

Notice of Meeting



Scan here to access the public documents for this meeting

Western Area Planning Committee Wednesday 13 March 2019 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 Rachel Craggs on (01635) 519441 Email: rachel.craggs@westberks.gov.uk

Date of despatch of Agenda: Tuesday, 5 March 2019



Agenda - Western Area Planning Committee to be held on Wednesday, 13 March 2019
(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
-

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 5 - 18
To approve as a correct record the Minutes of the meeting of this Committee held on 30 January 2019.
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: 18/03398/HOUSE – Kintbury** 19 - 28

Proposal: Two storey and single storey extensions
Location: Winterley House, Kintbury
Applicant: Mr and Mrs McNally
Recommendation: **The Head of Development and Planning be authorised to REFUSE planning permission.**
 - (2) **Application No. and Parish: 19/00019/HOUSE - Newbury Town Council** 29 - 46

Proposal: Single storey extension with basement
Location: 19 Battery End
Newbury
Berkshire
RG14 6NX
Applicant: Mr Jack and Danielle Stacey
Recommendation: **The Head of Development and Planning be authorised to GRANT planning permission.**



Agenda - Western Area Planning Committee to be held on Wednesday, 13 March 2019
(continued)

Items for Information

5. **Appeal Decisions relating to Western Area Planning Committee** 47 - 56
Purpose: To inform Members of the results of recent appeal decisions relating to the Western Area Planning Committee.

Background Papers

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

Andy Day
Head of Strategic Support

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



This page is intentionally left blank

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, 30 JANUARY 2019

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

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

Apologies for inability to attend the meeting: Councillor Dennis Benneyworth and Councillor James Cole

PART I

37. Minutes

The Minutes of the meeting held on 12 December 2018 were approved as a true and correct record and signed by the Chairman.

38. Declarations of Interest

Councillor Billy Drummond declared an interest in Agenda Item 4(1), and reported that, as his interest was an disclosable pecuniary interest or a other registrable interest, he would be leaving the meeting during the course of consideration of the matter.

Councillor Jeff Beck, Adrian Edwards and Anthony Pick declared an interest in Agenda Item 4(1), but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

39. Schedule of Planning Applications

(1) Application No. and Parish: 18/03144/FUL - Newbury

(Councillor Billy Drummond declared a personal and prejudicial interest in Agenda Item 4(1) by virtue of the fact that he was a Trustee of the St Bartholomew's Charitable Foundation. As his interest was a other registrable interest, he would be leaving the meeting during the course of consideration of the matter and would take no part in the debate or voting on the matter.)

(Councillors Jeff Beck and Anthony Pick declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were Members of Newbury Town Council's and the Planning and Highways Committee. They had been present when the application was discussed, but would consider the application afresh. As their interest was personal and not a prejudicial or a disclosable pecuniary interest they determined to take part in the debate and vote on the matter.)

(Councillor Adrian Edwards declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a Member of Newbury Town Council and the Planning and Highways Committee but had not participated in the discussion of the application. He was also a

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

resident of Fifth Road and formerly a Trustee of the St Bartholomew's Charitable Foundation but had resigned. As his interest was personal and not a prejudicial or a disclosable pecuniary interest he determined to take part in the debate and vote on the matter).

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/03144/FUL in respect of the proposed demolition of the sports pavilion and erection of a single storey replacement pavilion and new parking area.
2. In accordance with the Council's Constitution, Mr Alan Bradshaw, Mr Steve Sanders and Mr Chris Jones, objectors, Mr Bob Broadbridge, supporter, and Mrs Julia Mortimore and Mr Jonathan Gratton, applicant/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 recommended the Committee grant planning permission.
4. Mr Sanders, Jones and Bradshaw in addressing the Committee raised the following points:
 1. Residents had been told repeatedly that there would be no change to the use of the site but the proposed conditions for hours of use suggested that the pavilion could be used on Saturday evenings by unknown groups.
 2. The proposed design did not constitute a like for like replacement of the pavilion.
 3. The school's traffic policy was unenforceable. The road became gridlocked by coaches on match days.
 4. Hours of use should be limited. Newbury Athletic Club only used the site on Thursday evenings. It did not make sense for use of the site to be permitted until 10pm 6 days per week.
 5. Visitors to the site parked irresponsibly in the area which posed a health and safety risk. The proposal would be more appealing and attract more visitors.
1. Councillor Paul Bryant enquired what hours of use the objectors would like to see imposed on the site. Mr Jones advised that they should be school hours, Saturday mornings and Thursdays until 9pm, as they were at present.
2. Councillor Bryant further asked how frequently matches were held on the site. Mr Bradshaw responded that they were eight times per year.
3. Councillor Clive Hooker enquired upon the traffic situation on school days, Mr Jones advised that pupils walked to the site from the school.
4. Councillor Anthony Pick enquired how many cars parked informally on the site at present. Mr Jones advised that on Thursday evenings around 30 cars parked on the site.
5. Councillor Adrian Edwards asked whether it was common for coaches to attend the site. Mr Sanders advised that when events were held on the site coaches would access the area. There was a risk that emergency vehicles would not be able to pass parked coaches. The school did not manage traffic on event days. Mr Jones added that the proposals could enable eight to ten teams to play lacrosse on a match day which would mean an increase in the number of cars and coaches accessing the site.

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

6. Mr Broadbridge in addressing the Committee raised the following points:
 6. He was the Chairman of Newbury Athletic Club; a thriving and inclusive organisation which offered a range of specialist coaching for people aged 8 to 70. The Club made an important and successful contribution to the community.
 7. The site had an important role for the Club and the school to ensure students could access physical education.
 8. The Club used the site as the summer base for junior athletics and distance runners on Thursday evenings from April to September. The pavilion was also used for circuit training, committee meetings and ad hoc gym training.
 9. Eight parking spaces would be inadequate so visitors would be asked to park along the eastern boundary of the site. Around 40 vehicles dropped athletes off at the site. The Club emphasised the importance of considerate parking to its visitors.
 10. No complaints about traffic and parking had been received either directly or via the school.
 11. The new pavilion would be essential to continuing providing valuable sporting services to the community. The use was like for like and the new pavilion would be fit for purpose.
 12. Councillor Beck asked whether Newbury Athletics Club had ever used parking marshalls. Mr Broadbridge advised they had not but heard it as a good suggestion.
 13. Councillor Pick enquired how the 70-80 junior athletes arrived at the site. Mr Broadbridge advised that around 30-40 cars would drop off and a further 10-15 would park on the site and watch.
 14. Councillor Adrian Edwards asked whether any events were held on the site. Mr Broadbridge advised that it was not suitable for events so the Crookham site would be used.
 15. Councillor Bryant enquired what the impact would be if the Committee were minded to restrict the hours of use on the site. Mr Broadbridge noted that while the primary use of the site was Thursday evenings, the minor uses were still important to the business of the Club and requested that groups of up to 15 people be permitted to use the site on other weeknights. Councillor 9pm asked whether 9pm was a reasonable cut off time. Mr Broadbridge advised that would pose difficulties.
16. Ms Mortimore and Mr Gratton in addressing the Committee raised the following points:
 17. The existing pavilion was at the end of its life and the new pavilion was necessary for the maintenance of the site as a community facility.
 18. A number of proposals had been looked at but were not sufficiently viable. This application was supported by Sport England, Newbury Athletics Club and Greenham Common Trust.
 19. The site had been gifted to the school and Newbury Athletics Club for sport activity and the school wished to ensure future generations had access to physical education on the site. This proposal would not change the use of the land.
 20. The pavilion would cover the same area and was lower in height than the current building on the site.

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

21. The school used the site for lacrosse matches on around eight Saturdays per year.
22. The new location of the pavilion would enable disabled access.
23. Councillor Hilary Cole enquired upon the proposed hours of use. Mrs Mortimore advised that the proposed hours were those of the main school building, although the site would not be used to the full extent of the permitted hours. Mr Gratton explained that the hours reflected the main school and at present there were no limitations on the hours the site could be used.
24. Councillor Pick asked for more information on the school's travel plan. Mr Gratton advised that the plan was developed by a highways consultant and was not proposed to be changed by the application. Mrs Mortimore advised that parents were encouraged to park at the school and walk to the site but external visitors were less easy to manage. Parking at the main school site was limited at weekends due to other community uses of the school such as Berkshire Maestros. The only community use of the Fifth Road playing field would be by the school and Newbury Athletics Club.
25. Councillor Garth Simpson requested more information regarding the lacrosse matches held on the site. Mrs Mortimore advised that the matches were for St Bartholomews' students to play one other school. The proposals meant that three standard sized pitches could be accommodated on the site in addition to improved disabled access. The position of the pavilion and car park would mean that lacrosse balls would not hit cars. Councillor Simpson asked whether the site would have the same capacity for informal parking. Mrs Mortimore explained that it would when used by Newbury Athletics Club but not when used for lacrosse matches which was also the case at present.
26. Councillor Hooker asked what the encumbrance of not having three standard sized pitches would be. Mrs Mortimore advised that as the site was a playing field it was legally necessary to ensure that the sites facilities were maintained. Mr Gratton explained that the pitches would not be at Olympic standards but would meet standard sizing for women's pitches including a safe run-off distance.
27. Councillor Bryant asked whether three pitches of identical size would lead to intensification of use of the site. Mrs Mortimore advised that the same number of teams would play a match but it offered flexibility as senior teams would not play on the existing smaller pitch.
28. Councillor Bryant asked for a comment regarding the hours of use. Mrs Mortimore advised that the school required use during school hours and Saturdays. Only Newbury Athletics Club required to use the site on evenings and their access at these times should be maintained. .
29. Councillor Edwards asked whether it was necessary to have access to the site until 10pm on Saturday evenings; Mrs Mortimore confirmed it was not. When Councillor Edwards challenged why that time had been proposed, Mrs Mortimore explained that for simplicity it had been proposed that the site be subject to the same hours of use as the main school. She understood the concern of residents about the potential use of the site on Saturday evening.
30. In response to a further question regarding informal on the site by Councillor Edwards, Mrs Mortimore advised that during lacrosse matches it was not possible to park informally on the site.

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

31. Councillor Pick asked whether coaches could be permitted to park at the school on match days; Mrs Mortimore advised that it may prove a problem to balance with other uses of the school on those days but would be considered. Councillor Pick asked whether the school would be amenable to appointing traffic marshalls; MRs Mortimore advised she would look into the matter.
32. Councillor Pick asked whether they had been consulted on the application; MRs Mortimore advised that the school had sent letters and held a meeting
33. Councillor Cole asked whether the proposed hours of use had been proposed by the applicant or planning case officer. Mr Gratton confirmed that it was the case officer. He had queried this as the site previously had no restrictions.
34. Councillor Edwards in addressing the Committee as Ward Member raised the following points:
35. The comments from the Town Council were relevant.
36. It was unusual that not all residents had been consulted. There had been no response to concerns regarding lighting.
37. There had been a significant number of objections which was unusual for such an application.
38. The location of the proposed new pavilion would have a significant impact on neighbours. It would be overbearing, noisy, cause a loss of privacy and light pollution.
39. Better facilities would attract more visitors and worsen traffic problems in the area.
40. Residents were subjected to appalling parking conditions.
41. The pavilion should be rebuilt in the same location.
42. He urged Members to oppose the plans.
43. Councillor Virginia von Celsing asked for a further explanation regarding the view that there would be an increase in the number of vehicles travelling to the site when there was no increase to the number of teams or pitches. Councillor Edwards stated that more people would be attracted to use the facilities and lead to an increase in people going to Newbury Athletics Club. Councillor von Celsing stated that the applicant advised there would be no increase in the number of teams and had explained why three standard pitches was not achievable on the site in its current layout.
44. Councillor Bryant asked why Councillor Edwards thought there would be more noise. Councillor Edwards advised that it was because of the location of the pavilion. Councillor Bryant asked if he thought users of the pavilion would be noisy. Councillor Edwards advised that in the summer people would be outside.
45. Councillor Bryant highlighted that there would be no streetlights and no windows on the southern side of the pavilion and asked where light pollution would come from. Councillor Edwards said that the window facing west would cause more light than there was at present.
46. Councillor Bryant suggested that the height of the pavilion was similar to the hedge so would be largely invisible. Councillor Edwards stated that the ridge height would be over the fence line and the hedge was not the whole length of the proposed pavilion.

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

47. Turning to questions for officers, Councillor Cole stated that she understood why the suggested hours of use were consistent with the main school but asked whether they were appropriate for the site. Matthew Shepherd advised that the hours had been set to take into account Newbury Athletics Club's use of the site and occasional run over of events. The proposed hours were considered to be enforceable in terms of the six tests laid out in the Planning Policy Guidance. It was in the Committee's gift to amend the hours of use but they should note that the site previously had no restrictions.
48. Councillor Pick asked whether there were any other community uses on the site. Matthew Shepherd advised that it was restricted to sports.
49. Councillor Bryant sought information on the visibility of the building from Fifth Road. Matthew Shepherd confirmed the building would be 3.35m tall and a distance of 18m to the nearest dwelling. The hedge thinned out so a landscaping condition was proposed. Councillor Bryant asked what the minimum distances between properties should be in an urban area. Matthew Shepherd advised that to the front of a property it should be 20m and 15m to the back.
50. Councillor Beck enquired whether the colour scheme could be amended considering that the pavilion was some distance from the main school building and outside Newbury's settlement boundary. Matthew Shepherd advised that a condition was proposed regarding approval of materials to be used and it was in the Committee's gift to influence. Councillor Hooker enquired whether residents could have an input into the choice of colour. Derek Carnegie recommended that officers handled the matter.
51. Councillor von Celsing requested Paul Goddard's views on the parking. Paul Goddard stated that the application had not been easy to assess. Had the application been for a new use on the site he would have applied the full weight of the Council's current parking standards and that would have required 45 spaces. However, the proposal would replace almost like for like an existing facility. Should the Committee refuse the application, a Planning Inspector at appeal was not likely to find in favour of the council. There was no suggestion that use of the site would be intensified, the same number of events would be held on the same days. The issues in the area would continue whether permission was granted or not. There was no evidence that the proposals would worsen the situation.
52. Councillor Pick asked what was understood by an active travel plan. Paul Goddard advised that most schools had one in place to encourage pupils to use sustainable means of travel. The plan was ongoing and monitored by colleagues in transport policy. He was not aware that any changes were proposed to the plan.
53. Councillor Pick sought clarification on the claim that net parking on the site would be increased. Paul Goddard advised that informal parking would continue along the eastern boundary of the site when the lacrosse pitches were not in use. He clarified the position on the site map.
54. Councillor Edwards asked what options there were to improve parking outside the site. Paul Goddard suggested that the Road Safety and Traffic Management teams be approached.
55. Councillor Hooker enquired whether residents parking permits could be considered. Paul Goddard advised that that proposal would be subject to a separate consultation and could not be determined that evening. Councillor Cole noted that it was not in the Committee's gift to amend a planning application and the traffic matters were for a different forum.

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

56. In commencing the debate, Councillor Pick noted that light pollution had been raised by an objector at Newbury Town Council and it was disappointing that no one from the school had been there to address those concerns. The committee had seen at first hand the traffic chaos at the site during their site visit and he was disappointed that there had been a lack of attention to the issue. He sought reassurance that these issues would be addressed.
57. Councillor Beck suggested that if the Committee were minded to approve the application the colour scheme should be addressed. The Chairman advised that this was sufficiently covered by conditions.
58. Councillor Beck requested an informative be applied to ensure traffic marshals were used on the site at busy times. Derek Carnegie confirmed an informative was the best way to manage this,
59. Councillor Cole suggested that a traffic management plan be considered for the site. She expressed the view that the school had not sufficiently taken into account the views of residents. While she understood the aim to achieve consistency around the hours of use, they should be narrowed. Derek Carnegie advised that officers would consult the Legal team to establish whether the idea for a traffic management plan could be realised.
60. Councillor Garth Simpson reminded the Committee that the head teacher had agreed to look into coaches uses the school's parking. Councillor Pick stated that the Committee strong mandate the coaches not to approach the site.
61. Councillor Bryant stated that traffic was the principle issue. The problem would remain whether the approval was granted or not. There was a problem to be dealt with but that could not be completed during the meeting. In his view the hours of use were not excessive. The building would be largely invisible, especially when the landscaping was established. He did not accept the points regarding noise and light pollution. He proposed that the Committee grant planning permission. Councillor Cole seconded the recommendation.
62. Councillor Edwards stated that there would be a significant effect to nearby residents caused by the repositioning of the pavilion and would be tantamount to a brick wall on the other side of the road. Parking would not get better until the school took responsibility for traffic management. Travel to a nearby primary school also caused problems in the area. An unadopted road was encroached upon by visitors and it was within the residents gift to block it off, worsening the situation. He committed to keep a close eye on the situation and would report any future disruption.
63. Councillor Cole stated that she was sufficiently reassured that officers would address the issues raised and it would be foolish to refuse planning permission.
64. Councillor Hewer echoed Councillor Cole's views and stated that a holistic approach to traffic management was required across the District.
65. The Chairman invited the Committee to vote on the proposal of Councillor Bryant as seconded by Councillor 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. Full planning permission time limit**

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

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 approved drawings

- Drawing title "Existing Site Location Plan". Drawing 1720 AP. 00.04 Rev A. Date received 5th December 2018.
- Drawing title "Proposed Site Plan". Drawing number 1720 AP.00.93 Rev A. Date received 5th December 2018.
- Drawing title "Proposed Sport Pitches". Drawing number 1720 AP 00.05 Rev A. Date received 5th December 2018.
- Drawing title "Proposed Elevations". Drawing number 1720 AP 40.02 Rev A. Date received 5th December 2018.
- Drawing title "Proposed Elevations". Drawing number 1720 AP 40.01 Rev A. Date received 5th December 2018.
- Drawing title "Proposed Floor Plan". Drawing number 1720 AP 10.01. Rev A. Date received 5th December 2018.
- Drawing title "Proposed Roof Plan". Drawing number 1720 AP 10.02. Rev -. Date received 5th December 2018.
- Drawing title "Proposed Ground floor". Drawing number 1720 AP 10.06. Rev A. Date received 5th December 2018.

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

3. Schedule of materials (optional samples)

No works above ground level shall take place until a schedule of the materials to be used in the construction of the external surfaces of the building and hard surfaced areas hereby permitted 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. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) AND Supplementary Planning Document Quality Design (June 2006).

4. External Lighting

No external lighting of the proposed building shall be erected without the prior approval in writing of the Local Planning Authority by way of a formal planning application made for that purpose.

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 landusers and the character of the area. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policies CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

5. Landscaping

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

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

- a) Completion of the approved landscaping scheme within the first planting season following completion of development/first occupation of the dwelling(s)/first use of the development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority as part of the details submitted for this condition.
- b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of this development/of the completion of the approved landscaping scheme shall be replaced in the next planting season by plants of the same size and species.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

6. Restriction of Use Class to D2

The premises shall be used solely as an indoor and outdoor sports and leisure facility as detailed within the submitted planning application and for no other purpose including any other purpose in Class D2 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or an order revoking and re-enacting that Order, with or without modification).

Reason: Careful consideration has been given to this application for planning permission and any other use may not be acceptable on the site. This condition is imposed in accordance with the National Planning Policy Framework 2018 and Policies, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.2007.

7. Programme of Archaeological Work

No development/site works/development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 141 of the National Planning Policy Framework. Such an approach is in line with paragraph 141 of the National Planning Policy Framework and with CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

8. Building Recording

No demolition / site works / development shall take place within the application area until the applicant has secured the implementation of a programme of building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

Reason: To ensure that an adequate record is made of these buildings of architectural, historical or archaeological interest. Such an approach is in line with paragraph 141 of the National Planning Policy Framework and with CS14 and CS19 of the West Berkshire Core Strategy (2006-2026). The level of recording necessary should be guided by the advice specified by Historic England in Understanding Historic Buildings: A guide to good recording practice (2016). A Level 2 descriptive record would be appropriate in this instance, supplemented by any accounts of the building's origins and use if these can be tracked down.

9. Ecology of the Site

Development shall proceed in accordance with the measures detailed within "Updated Preliminary Bat Roost Assessment" Reference R2093/b November 2018 by John Wenman Ecological Consultancy unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 17 of the West Berkshire Core Strategy Development Plan Document 2012.

10. Demolition before use begins

The approved Clubhouse building at Newbury Athletics Fifth Road Newbury Berkshire that is subject to this permission shall not be brought into use until demolition of the original club house on site have been completed fully as shown in approved plans. Demolition will be completed fully and all spoil removed from the site.

Reason: In the interests of maintaining the appearance of the area in accordance with policies ADPP1, ADDP2, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006). Additionally in the interest of good planning and clarity.

11. Parking / turning in accord with plans (YHA24)

The development shall not be brought into use 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 (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).

12. HIGH19 – Cycle parking (YHA35) - variation

The development shall not be brought into use until cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking cycles at all times.

Reason: To ensure the development reduces assists with the parking, storage and security of cycles and motor cycles. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

13. Hours of use

The use hereby permitted shall not be open to customers outside the following hours:

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

08:00:00 to 22:00:00 Mondays to Fridays;
08:30:00 to 22:00:00 Saturdays;
09:00:00 to 18:00:00 Sundays and Bank Holidays.

Reason: To safeguard the amenities of surrounding occupiers. This condition is applied in accordance with The National Planning Policy Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

14. No music until details submitted

No music shall be played until details of a noise impact assessment have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

15. Hours of work (construction)

No demolition or construction works shall take place outside the following hours:

8:00a.m. 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 applied in accordance with The National Planning Policy Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

16. Preventing the implementation of two schemes

The development to which this planning permission relates shall not be implemented if any part of the development for which planning permission was granted by the Local Planning Authority under application 16/03263/FUL granted on the 07.02.2017 or under planning application 17/02804/FUL granted 19.12.2017 is begun.

Reason: To prevent the implementation of both schemes which would to which would intensify the use of the use. This condition is applied in accordance with The National Planning Policy Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

(2) Application No. and Parish: 18/02799/HOUSE - Boxford Parish Council

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/02799/HOUSE in respect of a proposed single storey side extension to create enlarged kitchen, dining, utility area with internal alterations. The application was brought to the Committee because the applicant was a member of staff.
2. Gemma Kirk introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers recommended the Committee grant planning permission.

3. Councillor Paul Bryant in addressing the Committee as Ward Member raised the following points:
4. Had the site not been in the Area of Outstanding Natural Beauty the application would be considered permitted development and he urged the Committee to vote in favour of the application.
5. Councillor Hilary Cole sought confirmation that had the applicant not been an employee, the application would have been determined under officers' delegated powers. Officers confirmed this was correct.
6. Councillor Adrian Edwards enquired about the proposed materials to be used. Gemma Kirk confirmed that they would match the existing house.
7. Councillor Beck proposed that the Committee approve planning permission; this was seconded by Councillor Hilary Cole. The Chairman invited the Committee to vote and 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 permitted shall be begun before the expiration of three years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved drawing number 1217- EX 01 (Existing Plans and Elevations) and 1217- PL 01 (Proposed Plans and Elevations) received on 22.10.2018.

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.

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. 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), Policy CS14 of the West Berkshire Core Strategy (2006-2026).

Informatives: DEC1 (Approval- no objection and no revision), HI3 (Damage to footways, cycleways and verges) and HI4 (Damage to carriageway).

WESTERN AREA PLANNING COMMITTEE - 30 JANUARY 2019 - MINUTES

40. 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 8.37 pm)

CHAIRMAN

Date of Signature

This page is intentionally left blank

Agenda Item 4.(1)

Item No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(1)	18/03398/HOUSE Kintbury	6 March 2019 Extension of time agreed until 20.03.19	Two storey and single storey extensions Winterley House, Kintbury Mr and Mrs McNally

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/03398/HOUSE>

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

Ward Member(s): Councillor A H R Stansfeld
Councillor James Cole

Reason for Committee determination: Requested by Cllr Stansfeld

Committee Site Visit: 07 March 2019

Contact Officer Details	
Name:	Isabel Oettinger
Job Title:	Planning Officer
Tel No:	(01635) 519111
E-mail Address:	isabel.oettinger@westberks.gov.uk

1. Site History

86/2783/ADD conversion of grooms cottage and stables into private dwelling and new garage. Approved 05.01.1987

10/00852/FUL Change of Use of land to form new entrance, construct new sections of brick boundary wall to Back Lane and Kintbury Road and new entrance gates to the drive. Approved 20.07.10

10/01186/HOUSE Extension to south west corner and 1st floor bedroom, reconstruct west elevation brick work facing garden and realign fenestration to suit wider elevation. Approved 15.07.10

18/01506/HOUSE Demolition of existing ancillary outbuilding and erection of two storey and single storey extensions. Refused 17.10.18 (currently at appeal stage).

2. Publicity of Application

Site Notice Expired: 21.02.19

3. Consultations and Representations

Parish Council: No objections.

Highways: No objections.

Conservation Officer: Refusal of application 18/01506/HOUSE and notification of valid appeal against refusal noted.

Whilst arguments have been made by the applicants about the age of the property, there does not appear to be a denial of its heritage value, and the main issue in terms of extending the property has as much to do with the scale of the extensions proposed in house extension as well as heritage impact terms.

The house as it currently exists clearly possesses a symmetry its main (south) elevation, which should be respected in devising any extensions to it. Such "respect" would be best achieved in subservient extensions, with a set back and set down from the existing house. Although an attempt has been made to reduce the impact of the extensions by setting down the ridge heights of the two storey elements (which goes a little way to preserving the symmetry of the main building), no set back is proposed, nor is the footprint of the extensions reduced. Accordingly, the previously made comments are still considered to apply. NB. On a small point of detail, there appears to be a discrepancy between the submitted proposed elevation and floor plan drawings in respect of the window layout for the curved rear two-storey element.

Natural England: No comments.

Public: No representations received.

The following consultation responses from 18/01506/HOUSE are also relevant to the consideration of this application:

Conservation:

Original: The two storey part of the extension arguably upsets the basic symmetry of the main building, and the further single storey extension exacerbates this, which is arguably contrary to SPG advice on house extensions, particularly in terms of subservience.

Whilst the building is not a designated heritage asset, nor do the works affect the setting of any designated heritage assets, the host property could be described as a non-designated heritage asset, where paragraph 197 of the NPPF 2018 applies. A Heritage Impact Assessment might therefore be appropriate in this case to justify (the impact of) the proposed works. It might also be appropriate at this stage for the Council's Archaeologist to be consulted on the application for an opinion and whether there is any information in the Historic Environment Record.

Follow-up: I am happy to stand by my original comments of 24th August 2018, that notwithstanding any heritage issues, the proposals, particularly the two storey element, upset the basic symmetry of this albeit historically much altered building, and are not subservient to the main building, arguably contrary to SPG advice on House Extensions and part i of DPD C6 referred to in the Agents e-mail dated 7th September 2018.

Further, there can be little doubt, on the basis of evidence provided by the Councils Archaeologist, that Winterley House should be considered as a non-designated heritage asset, on which basis paragraph 197 of the NPPF 2018 applies.

Archaeology:

Original: Winterley House I am fairly certain that it was a listed building from c1950 up until the 1980s review, though the old description only said C.18. Altered which makes it hard to be certain which element of Mount Pleasant was referred to. This was the previous name until the late 1980s, and it was listed at Grade III, a level which was then phased out (being replaced by Grade II). I do not know why it was de-listed - perhaps due to the alterations. The HER entry for the house is provided. Mapping evidence supports an 18th century (or older) date for the building, as a small country house with subservient outbuildings / staff accommodation.

The house appears to have had roughly the same footprint for c 125 years, i.e. nearly square, though from aerial photographs the roof structures are of more than one period. I see a previous application for a small extension was approved in 10/01186/HOUSE. The D & A statement with this app says the house dates back to c 1780, but there were alterations and extension in 1987. There are other planning references in Uniform under the old name, i.e. 80/12600/ADD and 81/15938/ADD which also mention alterations and extensions.

My advice for 18/01506/HOUSE would therefore be the same as [Conservation], i.e. that Winterley House aka Mount Pleasant

should be considered as a non-designated heritage asset, and a bit more information about its origins, development and existing fabric should be provided to justify this larger extension. Symmetry is a key feature of most Georgian buildings but I leave the comments about design to the Conservation Officers. I do not believe I would request any below ground archaeological investigations should this extension be approved, as any possible post-medieval features (e.g. rubbish dumps) are unlikely to be very significant. The garage doesn't appear to be an old building.

Follow-up: Thank you for forwarding on the Design, Access and Heritage Statement on Winterley House. I do not have any further comments to make as regards the planning proposals and would not be requesting an archaeological condition.

4. Planning Policy

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory development plan includes the West Berkshire Core Strategy 2006-2026 (WBCS) and the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- 4.2 The following policies from the WBCS are relevant to this application:
- ADPP1: Spatial Strategy
 - ADPP5: North Wessex Downs Area of Outstanding Natural Beauty (AONB)
 - CS13: Transport
 - CS14: Design Principles
 - CS19: Historic Environment and Landscape Character
- 4.3 The following policies from the HSA DPD are relevant to this application:
- C1: Location of New Housing in the Countryside
 - C3: Design of Housing in the Countryside
 - C6: Extension of Existing Dwellings within the Countryside
 - P1: Residential Parking for New Development
- 4.4 The following are relevant material considerations:
- The National Planning Policy Framework (NPPF)
 - Planning Practice Guidance (PPG)
 - Quality Design SPD (2006)
 - House Extensions SPG (2004)

5. Description of Development

- 5.1. The application site is located outside of any defined settlement boundary. There is a single dwelling to the south east (Mount Pleasant Cottage) and the converted stables dwelling to the north east. The site lies in the North Wessex Downs AONB. The existing property is a large, detached dwelling set within established gardens with a single pitched roof garage/outbuilding on the east side.
- 5.2 The existing dwelling has had several historical additions over time, detailed in the Design, Access and Heritage Statement. The most recent of which was a two storey extension in 2010 which effectively squared-off the south-west corner of the dwelling.

- 5.3 Amended proposed floorplans and elevations have been provided in response to the consultation received from the conservation officer which have set the two-storey elements of the extension in by approximately 100mm and adjusted the window proposed on the curved element.
- 5.4 The current scheme is a re-submission of the previously refused application (18/01506/HOUSE) with the amendment of a set-down in the ridge line of the second storey extensions and additional information submitted as part of a heritage statement.
- 5.5 The two storey element would add an additional hall, 4 metres wide, and add on to the existing kitchen at ground floor level. It would also provide an additional bedroom and bathroom at first floor level. There are now set down ridge lines and eaves line at approximately 6.5 metres in height. The single storey of the orangery and office would extend to a ridge height of 5 metres with a new chimney reaching 6.5 metres high.

6. Consideration of the Proposal

The main issues raised by this development are:

- 6.1. The principle of development;
- 6.2. The impact on the character and appearance of the building and area;
- 6.3. The impact on the living conditions of the neighbouring properties.

6.1. The principle of development

- 6.1.1 Core Strategy Policy ADPP1 provides a hierarchy of settlements within the district to ensure development follows the existing settlement pattern and delivers the spatial vision and objectives for West Berkshire. The hierarchy comprises defined urban areas, rural service centres, and service villages. New development will be considered commensurate to its position within the hierarchy. Below the settlement hierarchy, smaller villages with settlement boundaries are suitable only for limited infill development subject to the character and form of the settlement. Beyond defined settlement boundaries, only appropriate limited development in the countryside will be allowed, focused on addressing identified needs and maintaining a strong rural economy.
- 6.1.2 The application site is located outside of any defined settlement boundary and is therefore regarded as “open countryside” under Core Strategy Policy ADPP1. The site is also located within the AONB where great weight must be given to conserving and enhancing landscape and scenic beauty. Policy ADPP5 states that, recognising the area as a national landscape designation, development will conserve and enhance local distinctiveness.
- 6.1.3 In the context of this general policy of restraint in the countryside, Policy C6 of the HSA DPD gives a presumption in favour of proposals for the extension of existing permanent dwellings. An extension or alteration will be permitted providing that:
- i. the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling; and
 - ii. it has no adverse impact on: the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape; and
 - iii. the use of materials is appropriate within the local architectural context; and
 - iv. there is no significant harm on the living conditions currently enjoyed by residents of neighbouring properties.
- 6.1.4 As detailed below it is considered that, despite the set down of the ridge and eaves, the proposal fails to comply with points i and ii. Overall, therefore, the proposal fails to comply

with the aforementioned policies, and is not appropriate limited development in the AONB countryside.

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

- 6.2.1 Through the provisions of the NPPF the government outlines the importance of the design of the built environment and proposals affecting heritage assets. Paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 6.2.2 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. According to Policy CS19, particular regard will be given to: (a) the sensitivity of the area to change, (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character, and (c) the conservation and, where appropriate, enhancement of heritage assets and their settings.
- 6.2.3 The site is located within the AONB. The NPPF provides AONBs the highest level of protection in terms of landscape and scenic beauty. Policy ADPP5 of the core strategy states that 'development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB'. Moreover, development will respect and respond to the historic environment of the AONB.
- 6.2.4 Policy C6 of the HSADPD seeks to ensure any enlargement remains subservient to the original dwelling and in character with the existing dwelling. This reflects design guidance in the Council's Quality Design SPD and House Extensions SPG, as well as the site-specific advice from the conservation officer in terms of conserving the significance of this non-designated heritage asset.
- 6.2.5 For this application the two storey extensions have had the ridgeline dropped by approximately 0.5 metre. However, the bulk, depth, and scale of the extensions at two storey and single storey remain as previously. Therefore the previous assessment remains that overall, the scheme is not subservient to the main dwelling. Furthermore, it is still considered that the resultant dwelling would appear unbalanced and lose its current architectural identity. The single storey elements represent a poorly related add-on to the existing well defined dwelling character, to the detriment to the visual quality and character of this sensitive building in a sensitive location.
- 6.2.6 The proposed extensions would appear intrusive within the streetscene when viewed from Back Lane, and cumulative would provide substantially greater bulk and roofscape of the orangery and office. This would be incongruous to the character of the immediate area and would impact on its setting in the wider landscape. The two neighbouring dwellings on the east side would also have clear views of the new extensions.
- 6.2.7 Overall, it is considered that the new extensions would fail to achieve a high standard of design that respects the character and appearance of the area, and is appropriate in scale and design. Moreover, the extensions would harm the significance of the building as a non-designated heritage asset. The harm would be exacerbated by the impact on the street scene. The proposal would fail to comply with the aforementioned policies.

6.3 The impact on the amenities of the neighbouring properties

6.3.1 Core Strategy Policy CS14 requires new development to make a positive contribution to the quality of life in West Berkshire. The Quality Design SPD and House Extensions SPG outline the factors to consider with regard to impact on neighbouring properties.

6.3.2 The two neighbouring dwellings on the east side would have clear views of the new extensions. The existing pitched roof garage is a slightly incongruous feature within the existing garden area. This would be considerably exacerbated by the addition of a linear, linked extension. This concern is raised above in relation to the impact on the character and appearance of the area, but given the separation distance to neighbouring properties the proposed extension is not considered to result in material harm to the living conditions of the neighbouring properties.

6.4 The impact on highways and parking

6.4.1 The proposed application does not impact on available parking within the site as the garage/outbuilding is not accessible for parking.

6.5 Other matters

6.5.1 The previous application received a consultation response from the Council's Archaeological Officer providing historical background context for the dwelling and detailing its previous listed status. The current application is very similar to the previous scheme, a further consultation response has been sought but not received at this stage.

6.5.2 The current application is accompanied by further information in the Design, Access and Heritage Statement. This has been assessed afresh for the current application, together with the external alterations to the scheme, namely the reduction of the ridge height by approximately 0.5 metre and the setting in of the two storey elevations from the existing building by approximately 0.1 metre.

7. **Conclusion**

7.1 The dwelling is located in open countryside within the North Wessex Downs AONB, a statutory designation which is afforded the highest level of protection for landscape and scenic beauty. The existing building was also previously a listed building, and is therefore regarded as a non-designated heritage asset. The proposal would add dominant and incongruous extensions to the detriment of the existing character of the dwelling and the local area. They would harm the significance of this non-designated heritage asset.

7.2 The proposed extensions are not considered an acceptable design, bulk or scale for the reasons given above. Having taken account all of the relevant policies and the other material considerations referred to above, it is considered that there are clear reasons to refuse the proposal.

8. **Full Recommendation**

8.1 It is recommended that the Head of Development and Planning be authorised to REFUSE permission for the following reason:

Winterley House is a former Grade III listed building until being delisted in the 1980s review. Whilst the building is no longer a designed heritage asset, nor do the

works affect the setting of any designated heritage asset, the host property is regarded as a non-designated heritage asset to which paragraph 197 of the National Planning Policy Framework (NPPF) applies. The site is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). This status of the building and area increases the sensitivity of the building to inappropriate extensions.

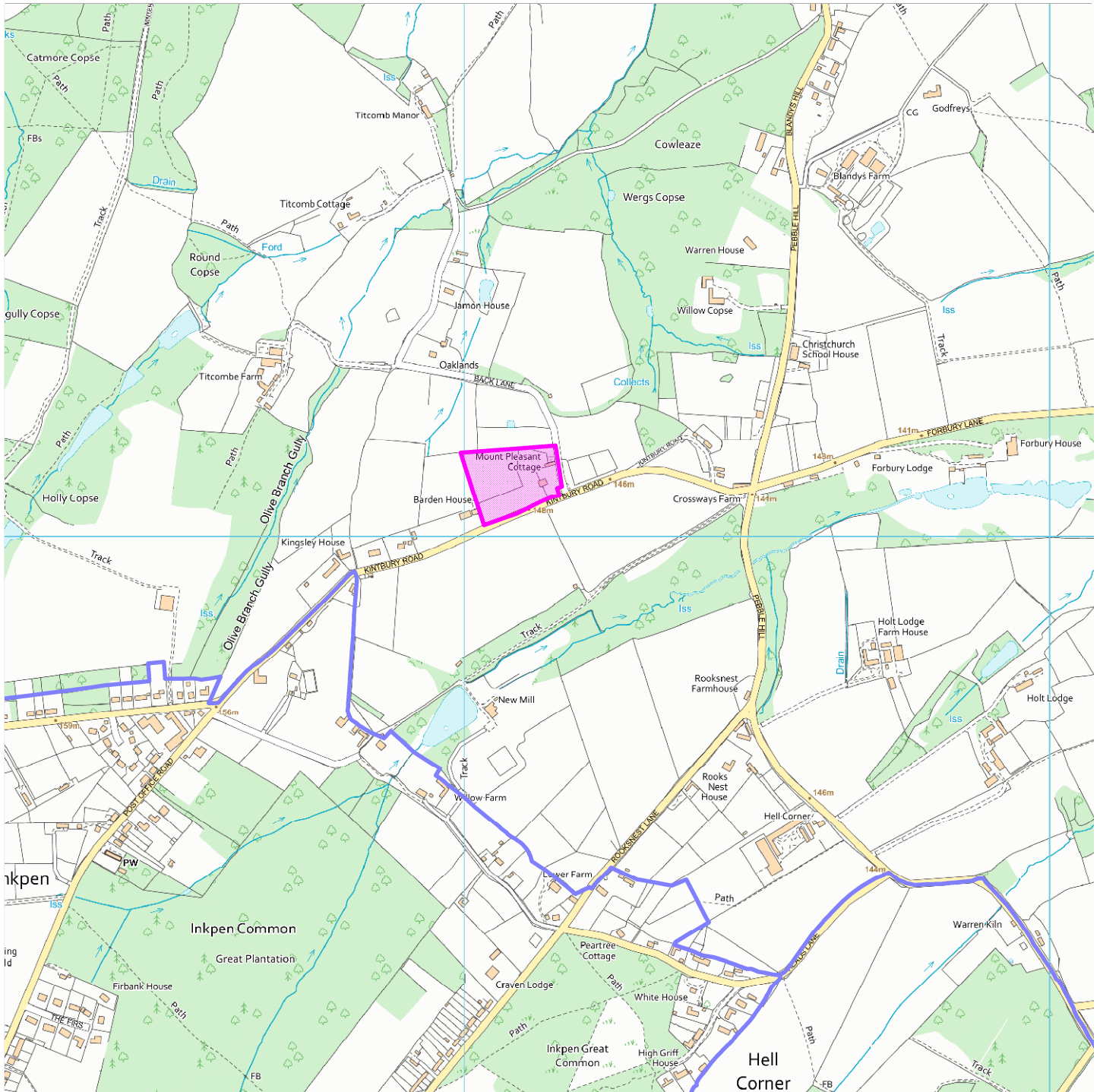
Notwithstanding the changes from the refused proposal (application 18/01506/HOUSE), the proposed two storey extension would upset the basic symmetry of the main building, which is a key feature of most Georgian buildings, and this impact would be exacerbated by the additional single storey extension. Overall, the extensions would result in a dominant and bulky addition to the host building, which fails to be subservient and significantly harms the existing character and appearance of the building. The building is visible from public viewpoints and also from neighbouring dwellings to the east, which further exacerbates these impacts, and also thereby fails to conserve the special qualities of the AONB.

Accordingly, the proposal conflicts with the NPPF, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, the North Wessex Downs AONB Management Plan 2014-19, the Council's House Extensions SPG, and the Council's Quality Design West Berkshire SPD (Part 2).

DC

18/03398/HOUSE

Winterley House, Kintbury, Hungerford RG17 9SY

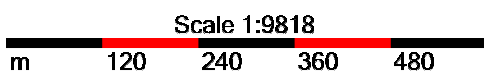


Map Centre Coordinates :

Scale : 1:9818

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2003.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings .



Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	28 February 2019
SLA Number	0100024151

This page is intentionally left blank

Agenda Item 4.(2)

Item No.	Application and Parish	No.	8/13 Week Date	Proposal, Location and Applicant
(2)	19/00019/HOUSE Newbury Town Council		28 th February 2019 EOT to 14 th March 2019	19 Battery End Newbury Berkshire RG14 6NX Single storey extension with basement Mr Jack and Danielle Stacey

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/00019/HOUSE>

Ward Member(s): Councillor H Bairstow

Councillor A Edwards

Reason for Committee determination: The application has received 10 or more objections and the Case Officer is recommending APPROVAL

Committee Site Visit: 7th March 2019.

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

Contact Officer Details

Name: Mr. Matthew Shepherd
Job Title: Senior Planning Officer
Tel No: (01635) 519111
E-mail Address: Matthew.Shepherd@westberks.gov.uk

1. Relevant Site History

- 1.1. 16/01446/FULD. Erection of a 3 bed dwellings with parking, amenity space and associated works. Refused 25.07.2016.
- 1.2. Full planning history available on file.

2. Publicity of Application

- 2.1. This application was advertised by way of Site Notice to which was posted to the front entrance of the site on 24th January 2019 and expired on 14th February 2019.

3. Consultations and Representations

Consultations

Newbury Council	Town	No objection / comments: 1) A construction method statement is required to deal with removal of spoil and limitation of inconvenience to neighbours. 2) Given that the site lies on the site of the First Battle of Newbury, an archaeological survey should be carried out. 3) In addition to stipulation of the usual hours of working, there should be no delivery vehicles during the times that local children are walking to or leaving school. 4) A geological survey is needed to ensure that building of the proposed basement will not cause damage to neighbouring buildings, local services, or trees, or risk of flooding.
Highways		<p>A 4-bed dwelling in this location should be provided with 2.5 car parking spaces. Two spaces are proposed, however it is my view that more than 2 spaces could be accommodated on the existing drive (where the extension is proposed). I would prefer to see 3 car parking spaces for a dwelling of this size</p> <p>During the course of the application an amended parking plan was submitted to the highway officer.</p> <p>The required parking must be provided within the curtilage of the site and not on the road (as has been suggested on the site plan) or the adjacent access track. The plan detailing 3 driveway parking spaces is required and should be conditioned.</p> <p>I note that there are some representation letters referring to the vehicular access. This is an existing situation for this dwelling and so I could not insist upon a widened drop kerb.</p> <p>As the site contains a residential dwelling, the application has been assessed on this basis only.</p> <p>The highway recommendation is for conditional approval with the provision of 3 driveway parking spaces as shown on the site plan.</p>
Public Rights of Way Officer		No response 26/02/2019
Archaeology		Although there is some archaeological interest in this area from both

the First Battle of Newbury and the Wash Common barrow cemetery, I feel that the scale of this proposal is probably too small for there to be major impact on any features of archaeological significance.

When this was queried by a member of the public in response to an alternative response given for a previous application on the site, the following response was given.

When considering an archaeological response to all planning proposals, there will always be a degree of individual professional judgement, based on existing knowledge. In the example you have given of the difference between a new detached building in a back garden plot, and an extension to an existing semi-detached building, I believe that my predecessor Alex Godden would probably have responded the same way as I have to 19/00019/HOUSE. As he indicated in his 2016 memo and I also did in my email to Matthew Shepherd, there is general archaeological interest in this area, both from the First Battle of Newbury and the prehistoric Wash Common Barrow Cemetery. An additional possible feature which could have been affected by the house proposed under 16/01446/FULD was the line of an earthwork seen in the 19th century though not recorded on later OS mapping. However there has clearly been much disturbance on Wash Common through the construction of the residential streets such as Battery End (interestingly called Cromwell Road on earlier mapping).

Where large plots remain undeveloped or are likely to have had little modern disturbance then I therefore believe it is justifiable to ask applicants to fund archaeological investigations for new builds, such as the watching brief which Alex requested for the new development in the rear garden under 16/01446/FULD. However the archaeology service usually refrains from requesting a programme of archaeological work when householder extensions are proposed, unless there is very clear evidence that important archaeological features are likely to be affected. There is no specific known feature underlying the footprint of the extension of 19/00019/HOUSE, apart from the general possibility of battlefield archaeology. Experience has shown us that there is little to be gained from supervision of such extensions as the ground is usually disturbed from the original construction or from runs of services.

Elsewhere across the built up part of Wash Common we have had limited results of battlefield archaeology from other investigations, which is perhaps surprising. If people digging in their gardens have found artefacts of interest (eg musket balls, but also those of any other archaeological period), then we would be very pleased to hear about it. Our database, the Historic Environment Record (HER) is a continually growing evidence base, maintained by Beth Asbury, Assistant Archaeologist (also copied in). Feedback can be provided directly to us, or by using an online reporting form <https://www.westberks.gov.uk/index.aspx?articleid=31896>. We also have a Finds Liaison Officer Helena Costas, who identifies and records artefacts for the Portable Antiquities Scheme, and who holds regular Finds Surgeries at West Berkshire Museum https://booking.westberks.gov.uk/heritage_events.html#. I hope any local residents who wish to help update the HER get in touch.

<p>Tree Officer</p>	<p>The yew tree at the side of the house has now been felled, this would have been directly impacted by the proposal. The overall plans drawing states that they are committed to planting 7 new mature trees, this is welcomed but further details need to be submitted by the applicant.</p> <p>Recommendations</p> <p>There are no trees directly or indirectly that will impact on this development details of the landscaping will be required.</p>
<p>Building Control</p>	<p>A basement could cause issues with the neighbour's property and garden if the works are not carried out correctly and in accordance with a structural engineers design. The requirements of the building regulations do not cover damage to the adjacent property as this will be down to the builders insurance but I would imagine that the party wall act applies and the neighbour should be contacted regarding a party wall agreement?</p> <p>I can only provide limited advice as we are in receipt of an Initial Notice application no. 18/00124 for the project and the building control function will be undertaken by JHAI Ltd and not the Council.</p>
<p>Sustainable Drainage Officer</p>	<p>I note there are a number of local representations raising the issue of high groundwater. Ordnance Survey mapping does indicate a potential groundwater emergence occurs to the south-west of the site, behind Falkland School, but that is only an interpretation of groundwater and is not conclusive. On the other hand, groundwater information we have access to suggests that locally, its depth is in excess of 5m below ground level.</p> <p>The submitted borehole log is only a record that a borehole was sunk at the nearby church - there is no geological information accompanying it and therefore it is of no use. I realise time is short, but can the Applicant provide the full borehole information as the soil make-up is important to be able to consider the effect of the basement development on groundwater movement.</p> <p>If high groundwater is likely, the only indication of this being intercepted around the basement is by the 100mm "aqueduct" sitting within pea shingle. There is a note on the basement drawing showing "20mm+ backfill" (which presumably refers to stone size) but no indication of the width of this material.</p> <p>In terms of surface water drainage proposed for the development, the sedum roof and the rainwater harvesting tank are positive points, although my interpretation of the details provided suggest that the harvesting tank will be for an external water supply only (for "outside taps"). The size of the harvester tank as shown on the layout plan at 1000 litres is very small however and rainfall run-off calculations are required based on a 1 in 100 year + climate change event in order to assess if it is adequate. In any case, an overflow system will be necessary for the times when water in the tank is not used and rainfall exceeds the remaining tank capacity. Full details of the system are required.</p> <p>A maintenance plan for the sedum and harvesting tank are required</p>

(along with that for any other drainage which may now be supplied). In particular is the sedum roof accessible? If the tank is wrapped in EPDM can it be accessed?

Further information is therefore required before I can give a recommendation.

Further information was submitted by the applicant to which the drainage officer responded as follows

The info shown on the borehole log (>40m of clay/silt at 10.5m depth) indicates that the ground water issues mentioned by objectors could possibly be due to a perched water table, but that is supposition. Because of the depth of gravel above it, it is less problematic than I thought it may have been and I'm happy for site investigation/excavation to confirm that groundwater is not a problem at building control inspection stage during construction, notwithstanding of course that ground conditions could vary between the site and the borehole location.

The holding tank for the harvesting system should have been sized already by the Applicant as this does not require any site-obtained information; however to enable progression this can be done as construction progresses to the satisfaction of the building control inspector. Since the captured water will be predominantly for garden use, it will not be required for at least 4-5 months of the year therefore an effective 'back-up' system is required for overflow. As an existing soakaway is indicated for this purpose, its condition and infiltration effectiveness needs to be determined by investigation. Again, this can be proved at construction stage.

I do strongly recommend that an inspection shaft is included in the harvesting tank to enable future inspection and don't agree that it is not necessary due to bottom discharge (to the pump chamber). I agree however that a hydrobrake / additional attenuation is not required and that was not the intention of my previous comments, rather that the harvesting tank is sufficiently sized as covered above.

Sedum roofs can be self-sustaining, but they can also fail. As per my previous comment, is access available to inspect and 'weed' or re-plant if necessary? A statement to this effect is ultimately all that is required.

On the basis of the above, the issues I had can all be agreed with the building control inspector during construction.

1. Representations

1.1. The Local Planning Authority received 16 letters of representation 10 of which were objection to the proposed development and 5 of which were letters of support.

1.2. The matters raised in the letters of objection (summarised by officer) are:

- Objection has been raised in regards to the changes the applicant has made to the shared access adjacent to the dwelling.

- Concerns in regards to the boundary treatments of the development have been raised.
- Concern has been raised in regards to the hours of construction being restricted to working hours and not at weekends or bank holidays.
- The application assumes the access track is part of the applicants land
- The proposed development would create a gap in the fence line which is supposed to be continuous along the access track.
- The development will disrupt the green passageway that the adjacent access track permits
- The beach tree in the adjacent garden may fall on the development
- The basement may create issues given the water table, subsidence and dewatering of the area.
- The development would change the character of the area and would have a large visual impact on the street scene
- Bats have been noted in the area a survey should be conducted
- The hours of work and deliveries should take into account the issues that the development is very close to schools
- The archaeology of the site should be surveyed
- Details of the removal of spoil should be conditioned
- Some of the questions answered with the application form are incorrect in the objectors opinion.
- A geological survey should be commission to ensure that the basement is built correctly
- The development will have an adverse impact on the environment and the ecology of the adjacent access way. The neighbourhood has recently loss the mature trees on the site which provided habitats
- The scale of the proposed development is too big and is out of proportion with the scale of the existing dwelling. Again, the disproportionate scale will impact negatively both on the surrounding environment and the character of the neighbourhood.
- The current proposal provides only limited information regarding materials, finishes etc. so it is not possible to judge whether the proposed structure will be in keeping with the character of the existing property
- A building company has been registered to 19 Battery End
- The proposed side extension shows a direct access point onto the grassy path, which is not appropriate. The width of the proposed storage/bins area and utility room goes right up to the boundary line
- From the block plan submitted, the size of the proposed extension appears to be disproportionately large compared with the existing house and plot.
- The applicant has unfortunately already made detrimental changes to the grassy footpath, by removing parts of the boundary fence, mature trees/hedgerow, and paving over the front with hardcore to use as parking/storage.
- The development is likely to affect or harm a protected species, namely bats.
- The prospect of a 3 metre excavation gives objectors concerns not only for the integrity of the lane but for the disruption to the immediate community. Working room, construction traffic, loading / offloading of materials and working hours will have to be considered.
- Objectors would ask that all materials are in keeping with the original house, that the planting mentioned in the plans is carried out, and that the proposed extension fits seamlessly into the attractive residential area that surrounds it.
- Radio noise be kept to a minimum so as not to disturb neighbours
- The developer has not spoken to neighbouring properties
- This development is in close proximity to the site of the Battle of Newbury (Civil War) hence the name Battery End where the ammunition was stored so it is likely close monitoring will be needed to look for artefacts, especially as large quantities of spoil will need to leave the site

1.3. The matters raised in the letters of objection (summarised by officer) are:

- The front elevation of the side extension appears to have been well designed to fit in with the surrounding properties.

- Given that the house had been unoccupied for up to five years prior to the Stacey's moving in the objector is delighted that it is now being turned into a spacious family home.
- The alignment of the two parking spaces in front of the extension ensures that access to the right of way adjacent to the property will be maintained.
- Given the distance of the basement excavations neighbours of battery end do not believe the development will impact upon them. The distance being some 9.5m's away.
- The objectors also consider that a basement will have no additional visual impact on the street scene (to that of the original single-storey extension proposed) and it will clearly achieve some exciting accommodation for the applicants.
- Given also that all development is proposed against the eastern boundary of the applicants' plot, objectors do not feel that this single storey solution should have any adverse influence on number 21 battery end. In fact, a glimpse of single-storey ridgeline from our back garden will add to a sense of enclosure that has been lost over recent years since the felling of the original boundary trees at no 19
- The off street parking created by the development is much appreciated in a busy and congested area.
- The planned extension is in keeping with the existing property and other properties in the road, will not have a negative visual impact from the road, will not affect traffic parking or flow and seems completely reasonable.
- Any current disturbance to the site and adjacent track will, the supporters are reassured by the owners, will be made good.
- The proposed plan seems reasonable and matches the style of the houses in the road. It is believe that it will cause no problems with parking or traffic.

2. Planning Policy Considerations

2.1. The statutory development plan comprises:

- West Berkshire Core Strategy (2006-2026)
- Housing Site Allocations DPD
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

2.2. The following policies from the West Berkshire Core Strategy carry full weight and are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 2: Newbury
- CS 5: Infrastructure requirements and delivery
- CS 11: Hierarchy of Centres
- CS 13: Transport
- CS 14: Design Principles
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

2.3. 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

2.4. The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:

- C1: Location of New Housing in the Countryside
- P1: Residential Parking for New Development

2.5. Other material considerations for this application include:

- The National Planning Policy Framework (2019), (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design Supplementary Planning Document (SPD)

3. Proposal

3.1. The application proposes a single storey side extension and basement at 19 Battery End Newbury Berkshire RG14 6NX. The development is within the settlement boundary of Newbury, is within the site of the Newbury Battlefield but is otherwise free from constraints.

3.2. The development approximately measures 13.5 metres in length and 7 metres in width at its widest. The development has a ridge height of 4.24 metres and eaves height of 2.65 metres approximately. The basement is 3 metres deep, 3 metres wide and 9 metres long approx. according to the plans.

Determining issues:

- The Principle of Development;
- The Impact on Highway safety;
- Ecology of the Site;
- Archaeology of the Site;
- Community Infrastructure Levy.

4. The Principle of Development

4.1. The 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.

4.2. The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system and strongly emphasises the need to support sustainable economic growth. The first core planning principle set out in the NPPF is that planning should be genuinely plan led, providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.

4.3. The proposed development at 19 Battery End Newbury Berkshire RG14 6NX, Newbury, Berkshire, RG14 1XA, is within the settlement boundary of **Newbury**, as defined within The West Berkshire Core Strategy (2006-2026) and the West Berkshire Housing Site Allocations DPD (November 2015).

4.4. Being within the settlement boundary the principle of the proposed development is acceptable. This is subject to the proposal otherwise being in accordance with development

plan policies on design, impact on the character of the area, and impact on the amenity of neighbouring land uses.

- 4.5. The red line of the development clearly shows the domestic curtilage of 19 Battery End. This does not include the adjacent shared access track. Therefore no built form can be built outside of the red line i.e. onto the shared access track. The council does not own this shared access land, does not have a legal stake or claim to this land. It therefore cannot stipulate as part of this application works to be undertaken to land not within its ownership and land outside of the red line of development. Therefore matters of non-compliance of the regulations of the shared access that objectors have raised are civil matters to which are not planning's concern.

5. The Design and Impact on the Character and Appearance of the Area

- 5.1. The NPPF is clear that good design is indivisible from good planning; it attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, it is indivisible from good planning, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings.
- 5.2. 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.
- 5.3. Side extensions to dwellings should be designed in accordance with the Local Planning Authorities (LPA) Supplementary Planning Guidance (SPG) House Extensions document. This stipulates that's development should be sympathetically designed to appear subservient the main house and should be set back from the front elevation to not unbalance a pair of semi-detached dwellings. The proposed development is single storey in design and is set back from the front elevation (2.5metres approx.) by more than the one metre that is recommended by the SPG. The single storey side extension does not dominate the dwelling and does not appear to unbalance the pair of semi-detached dwellings in the street scene of Battery End. The development extends towards the rear of the dwelling alongside the boundary with the access track by 13.5 metres. There is a proposed bin store on this boundary of the development. The proposed development is not considered to have an adverse impact on this access tracks character to which is surrounded by built form.
- 5.4. The size and height of the rear extent of the side extension is considered acceptable. Although objections have been made in regards to the length of the rear extension this length would be reflective of the plot and would respond positively to the site layout. With the site being relatively long for the character of the area the development site is considered able to accommodate such a long rear extension. Given the development is single storey and the plot is long the bulk of the side extension does not dominate the site. Boundary treatment information can be secured prior to the first occupation of the development to ensure that any boundary treatments are in keeping with the area and the character of the shared access.
- 5.5. The eaves height and ridge height are not considered to dominate the original dwelling either. The basement of the development will not have an unacceptable impact on the character of the area. The materials of the proposed development are to match the original house where possible and some features are proposed in the front elevation which will make the proposed development attractive and sympathetic to the character of the area. The proposed landscaping can enhance the site in the street scene and from the shared

access. This can be secured via planning condition. The development therefore displays a high quality design that respects and enhances the character and appearance of the area making a positive contribution to the West Berkshire.

5.6. The development is therefore in accordance with CS14 of the West Berkshire Core Strategy (2006-2026) and the Supplementary Planning Guidance for House Extensions (July 2004).

6. The Impact on Neighbouring Amenity

6.1. The development is single storey in construction therefore it is not considered to have an overbearing or overshadowing impact upon neighbouring dwellings. The proposed extension is set to the east of the dwelling and therefore would not cause overshadowing to no.17 which would receive sunlight in the morning hours and the extension would be overshadowed by the built form of no.19 itself when the sun is setting in the majority. The side extension is set away from no.21 and is not considered to have an adverse impact on the light or sunlight this dwelling receives. All the windows of the proposed side extension are at first floor level and the use of roof lights is encouraged by the LPA's SPG for House extensions given they reduce privacy intrusion.

6.2. The hours of construction can be restricted via planning condition, additionally hours of deliveries can be restricted as well given the proximity to the local school.

6.3. The development is not considered to have an adverse impact on the privacy of neighbouring dwellings or lead to an unacceptable loss of sunlight or daylight. The development is therefore in accordance with CS14 of the West Berkshire Core Strategy (2006-2026) and the Supplementary Planning Guidance for House Extensions (July 2004)

7. The Impact on Highways Safety

7.1. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.

7.2. A 4-bed dwelling in this location should be provided with 2.5 car parking spaces. Two spaces are proposed, however it is my view that more than 2 spaces could be accommodated on the existing drive (where the extension is proposed). The Highways officer requested to see 3 car parking spaces for a dwelling of this size. During the course of the application an amended parking plan was submitted to the Highway Officer to which they were satisfied with the three parking spaces proposed.

7.3. The Highways officer noted that there are some representation letters referring to the vehicular access. This is an existing situation for this dwelling and so the Highways Officer could not insist upon a widened drop kerb. As the site contains a residential dwelling, the application has been assessed on this basis only.

7.4. The highway recommendation is for conditional approval with the provision of 3 driveway parking spaces as shown on the site plan. A Construction Method Statement condition was requested but these details were submitted during the course of the application and were found acceptable to the Highways Department.

7.5 Therefore the proposal is considered to be, acceptable and in accordance with CS13 of the West Berkshire Core Strategy (2006-2026), Saved Local Plan policy TRANS1 and the NPPF (2018), subject to conditions.

8. Ecology

- 8.1. Policy CS 17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The NPPF supports the overall aims and objectives of this policy. The development site is located within the settlement boundary of Newbury in an established urban environment. Although traces of ecology interest are present and have been noted by objectors, overall the ecology value is low given the urban form the development is set within. The domestic garden will benefit from tree planting as a result of this application and the adjacent shared access will not be developed in accordance with the red line issue explain earlier in the report. Therefore any changes made to the ecology of this lane are a civil matter between parities who own the land.
- 8.2. It is considered that a request for an ecology survey was overly onerous and that the development will enhance the ecology of the site through landscaping. The development is therefore considered to comply with CS17 of the Core Strategy and advice within the NPPF.

9. Archaeology of the Site

- 9.1. Although there is some archaeological interest in this area from both the First Battle of Newbury and the Wash Common barrow cemetery, the Archaeology Officer feels that the scale of this proposal is probably too small for there to be major impact on any features of archaeological significance.
- 9.2. When this was queried by a member of the public in response to an alternative response given for a previous application on the site, a further response was given.
- 9.3. Where large plots remain undeveloped or are likely to have had little modern disturbance than the archaeology officer therefore believe it is justifiable to ask applicants to fund archaeological investigations for new builds, such as the watching brief which a previous officer requested for the new development in the rear garden under 16/01446/FULD. However the archaeology service usually refrains from requesting a programme of archaeological work when householder extensions are proposed, unless there is very clear evidence that important archaeological features are likely to be affected. There is no specific known feature underlying the footprint of the extension of 19/00019/HOUSE, apart from the general possibility of battlefield archaeology. Experience has shown us that there is little to be gained from supervision of such extensions as the ground is usually disturbed from the original construction or from runs of services.
- 9.4. Therefore the proposal is considered to be acceptable and in accordance with CS19 of the West Berkshire Core Strategy (2006-2026).

10. Building Regulations

- 10.1. Building Regulations are not a planning considerations because they are handled by other legislation. Despite this these issues have been raised by objectors to which the case officer would like to respond. The councils Building Regulations consultants have responded to the application. They have commented that a basement could cause issues with the neighbour's property and garden if the works are not carried out correctly and in accordance with a structural engineers design. The requirements of the building regulations do not cover damage to the adjacent property as this will be down to the builders insurance but the consultant would imagine that the party wall act applies and the neighbour should be contacted regarding a party wall agreement if applicable. The Party Wall act is again separate legislation and cannot be requested to be seen as part of a planning application.
- 10.2. The building control officer can only provide limited advice as they are in receipt of an Initial Notice application no. 18/00124 for the project and the building control function will be undertaken by JHAI Ltd and not the Council.

- 10.3. The Land Drainage Engineer commented that a structural survey will be conducted by the applicant as noted in correspondence as part of the building regulations applications of the site. The site is not within flood zone 2 or 3 and there the development is not considered to give rise to issues in regards to sustainable drainage of the site. The applicant disputes the claims of objectors in regards to the depth of the water table. The info shown on the borehole log (>40m of clay/silt at 10.5m depth) indicates that the ground water issues mentioned by objectors could possibly be due to a perched water table, but that is supposition. Because of the depth of gravel above it, it is less problematic than the drainage officer thought it may have been and they are happy for site investigation/excavation to confirm that groundwater is not a problem at building control inspection stage during construction, notwithstanding of course that ground conditions could vary between the site and the borehole location.
- 10.4. The holding tank for the harvesting system should have been sized already by the Applicant as this does not require any site-obtained information; however to enable progression this can be done as construction progresses to the satisfaction of the building control inspector. Since the captured water will be predominantly for garden use, it will not be required for at least 4-5 months of the year therefore an effective 'back-up' system is required for overflow. As an existing soakaway is indicated for this purpose, its condition and infiltration effectiveness needs to be determined by investigation. Again, this can be proved at construction stage.
- 10.5. The Land Drainage Officer does strongly recommend that an inspection shaft is included in the harvesting tank to enable future inspection and don't agree that it is not necessary due to bottom discharge (to the pump chamber). The officer agrees however that a hydrobrake / additional attenuation is not required.
- 10.6. On the basis of the above, the issues the land drainage officer agrees that the details can all be agreed with the building control inspector during construction.
- 10.7. The development is relatively small scale and given the protections afforded to neighbours properties through the party wall agreement and building regulations, full surveys at the planning application stage are considered overly onerous on the applicant given the level of evidence and reassurance given by them throughout the application.

11. The Assessment of Sustainable Development and Recommendation

- 11.1. The NPPF states there is a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.
- 11.2. Being a proposed domestic house extension the scheme has limited economic considerations beyond the immediate construction period. The Environmental considerations have been assessed in terms of design, amenity and impact on the area. Social considerations overlap those of the environmental in terms of amenity. Having assessed the application in terms of design, impact on the area and impact on neighboring amenity the development is considered sustainable development
- 11.3. The application is therefore recommended for conditional APPROVAL.
- 11.4. The proposal for a side extension and basement to 19 Battery End is considered in accordance with National Planning Policy Framework (2019), policies ADPP1, ADPP2, CS11, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and OVS.5 and OVS.6 of the West Berkshire Local Plan Policies 1991-2006 (Saved

2007). In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006) and House Extensions (2004).

The Head of Development and Planning be authorised to Grant 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 approved drawings

- Drawing title "Overall Plan" including block and location plan. Drawing number not present. Date received 31st January 2019.
- Drawing title "Floor Plans". Drawing number not present. Date received 30th January 2019.
- Drawing title "Elevations". Drawing number not present. Date received 30th January 2019.
- Drawing title "Basement Plan". Drawing number not present. Date received 30th January 2019.

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

3. Schedule of materials (optional samples)

The development shall be carried out in matching materials as stipulated within the application form and supporting documentation with this application.

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 (2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) AND Supplementary Planning Document Quality Design (June 2006).

4. Landscaping

A detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

- a) Completion of the approved landscape scheme within the first planting season following completion of development.
- b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

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

5. Construction method statement

The development shall take place in accordance with the Construction Method Statement document submitted to the council on the 23rd February 2019. The development shall be carried out in accordance with these approved details

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 (2019), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. The Spoil shall be removed in accordance with the details submitted

All spoil arising from the development shall be used and/or disposed of in accordance with the details submitted to the Local Planning Authority on 18th February 2019 and 23rd February 2019.

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. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006).

7. Boundary treatment

Prior to the use of the side extension and basement details including a plan, indicating the positions, design, materials and type of boundary treatment to be erected are to be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

8. Hours of Deliveries

All deliveries shall be made outside of school drop off times to the site. No deliveries shall be made before 0930 and after 1445 during construction.

Reason: To safeguard the highway network from construction traffic congestion at peak times. This condition is imposed in accordance with the National Planning Policy Framework (2018) and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

9. HIGH12 - Parking/turning in accord with plans (YHA24)

The development shall not be brought into use 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 (2019),

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).

10. Hours of work (construction)

No demolition or construction works shall take place outside the following hours:

8:00a.m. 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 applied in accordance with The National Planning Policy Framework (2019), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

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.

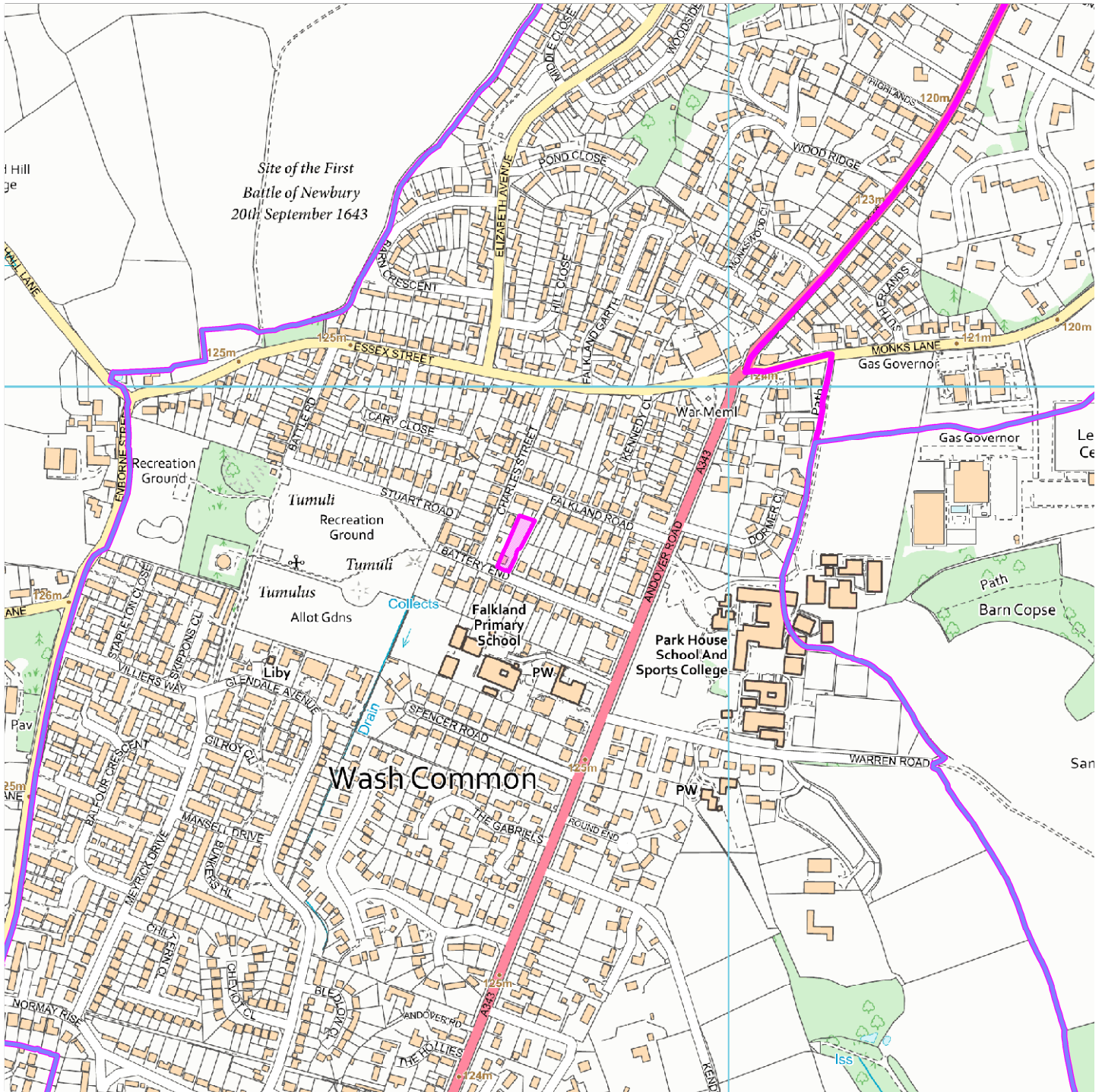
HI 4 Damage to the carriageway

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

This page is intentionally left blank

19/00019/HOUSE

19 Battery End, Newbury RG14 6NX



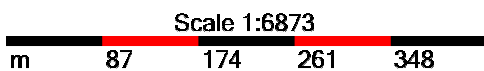
Map Centre Coordinates :

Scale : 1:6872

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2003.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings .

Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	28 February 2019
SLA Number	0100024151



This page is intentionally left blank

Agenda Item 5.

APPEAL DECISIONS WESTERN AREA-COMMITTEE

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Rec.	Decision
ENBORNE 18/00687/FUL PINS Ref 3203091	The Barn Crockham Heath Farm Wheatlands Lane Crockham Heath Mr and Mrs M Goode	Section 73A: Variation of Condition 5: No open storage of approved application 10/02814/FUL - Change of Use of agricultural land to equestrian use and construction of stable block.	Non-Determination	Allowed 29.2.19
ENBORNE 18/00368/FUL PINS Ref 3203091	The Barn Crockham Heath Farm Wheatlands Lane Crockham Heath Mr and Mrs M Goode	Mobile isolation box 3660 x 7320mm (existing), mobile hay shed 3660 x 3660mm (existing) and lean-to tractor shed 2440 x 2440mm (existing).	Non-Determination	Allowed 29.2.19

This page is intentionally left blank

ENBORNE 18/00687/FUL	The Barn Crockham Heath Farm Wheatlands Lane Crockham Heath Mr and Mrs M Goode	Section 73A: Variation of Condition 5: No open storage of approved application 10/02814/FUL - Change of Use of agricultural land to equestrian use and construction of stable block.	Non- Determination	Allowed 29.2.19
PINS Ref 3203096				

Procedural matters

When the application was submitted to the Council the appellant signed Certificate B on the application form to certify that the requisite notice was served on those who were owners of any part of the land to which the application relates. However, the appeal form indicated that no one, except the appellants, were the owners of any part of the land to which the appeal related (Certificate A). This would suggest that the relevant notices at the appeal stage were not served. Subsequently notice has been served on the owners of the land. It is clear that the owners of the relevant land were aware of both the application and the appeal. As such no party has been prejudice through this error and so the Inspector was content that he could determine the appeal.

A separate appeal has been submitted for the same site, relating to the provision of a number of buildings and that appeal is subject to a separate decision.

Background and main issue

In March 2011 planning permission was granted for the change of use of agricultural land to equestrian use and construction of a stable block. That permission was subject to a number of conditions including condition 5 which required that no materials, products, plant or equipment be stored on the open land. The appellants wish this condition to be altered to allow for open storage of up to 2 horse boxes, a tractor, equipment and feed.

The Council did not determine the application, however, in the statement it confirms that it would have granted planning permission for the development without the condition in question, but subject to additional conditions. An interested party has also raised a number of concerns. The main issue is whether the condition is necessary in the interests of visual amenity.

Reasons

The appeal site is in an established equestrian use. There is one relatively large building which contains a number of stables, a horse walker, and three other smaller structures which are subject to a separate appeal. An area of yard is located to the west and south of the building and there are also two grassed areas on site. The site is relatively small and well contained with boundary treatments and landscaping.

At the time of the Inspector's site visit, the externally stored items he observed consisted of a horse box, 2 pallets with bedding stored to a height of a little over 2m and a piece of agricultural equipment.

The roadside hedge provides a good degree of screening particularly of the smaller buildings and the items stored in the open areas. There is a public footpath to the west which crosses the access to the site before continuing north. From some sections of the footpath there are clear views into the site. However, these are relatively limited. Storage in the open areas would be well related to the existing structures on the site and these would be seen in the context of the existing equestrian use. In view of the well-contained nature of the site, stored items, machinery and feed would not appear out of keeping or harmful to the character and appearance of the area.

Crockhamheath Farmhouse is a Grade II listed building and so special regard must be had to the desirability of preserving the setting of the building. It is located some distance to the north. The open areas in the appeal site are all close to the large building and horse walker. Some storage in these areas would not materially affect the setting of the listed building.

The small site area and the restriction to personal use would be sufficient to limit the amount of external storage that would reasonably take place. As such, there is no need to expand the condition to only allow

the items specified by the appellant or to restrict storage to a specific area. As such, the imposition of the condition is not necessary at all.

The development, without a condition restricting storage on the open land would not result in harm to the visual amenity of the area. It would accord with Policies CS 14 and CS 19 of the West Berkshire Local Plan Core Strategy (2006-2026) which, together, seek to ensure development respects the character and appearance of the area and that heritage assets and their setting are conserved. There would also not be conflict with Policy CS 12 of the Core Strategy or Saved Policy ENV.29 of the West Berkshire District Local Plan 1991- 2006 which both allow for equestrian development.

Other matters

A number of matters have been raised in respect of the public footpath which is located close to the site and over which the access to the site crosses. This includes issues related to trespass, gates and fencing, drainage, and lack of compliance in respect of a diversion order. The appeal relates to amending the open storage restriction at the site. All the concerns raised relating to the footpath are not connected to open storage on the site. As such, the Inspector could not give any significant weight to these matters and they would not lead him to conclude that the proposal is unacceptable.

There are allegations that a business may have been operated from the site. The Inspector noted that there was a condition on the original planning permission which prevents this from occurring. The proposal before him did not seek to alter or remove that condition and therefore this is not a substantive issue for this appeal.

Conclusion

The Inspector concluded that the condition is not necessary in the interests of visual amenity. The development, without the condition, would accord with the development plan when considered as a whole. Therefore, the appeal should be allowed.

Conditions

The Planning Practice Guidance makes clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.

As the development has already commenced, it is not necessary to impose a condition requiring that the consent be implemented within a specific period of time. Similarly, as the building has been erected, it is no longer necessary to have a condition dealing with external materials.

The development is proposed on the basis that the site would be used for private use. A commercial use of the site would require detailed consideration in respect of matters including the effect of the development on highway safety and the general amenity of the area. Therefore it is necessary that the use is limited to private recreational use only. In the interests of the character and appearance of the area it is necessary to secure landscaping and control lighting.

It appears that the landscaping scheme required by condition 3 of the original permission was never submitted. The Inspector observed landscaping on site including some very recent planting on the western boundary and close to the horse walker. However, he did not have full details of the scheme that has been implemented and therefore he could not reach an informed conclusion as to whether it is sufficient. It is therefore necessary that a landscaping scheme be approved by the Council and, if necessary, additional or different planting is provided.

The purpose of condition 2 is to require the appellant to comply with a strict timetable for dealing with the landscaping scheme which needs to be addressed in order to make the development acceptable. The condition is drafted in this form because, unlike an application for planning permission for development yet to commence, in the case of a retrospective grant of permission it is not possible to use a negatively worded condition to secure the subsequent approval and implementation of the outstanding detailed matter. The purpose and effect of the condition is therefore to ensure that the use of the site authorised by the grant of planning permission may only continue if the appellant complies with each one of a series of requirements.

The Council has suggested a number of conditions in addition to those imposed on the original decision notice. There would be no value in a condition requiring the development be carried out in accordance with specified plans as the building operations have already been carried out.

The Inspector noted that there was no condition in respect of drainage on the original permission. Even if there were drainage problems at the site, it would be neither reasonable nor necessary to seek to rectify that situation now when the matter in question, external storage, would not materially alter drainage on the site.

The Council concluded that matters related to the access crossing the footpath, including the provision of signage, should not be controlled as part of this development. Given the use of the site for external storage would have no impact on the footpath, and it would not result in any increase in vehicle movements, he agreed that this would not be reasonable or necessary.

DC

This page is intentionally left blank

ENBORNE 18/00368/FUL	The Barn Crockham Heath Farm Wheatlands Lane Crockham Heath Mr and Mrs M Goode	Mobile isolation box 3660 x 7320mm (existing), mobile hay shed 3660 x 3660mm (existing) and lean-to tractor shed 2440 x 2440mm (existing).	Non-Determination	Allowed 29.2.19
PINS Ref 3203091				

Procedural matters

When the application was submitted to the Council the appellant signed Certificate B on the application form to certify that the requisite notice was served on those who were owners of any part of the land to which the application relates. However, the appeal form indicated that no one, except the appellants, were the owners of any part of the land to which the appeal related (Certificate A). This would suggest that the relevant notices were not served at the appeal stage. Subsequently notice has been served on the land owners. It is clear that the owners of the relevant land were aware of both the application and the appeal. As such no party has been prejudice through this error and so the Inspector was content that he could determine the appeal.

A separate appeal has been submitted for the same site, relating to an application for development without complying with a condition and that appeal is subject to a separate decision.

Background and main issues

The Council did not determine the application, however, in the statement it confirms that it would have granted planning permission for the development subject to a number of conditions. Notwithstanding this, an interested party has raised some concerns

Having regard to the facts of the case, and the issues raised, the Inspector considered the main issues to be:-

- the effect of the development on the character and appearance of the area including the setting of Crockhamheath Farmhouse (a Grade II listed building); and
- whether the development accords with the policies in the development plan relating to equestrian development.

Reasons

Character and appearance

The appeal site is in an established equestrian use. Planning permissions have previously been granted for one relatively large building, which contains a number of stables, and a horse walker. The site is relatively small and well contained with boundary treatments and landscaping. It has a distinctly rural and equestrian character.

The hay store is very modest in scale and sits immediately adjacent to the large barn. Its size and siting are such that it does not have any detrimental effect on the character or appearance of the area. The isolation boxes and the tractor store are also modest, particularly in height. These structures sit close to the roadside hedge and the horse walker. They appear well related to the yard and other buildings and structures. The scale and positioning of these is also such that no harm has arisen to the character and appearance of the area.

Crockhamheath Farmhouse is a Grade II listed building and so special regard must be had to the desirability of preserving the setting of it. This property is located some distance to the north. The buildings, which are the subject of this appeal, are seen in the context of the existing larger building and all these are in keeping with the equestrian character of the site. These buildings have not materially affected the setting of the listed building.

The development has not resulted in harm to the character and appearance of the area or to the setting of the listed building. The development accords with Policies CS 12, CS 14 and CS 19 of the West Berkshire Local Plan Core Strategy (2006-2026) and Saved Policy ENV.29 of the West Berkshire District Local Plan 1991-2006. Together, these seek to ensure development blends in with the rural surroundings and is of a scale, form, character and siting which respects the character and appearance of the area and seeks to ensure that heritage assets and their setting are conserved.

Equestrian development

The central policies in the development plan relating to equestrian development are Policy CS 12 of the West Berkshire Local Plan Core Strategy and Saved Policy ENV.29 of the West Berkshire District Local Plan.

Policy CS 12 is generally supportive of equestrian related development. It encourages the re-use of existing buildings before new build. Saved Policy ENV.29 is permissive in respect of equestrian buildings subject to a range of criteria. Both seek to ensure the development is acceptable in terms of the effect on the character and appearance of the area and the Inspector concluded on this matter above.

The site is sufficiently far from any residential properties such that no harm would arise to the living conditions of residents. The existing barn has 6 stables, a tack room which also included some modest facilities for persons attending the site, an area used for storage, and two areas dedicated to grooming and washing. The layout is well ordered and there did not appear to be any unused space of significance.

The evidence before him showed that 8 horses and 1 pony are kept at the site and on surrounding land. This broadly reflects what he observed on site. The 2 additional stables and a small hay store would be commensurate with the number of animals kept at the site and the proposed arrangements would allow for adequate storage. The submitted information shows that, in addition to grazing, the horses are fed supplemental feed. This being so, it is evident that there is sufficient land in the appellants' ownership to accommodate the number of animals. The existing access would be utilised and no safety issues were evident.

Other than the existing barn, there are no other buildings on the site which could be utilised to provide additional stabling or storage. The arrangements in the large barn allow for some storage, however it is not unreasonable that additional buildings are provided to allow for the use to be carried out effectively on the site.

Taking all factors into account the Inspector concluded that the development accords with the Policies CS 12 and ENV.29.

Other matters

The Inspector noted the suggestion that, if the buildings were mobile, they would not require planning permission however he was not considering a proposal under section 191 or 192 of the Town and Country Planning Act 1990 (as amended). Therefore, he could not reach a determination on this matter and considered the proposal on its own merits.

A number of matters have been raised in respect of the public footpath which is located close to the site and over which the access to the site crosses. This includes issues related to trespass, gates and fencing, and lack of compliance in respect of a diversion order. The appeal relates to the provision of 3 small additional buildings on the site. All the concerns raised relating to the footpath are not connected to these buildings. As such, the Inspector could not give any significant weight to these matters and they would not lead him to conclude that the proposal is unacceptable.

There are allegations that a business may have been operated from the site. The Inspector noted that there was a condition on the original planning permission which prevents this from occurring. The proposal before him would not alter this and a similar condition could be imposed to ensure these 3 buildings were also only used for personal recreational use. Therefore, this is not a substantive issue for this appeal.

It appears that the isolation stables and tractor store are located where the manure store was originally proposed to be located. However, it was evident that an alternative location has been provided to store used bedding and so this matter has been dealt with adequately.

Conditions

As the development has already commenced, it is not necessary to impose a condition requiring that the consent be implemented in accordance with specified plans. Similarly, as the buildings have been erected, it is not necessary to have a condition dealing with external materials.

The 3 structures are all modest in size. He saw no evidence on site that the siting of the isolation stables and tractor store had damaged the boundary hedge. In themselves these buildings do not result in a need for additional landscaping and he noted that landscaping was dealt with in respect of the original permission at the site and he specifically addressed that matter in the other appeal decision.

The development is proposed on the basis that the site would be used for private use. A commercial use of the site would require detailed consideration in respect of matters including the effect of the development on highway safety and the general amenity of the area. Therefore it is necessary that the use is limited to private recreational use only.

The Inspector noted that there was no condition in respect of drainage on the original permission. Even if there were drainage problems at the site, it would be neither reasonable nor necessary to seek to rectify an existing situation through a separate application on the same site. The roof of the isolation stables is drained to a water butt. He did not have any details of the drainage for the other buildings subject to this appeal and it appeared there was none. Notwithstanding their small size, it is necessary that drainage is dealt with appropriately and as such a condition is required, but only in respect of these 3 structures.

The purpose of condition 2 is to require the appellant to comply with a strict timetable for dealing with the drainage related to the 3 buildings, which are subject to this appeal, in order to make the development acceptable. The condition is drafted in this form because, unlike an application for planning permission for development yet to commence, in the case of a retrospective grant of permission it is not possible to use a negatively worded condition to secure the subsequent approval and implementation of the outstanding detailed matter. The purpose and effect of the condition is therefore to ensure that the development authorised by the grant of planning permission may only continue if the appellant complies with each one of a series of requirements.

The Council concluded that matters related to the access crossing the footpath, including the provision of signage, should not be controlled as part of this development. Given the 3 buildings would have no impact on the footpath, and they would not result in any material increase in vehicle movements, the Inspector agreed that this would not be reasonable or necessary.

The planning permissions for the site only relates to equestrian activity and the conditions restrict this to personal use. There would be no sound planning reason to specifically require the buildings are only used for the individually intended purposes (hay store, isolation stables, and tractor store).

Conclusion

The proposal would accord with the development plan when it is considered as a whole. For the reasons given above, and having regard to all other matters raised, the Inspector concluded that the appeal should be allowed.

DC

This page is intentionally left blank