning permission time limit

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

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

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved drawings

Site Location Plan 2152 P1-01 rev A
Proposed Site Plan 2152 P1-03 rev B (received by e-mail dated 10th August 2018)
Proposed House 1
Proposed Ground Floor Plan 2152 P2-01-H1
Proposed First Floor Plan 2152 P2-02-H1
Proposed Roof Plan 2152 P2-03-H1
Proposed Elevations 2152 P3-01-H1, P3-02-H1 and P3-03-H1

Proposed House 2
Proposed Ground and First Floor Plan 2152 P2-04-H2
Proposed Roof Plan 2152 P2-05-H2
Proposed Elevations 2152 P3-04-H2 and P3-05-H2

Proposed House 3
Proposed Floor Plan 2152 P2-06-H3
Proposed Roof Plan 2152 P2-07-H3
Proposed Elevations 2152 P3-06-H3 and P3-07-H3
Proposed Outbuilding - Proposed Plan and Elevations 2152 P2-11-S3

Proposed House 4
Proposed Floor Plan 2152 P2-08-H4
Proposed Roof Plan 2152 P2-09-H4
Proposed Elevations 2152 P3-08-H4 rev A
Garage H4 - Proposed Plans and Elevation 8152 P2-10-G4

Associated Documents and Background Documents

Figure Ground Plans 2152 P1-02 rev A
Contextual Analysis 2152 P1-04 rev A
Existing Plans Building 1
Floor, Roof, Elevations 2152 E2-01-H1; E2-02-H1; E2-03-H1; E3-01-H1; E3-02-H1 and E3-03-H1.
Existing Plans Building 2
Floor, Roof and Elevations 2152 E2-04-H2; E2-05-H2; E2-04-H2; E2-05-H2.
Existing Plans Building 3
Floor, Roof and Elevations 2152 E2-06-H3; E2-07-H3; E3-06-H3.
Existing Plans Building 4
Floor, Roof and Elevations 2152 E2-08-H4; E3-08-H4.
Contextual Site Sections 2152 P5-01 rev A
Topographic Survey 2152/SK00 rev A

Planning, Design and Access Statement April 2018 (Pro Vision)
Structural Report four barns (Archibald Shaw) Issue 30th May 2017
Structural Report Large Barn (Pro Vision) (26th March 2018)

Drainage

Drainage Design Strategy Issue 4 dated October 2018 (Cole Easdon) received by e-mail dated 24th October 2018

Ecology

Covering Letter 23rd February 2018
Phase I Ecological Assessment (October 2016) (PV Ecology)
Phase II Bat and Reptile Report (November 2017) (PV Ecology)

All received with the application validated on 9th May 2018 unless otherwise specified.

Reason: To ensure that the development is carried out in accordance with the submitted details in accordance with the National Planning Policy Framework, policies ADPP1, ADPP5, CS 13, CS 14,

and CS 19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, Supplementary Planning Document: Quality Design 2006.

3. Materials as specified

The materials to be used in the development hereby permitted shall be as specified on the plans and the application forms unless alternative materials are first submitted to and approved in writing by the local planning authority.

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, Policies ADPP 1, ADPP 5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance House Extensions (July 2004).

4. Hours of Work (Construction)

The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: To safeguard the living conditions of adjacent occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

5. Parking/turning in accord with plans

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 plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. Schedule of materials for access road

No development above ground level shall take place until a schedule of materials to be used in the access road and car park areas has been submitted to and approved in writing by the Local Planning Authority. The materials should be permeable. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application the use shall not commence until the access and car park has been constructed in accordance with the approved schedule.

Reason: To ensure that the appearance of the access is appropriate to the character of the area and will not affect highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

7. Vehicle passing area

No dwelling shall be occupied until the vehicle passing area shown on drawing 2152/P1-03 rev B submitted on August 10th 2018 is provided in accordance with the approved details prior to any further use of the site.

Reason: To ensure the private drive is provided with adequate passing spaces/areas, in order to reduce the likelihood of vehicles reversing into the highway which would adversely affect road safety and the flow of traffic in accordance with Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8. Unforeseen Contamination

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 carried out to agreed timescales and approved by the Local Planning Authority in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. In accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

9. Landscaping

No development above ground level shall commence until full details of all soft and hard landscaping, including means of enclosure have been submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full before the dwellings hereby approved are first occupied, unless an alternative timescale is first agreed.

The details shall include the treatment of hard surfacing and means of enclosure (and materials to be used), a schedule of plants (noting species, plant sizes and proposed numbers/densities), an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- a) completion of the approved landscaping within the first planting season following the completion of the development;
- b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species;
- c) The completion of all hard surfacing and means of enclosures, before first occupation.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy July 2006-2026.

10. External lighting (details required)

No external lighting shall be erected/installed on the site until full details have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved scheme before the buildings hereby permitted are occupied. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development. To protect the amenities of adjoining land users and the character of the area. The area is unlit at night and benefits from dark night skies. Inappropriate external lighting would harm the special rural character of the locality. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADDP5, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

11. Drainage Strategy

The development hereby approved shall be carried out in accordance with the Approved Drainage Strategy Issue 4 (Cole Easdon) dated October 2018 (received by e-mail dated 24th October 2018) and e-mail from agent dated 23rd October 2018.

No dwelling shall be occupied until the strategy has been constructed, the measures shall be installed and thereafter maintained and kept in full working order in accordance with the report and manufacturers specifications and instructions for the lifetime of the development hereby approved.

All sewage package treatment plans and drainage fields should be a minimum of 20 metres away from the River Lambourn, with drainage fields maintaining a buffer of adequate height above the groundwater.

Reason: To ensure that the surface and foul water from the development is managed and does not harm the sensitive ecology of the River Lambourn SSSI and SAC or protected species within the locality. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

12. Ecology Mitigation (implement)

The development hereby approved shall be carried out in accordance with the Phase I and Phase II Protected Species Survey (PV Ecology dated 23rd February 2018, October 2016 and November 2017). The required EPS Licence shall be obtained and all mitigation measures shall be implemented in full, unless alternative details are required as part of the EPS Licence process.

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

13. Spoil

No development resulting in demolition of buildings or removal of spoil shall commence on site until full details of how spoil arising from the development will be used and/or disposed of have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- a) Show where any spoil to remain on the site will be deposited,

- b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels),
- c) Include measures to remove the spoil from the site.
- d) Include a timescale for the spoil removal and associated works.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that any raising of ground levels on the site will not harm the character and amenity of the area or amenity of neighbouring land uses. In accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

14. PD Rights Extensions

Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no additions or extensions to the dwelling, shall be built or ancillary buildings or structures erected within the curtilage, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the over-development of the site, to safeguard the amenities and visual character of this rural area within the AONB. In accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

15. PD Rights Fencing and Other Means of Enclosure

Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no fences, walls or other means of enclosure shall be erected on the boundaries of the site, unless approved as part of other conditions attached to this permission or permission in writing has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To safeguard the amenities and visual character of this rural area within the AONB. In accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

Informatives

HI 3 Damage to footways, cycleways and verges

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

HI 4 Damage to the carriageway

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

Environmental Health Informative

Property is on a Private Water Supply

The applicant shall ensure the private water supply for the house/development complies with the Private Water Supplies (England) Regulations 2016. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to West Berkshire Council Environmental Health in line with the above regulations.

Waste Management

The collection point for refuse and recycling from the new dwellings and with the existing farm house is on the public highway at Elton Lane.

CIL Liability

The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

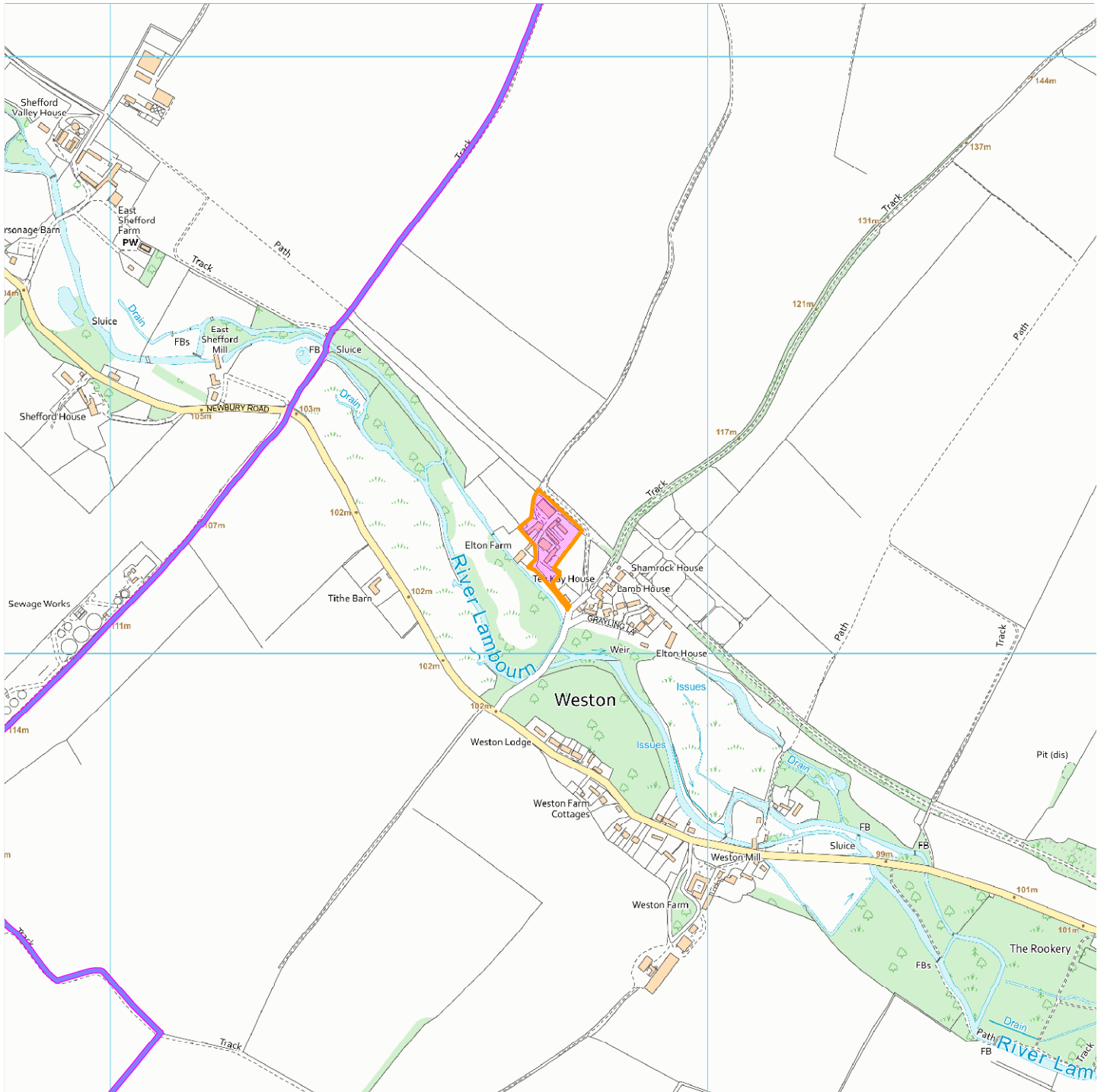
NPPF

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

DC

18/01090/FULD

Elton Farm, Weston, RG20 8JG



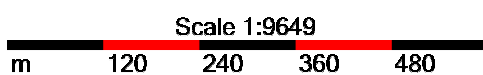
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	29 November 2018
SLA Number	0100024151



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