

Notice of Meeting



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Eastern Area Planning Committee Wednesday 10 April 2019 at 6.30pm in the Calcot Centre, Highview (off Royal Avenue), Calcot

Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday 2 April 2019

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 webcast, 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 Calcot Centre 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



WestBerkshire
C O U N C I L

Agenda - Eastern Area Planning Committee to be held on Wednesday, 10 April 2019
(continued)

Any queries relating to the Committee should be directed to Linda Pye on (01635) 519052
Email: linda.pye@westberks.gov.uk



West Berkshire
C O U N C I L

Agenda - Eastern Area Planning Committee to be held on Wednesday, 10 April 2019
(continued)

To: Councillors Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster

Substitutes: Councillors Rob Denton-Powell, Lee Dillon, Sheila Ellison, Tony Linden, Mollie Lock and Quentin Webb

Agenda

Part I

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1. **Apologies**
To receive apologies for inability to attend the meeting.
2. **Minutes** 5 - 22
To approve as a correct record the Minutes of the meeting of this Committee held on 20 March 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. & Parish: 19/00221/FULD - Glenvale Nurseries, Hungerford Lane, Bradfield Southend** 23 - 46

Proposal: Demolition of Glenvale Garden Centre and replace with 1 dwelling, retaining the existing entrance onto Hungerford Lane.

Location: Glenvale Nurseries, Hungerford Lane, Bradfield Southend, Reading

Applicant: Charlesgate Homes Limited

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

Agenda - Eastern Area Planning Committee to be held on Wednesday, 10 April 2019
(continued)

- (2) **Application No. & Parish: 18/03268/FULD - Clairewood, Hampstead** 47 - 66
Norreys Road, Hermitage
- Proposal:** Demolish existing single storey dwelling and garage and replace with two semi-detached dwellings, and also lift and thin the crown of a TPO within the garden.
- Location:** Clairewood, Hampstead Norreys Road, Hermitage
- Applicant:** Mr and Mrs Balson
- Recommendation:** To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to conditions.

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.

DRAFT

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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 20 MARCH 2019

Councillors Present: Peter Argyle, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Tim Metcalfe, Graham Pask (Chairman), Quentin Webb (Substitute) (In place of Richard Somner) and Emma Webster

Also Present: Jessica Bailiss (Policy Officer (Executive Support)), Michael Butler (Principal Planning Officer), Gareth Dowding (Senior Engineer), Stuart Higgins (Public Rights of Way Officer) and David Pearson (Development Control Team Leader)

Apologies for inability to attend the meeting: Councillor Pamela Bale, Councillor Alan Macro and Councillor Richard Somner

PART I

59. Minutes

The Minutes of the meeting held on 27th February 2019 were approved as a true and correct record and signed by the Chairman, subject to the following:

- Councillor Webster had given her apologies for the meeting.
- There were numerous reference to the word judgement that needed to be replaced with judgment.

60. Declarations of Interest

Councillor Tim Metcalfe declared an interest in Agenda Item 4(1), and reported that, as his interest was a disclosable pecuniary interest or an other registrable interest, he would be leaving the meeting during the course of consideration of the matter however would make a representation to the Committee as Ward Member.

Councillors Emma Webster, Graham Pask, Richard Crumly, Peter Argyle and Alan Law declared an interest in Agenda Item 4(1), but reported that, as their interest was a personal interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

61. Schedule of Planning Applications

(1) Application No. & Parish: 18/03195/FULMAJ - Land at Springs Farm, Westbury Lane, Purley on Thames

(Councillor Tim Metcalfe declared a personal and prejudicial interest in Agenda Item 4(1) by virtue of the fact that Springs Farm was a neighbouring farm that was sometimes used by his own business and on occasion he worked with the applicant. As his interest was a disclosable pecuniary 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 however, he would speak on the item as Ward Member.)

(Councillor Emma Webster declared a personal interest in Agenda Item 4(1) by virtue of the fact that the applicant was known to her and she had worked with them in the past.

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As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

(Councillor Graham Pask, Emma Webster, Peter Argyle and Alan Law declared a personal interest in Agenda Item 4(1) by virtue of the fact that they had been lobbied on the item)

(Councillor Tim Metcalfe left the meeting at 6.34pm)

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/03195/FULMAJ in respect of the change of use of land from agricultural to equestrian use; associated paddocks and bridge; and retrospective application for stable block, manège, track, and 4 staff flats in stables.

Michael Butler introduced the report to Members' of the Committee, which recommended conditional approval, and ran through the key points. Over ten letters of objection had been received. It was a retrospective application for change of use from agricultural to equestrian.

Mr Butler reminded Members that fencing was not for consideration by the Committee as it was covered by Permitted Development Rights (PDR). He suggested that if Members were minded to approve the application then they might wish to consider removing PDR on the site.

Mr Butler highlighted that footpath issues were a main area of public concern as there were ongoing rights of way issues relating to the site. In recommending the application for approval, Officers' considered that this would in no way compromise future decisions taken by the Council on the site, regarding footpath issues.

Regarding the objection raised by the Environment Agency, Mr Butler stated that following a telephone conversation during the week, he was confident that concerns raised could be overcome.

Mr Butler drew attention to point one on the update sheet and highlighted that the applicant should read Springs Farm Limited and not Mr Otaibi.

Mr Butler drew attention to information on the update sheet with regards to conditions, which detailed that conditions one and seven could be removed. Finally he clarified that information circulated by the applicant's agent to all Members of the Committee was not 'new' information.

In accordance with the Council's Constitution, Richard Farrow, Parish Council representative, and Lucy White, agent, addressed the Committee on this application.

Parish Representation

Mr Farrow in addressing the Committee raised the following points:

- He was representing the views of Purley on Thames Parish Council.
- The Parish Council was only objecting to the possibility of commercial use due to the traffic implications this would have.
- If the application involved any disruption to the existing footpath crossing the site then the Parish Council would object as this process sat outside of the planning application process and would need to be considered under different legislation. It was acknowledged that the application itself did not propose changes to the Rights of Way.
- The Parish Council supported all eight conditions recommended by West Berkshire Council, if permission was granted.

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There were no questions raised by Members.

Agent Representation

Ms Lucy White in addressing the Committee raised the following points:

- Ms White was a Planning Agent and Town Planner. She reported that the application was the result of extraordinary design work in consultation with West Berkshire Council, Purley on Thames Parish Council and residents.
- Ms White was pleased to see that the Officer recommendation was to grant conditional planning permission.
- The application involved a change of use from agricultural to equestrian use for non-commercial, private use. A change of use was required so that the land could be used for purposes beyond grazing.
- The flats contained within the existing stable block had been erected by the former owner of the site.
- In the previous set of plans the southern paddock of the site had conflicted with a Right of Way. Objections had been raised as a result and therefore revised plans had been submitted following the site visit that did not obscure the Right of Way.
- Heras fencing had been removed since the site visit and replaced with a suitable alternative.
- Consultation had taken place with local residents and it had been suggested that they should get in touch if they had concerns about any aspects of the application.
- The applicant participated in the local community and was committed to being a good landowner and neighbour.

Questions from Members

Councillor Graham Bridgman noted that the application was in the name of Springs Farm Limited however, according to his research no company under this name existed in the area. Councillor Bridgman therefore asked Ms White if her client had been credit checked. Ms White confirmed that Springs Farm Limited was provided as part of the details by the applicant. Councillor Bridgman further questioned how the Committee, if minded to do so, could grant permission to an entity that did not exist. Ms White commented that planning permission applied to the land. Councillor Emma Webster asked if Ms White had received certificates from her client and Ms White confirmed that she had in the name of Springs Farm Limited/Mr Otaibi.

Ward Member Representation

Councillor Tim Metcalfe in addressing the Committee raised the following points:

- The application in question was purely a retrospective planning application. Every aspect of the application being applied for was already in existence.
- The site had changed significantly over time. Changes included an all-weather riding track which was once a paddock. Councillor Metcalfe felt that despite the changes the site still looked nice and he had no objection to it.
- All four of the flats above the stable block had been there for over ten years. He was therefore surprised that the applicant was willing to accept condition four.
- Councillor Metcalfe expressed his disconcert at comments submitted by the Environment Agency.

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- He felt that the water feature on the site was very attractive and he had no objection to this.
- Overall, Councillor Metcalfe expressed that he supported the application. The only aspect of the site that he had not been happy with was the heras fencing however, this had now been removed.
- He noted from the plans that the footpath that had been the same for over 30 years, had now moved to a different line on the plans. Stuart Higgins (Public Rights of Way Officer) had confirmed that the footpath had moved to the correct line. He acknowledged that this was not a planning consideration and would therefore speak to the relevant Officers outside of the meeting on this point.

There were no questions raised by Members.

Members Questions to Officers

Councillor Alan Law noted that if the application was approved it would contradict Planning Policy C5 in the Housing Site Allocations Development Plan Document (HSA DPD), which related to housing for rural workers. He therefore asked if the application was approved if it would be deferred to the District Planning Committee. David Pearson stated that because the flats had been in existence for over 10 years it was unlikely that this would be the case. Members could however vote to reference the application up to the District Planning Committee if they wished.

Councillor Law referred to an application that had been deferred to the District Planning Committee at the last meeting of the Eastern Area Planning Committee in reference to Policy C5. He felt that there seemed to be two interpretations of the same issue. Mr Pearson stated that there were material differences between the two applications. The Chairman stated that this was an issue that needed to be discussed at a senior level outside of the Committee meeting.

Councillor Keith Chopping asked to hear Mr Higgins' views regarding the Rights of Way in the area. Mr Higgin's stated that the public footpath PURL1/1 ran across the application site. The footpath had first been detailed on a map in 1954. In the late 1980s landscape changes had taken place at the site and an avenue was added. People using the footpath had become accustomed to walking along the avenue however, the legal line was to the south of the avenue. An application could be submitted to turn the more recent route into a Public Right of Way however, evidence would need to be provided.

Councillor Bridgman referred back to the site visit. Members had stood close to the Heras fencing at the rear of the roadway, which was at a right angle to buildings on the site. There had been a piece of Heras fencing to the right and according the map, the footpath had run directly from the road and straight ahead. It was very apparent at the site visit which track people were using to walk along, which was to the right of the fence. He therefore asked if the new replacement fencing was across the footpath. Mr Butler confirmed that the Heras fencing had been removed and the new fencing followed the line of the definitive Right of Way. Mr Butler reminded Members that the Right of Way was not significant in consideration of the application.

Councillor Bridgman referred to conversations earlier in the meeting concerning the name the application was registered in. He confirmed that Springs Farm Limited was registered in Guernsey. He also used the opportunity to commend the quality of the Officer's report regarding the application in question.

Councillor Webster referred back to comments that the objection by the Environment Agency had been removed. She was concerned that no conditions were included within the report or update sheet to reflect this. Mr Butler confirmed that he had not yet had

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sight of any conditions however, if the application was approved it would be subject to conditions recommended by the Environment Agency.

Debate

Councillor Chopping proposed that he was willing to support the application. In his view it was a splendid facility and location and the site had been beautifully designed and constructed. He commented regarding his aversion to the network rail line and overhead power lines for electrification, which had been located close to the site with little sympathy for the countryside or the beautiful Goring Gap, which they cut through. He felt that the application under consideration was acceptable and therefore proposed that Members approve the application subject to the changes in conditions noted in the update sheet and any conditions submitted by the Environment Agency.

Councillor Chopping's proposal was seconded by Councillor Richard Crumly. Councillor Crumly noted that 49 letters of objection had been received and had largely concerned fencing around the footpath. The footpath was however a separate issue and not for discussion as part of the application and he therefore expressed his support for the application.

Councillor Webster expressed her frustration with the application. She recalled comments made regarding the applicants efforts to work constructively with the local community however, the best way to demonstrate this was to be constructive. Councillor Webster sympathised with the fears of the community when the applicants had submitted two application within two years.

The Chairman invited Members of the Committee to vote on the proposal by Councillor Chopping and seconded by Councillor Crumly.

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

Conditions

1. The development shall not be brought into use until the vehicle parking and/or turning space have been surfaced 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 (July 2018), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

2. Notwithstanding the provisions of the General Permitted Development Order 2015 as amended, or any subsequent revisions or alterations, within the red line application site, no further enclosures up to 2m in height of any kind shall be erected without the express permission from the local planning authority in respect of a planning application.

Reason: To ensure future enclosures are controlled, in the interests of visual impact, in accord with policy ADPP5 in the WBCS of 2006 to 2026, and the advice in the NPPF on the protection of the AONB landscape.

3. All of the 5 staff flats hereby permitted by this approval in the existing stables, shall only be occupied by employees of the Springs Farm Estate, and their dependents, and by no other occupant.

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Reason: The Council is not satisfied that the approval of non-restricted C3 accommodation in this location is justified, having regard to the advice in policy C5 in the Housing Site Allocations Development Plan Document of 2017. Accordingly the accommodation must be restricted in the manner noted.

4. The development must be carried out in strict accord with the following amended plans dated 22nd January 2019 on the file -all by Morse Webb - job number 568. 020-PLO4, 050-PLO4, 004-PLO2, 021-PLO3. Plus 002-PL00. In addition plan numbers [all job 568] 003-PL100, 004-PL100, 010-PLO3, 011-PLO2, 030 to 44 inclusive all PLO2, and 060 and 061 plus 070-PL02 are the approved as existing and proposed plans, hereby permitted.

Reason: To provide clarity in the permission in accord with the advice in the DMPO of 2015.

5. At no time shall any of the equestrian uses, operations, stable buildings hereby be permitted to be used for any commercial purposes whatsoever, but must remain in private equestrian recreational use attached to the Springs Farm estate.

Reason: To control future intensity of activity on the site having regard to the rural setting of the site and its sensitive nature in accord with policy ADPP5 in the WBCS of 2006 to 2026.

6. The lighting hereby permitted at the manege shall be turned off at 8pm every night at the latest and not turned on until 7am at the earliest the following day, if required, over the winter months.

Reason: The manege lies in the rural area in the AONB and it is necessary to control future light pollution, in accord with the advice in the NPPF.

62. Application No. & Parish: 18/02635/COMIND - Shalford Farm, Wasing

(Councillor Tim Metcalfe re-joined the meeting at 7.30pm)

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/02635/COMIND in respect of the conversion and redevelopment of land and buildings at Shalford Farm; wedding shop, estate farm shop, overnight accommodation, bakery and cookery school, restaurant and yoga studio, biomass boiler and associated parking and landscaping.

Michael Butler introduced the report to Members' of the Committee, which recommended the application be refused, and ran through the key points. The application had been called in by the Ward Member, irrespective of the Officer recommendation to refuse planning permission.

Mr Butler drew attention to the update sheet, which detailed the Environment Agency had formally removed their objection to the application and were recommending conditional permission.

Mr Butler stated that the update sheet also contained further information as to why the applicant's agent considered the provision of a shuttle bus to be effective and viable in transporting both employees and visitors to the site. Mr Butler stated that the Officer view was that the site would not become sustainable through the provision of a shuttle bus. The Highways Officer had also not altered his recommendation for refusal as a result of the proposed shuttle service.

Mr Butler concluded that the update sheet also contained answers to queries raised by Members at the site visit. He confirmed that the number of employees would rise from seven to 31 if the application was approved. Footpaths around the site were not considered by Officers to assist the sustainability of the site. Finally Mr Butler confirmed

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that the distance from the application red line site boundary to the farm house was 41 metres.

In accordance with the Council's Constitution, Mary Cowdery, Parish Council representative, Martin Caiger-Smith, objector, and Josh Dugdale and Steven Smallman, applicants, addressed the Committee on this application.

Parish Council Representation

Ms Mary Cowdery in addressing the Committee raised the following points:

- Members who had attended the site visit would have noted that the site was located within a quiet part of rural West Berkshire.
- If the development was to be approved the visual aspect of the site could then be likened to being in the middle of an urban area like Thatcham.
- Peace and quiet was what residents had been seeking when moving to the area.
- There had been concerns raised regarding the potential light pollution from the development. The community of Brimpton wanted to retain their dark night sky. Approving the proposal would increase light and traffic in the area.
- The site, if approved, would be used twenty four hours per day, seven days a week and would result in lorries travelling to and from the site for delivery purposes.
- The site was not on a bus or cycle route. Ms Cowdery did not feel that the shuttle bus proposal would work as visitors would wish to come and go as they pleased. The shuttle bus could help to shuttle people around the site however, would not be suitable for taking people further afield.
- The road approaching the site from the A4 was a single track road with a humpback bridge. The road flooded on a regular basis.
- The car parking proposed was not adequate for the site and because of the nature of the area, on road parking would not be suitable.
- In places the road approaching the site was too narrow for cars to pass each other. The turning from the A4 at Woolhampton involved crossing a single lane humpback bridge. There were dangerous bends when approaching the site.
- The Parish Council was concerned about the risk of water pollution in the River Enborne.
- The Parish Council was not against redevelopment of the site but the disadvantages of the current application to the local community, outweighed the benefits.
- On the grounds detailed above, the Parish Council could not support the proposal.

Member Questions to Parish Council

Councillor Alan Law asked if the facility close by at Rosebourne was similar to what was being proposed. Ms Cowdery confirmed that Rosebourne was very dissimilar to the proposal, which was aimed at enhancing its wedding business. Rosebourne on the other hand was a garden centre with a restaurant.

Councillor Keith Chopping asked if the local area suffered from noise problems as a result of the site currently. Ms Cowdery stated that it depended on how close residents lived to the site. She lived half a mile from the site and rarely had an issue with noise.

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Councillor Emma Webster noted Brimpton's Parish Plan and asked if it contained reference to economic development within the area. Ms Cowdery was unable to confirm this point because although the Parish Council oversaw the development of the Parish Plan it was controlled by a separate Committee.

Councillor Richard Crumly asked how long ago the site had been used as a farm. Ms Cowdery stated that she had lived in the area for about 50 years and could not recall the site being used as a farm.

Councillor Bridgman referred to Rosebourne and asked for confirmation that it was located on the A340 and queried how this differed from the roads approaching the application site. Mr Cowdery confirmed that the A340 was a classified A road, whereas the application site was located on an unclassified road.

Councillor Metcalfe had noted that, upon leaving the site visit, the A340 was in close proximity and therefore there were acceptable transport routes close by.

Objector Representation

Mr Martin Caiger-Smith (on behalf of Nick Caiger Smith as agreed by the Chairman) in addressing the Committee raised the following points:

- His family had lived at and cared for Shalford Farm since 1960. The family were aware that the site was of historical interest being home to ancient ruins and some of the house dated back to the 15th century.
- The 41 metres referred to in the Planning Officer's presentation and update sheet was the front lawn at the front of the house.
- His family were mindful of the local economy however, were concerned about the scale and complexity of the proposed development. There would be a new buildings including a Dutch barn and other service facilities, most of which would depend on each other to remain viable in support of the wedding business.
- Most aspects of the development would operate seven days per week. Visitors would be travelling to and from the shop, restaurant and cooking school all day. Staff and wedding guests would be heading home late at night and then there would only be a few hours respite before operations commenced again in the morning. In light of this, Mr Caiger-Smith struggled to see how noise would be controlled.
- Local roads were narrow with passing places and were often at risk of flooding. They were not suitable for the volume of traffic that would be generated by the site. Mr Caiger-Smith did not feel that the Shuttle Bus service would go far enough in mitigating the impact that would be caused.
- Noise, light and air pollution within a quiet rural area would hugely impact upon the lives of local residents.
- Mr Caiger-Smith stated that the garden of Shalford Farmhouse flooded on a regular basis.
- He asked Members to consider what would happen if the proposal was approved and failed to be a commercial success. He pleaded that Members of the Committee refuse the application.

Member Questions to Objectors

Councillor Richard Crumly asked if Mr Caiger-Smith was aware if any farming activity had taken place at the site in the past. Mr Caiger-Smith confirmed that his family had lived at

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Shalford Farmhouse for 53 years and he had never known it to be used as a functioning farm. The Dutch barn had been used as an overflow for animals, which were unwell. Currently it was being used as a caravan rental business which generated low traffic movements.

Councillor Law noted through viewing the site history that a change of use had been approved in 1989 for container storage, which in his mind would suggest lorries had travelled to and from the site. Mr Caiger-Smith stated that he did not recall such a use but was not qualified to comment.

Applicant / Agent representation

Mr Josh Dugdale and Mr Steven Smallman in addressing the Committee raised the following points:

- Mr Dugdale was commenting as a custodian of Wasing Estate and stated that without the funding from weddings the estate would not be viable.
- There were exciting plans for the future of the estate, which supported diversification and organic farming.
- The organic farm would provide local produce and a sustainable method of providing food. It was not possible to move the sustainable assets to urban locations.
- 31 new jobs would be created if the application was approved.
- West Berkshire Council's Core Strategy supported that opportunities for diversification should be encouraged, including farm diversification.
- The proposal would make use of existing buildings. The state of the farm building was currently poor and the site was used as a car park.
- No objections to the application had been received from technical consultants except for Highways. A travel plan had been proposed with a shuttle bus included. This would service local towns and villages, picking up guests and staff. The shuttle bus would also solve the issue of younger members of staff being able to get to work.
- The application was a solution to improve sustainability incorporating a low carbon future.

Members Questions to Applicant / Agent

Councillor Law noted one of the comments included within the public representations stated that there were other sites at Wasing Estate available for the use proposed and he asked Mr Dugdale to comment on this. Mr Dugdale stated that there was not another location on the site that would be sustainable. A single site would make the project extremely challenging and expensive.

Councillor Chopping queried to what extent the application went in supporting the current wedding facilities and Mr Dugdale confirmed that it was very much supportive. He commented that a reduction was being seen in the number of people getting married, so in order to attract more people to Wasing Estate, innovative ideas were required. The proposal would aggregate services in one place, which would be available by appointment only. Councillor Chopping noted that the proposal was largely in support of the current wedding business but not completely. Mr Dugdale confirmed that it would largely support the wedding business as well as the organic farm.

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Councillor Chopping asked how many wedding the business currently catered for. Mr Dugdale stated that in one year 160 weddings had been catered for at Wasing and in 2018/19 this had reduced to 125. A reduction in people getting married was not only affecting Wasing Estate but also other wedding venues across the country.

Councillor Chopping asked if the application was approved if it would affect the wedding business and Mr Dugdale confirmed that it would. The number of wedding venues was increasing however people's habits regarding getting married were changing and therefore innovation was required. The organic farm would provide an ethical way to provide for weddings.

Councillor Bridgman asked where guests to Wasing Estate were currently staying. Mr Dugdale confirmed that there were 26 bedrooms available on the site and as a wedding venue 146 people could be catered for. This could result in 30 to 40 car journeys for a large wedding. Councillor Bridgman further asked where guests were staying if not at Wasing and Mr Dugdale commented that many used the Regency Park Hotel in Thatcham. Councillor Bridgman raised questions about viability and that there would actually be an increase in the number of guests staying at the Estate and travelling to weddings and Mr Dugdale reported that in the future there might be fewer weddings but larger in size. It was hoped that steps could be taken towards managing the whole process.

Councillor Bridgman referred to paragraph 6.1.4 of the report, which stated that a sequential test must be submitted. Mr Steven Smallman stated that on the 3rd December 2018 the Planning Officer had emailed the applicant to say that in the interest of sustaining the rural economy a sequential test was not required. Mr Smallman disagreed with the statement within the report that it was a major development. A major development was classed as a development that was an increase of more than 1000 square metres, which the application would not exceed. Regarding the location of the site, Mr Smallman commented that the proposal would not succeed if it was located elsewhere and therefore in his view there was no other suitable site.

Councillor Law felt that the proposal was very complicated and queried the restaurant, yoga facility and cooking school. Mr Dugdale reported that the proposal was based on aggregation and these aspects would make the business stronger economically. Councillor Law noted therefore that not all aspects of the proposal were designed to support weddings and had been added on to help make the project viable. Mr Dugdale reported that produce from the farm would be used for weddings. The aim was to make the business stronger.

Regarding highway issues, Councillor Webster observed that the wedding business would receive 'one off' custom however other aspects proposed would rely on repeat business. Mr Dugdale confirmed that this was correct.

Councillor Tim Metcalfe asked what the pumping station on the plan was for. Mr Smallman confirmed that this maintained and controlled ground water levels but was only used in certain circumstances.

Ward Member Representation

Councillor Dominic Boeck in addressing the Committee raised the following points:

- He had lived in the suburbs of West Berkshire along with rural areas and the communities in these areas were very different.
- He had lived in Brimpton for five years and commented on the precarious nature of rural areas. Over the years traditional jobs had been lost; fewer young families could afford to live in the countryside because of limited affordable housing and

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young people often moved away. There was often little participation in local society.

- Help needed to be given to rural communities and if too much effort was placed on resisting change, then this option would fade away.
- There was a good network of footpaths that surrounded Shalford Farm. Councillor Boeck stated that he could walk 90% of the distance from his house to Shalford Farm using footpaths.
- He noted comments regarding bus services. There was a bus stop outside the Farmhouse however there were no longer any buses due to a decision taken by the Council to reduce bus services. The site was now being classed as unsustainable because there was not a bus service nearby.
- The development, if approved, would build amenities and provide jobs and in his view this type of proposal should be supported by the Committee.

There were no questions raised by Members.

Member Questions to Officers

Councillor Chopping referred back to comments concerning the sequential test and that the applicant had been informed that this did not need to be carried out. The figures under section 5.3 of the report came to just under 800 square metres, which was less than half of the figure (1640m²) calculated by the Planning Officer upon making their conclusion that it was a major development.

Mr Butler confirmed that he was the Officer that emailed the applicant on the 3rd December 2018 saying that a sequential test was not required. NPPF paragraph 88 stated that a sequential test did not need to be applied to a small scale rural development up to 1000m² however the total gross of the proposal was 1640m². There would be a net increase of 686m² which meant that the development would be classed as minor. However, Mr Butler added that it was not just floor space that had to be taken into consideration but the intensity of the use proposed and this point had led to him changing his mind regarding the requirement for a sequential test.

Mr Butler commented that it was possible that if refused the decision could be appealed against and he stated that he would be happy to defend the decision if necessary based on the second reason for refusal. He felt that the development was major when considered in a rural context.

Councillor Chopping queried the figures in section 5.3, where floor space totalled just under 800m² however, under section 6.1.4 of the report the total floor space was detailed at 1640m². Councillor Chopping expected that the difference in figures was because there was no figure attributable to guest accommodation (14 rooms) in section 5.3.

Councillor Chopping noted that the site was an old farmyard and queried if could be used again as this in the future. David Pearson confirmed that the site could revert to agricultural use in the future without planning permission.

Councillor Webster noted that paragraph 82 of the NPPF included other industries besides those noted in the report. Mr Butler confirmed that the NPPF also set out that development should only take place in suitable sustainable locations.

Councillor Metcalfe referred to highways issues. He stated that the site was not in the AONB and therefore could potentially be used for housing. He added that in relation to Rosebourne a number of issues had been raised regarding how the Wasing Estate was different including access and that Rosebourne had a car park that would cater for 200 cars. Councillor Metcalfe noted that the road from Wasing Estate from the farm shop was

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a large two width road and therefore he could not understand why there was concern regarding this aspect. When exiting the site at the site visit he had noted that there was no visibility splay due to the barn and he asked for the Highways Officer to comment on this point.

Gareth Dowding confirmed that the A340 from Rosebourne was a two carriageway road however, there was no footpath once past Aldermaston School and therefore it could not be considered sustainable for anything other than vehicles. Regarding cyclists, there would be nowhere where they could safely stop. Regarding the visibility splay, Mr Dowding was unable to comment as he had not looked at the site in that level of depth at this stage, but if the application was approved then recommendations would have to be included which would set out the required sight lines.

Councillor Bridgman referred to the matter of the sequential test. He noted that different parts of the operation could not be located elsewhere because they were integral to the wedding business. David Pearson noted comments that the uses proposed would supplement the wedding business however, there was nothing to say that this would remain the case. It was not good practise not to carry out a sequential test and if the applicant had wished to undertake a test then more time would have been granted. If Members had doubts regarding whether a sequential test needed to be applied then one option would be to defer the application.

Councillor Bridgman referred to the first reason for refusal which included increased traffic and the lack of pedestrian or bus routes. He noted that the point made on behalf of the applicant was that the proposal would go some way in reducing traffic as visitors would not have to travel so far to access other services.

Councillor Bridgman noted that there was the yoga centre, restaurant and other outlets that could be sold onto third parties at any time as they would have nothing to do with Wasing Estate. As all the businesses would operate differently, in his view traffic levels would increase.

Councillor Webster asked if the Highways Officer's concerns went beyond unacceptable and Gareth Dowding stated that this was difficult to confirm as he did not personally assess the site. It was important to note that there would be 30 full time equivalent posts and therefore could be made up of part time staff resulting in further traffic movements.

David Pearson referred to the points made by the Ward Member concerning diversification and stated that rural diversification in the countryside was never straight forward. The NPPF stated that the three strands of sustainability should be considered including Social, Economic and Environmental issues. The intensity of the application then had to be assessed. The response regarding the sequential test, in Officers' view, was not acceptable. Members needed to consider all areas of sustainability when deciding whether to approve the application.

Debate

Councillor Alan Law acknowledged points that had been raised regarding rural and farm diversity. At the site visit Members had been concerned regarding the height of the Dutch barn and Councillor Law stated that he had left the site with a feeling of overdevelopment. The applicant had stated that aspects of the site were required to support the wedding business and other aspects were completely separate but were required to support the viability of the site. Councillor Law was of the view that many visitors would access the site from the A4. Councillor Law had needed to stop twice when travelling to the site visit due to oncoming vehicles and there not being enough space for them to pass. He agreed that the site required development however, it needed to be more sympathetic to the local area. Therefore Councillor Law proposed that Members

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support the Officer's recommendation to refuse planning permission. Councillor Quentin Webb seconded the proposal by Councillor Law.

Councillor Emma Webster stated that the applicant needed to be mindful that if they were seeking rural diversification, the nature of the wedding business meant that guests would only visit once. The restaurant on the other hand would be visited more frequently and repeat business was being relied upon there would therefore be reliance on visitors returning.

Councillor Webster stated that section 84 of the NPPF supported development that encouraged strong competitive communities as long as the impact was not unacceptably high. Councillor Webster recalled that Mr Dowding had not stated that the impact on the highway was unacceptable. Councillor Webster was concerned that if local areas were not supported then local facilities would close. Councillor Webster had given a lot of thought to the economic issues relating to the development and she felt that the overbearing aspect would have been included within the reasons for refusal if it was at a level that was not acceptable.

Councillor Marigold Jaques noted that the site was a brownfield site within the countryside and therefore required some kind of development. Councillor Jaques was of the view that the proposal was perhaps too diverse for the site and location and she was concerned about the increase in traffic that would be caused. Councillor Jaques expressed that she would support development of the site, but it would need to be a proposal that was more sympathetic to the local area.

Councillor Crumly was of the view that there was no issue with the access to the site. The site had once been a working farm and could now be classed as a bit of a 'dump'. He felt that the application was credible and did not think that the traffic issue was a reason to refuse the application. Councillor Crumly therefore stated that he was in support of the application.

Councillor Webb stated that he supported the points that had been raised by Councillor Law and he felt that the proposal was overdevelopment of the site. The proposal would include another large barn being built alongside the existing barn and listed building. He did not feel that the area was easy to access.

Councillor Webster noted the reference to overdevelopment of the site and asked Planning Officers if the application was refused on this reason, if the decision would stand at appeal. David Pearson stated that if Members were minded to refuse the application because they felt it would cause overdevelopment then he was confident that a case could be put together on this point. Councillor Webster was concerned that the issue of overdevelopment was not mentioned in the report and Mr Pearson commented that he did not view this as an issue. Members had sought advice and were free to form their own opinions regarding the application.

Councillor Chopping stated that the buildings were already on the site and the proposal would put them to use. He did not agree with the point about the sequential test or the points raised by the Highways Officer as he had never had an issue with the roads in question. He was however, inclined to agree with comments made by Members regarding overdevelopment of the site and would rather see an application smaller in scale that would be of benefit to the site and local community.

Councillor Tim Metcalfe stated that he believed in rural economy and diversification and the proposal included the development of what was a brownfield site. In light of concerns raised by Members concerning the overdevelopment of the site Councillor Metcalfe asked if the applicant could be provided with the opportunity to withdraw their application rather than it be refused.

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Councillor Law reminded the Committee that he had formed a proposal that had been seconded by Councillor Webb.

David Pearson advised that that if the applicant was minded to withdraw and an email was received to this effect before a formal resolution had been formed then this would have to be accepted.

The Chairman invited Members of the Committee to vote on the proposal by Councillor Law and seconded by Councillor Webb to refuse planning permission.

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

1. The proposal will increase traffic in a rural location that has no pedestrian or bus routes and is linked by rural roads where at times cycling can be difficult. The location of the site will increase traffic where the mode of travel can only be the private car. The proposal is therefore unsustainable and is therefore contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026 and the National Planning Policy Framework 2018. It is also contrary to the advice in the LTP2 of 2011 to 2026 for West Berkshire. It is accordingly unacceptable.
2. The applicant has failed to satisfy the Local Planning Authority that the proposed town centre uses of retail and leisure in this location is acceptable under the remit of the sequential test, as set out in the NPPF and the advice in policy CS11 in the WBCS of 2006 to 2026. Accordingly the application is unacceptable given the onus is on the applicant to demonstrate this test, as set out in para 90 of the NPPF.
3. The application site comprises a small group of redundant agricultural buildings in a quiet rural location outside any defined settlement boundary. Low key commercial uses currently occupy the site. These have little impact on the present tranquil nature of the locality. The Council is concerned that the development, with the greater range and mix of more intensive commercial uses, will create activity over a much wider period into the evenings and weekends, so resulting in an unacceptable increase in both built form and activity on the site, which will comprise an overdevelopment of the application site, having regard to the scale, massing and nature of the proposed new Dutch Barn with associated remodelling of the other buildings and redevelopment noted. Given the tranquil rural nature of the surrounding area, it is considered that the nature and intensity of the proposed commercial uses will cause harm to the vicinity, which is considered to be clearly contrary to policies ADPP1, [4th paragraph] policy ADPP6 - environment – bullet point 2, and policy CS19 in the WBCS of 2006 to 2026. It is accordingly unacceptable.

63. Application No. & Parish: 18/03367/FUL - Manderley, School Lane, Frilsham, Thatcham

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 18/03367 in respect of outdoor riding arena.

David Pearson introduced the report to Members of the Committee, which recommended conditional approval, and ran through the key points. Mr Pearson highlighted that an objection to the application had been received from a consultant from the North Wessex Downs AONB. Officers' felt that previous concerns about the application had been rectified and therefore were proposing conditional approval;

In accordance with the Council's Constitution, Simon Dimick and Trevor Furse, applicant/agent, addressed the Committee on this application.

Agent Representation

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Mr Simon Dimick in addressing the Committee raised the following points:

- The application was for a private equestrian arena for training and exercising of his client's horses.
- The manège would be within the garden area of Manderley.
- Frilsham Parish Council had no objection to the application if approval was given as long as use was restricted to private use only and there was no external lighting.
- There was no other reason for the manège apart from his client's passion for riding and taking part in competitions. His client's children also shared a passion for riding and therefore the arena would provide a safe environment for them to ride in.
- 17 objections to the application had been received and Mr Dimick highlighted that these were largely anonymous. Immediate neighbours had no objection to the proposal.
- Objections suggested that Mr Dimick could use equestrian facilities elsewhere however, the roads close to the site were not suitable for riding on. Adjacent fields were also not suitable for riding in as they were particularly boggy in the winter and often froze.
- The manège would be used for dressage purposes and there was not a local arena close by available for hire and therefore a long journey would be required.
- In 2016 a proposal had been submitted that put a stable block in the adjoining field however, objections had been raised to this and therefore the stables had been erected in the garden area. A previous application to place the manège in line with the road had been criticised and therefore the current proposal would place the manège in the same vicinity as the stable block.

Member Questions to Agent

Councillor Richard Crumly referred to the comments from the AONB, which implied that approval of the application would lead to urbanisation of the site and asked Mr Dimick for his thoughts on this. Mr Dimick was of the view that comments from the AONB Consultant illustrated that they did not fully understand the application. The manège was a structure, however, it in no way urbanised the area in his view.

Ward Member Representation

Councillor Quentin Webb in addressing the Committee raised the following points:

- The application under consideration had been discussed on numerous occasions in the past and the current application proposed the manège be brought into the garden area rather than in an open field.
- Councillor Webb was of the view that the comments from the AONB were overstated.
- Councillor Webb did not feel that there were significant enough reasons to refuse the application.

Councillor Graham Pask in addressing the Committee raised the following points:

- He referred to the site history and noted that the current application was the third application by the applicants for a manège.

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- The site was within a beautiful location in the AONB. He commented that the manège would not require engineering works.
- Councillor Pask commented that all aspects needed to be taken into consideration. He stated his surprise at reading the comments submitted by the AONB.

Member Questions to Ward Members

Councillor Tim Metcalfe queried the absence of fencing around the arena and felt that this was required for safety. Councillor Pask highlighted that there was reference to a fence at the far edge of the arena. Mr Pearson clarified that this was where the ground dropped away.

Councillor Graham Bridgman noted within the objections to the application that reference had been made to particular planning policies and he could not find reference to these policies in the Planning Officer's report. He requested that if policies were referred to through objections then the relevance of these policies needed to be highlighted in the report.

Councillor Bridgman noted that section 5.8 referred to the loss of two apple trees and stated that unless the trees were subject to a Tree Preservation Order then they could be cut down by the applicant at any time. Councillor Bridgman also stated that fencing, in his view, came under Permitted Development Rights. Mr Pearson noted the comments raised by Councillor Bridgman in relation to the report.

Debate

Councillor Keith Chopping noted that the application had gained the support of Officers and neighbouring properties and he noted that none of the objectors had wished to speak at the Committee. Councillor Chopping also noted the number of agencies that had raised no objections to the proposal including SuDS, Highways and Natural England. Councillor Chopping proposed that Members approve the application in line with the Officer recommendation and Councillor Crumly seconded the proposal.

Councillor Emma Webster commented that the application was a testament of good listening and willingness to draw up revised plans that mitigated concerns. Councillor Webster commented that the application had gained supportive comments from the local community.

Councillor Alan Law stated that he also supported the application. The previous application had proposed that the manège be built in the paddock to the right of the garden area and he was surprised that this had been turned down.

Councillor Marigold Jaques referred to the comments from the AONB and highlighted that all the concerns raised had been covered by conditions.

The Chairman invited Members of the Committee to vote on the proposal by Councillor Chopping that was seconded by Councillor Crumly, to approve planning permission.

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).

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2. The development hereby permitted shall be carried out in accordance with plans, documents and material:
 - a) Proposed New Arena Site Location, reference FLA-MAN-LS-001 – received on 09/01/2019
 - b) Proposed New Arena General Arrangement & Section Locations, reference FLA-MAN-LS-003 – received on 09/01/2019
 - c) Proposed New Area General Arrangement Block Plan, reference FLA-MAN-LA-002 – received on 09/01/2019
 - d) Proposed Arena General Arrangement Indicative Section A-A, B-B & C-C, reference FLA-MAN-LS-004 – received on 09/01/2019
 - e) Proposed New Arena Tree Survey & Protection Measure, reference FLA-MAN-LS-005 – received on 09/01/2019
 - f) Tree Survey, Arboricultural Assessment and Method Statement Proposed Arena, Manderley, School Lane, Hermitage Rev D – received on 09/01/2019
 - g) Letter reference SMD/CAL49/1 – received on 25/02/2019
 - h) Landscape and Visual Assessment Proposed Arena, Manderley, School Lane, Rev B - Received on 21/12/2018
 - i) Material Sample 'Riding Surface for Emanuela Morando' – received on 25/02/2019
 - j) Planning Application Form Section 7 Materials – received on 09/01/2019

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

3. Irrespective of the Town and Country Planning (General Permitted Development) Order 2015 (or an order revoking and re-enacting that Order, with or without modification), the riding arena hereby approved shall not be illuminated at any time unless permission for the illumination has been granted in respect of a planning application.

Reason: In the interest of amenity and protection of the surrounding countryside. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

4. The riding arena hereby approved shall only be used for purposes incidental to the dwelling house known as Manderley. It shall not be used for any commercial equestrian purposes.

Reason: To ensure that the development is retained as a use incidental the existing dwelling house Manderley, in the interests of highway safety and to protect the amenity of the North Wessex Downs Area of Outstanding Natural Beauty. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that Order, with or without modification), no fencing, other than the section of knee high rail fencing shown on the approved plans, shall be erected within the application site unless planning permission has been granted in respect of an application made for that purpose.

Reason: To protect the open plan character of the surrounding area and AONB. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026).

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6. No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. The riding arena shall not be brought into use until the approved sustainable drainage measures have been implemented. Thereafter the sustainable drainage measures shall be permanently retained and maintained in accordance with approved details.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policy CS16 of the West Berkshire Core Strategy (2006-2026).

INFORMATIVES

DEC3 - Approval - Objections/Support received

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

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.

64. Appeal Decisions relating to Eastern Area Planning

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

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

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	19/00221/FULD	29/03/2019	Demolition of Glenvale Garden centre and replace with 1 dwelling, retaining the existing entrance onto Hungerford Lane.
		27/04/2019	Glenvale Nurseries, Hungerford Lane, Bradfield Southend, Reading Charlesgate Homes Limited

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

Ward Member(s): Cllr Graham Pask and Cllr Quentin Webb

Reason for Committee Determination: Member Call-in should the application be recommended for refusal; Due to local and Parish Council Concerns of Business Viability and site suitability for single dwelling.

Committee Site Visit: 03/04/2019

Contact Officer Details

Name: Sarah Melton
Job Title: Senior Planning Officer
Tel No: (01635) 519111
E-mail Address: Sarah.Melton1@westberks.gov.uk

1. Site History

Planning Applications and Appeals

Demolition of Glenvale Garden Centre and double garage and replace with 1 detached chalet style dwelling, retaining the existing entrance onto Hungerford Lane.

Ref. No: 18/02190/FULD | Status: Refused

Appeal 3221686 | Status: Pending

Outline application for the demolition of garden centre and replace with 4 x custom build dwellings - Matters to be considered: Access.

Ref. No: 16/02922/OUTD | Status: Refused

Appeal 3166113 – 2nd May 2018 | Status: Dismissed

Retail Garden Centre.

Ref. No: 16/02923/CERTE | Status: Refused

Appeal 3165648 – 26th October 2017 | Status: Allowed

Outline application for the demolition of Glenvale Garden Centre and associated buildings and replace with 5 x self-build/ custom build houses with associated garages using existing access. Matters to be considered: Access.

Ref. No: 16/01193/OUTD | Status: Refused

Appeal 3158031 – 8th March 2017 | Status: Dismissed

2. Consultations

Bradfield Parish Council No objections

Bucklebury Parish Council No objections

Highways The potential vehicle movements associated with the existing permitted use of this site are greater than would be generated by a single dwelling. The use of the existing access is therefore considered to be acceptable for this proposal.

Adequate driveway parking and turning is proposed.

The highway recommendation is for conditional approval.

Drainage No comments received

Natural England No comments received

Ecology No comments received

Waste

The application raises no concerns with regard to the storage and collection of refuse and recycling.

Environmental Health

Identified Environmental Health issues relevant to Planning:

- Noise and dust from demolition and construction activities
- Land Contamination

Previous land used as a plant nursery/garden centre may have resulted in land contamination, this needs to be investigated before construction of a sensitive building.

Further, the close proximity of existing residential properties would dictate that demolition/construction noise and dust nuisance needs to be mitigated against for the duration of the build.

Recommendation – conditional approval

Environment Agency

Do not wish to be consulted.

Planning Policy

The NPPF sets out that development should be sustainable and planning should be 'genuinely plan-led'. As such proposals must comply with the relevant policies of the development plan.

The Council is able to demonstrate a five year supply of housing sites, and as such the Development Plan should be considered up to date.

The site is located within open countryside and outside of any settlement boundary. The Core Strategy makes it clear that allocations to meet the housing requirement will be made outside existing settlement boundaries which will then be re-drawn. This has taken place through the HSA DPD, following the plan-led system that is advocated in the NPPF.

The site is located within an unsustainable location whereby the future occupiers would be primarily dependent upon private vehicular transport to access services and day-to-day facilities. The lack

of hard surfaced footways and cycle paths may make walking and cycling to Bradfield Southend and Chapel Row unattractive options.

The decision taker will also need to consider the proposal against Core Strategy policy CS19, and HSA DPD policies C1 and C3.

3. Publicity of Application and Representations

- 3.1 The application was advertised by means of a site notice posted on the wooden telephone pole directly opposite the site on 22/02/2019, expiring on 15/03/2019. The Council has received 4 objections and 22 letters of support. The comments received are summarised below.

Objections

- Allowing the development would undermine and weaken the local planning strategy and strengthen the case for development on open fields.
- Create the potential for further residential development at Glenvale Nurseries.
- The location has previously been judged as unsustainable, and remains unsustainable.
- If the application was allowed it would be contrary to all previous decisions, including appeal decisions.
- There is no justification for overturning the previous refusals.
- This application only differs from the previous in the following respect: the house is no longer 'chalet-style' and its external dimensions are slightly reduced, but still approximately 70% wider than Oak Lodge; the ridge height if the proposed has increased from the last application from 6.8m to 7.4m, the proposal is more 'prominent, incongruous, and uncharacteristic' than Oak Lodge; the applicant states that the footprint is significantly reduced from the previous application, but the internal floor space remains at 320 square metres; the siting of the proposed house has changed to bring it more in line with the Hungerford Lane building line. However, the Planning Inspector in his decision of 2 May 2018 stated that: "*dwelling at the frontage (which does not represent infill) closer than the existing structure would inevitably have a harmful effect on the rural character of the area, including the AONB*", and; it is not clear whether the existing double garage belonging to Oak Lodge is to be demolished.

- The current proposal is essentially a repeat of the previous application: to develop a mixed agricultural and retail site (Glenvale Nursery) and part of its associated agriculturally-tied house and garden for the profit of the current landowners and the Applicant, a housebuilder.
- The sites is outside and not adjacent to a settlement boundary and in the AONB.
- If the nursery business has failed (regrettably), it is not justification to ride roughshod over planning provisions that are designed to preserve the essentially rural nature of the locality for future generations.
- There is no mention of what will happen to the proportion of Glenvale Nurseries not within the application site.
- Oak Lodge will benefit form a vastly increased garden area.
- It is believed that Oak Lodge has an agricultural tie to the nurseries.
- In due course it is expected that the Oak Lodge site will be submitted for further development.
- There are fewer objections to this application than previous due to the questionable siting of the orange site notice.
- Glenvale Nurseries is situated on a narrow country road that runs through open fields, hedgerow, trees and a few houses. More housing would change the nature of this beautiful area, particularly if the current application were to set a precedent.
- The non-viability of the business has no bearing on the suitability of the site for housing development.
- The site is not brownfield as the agricultural constraint is still active.
- The site is not within a 'closely knit cluster of ten or more existing dwellings' as required under policy C1, even though the design and access statements says that it is.
- The shop and village hall in Bradfield South End are a mile away from Glenvale Nurseries by road. The village school and pub are a similar distance, other amenities listed even further.

- There are inconsistencies between the submitted plans and application form.
- Housing in this location would not preserve the AONB.
- There are no exceptional circumstances to allow housing outside of the settlement boundary.
- In January 2018, the owners of Glenvale Nursery sent an email to all of their retail customers informing them that they would only be open for retail business for three months in the spring and three months in the Autumn. This in turn was commuted to only being open on two days a week through this restricted period.
- The applicant has tried to argue that the Council cannot demonstrate a five year housing land supply, but verbally accepted that this was not the case during the appeal hearing for 16/02922/OUTD.
- A car will be required for access to primary schools, the nearest primary school is a mile away, this is not a safe walking distance for small children.
- The whole sale side of the business will continue to trade in the land within the blue line, this will result in an increase in small commercial vehicle using Hungerford Lane.

Support

- The sites is not suitable for a retail environment
- The development of a residential property would be advantageous in every respect, less heavy traffic, less pollution and a better outlook for existing properties.
- Application is supported by paragraphs 68(a) and 84 of the NPPF
- Applications 17/03286/FULD, 17/00149/FULD, 17/02958/FULD and 18/01032/FULMAJ (approved) are less than half a mile from the proposal site, outside the settlement boundary and even further from a bus stop than the proposal site.

- There is a bus service that is used for transporting children to secondary school.
- The site is within a closely knit cluster of 10 houses, with 6 houses adjacent to the boundary of the site.
- The nurseries cannot rely on passing trade for the shop.
- The landscaping element of the business has led to an increase in traffic along Hungerford Lane.
- The site is previously developed land and suitable for housing.
- The development would reduce the level of traffic along Hungerford Lane.
- Allocated site Stretton Close is not previously developed land and the settlement boundary was redrawn to include the site. This will have a far more detrimental effect than building on the proposal site.
- The proposed development will enhance the AONB.
- The existing business is not viable.
- People who live on Hungerford Lane do feel part of the community.
- The application makes economic and social sense.
- Most people use their cars for work, so even if the site isn't unsustainable when compared to the houses within the village boundary.
- More housing would help alleviate the UK's housing shortage.
- Site may become derelict.
- The development will enhance the village.
- The site is in a remote location which has very little passing traffic and is only supported by the local villagers and landscapers who keep the business limping along. It is not suitable as a retail enterprise and would be far more suited to be developed as one or two residential properties.

4. Policy Considerations

4.1 The policies relevant to this application are:

The National Planning Policy Framework 2019;

Policies ADPP1, ADPP5, CS1, CS4, CS5, CS13, CS14, CS15, CS18 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

Policies C1, C3 and P1 of the Housing Site Allocation Development Plan Document (May 2017)

Policies OVS5 and TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007):

Additional guidance on design is supplied in:

The West Berkshire Supplementary Planning Document on Quality Design (2006)

The West Berkshire Supplementary Planning Document Quality Design SPD Part 2 Residential Development

5. Description of Development

5.1 The application site is located in the North Wessex Downs AONB and outside of a defined settlement boundary. The site is located within the open countryside.

5.2 The site is situated along Hungerford Lane, adjacent to the dwelling known as Oak Lodge. The closest settlement to the site is Bradfield Southend, of which the closest boundary (western boundary) is 625 metres when measured in a straight line on a map. As such, the site cannot be considered as adjacent to a settlement boundary.

5.3 The site consists of hard standing car park area to the north which can accommodate 13 cars. To the south east of the car park is a small single storage breeze block storage building with flat corrugated steel roof. To the south of the car park is a large greenhouse used for plant storage and as the nursery sale area. Behind the large greenhouse are a number of other smaller green houses, poly tunnels and sheds, a substantial proportion of the site does not have any buildings on but is used for the

storage and growing of plants. There is an existing double garage to the east of the site, this is currently used by and within the ownership of Oak Lodge, it is proposed that this garage will be transferred to the new dwelling as part of this application.

- 5.4 The site is mostly screened from Hungerford Lane by a large hedge. There is a commercial style metal gate to the north west of the site, this is the existing (hard standing) access to the Nursery. The south, east and west boundaries consists of a 1.8m close board fence. To the west of the site is a Public Right of Way, which runs from Hungerford Lane to the north towards Bucklebury Common to the south. To the north of Hungerford Lane, opposite the site is open countryside.
- 5.5 The proposed development is for the demolition of the existing garden centre and construction of one detached dwelling. The proposed vehicular access is from Hungerford Lane, the same as existing.

6. Considerations of the Proposal

- 6.1 The principal matters in considering this application are:
- I. The principle of development
 - II. Design and impact on the character of the surrounding area
 - III. Parking and highway safety
 - IV. Impact on neighbouring amenity
 - V. Rural economy

7. The principle of development

- 7.1 The site is located in the AONB and outside of a defined settlement boundary, as such it is located within the open countryside. Policy ADPP1 states that, most development will be within or adjacent to the settlements included in the settlement hierarchy. The proposal site is neither within or adjacent to a settlement included within the hierarchy.
- 7.2 The policies of the Local Plan are to be read together, policy C1 of the Housing Site Allocation DPD details the circumstances under which residential development outside of a defined settlement boundary may be acceptable;

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

- 7.3 The proposal scheme does not achieve all of the above criteria as required by policy C1.
- 7.4 The Inspector assessed the criteria of policy C1 as part of appeal reference 3166113 and found that; “the proposal fails in relation to criterion i) as the houses in the area do not form a closely knit cluster but a dispersed number of dwellings. In relation to criterion ii) the plot does not represent a gap in an otherwise built-up frontage as it is an open section of frontage to the side of 2 houses; it is neither a gap nor is it otherwise built up” (paragraph 10).
- 7.5 The proposal scheme that was assessed and dismissed by the Inspector at appeal 3166113 was for four dwellings. The reduction in number of dwellings as part of this application does not alter the physical constraints of the site as explained by the Inspector at paragraph 10. The principle of residential development on this site is thus not acceptable due to the conflict with policy C1.
- 7.6 To consider the application as acceptable and compliant with policy C1 would accordingly undermine the policy and what it is aiming to achieve in the District.
- 7.7 The proposed development would not constitute infill development. The definition of infill development is, one which fills a small area of land between two adjacent buildings. In determining the last appeal, the Inspector stated that the site (the frontage) does not represent an infill;

“The appellant states that the current proposal could include bungalows whereas the previous appeal decision assumed that 2 storey dwellings would result. Notwithstanding this, I consider that a dwelling at the frontage (which does not represent infill) closer than the existing structures and a layout that would be likely to have a far more suburban character than a rural one, would inevitably have a harmful effect on the rural character of the area, including the AONB. I have also considered the possibility of a condition which would impose some limit on the height of the proposed dwellings, but find that this would not overcome my objections. Therefore, I find conflict with Policies ADPP1, ADPP5 and CS1 of the CS.” (paragraph 15)

The fact that the proposal does not constitute an infill development is a constraint of the site and not the proposal scheme, as such the reduction in the number of dwellings from the appeal scheme does not alter the Inspectors findings.

7.8 Policy ADPP5, allows for a limited amount of infill development within the AONB. The proposal scheme does not constitute an infill development. The Inspector found the conflict with this policy in determining 3166113 (paragraph 15), the case officer has not been presented with any evidence that suggests that the Inspector was wrong to find conflict with policy ADPP5, nor that there have there been any material changes in policy that would make this finding invalid.

7.9 The principle of residential development on this site is wholly unacceptable and clearly contrary to policies ADPP1, ADPP5 and C1, and the Inspectors decision which is a material consideration in determining this application.

8. Design and impact on the character of the surrounding area

8.1 The proposal scheme is for a significant size family dwelling consisting of five bedrooms (two, en-suite), a large lounge, kitchen, breakfast room and dining room, bathroom, toilet, utility room and hall.

- 8.2 The previous design (18/02190/FULD) proposed a footprint of 204 square metres, with a front elevation of 17 metres. The current application scheme has a footprint of 134 square metres and a front elevation of 13.8 metres, the garage currently owned and occupied by Oak Lodge provides additional space for the proposed dwelling by way of 36 square metres. The closest neighbour, Oak Lodge has a footprint of 87 square metres and a front elevation of 8 metres. A comparative table showing the footprint and elevation of the dwellings nearest the site are provided below.

Dwelling	Footprint (square metres)	Front Elevation (metres)
Proposal Scheme	134	14
Oak Lodge	87	8
Swallows Rest	65	11
Birdcage	109	13

- 8.3 Whilst the scale of the proposal has been reduced from that of the previous scheme, the proposal is still disproportionate to the surrounding dwellings. The front elevation of the proposal scheme is 43% larger, and has a footprint which is 54% larger than the immediate neighbour to the east, Oak Lodge.
- 8.4 In accordance with policy C3 of the Housing Site Allocation DPD, new dwellings in the countryside must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change. The site is located within the AONB, as such is highly sensitive to change.
- 8.5 Policy CS19 states particular regard will be given 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. The proposal scheme does not achieve these requirements; the location of the site is inappropriate for new residential development, the scale of the

development is much larger than surrounding properties, the design is not in keeping with the area due to overall scale and massing and the character of the area is rural.

- 8.6 The proposed dwelling would introduce a new tier of development which is alien and incongruous in the immediate locality.
- 8.7 The design of the house fails to compliment the local housing styles. The footprint is overly larger than the existing dwellings in the area. Overall, owing to the size and design of the proposal scheme, it is considered that the house would have a materially greater and more harmful impact than the existing structures and would be intrusive in this AONB location.
- 8.8 Policy C3 states that new development should have regard to West Berkshire Councils Supplementary Planning Document. The SPD Part 1 Achieving Quality Design requires new developments to provide easy walking access to local services and public transport in order to reduce the need to use cars and to help make new homes for those who do not have a car, the proposal scheme does not comply with this requirement. The proposal is therefore contrary to policy C3.
- 8.9 In determining appeal 3166113, the Inspector found that “the proposal would be in conflict with the development plan policies in relation to the provision of homes in the open countryside, contrary to the overall spatial strategy and would be harmful to the AONB and general character of the area.” (paragraph 21). The new proposal is inconsistent with the Inspectors finding.

9. Impact on neighbouring amenity

- 9.1 In terms of impact on neighbouring amenity, the new development would introduce an element of overlooking and loss of privacy for the neighbour to the east, Oak Lodge. However, the level of overlooking into the rear garden of Oak Lodge, is not considered sufficient enough as to warrant a reason for refusal of the application.

10. Parking and highway safety

- 10.1 Sufficient car parking has been provided for the proposed dwelling. The Highways department have raised no objections to this application on highway safety grounds.

11. Rural Economy

- 11.1 A number of supports have declared that the existing business at Glenvale Nurseries is economically unviable.
- 11.2 The proposal scheme includes the demolition of the buildings associated with the existing rural enterprise, Glenvale Nurseries. The applicant has submitted a letter from the company's financial adviser, stating that it is their view that the current business is not economically viable.
- 11.3 Given that the principle of residential development on this site is not acceptable and the strong appeal history of the site, the Council has not examined this issue further i.e. investigating the current viability of the existing business.
- 11.4 Whilst information has been provided demonstrating that the current business on site is not viable, this does not conclude that the site cannot sustain a viable business as required under CS10.

12. Other matters

NPPF updates

- 12.1 The NPPF (2019) makes it clear that the starting point for all decision making is the development plan. The relevant policies of the development plan for this application have been discussed above. There is considerable conflict with the policies of the development plan. The introduction of a revised NPPF does not automatically render the Council development plan policies as out of date.
- 12.2 The presumption in favour of sustainable development to which the agent has referred, only applies in specific circumstances. As per paragraph 11, decisions should apply a presumption in favour of sustainable development; for decision-taking this means, approving development

proposals that accord with an up-to-date development plan; the proposal does not accord with West Berkshire Councils Development Plan. The LPA has very specific policies regarding new residential developments outside of a settlement boundary in the AONB. West Berkshire Council can provide a five year housing land supply, as such these policies are up-to-date.

- 12.3 It is only if a Council does not have relevant policies or is not able to demonstrate a five year housing land supply that a presumption in favour of sustainable development applies. However, the presumption in favour of sustainable development does not apply when;

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed

- 12.4 Footnote six of the NPPF includes the AONB as an area or asset of particular importance. Paragraph 172 states that; “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues”.

- 12.5 Paragraph 12 of the NPPF, succinctly summarises the above; “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.” There are no material considerations that indicate that the Councils Development Plan should not be followed.

The Inspector reached the same conclusion in determining appeal 3166113; “Notwithstanding the fact that I have found that the development plan is not absent/silent, footnote 9 to paragraph 14 of the Framework

provides an exception where specific policies in the Framework indicate that development should be restricted; AONBs are specifically mentioned as being one such example. As I have found that the proposal would not be consistent with the aims for the AONB and contrary to policies relating to it, the 'tilted balance' would not apply in any event." (paragraph 19).

- 12.6 The landowner, in seeking support for the application references two specific paragraphs of the NPPF:

Identifying land for homes - paragraph 68(a):

Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;

The site is not included as part of the development plan, nor has it been accepted as part of the brownfield register.

Supporting a prosperous rural economy - paragraph 84

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The aim of this section of the NPPF (including paragraph 84) is to support rural businesses. This paragraph does in fact support the existing use of the site and not the proposed residential use.

5 year housing land supply

- 12.7 The Council can demonstrate a five year housing land supply, this is confirmed in the Councils 'Five Year Housing Land Supply at December 2018'.
- 12.8 The agent argues that the Council is unable to demonstrate a five year housing land supply. This argument is based on the March 2018 Annual Monitoring Report, this document is superseded by the Five Year Housing Land Supply at December 2018. The agent is of the view that a site can only be considered deliverable if a planning consent is in place, this is incorrect. Annex 2 of the NPPF clearly defines deliverable; *"To be considerable deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years."* Based on this definition the Council can demonstrate a five year housing land supply, no evidence has been submitted to substantially and meaningfully challenge this position.

CIL

- 12.9 Policy CS5 states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st April 2015.
- 12.10 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council, residential development of 100sqm or more will be liable to pay the Community Infrastructure Levy.
- 12.11 This application is CIL liable.

Brownfield register

12.12 The agent has unsuccessfully submitted the proposal site for allocation on the Councils Brownfield Register.

12.13 For sites to be included on Part 1 of the Brownfield Land Register, they must meet the requirements that are set out in Regulation 4 of The Town and Country Planning (Brownfield Land Register) Regulations 2017:

1. Size: The site has an area of at least 0.25 hectares or be capable of supporting at least 5 dwellings;

2. Suitable: The site is considered to be suitable for residential development (ie. has been allocated in a local development plan document, has planning permission for residential development, has a grant of permission in principle for residential development or in the opinion of the local planning authority, having regard to any adverse impact on the built, natural and historic environment or local amenity);

3. Available: The site is considered to be available for residential development (i.e. the owner intends to sell or develop the land) and;

4. Achievable: The site is considered to be achievable for residential development (i.e. in the opinion of the local planning authority)

12.14 The site is not considered as suitable for inclusion on part 1 of the register because the site is located within an unsustainable location which is detached from a defined settlement, within an area of open countryside, and within the North Wessex Downs AONB.

Applications; 17/03286/FULD, 17/00149/FULD and 17/02958/FULD

12.15 The above sites have been referenced as comparable to the proposal scheme in terms of location and number of dwelling by the applicant. These site are not comparable to the proposal scheme.

12.16 17/03286/FULD – The development is an infill, filling a gap between two houses in a closely knit cluster of twelve dwellings fronting a highway. The

scale and character of the development is similar to that of the surrounding dwellings. The proposal scheme does not extend the existing frontage and the plot size and spacing between dwellings is similar to adjacent properties. As such, the consented scheme fully complies with the criteria of policy C1.

12.17 17/00149/FULD - This consent is for the erection of a permanent equestrian workers dwelling to replace a double mobile home on the site which was erected following permission ref: 13/00158/FULD which was granted permission for a 3 year period on 29/01/13. Different planning policies apply to this scheme to that of the proposal scheme as it is in connect to equestrian use. It is not comparable to the proposal scheme.

12.18 17/02958/FULD – This consent is for the demolition and replacement of an existing dwelling and an additional infill dwelling. The replacement dwelling is acceptable in principle and the infill dwelling meets the criteria of policy C1.

12.19 18/01032/FULMAJ – This site is located partially within, and partially adjacent to a settlement within the settlement hierarchy. It is therefore compliant with policy ADPP1.

13. Conclusion

13.1 Notwithstanding the above, the proposal does not constitute a sustainable form of development and does not add to the overarching objectives of the planning system.

Economic: notwithstanding the current financial position of the business on the site, rural businesses are protected under the NPPF and local planning policy C10. The Inspector gave limited weight to the economic benefits of 5 new dwellings on this site, as such the benefit of 1 dwelling is substantially less.

Social: the social benefit of 1 additional dwellings is very limited.

Environmental: the environmental impact would demonstrably outweigh any minor economic or social benefit from the proposal. The site is in a

highly unsustainable location, any future occupier would be reliant on the use of private vehicles. There are no footpaths or lighting along Hungerford Lane, this would deter future residents from walking or cycling, particularly these with young children. This point is especially relevant given that the new dwelling proposed is a family dwelling. The site is located within the North Wessex Downs Area of Outstanding Natural Beauty which is afforded the highest level of protection in planning terms.

- 13.2 These objectives are interdependent of each other and are to be pursued in mutually supportive ways. Even if the Council was to consider the economic and social objectives as neutral, the environmental issues would result in the proposal being negatively viewed in terms of overall sustainability terms.

14. Recommendation

- 14.1 **The Head of Development and Planning be authorised to refuse planning permission for the following reasons.**

REASONS FOR REFUSAL

1. The site is an existing rural enterprise located outside of any defined settlement boundary and within the North Wessex Downs Area of Outstanding Natural Beauty. The application is proposing a substantial new two storey dwelling house. The site is not an infill site and does not constitute an exceptions site as would be considered favourably under policy C1 of the Housing Site Allocation DPD (2017), nor does the site achieve the required four criteria of new residential development outside of a defined settlement boundary:
 - i. It is within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway; and*
 - ii. The scale of development consists of infilling a small undeveloped plot commensurate with the scale and character of existing dwellings within an otherwise built up frontage; and*

- iii. It does not extend the existing frontage; and*
- iv. The plot size and spacing between dwellings is similar to adjacent properties and respects the rural character and street scene of the locality.*

The proposal would result in a new dwelling in a remote and unsustainable location, where occupants will be heavily reliant on the private car for access to employment opportunities and local services within the North Wessex Downs Area of Outstanding Natural Beauty. The proposal scheme is thus contrary to the guidance contained within the NPPF (2019) and policies ADPP1, ADPP5, CS1 and CS13 of the West Berkshire Core Strategy (2006 – 2026) and policy C1 of the Housing Site Allocation DPD (2006 – 2026).

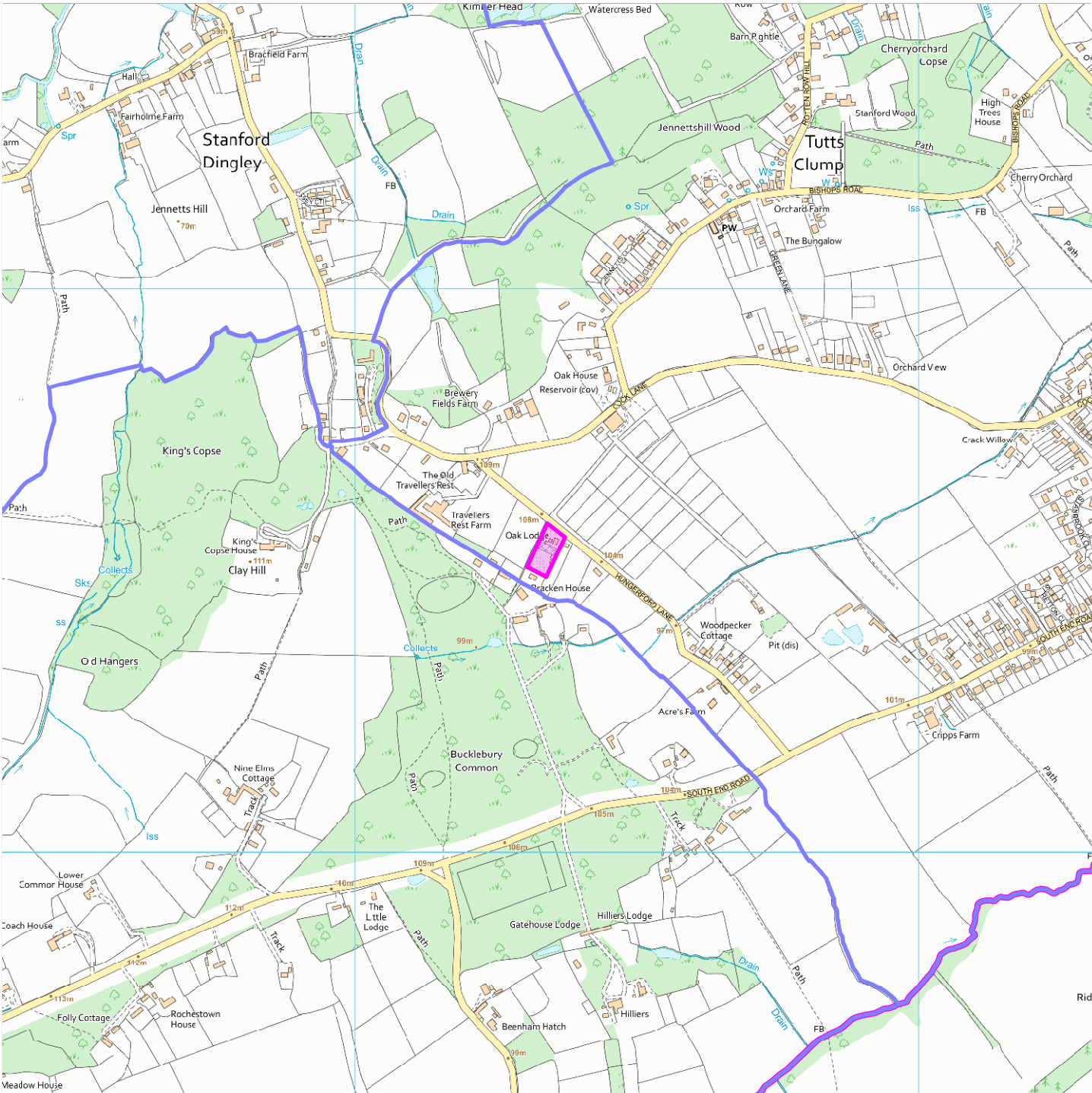
2. The application site is located within the North Wessex Downs AONB, a statutory designation under the Countryside and Rights of Way Act 2000. Section 82 confirms that the primary purpose of the AONB designation is conserving and enhancing the natural beauty of the area. The Countryside and Rights of Way Act 2000 places a general duty on Local Planning Authorities to have regard to the objectives of conserving and enhancing the natural beauty of the AONB. The NPPF states that great weight should be given to conserving landscape and scenic beauty in the AONB, which has the highest status of protection in relation to landscape and scenic beauty.

The design of the new dwelling has been assessed against Policy C1: Location of new housing in the countryside and Policy C3: Design of Housing in the Countryside of the Housing Site Allocations Development Plan Document (2017). It is considered that the proposed dwelling will result in a detrimental and harmful visual impact upon the landscape character of the AONB area and its sensitivity to change. This assessment is based on the existing pattern of residential development on the site and the wider area. It can be seen on the submitted plans that the proposed dwelling would have a larger footprint than the existing adjacent dwellings.

The proposed new dwelling would be contrary to the National Planning Framework, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire

Core Strategy 2006 - 2026, Policies C1 and C3 of the West Berkshire Council Housing Site Allocations Development Plan Document (2017) (DPD) and the guidance contained in the West Berkshire Supplementary Planning Document

3. The application would result in a form of unsustainable development as per paragraph 8 of the NPPF (2019); the limited social benefit of one additional dwelling and minor economic benefit of construction trade are not sufficient to outweigh the demonstrable harm to the AONB by way of design and appearance and the lack of sustainable transport options for future occupiers. The proposal is thus contrary to policies CS13 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 which requires developments to conserve and enhance landscape assets, policy TRANS1 West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) as occupiers of the development would be reliant on private transportation.

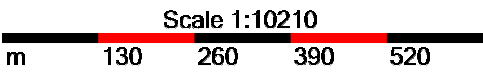


Map Centre Coordinates :

Scale : 1:10210

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

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Agenda Item 4.(2)

Item No.	Application No. and Parish	8 Week Date	Proposal, Location, Applicant
(2)	18/03268/FULD Hermitage Parish Council	15 th February 2019 ¹	Demolish existing single storey dwelling and garage and replace with two semi-detached dwellings, and also lift and thin the crown of a TPO within the garden Clairewood, Hampstead Norreys Road, Hermitage Mr and Mrs Balson
¹ Extension of time agreed with applicant until 12 th April 2019			

The application can be viewed on the Council's website at the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/03268/FULD>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to conditions

Ward Member: Councillor Webb and Councillor Pask

Reason for Committee Determination: The application is being recommended for conditional approval and 10+ objections have been received.

Committee Site Visit: 3rd April 2019

Contact Officer Details	
Name:	Gemma Kirk
Job Title:	Planning Officer
Tel No:	01635 519111
Email:	Gemma.Kirk@westberks.gov.uk

1. INTRODUCTION

- 1.1 This application is for the construction of a pair of semi-detached properties and the demolition of the existing bungalow. The pair will be positioned over the footprint of the existing dwelling, Clairewood, set back from the highway due to a long front garden.
- 1.2 The proposal includes the creation of a new vehicular access and parking area with both hard and soft landscaping at the front. The Oak tree, protected by a Tree Preservation Order (TPO), will be lifted and thinned as part of this proposal and will be entirely located within the garden space for Plot 1.
- 1.3 The proposed dwellings will be two storey, 5 bed dwellings (the Study on the first floor is considered to be a Bedroom). The front elevation will have two bay windows with gable ends that will be oak framed. Windows on the rear elevation will be larger to allow for daylight to enter the dwellings. Amendments have been received during the course of the application to show an alteration to the roof form alongside setting back the dwellings in line with the established building line and additional landscaping within the front garden.
- 1.4 The application site is located on the established residential road, Hampstead Norreys Road (B4009), which runs south to north through Hermitage. The site is within the established settlement boundary and the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB). To the rear of the plot is an area of woodland which is visible from Hampstead Norreys Road.

2. RELEVANT PLANNING HISTORY

- 2.1 17/03425/FULD: Demolish the existing single storey dwelling and garage and replace with 2 detached dwellings. Refused. 07.03.2018. This application was refused for the following reasons:
 - The proposal failed to respect the spacious character of the area in the NWD AONB
 - The proposal failed to provide sufficient usable garden space due to the Oak tree and woodland creating significant shading
 - The Highways Authority considered that the proposal could not provide the minimum parking standards and on site turning area
 - The proposal would result in significant future pressures to the TPO which would lead to its decline.
- 2.2 14/02266/TPW: Oak in rear garden: 1. Crown thin canopy by approximately 15-20% where possible. 2. Crown lift canopy to approximately 7-8 metres. 3. Remove all significant deadwood. Refused. 09.10.2014.
- 2.3 10/01714/HOUSE: Retrospective application for a new double garage with single storey music room attached. Single storey extension to utility room and internal alterations to kitchen. Approved. 07.10.2010.
- 2.4 09/01030/HOUSE: New double garage with single storey music room attached. Single storey extension to utility room and internal alterations to kitchen. Approved. 24.07.2009.

- 2.5 04/01059/HOUSE: Demolition of existing conservatory and build new conservatory. Approved. 01.07.2004.

3. PROCEDURAL MATTERS

- 3.1 Environmental Impact Assessment (EIA): The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The application was screened, the proposal is not considered to be EIA development.
- 3.2 Publicity: Site notice displayed on 14th January 2019 on a telegraph pole at the front of the application site, expired on 4th February 2019.
- 3.3 CIL: Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1-A5) development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it less than 100 square metres). The proposal will create two new dwellings and therefore the development is CIL liable. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission.

4. CONSULTATION

4.1 Statutory and Non-Statutory Consultations

Parish Council: Objection: Concern has been raised for the proposed second floor windows in the side elevation of both houses given the impact on the amenity of the immediate neighbours. Full protection of the Oak tree in the garden. Should WBC be minded to approve the application the Parish Council would like to see the second floor windows removed and request a construction design and traffic management plan is in place before works begin.

Amended Plans: no comments received at time of writing. If comments are submitted these will be provided in the update report.

Highways: Two 5 bed dwellings are proposed to replace the existing dwelling. A new central access is proposed which is acceptable. Visibility splays of 2.4 metres x 43 metres are annotated on the drawings. These splays must be kept clear at all times. The access is shown surfaced with a bonded material for a minimum of 5 metres which is required in this location. Three car parking spaces per dwelling plus on-site vehicle turning are proposed, this is also acceptable. Cycle storage is provided within the rear gardens for both dwellings. There will be an increase in the number of vehicle movements from this site, this would be a minimal increase onto the B4009. The proposal is acceptable to

highways subject to conditions to secure a Construction method statement, Visibility splays before development, Parking/turning in accord with plans, Access construction, Access closure with reinstatement and Cycle parking.

Amended Plans: no further comments on the amended plans.

Tree Officer:

Since the previous application 17/03425/FULD there has been a number of positive changes relating to the design of the house with regards to the tree:

- They have moved the development footprint further away from the RPA of the tree.
- A full shade analysis has been undertaken to show the extent the impact of the mature oak and the woodland will have on the garden and the building.
- Large windows to the rear to allow as much natural daylight into the property as possible
- Roof lights to maximise light into the building
- Crown lifting the tree to 6m and carrying out a light thin of the canopy will reduce the impact of future requirements to carry out unnecessary pruning works, and should maintain the tree in the long term.
- The low level hedge in the rear garden boundary between the new proposed properties will aide in screening but also soften the landscaping.

Drawing 282 005 Proposed Site Plans dated 29/11/18 produced by Absolute Architecture shows new tree and shrub planting in the front and the rear gardens but no further detail of the species, sizes and numbers are provided.

Recommendation: No objection in principle subject to further detail regarding the landscaping and the following conditions: Tree protection (scheme submitted) and Landscaping (including hard surfacing).

Amended Plans: The slight amendment to the setting of the properties further back, will still ensure that the footprint of the new buildings is still outside the existing building and therefore minimise the impact on the rooting zone of the TPO'd tree.

Environmental Health:

No objection.

Waste Management:

The application raised no concerns with regard to the storage and collection of refuse and recycling.

Land Drainage Engineer:

No comments received at time of writing.

Ecological Officer: There is no need to place any conditions regarding bats on this application. No further works are needed with regards to Great Crested Newts (GCNs) as there is not a water body on the site.

Thames Water (full comments on the Council's website): With regard to surface water drainage, Thames Water advise that if the developer follows the sequential approach to the disposal of surface water no objection is raised. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Thames Water advise that with regard to the waste water network and waste water process infrastructure capacity, no objections are raised.

Informatives are requested if planning permission is granted.

North Wessex Downs Management: No comments received at time of writing.

4.2 Public representations

Original consultation:	Total: 15	Support: 0	Object: 15
Amendments consultation:	Total: 9	Support: 0	Object: 9

The following material planning considerations have been raised:

- Impact to privacy for immediate neighbours (obscure glazing is not sufficient)
- Impact to daylight and sunlight to immediate neighbours
- Harmful impact to TPO which may lead to its loss
- Increased on-street parking and the associated highway safety implications
- Not in character with the area due to massing, height, harmful impact on spacious layout and loss of wooded views.
- Design: contrary to Hermitage Village Design Statement and large areas of glass on rear elevation
- Loss of front garden to parking area and impact to existing vegetation
- Insufficient usable amenity space
- Limited services in Hermitage to support new dwellings
- No provision of electrical vehicle charging points and swept path analysis
- Great Crested Newts sighted at neighbouring properties, more surveys required
- Inadequate bin storage
- Does not address the refusal reasons on application 17/03425/FULD for 2 dwellings on the same site
- Amendments: still do not address letters of objection, drainage concerns raised

5. PLANNING POLICY

- 5.1 The statutory development plan includes the West Berkshire Core Strategy (2006-2026), Housing Site Allocations DPD (2006-2026) and the saved policies in the West Berkshire District Local Plan (1991-2006) (Saved Policies 2007).
- 5.2 West Berkshire Core Strategy 2006-2026 (WBCS):
Policies- ADPP1: Spatial Strategy, ADPP5: North Wessex Downs Area of Outstanding Natural Beauty, CS1: Delivering New Homes and Retaining the Housing Stock, CS13: Transport, CS14: Design Principles, CS16: Flooding, CS17: Biodiversity and Geodiversity, CS18: Green Infrastructure, CS19: Historic Environment and Landscape Character
- 5.3 Housing Site Allocations Development Plan Document (HSA DPD):
Policies- P1: Residential Parking for New Development
- 5.4 West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP):
Policies- OVS.6: Noise Pollution, TRANS.1: Meeting the Transport Needs of New Development
- 5.5 Material considerations:
- National Planning Policy Framework (NPPF)
 - Planning Practice Guidance (PPG)
 - Quality Design SPD (2006)
 - A Village Design Statement for Hermitage (VDS) (2004)

6. APPRAISAL

The main considerations in the determination of this application are:

- Principle of the development
- The impact on the character of the area
- The impact on neighbouring amenity
- The impact on highway safety
- The impact on the TPO
- Drainage
- Ecology

6.1 Principle of the development

- 6.1.1 The application site is within the defined settlement boundary of Hermitage. Policy ADPP1 of the Core Strategy identifies Hermitage as a service village with some limited development potential. The policy considers that small scale development appropriate to the character of the village would be acceptable. This is echoed in Policy ADPP5 which states that in the AONB there will be opportunities for infill development and development on previously developed land with new housing focused on the rural service centres.
- 6.1.2 Policy CS1 of the Core Strategy states that new houses will be primarily developed on suitable, previously developed land within settlement boundaries. The site currently has one dwelling and therefore is considered to be previously developed land.

- 6.1.3 The principle of development is considered to be acceptable in accordance with Policies ADPP1, ADPP5 and CS1 of the Core Strategy. The development plan also includes general development management policies which seek to ensure that the impacts of any development are acceptable and the impacts of the scheme in this regard are considered below.

6.2 The impact on the character of the area

- 6.2.1 The NPPF outlines the importance of good design in the built environment. Policy CS14 seeks high quality design to ensure development respects the character and appearance of the area. Policy CS19 seeks the enhancement of the natural and built environment. It states that particular regard will be given to the sensitivity of the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.2.2 The application site is within the NWD AONB, the NPPF places great weight to conserving the landscape and scenic beauty in the AONB (Paragraph 172). Policy ADPP5 of the Core Strategy reiterates this by seeking to ensure that development conserves and enhances the local distinctiveness.
- 6.2.3 According to the Quality Design SPD the physical massing is a critical part of protecting the residential character. It is stated that the 'physical bulk of the building should be considered in terms of footprint, length, width and height'.
- 6.2.4 Within the locality surrounding Clairewood dwellings are comfortably located in sizeable plots following an established building line set back from the highway. This creates a spacious layout reflecting the semi-rural character of Hermitage. The Hermitage VDS notes that in Hermitage there are outward views between the buildings to the woodland; this provides a visual link with wooded skyline of the surrounding AONB.
- 6.2.5 The previous planning application, 17/03425/FULD, for two detached dwellings on this site was refused as it failed to accord with the spacious character. By losing the spacious character this had a negative impact on the outward views to the woodland due to the cramming of two houses on the plot.
- 6.2.6 This proposal is for a semi-detached pair that are designed to appear as one large detached dwelling and has a footprint commensurate with neighbouring properties. The pair will be sited over the existing footprint of the bungalow maintaining the established building line. This design and position assists in conserving the spacious character of the area and addresses the reason for refusal on the previous application.
- 6.2.7 A number of letters of objection raise concern that both the height and width of the proposed houses are out of character with the area. It is acknowledged that the pair of dwellings are higher than the neighbouring dwellings and that within the immediate vicinity there are no other semi-detached dwellings. Amendments have been sought to alter the roof form to a hipped roof and it is considered this helps to reduce the physical bulk of the dwellings. Furthermore, these changes help to conserve the outward views to the AONB wooded skyline associated with Hermitage.

- 6.2.8 The design of the proposal is considered to be acceptable as it is noted that the architectural detailing on the front elevation reflects that of surrounding dwellings. In the locality there is no predominant design and therefore the proposal is not considered to be incongruous. The proposed materials in principle are considered appropriate, however further detail is required to ensure the materials are acceptable. A condition is required for a schedule of materials to be submitted for the Local Planning Authority to review. It is considered that the design choice for larger windows at the rear will not have a harmful impact on the character of the area and will also assist in the protection of the TPO by allowing more natural light into the property which would reduce the need to carry out works to the tree.
- 6.2.9 To create the parking area to the front of the proposed dwellings the mature grass frontage will be lost. This will have an impact on the semi-rural character of the area, however, this can be mitigated by a landscaping scheme. A condition will be applied for details of hard and soft landscaping to ensure the landscaping will soften the impact of the loss of the grass area.
- 6.2.10 Overall the amended design and impact on the character of the area is considered on balance to be in accordance with the aforementioned policies.

6.3 The impact on neighbouring amenity

- 6.3.1 Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. The NPPF also seeks to protect the amenity of neighbouring land users.
- 6.3.2 The proposed dwellings will be positioned over the footprint of the existing bungalow. Whilst the proposal will be higher than the existing bungalow, and the neighbouring dwellings, it is considered that the proposal will not demonstrably harm the amenity of the neighbouring dwellings due to the hipped roof design. The highest point of the dwelling due to the roof design is set approximately 7 metres from the communal boundaries shared with Oakville and Freewood House, this mitigates the impact on daylight and sunlight received and the overbearing impact. In addition to the design it is considered that the position of the development and the neighbouring dwellings, centrally within their plots, also creates separation which mitigates the impact on neighbouring amenity.
- 6.3.3 Letters of objection consider that the upper floor windows on the side elevations will have a negative impact on privacy for the neighbouring properties. It is recommended that a condition is applied for the upper floor windows in the side elevations to be obscure glazed and non-opening below 1.7 metres. This is considered to be sufficient to alleviate the impact on privacy. In addition permitted development rights for windows above ground floor are removed on the side elevations to protect the privacy for the immediate neighbours. Boundary treatments are considered to reduce any overlooking from ground floor windows. It is acknowledged that objections also raised concerns with the large areas of glazing at the rear, however, whilst there may be some overlooking it is not significantly greater than what would be expected for a residential area.
- 6.3.4 The previous application, 17/03425/FULD, was refused due to insufficient provision of quality garden amenity space. A 3 bedroom dwelling is expected to provide a minimum of 100 square metres of amenity space. This proposal demonstrates that

this garden space can be achieved. Whilst the Oak tree and woodland to the rear overshadow a large section of the garden for plot 1, reducing the usable amenity space, it is considered that on balance the amendments at the rear of the garden create sufficient quality amenity space that could accommodate garden features (i.e. washing line, sitting area) and therefore would not warrant a refusal. To ensure that the level of amenity space provided is retained it is recommended a condition is applied to restrict permitted development rights for extensions and outbuildings.

- 6.3.5 It is recommended a condition for hours of work is added to protect the neighbours in close proximity to the application site whilst construction takes place.
- 6.3.6 Overall it is considered that the proposal will not have a harmful impact on neighbouring amenity and therefore complies with policy CS14 of the Core Strategy and the guidance within the NPPF

6.4 The impact on highway safety

- 6.4.1 The NPPF states that decisions should take into account whether safe and suitable access to the site can be achieved for all users. Policies CS13 of the Core Strategy and TRANS.1 in the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the HSA DPD sets out residential car parking levels for the district.
- 6.4.2 The Highway Officer considered that the previous scheme (17/03425/FULD) could not provide on-site turning and 3 parking spaces for each of the dwellings and therefore this formed a reason for refusal.
- 6.4.3 Letters of objections have been received on this application raising concerns that the proposal would have an adverse impact on highway safety due to on-street parking as insufficient parking can be provided for a dwelling that has 5 bedrooms.
- 6.4.4 Policy P1 of the HSA DPD requires each dwelling to have 3 car parking spaces. Drawing 282 005 A received on 01.03.2019 demonstrates these parking spaces. The Highway Officer is satisfied on-site parking and turning can be accommodated within the application site. The proposal also provides cycle storage within the rear garden. These provisions reduce the need for on-street parking. It is recommended that conditions are added for both vehicular parking and cycle storage to be provided in accordance with the plans.
- 6.4.5 A new central access is proposed onto Hampstead Norreys Road (B4009), visibility splays measuring 2.4 metres x 43 metres are provided. The access will also have a bonded surface for a minimum of 5 metres from the highway edge. The Highway Officer considers the access to be acceptable. Conditions are recommended for the provision of the visibility splays, construction of the new access before the development is occupied and the existing vehicular access is stopped; these are considered necessary for the interests of road safety.
- 6.4.6 It is noted that an additional dwelling on the application site will increase the vehicular movements from this site. The Highway Officer considered that there would be a minimal increase of movements onto the B4009 and therefore does not have a significantly harmful impact to highway safety.

- 6.4.7 A letter of objection noted that the proposal does not fully comply with Policy P1 as an electric car charging point has not been provided. This can be overcome by way of a condition for details of electric charging points to be provided before the occupation of the dwellings.

6.5 The impact on the TPO

- 6.5.1 Within the rear garden of Clairewood is an Oak tree protected by a TPO. This application proposes to lift the crown to a height of 6 metres and thin the crown by 15%.
- 6.5.2 The previous application (17/03425/FULD) was refused due to the significant future pressure to the tree caused by the proposed detached dwellings. The Tree Officer considers that there has been a number of positive changes since the previous application including:
- A full shade analysis has been undertaken to show the extent the impact of the mature oak and the woodland will have on the garden and building,
 - Large windows to the rear to allow as much natural daylight into the property as possible
 - Roof lights to maximise light into the building,
 - Crown lifting the tree to 6 metres and carrying out a light thin of the canopy will reduce the impact of future requirements to carry out unnecessary pruning works, and should maintain the tree in the long term.
- 6.5.3 The Tree Officer also considers that it is a positive that the development footprint is further away from the Root Protection Area of the TPO than the existing bungalow. The amendments as part of this application which repositioned the proposal resulted in the development moving closer to the TPO, however the Tree Officer raised no objections. It is considered necessary for a condition to be added for permitted development rights for extensions and outbuildings to be restricted to reduce future pressures on the TPO.
- 6.5.4 The Tree Officer considered the retention of the low level hedge in the rear garden will soften the landscaping. It is recommended a landscaping condition is applied for further details of the new planting at the front and rear.
- 6.5.5 It is necessary for a condition to be added which ensures that the tree protection scheme is carried out in accordance with the details submitted for the duration of the development.

6.6 Drainage

- 6.6.1 The site is not in a flood risk or critical drainage area. The Council's Land Drainage Team have not commented on the proposal. Policy CS16 of the Core Strategy requires all development to incorporate sustainable drainage methods. Given the proposal results in the loss of permeable area for surface water to drain it is considered necessary to apply a condition for the drainage measures to be submitted and approved by the planning authority. It is noted that some details have been submitted with this application and the hard surfacing area at the front of the proposed dwellings will be permeable, however it is considered further details are required.

- 6.6.2 Thames Water have no objections to the proposal; the consultation response provides information for the applicant. It is recommended that this information is added as an informative. Thames Water have not requested any conditions.

6.7 Ecology

- 6.7.1 Policy CS17 of the Core Strategy requires all development to maximise opportunities to achieve net gains in biodiversity. A Daytime Bat and Nesting Bird Survey Report was submitted with the application. No evidence of bats or nesting birds was found. Consultees had no objections and considered there was no need to apply conditions with regards to bats.
- 6.7.2 Objections were received with regards to Great Crested Newts sighted within neighbouring properties. No water bodies are within the application site and therefore no further works are required.

7. RESPONSE TO LETTERS OF REPRESENTATION

- 7.1 Letters of representation are noted and have been addressed in the report.
- 7.2 Concerns were raised that there are limited services in the village and therefore there would be pressure on these services. This proposal will result in the increase in one dwelling on this site, it is considered that this will not result in a significant pressure to services to warrant refusal.
- 7.3 Letters of objection considered that the bin storage would be inappropriate. The Council's Waste Team have been consulted and have no objections to the proposal.
- 7.4 It is noted letters of objection raised concerns that the applicants may wish to raise the ridge line of the proposal further, however the Council is obliged to determine the application before it, which as detailed above is considered acceptable on its merits.

8. CONCLUSION

- 8.1 The proposal is for two houses that have been designed to appear as one large detached house, whilst there will be an impact to the character of the area it is considered on balance that this will not be significantly harmful to warrant refusal. It is considered by the use of conditions an acceptable proposal can be secured.
- 8.2 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is acceptable and conditional approval is justifiable. The proposal accords with the NPPF, Policy ADDP1, ADPP5, CS1, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy (2006-2026) and Policy P1 of the Housing Site Allocations Development Plan Document (2006-2026).

9. FULL RECOMMENDATION

To delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the following conditions.

1. Commencement of development

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 plans and documents listed below:

- (i) Drawing 213 001 (Existing Location Plan) received on 21.12.2018;
- (ii) Drawing 282 005A (Proposed Site Plans) received on 01.03.2019;
- (iii) Drawing 282 006A (Ground & First Floor Plans) received on 01.03.2019;
- (iv) Drawing 282 007A (Second Floor & Roof Plans) received on 01.03.2019;
- (v) Drawing 282 008A (East and West Elevations) received on 01.03.2019;
- (vi) Drawing 282 009A (North and South Elevations) received on 01.03.2019.

Associated documents:

- (i) Tree Survey (by Arborsphere) dated 19th July 2018 received on 07.12.2018;
- (ii) Design and Access Statement (Rev. A- 18.11.20) received on 07.12.2018.

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

3. Finished floor levels

The finished floor levels in the approved dwellings shall match those shown in the approved plans.

Reason: In order to safeguard visual amenity in the North Wessex Downs AONB in accordance with the National Planning Policy Framework and Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

4. Upper floor side elevation windows

The proposed first floor windows and roof light in the north and south elevations (side elevations) of the hereby approved dwellings shall be fitted with obscure glass and non-openable below 1.7 metres from the finished floor level. This condition shall apply irrespective of detail shown on the approved plans. The windows shall be permanently retained in that condition thereafter.

Reason: To prevent overlooking of Oakville and Freewood House in the interests of

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

5. Tree protection (scheme submitted)

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing numbered plan 282 005A Proposed Site Plans by Absolute Architecture received on 01.03.2019. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy (2006-2026).

6. Schedule of materials

No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the extensions 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, Policies CS14, CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is necessary because insufficient detailed information accompanies the application; materials are required to be agreed before the construction phase begins and so it is necessary to approve these details before any development takes place.

7. Construction method statement

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and

construction works

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, 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). A pre-commencement condition is necessary because insufficient detailed information accompanies the application; a construction method statement is required throughout the construction phase and therefore it is necessary to agree before development commences.

8. **Visibility splays before development**

No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

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

9. **Landscaping scheme (including hard surfacing)**

No development shall take place (including site clearance and any other preparatory works) until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing and materials to be used, a 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 within the first planting season following the completion of the development; and
- b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year 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 in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is necessary because insufficient detailed information accompanies the application; landscaping measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

10. **Sustainable drainage measures**

No development shall take place until a scheme of surface water drainage has been submitted and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable drainage principles to deal with surface water within the application site. The scheme shall be implemented before the dwellings hereby

permitted are occupied in accordance with the approved details.

Reason: To ensure the surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS16 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

11. Hours of work

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

12. Parking in accord with plans

No dwelling shall be occupied until the vehicle parking has been surfaced, marked out and provided in accordance with the approved plans. The parking shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

13. Access construction

No dwelling shall be occupied until the access has been constructed in accordance with the approved drawings.

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

14. Access closure with reinstatement

The existing vehicular access at the site shall be stopped up and abandoned immediately after the new access hereby approved has been brought into use. The footway shall, at the same time as the stopping-up and abandonment, be reinstated to the satisfaction of the Local Planning Authority.

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

15. Cycle parking

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

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

16. Electric vehicle charging points

No dwelling shall be occupied until details of electric vehicle charging points have been submitted and approved in writing by the Local Planning Authority. The electric charging vehicle points shall be implemented and retained thereafter for the duration of the development

Reason: To facilitate more sustainable travel. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy P1 of the Housing Site Allocations Development Plan Document (2006-2026).

17. Permitted development rights for side elevation windows

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, no windows shall be inserted above ground floor level in the north and south elevations of the hereby approved dwellings without planning permission first having been granted in respect of a planning application made for this purpose.

Reason: To prevent overlooking of Oakville and Freewood House in the interests of amenity. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (2006).

18. Permitted development rights for extensions and outbuildings

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, no extensions, alterations or outbuildings which would otherwise be permitted development by Schedule 2, Part 1, Class A and E of that Order shall be carried out without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent future pressures to the Tree Protection Order tree and to

protect the private amenity space for the current and future residents of the approved dwellings. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy and Supplementary Planning Document Quality Design (June 2006).

INFORMATIVES

1. Approval- Need for revision/ representations received

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

2. Access construction

The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

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.

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.

5. Thames Water: Waste water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

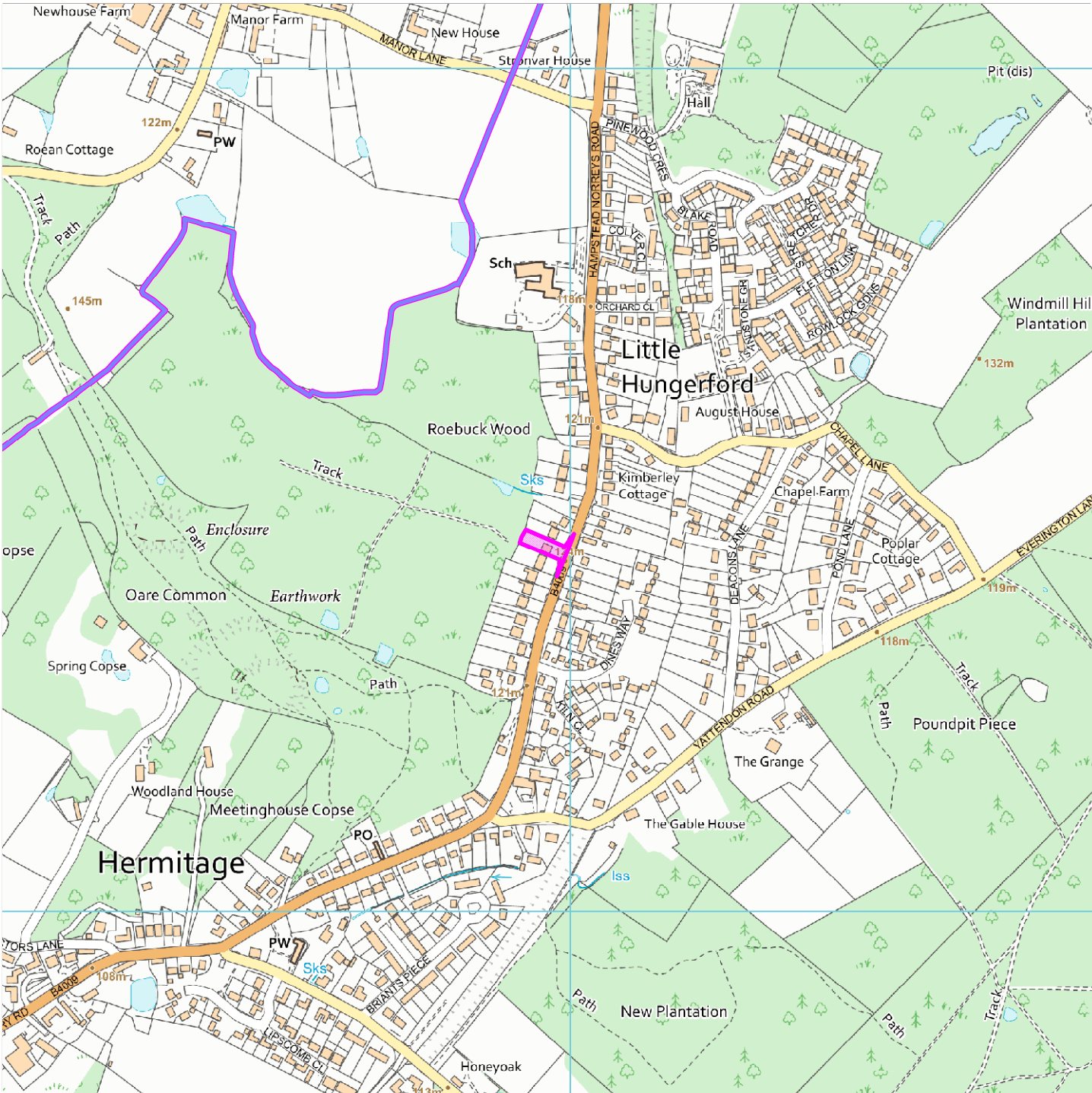
6. Thames Water: Mains water

Thames Water will aim to provide customers with a minimum pressure of 10m head

(approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

7. CIL Informative

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

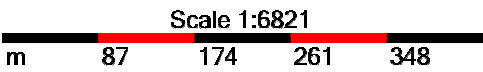


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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	28 March 2019
SLA Number	0100024151

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