

# Notice of Meeting



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## Eastern Area Planning Committee

**Wednesday, 7th August, 2019 at 6.30 pm**  
in 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, 30 July 2019

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

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the 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](mailto:planapps@westberks.gov.uk)

Further information, Planning Applications and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 7 August 2019**  
*(continued)*

Any queries relating to the Committee should be directed to Stephen Chard / Jessica Bailiss on  
(01635) 519462/503124 Email: [stephen.chard@westberks.gov.uk](mailto:stephen.chard@westberks.gov.uk) /  
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**Agenda - Eastern Area Planning Committee to be held on Wednesday, 7 August 2019**  
(continued)

**To:** Councillors Peter Argyle, Jeremy Cottam, Alan Law (Chairman), Royce Longton, Alan Macro, Geoff Mayes, Graham Pask, Joanne Stewart and Andrew Williamson

**Substitutes:** Councillors Gareth Hurley, Owen Jeffery, Nassar Kessell, Ross Mackinnon and Keith Woodhams

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# Agenda

## Part I

**Page No.**

1. **Apologies**  
To receive apologies for inability to attend the meeting.
2. **Minutes** 7 - 26  
To approve as a correct record the Minutes of the meeting of this Committee held on 26 June 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: 19/00344/COMIND Stonehams Farm, Long Lane, Tilehurst** 27 - 42

**Proposal:** Demolition of existing structures, and erection of an 85 bed care home (Class C2) with associated works including one access, parking, services, and landscaping.

**Location:** Stonehams Farm, Long Lane, Tilehurst

**Applicant:** Frontier Estates Limited

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



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(continued)

- (2) **Application No. & Parish: 19/00772/RESMAJ Land adjacent to Primrose Croft, Reading Road, Burghfield Common** 43 - 64  
**Proposal:** Approval of reserved matters application following outline application 16/01685/OUTMAJ for 28 dwellings. Matters to be considered: Appearance, Landscaping, Layout and Scale.  
**Location:** Land Adjacent To Primrose Croft, Reading Road, Burghfield Common  
**Applicant:** Crest Nicholson South  
**Recommendation:** The Head of Development and Planning be authorise to **GRANT** approval of reserved matters subject to conditions
- (3) **Application No. & Parish: 19/01171/FULD Blacknest Farm, Brimpton Common, Reading, RG7 4RN** 65 - 88  
**Proposal:** Demolition, salvage and rebuild of the existing buildings to create three live-work units together with access, landscaping and associated works.  
**Location:** Blacknest Farm, Brimpton Common, Reading, Berkshire, RG7 4RN  
**Applicant:** Feltham Properties  
**Recommendation:** The Head of Development and Planning be authorise to **REFUSE** planning permission
- (4) **Application No. & Parish: 19/00713/COMIND Bere Court Farm Bungalow, Bere Court, Pangbourne, Reading RG8 8HT** 89 - 102  
**Proposal:** Section 73A: Variation of condition 2: approved plans, of planning permission 16/01419/COMIND  
**Location:** Bere Court Farm Bungalow, Bere Court, Pangbourne, Reading, Berkshire, RG8 8HT  
**Applicant:** Mr Rehman Mohammed  
**Recommendation:** To delegate to the Head of Development and Planning to **GRANT** planning permission subject to the schedule of conditions (section 8.2).

**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.

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(e) The Human Rights Act.

Sarah Clarke  
Head of Legal and Strategic Support

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

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## DRAFT

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

### **EASTERN AREA PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON WEDNESDAY, 26 JUNE 2019**

**Councillors Present:** Peter Argyle, Alan Law, Alan Macro, Geoff Mayes, Graham Pask, Joanne Stewart, Andrew Williamson and Keith Woodhams (Substitute) (In place of Royce Longton)

**Also Present:** Sharon Armour (Solicitor), Stephen Chard (Principal Policy Officer), Gareth Dowding (Senior Engineer), Bob Dray (Development Control Team Leader) and Matthew Shepherd (Senior Planning Officer)

**Apologies for inability to attend the meeting:** Councillor Jeremy Cottam and Councillor Royce Longton (Vice-Chairman)

#### **PART I**

##### **8. Minutes**

The Minutes of the meetings held on 10 April 2019, 21 May 2019 and 5 June 2019 were approved as true and correct records and signed by the Chairman, subject to the following amendment to the Minutes of the meeting on 5 June 2019:

**Item 6(2) – 18/03287/FULD – land to the rear of 42-48 Long Lane, Tilehurst – Condition 5:**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows/roof lights (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B or C of that Order shall be constructed on the north, south, west, and east elevations of **each** dwelling, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

##### **9. Declarations of Interest**

There were no declarations of interest received.

##### **10. Schedule of Planning Applications**

Councillor Alan Law, Chairman of the Eastern Area Planning Committee, outlined, for the benefit of members of the public in attendance, the processes in place for determining planning applications and the workings of the Planning Committee as part of that.

The majority of planning applications (97%) were dealt with solely by Planning Officers under delegated powers, with only a small number of applications coming before Planning Committees. These were applications where the local Ward Member had requested the application be considered by Committee, generally because of a high degree of local interest. Another particular example were cases where Planning Officers had recommended approval of an application, but there were ten or more objections received.

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Councillor Law then raised the important point that Committee Members would apply and consider exactly the same national and local planning policies as the Officers when considering each application.

The Committee could not make up, ignore or change policy at a meeting. Members considered and applied planning policies only. Other policies or laws such as Licensing or public nuisance were not planning considerations.

It was also the case that the Committee would not add more or less weight to a viewpoint simply because that viewpoint had a larger or smaller number of supporters or objectors, if the viewpoint was not relevant in planning policy terms.

Councillor Law then described the running order for the consideration of each item. This included clarification of the five minute speaking right for each category of speakers. At the conclusion of considerations for each planning application, a motion would be called for and seconded and a vote taken to either approve planning permission with conditions, refuse the application or, in some cases, defer the decision to a subsequent Planning Committee.

Finally, it was clarified that the items on this agenda would be taken in the following order: 1. Saffron House, Stanford Dingley; 2. The Swan at Streatley, High Street, Streatley. This was due to the greater level of public attendance for The Swan at Streatley and the expectation that it would require a lengthier debate.

### **(1) Application No. & Parish: 18/03400/FULD - Saffron House, Stanford Dingley**

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/03400/FULD in respect of the proposed demolition of existing barn and its replacement with a new four bedroom dwelling with two cart sheds, and alterations to existing access detail on land adjacent to Saffron House, Stanford Dingley.

In accordance with the Council's Constitution, Mr Shaun Tanner/Mr Daniel Kellett, applicant/agent, addressed the Committee on this application.

#### **Applicant/Agent Representation**

Mr Kellett in addressing the Committee raised the following points:

- The principle of development had been established. This application sought approval of a variation to the extant planning consent for application 17/01051/FULD.
- These variations, if approved, would achieve improved visibility and sight lines in comparison to the extant scheme, improved access and it would simplify the look of the barn conversion to a more traditional appearance. Mr Kellett highlighted that smaller windows were proposed for the elevation facing the road. The increased ridge height would enhance the first floor space.
- No objections had been received from statutory consultees. It was supported by the Case Officer and Conservation Officer. The professional opinion was that the proposal was acceptable.
- The overall footprint of the building would only increase by 2% in comparison to the existing permission. The length and width would in fact reduce.



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### **Member Questions to the Applicant/Agent**

Councillor Keith Woodhams queried whether it would be possible to salvage any of the original fabric of the barn, a point questioned in the update report. Mr Tanner considered this to be highly unlikely as the existing barn and its materials were in a poor condition.

### **Ward Member Representation**

Councillor Graham Pask, speaking as Ward Member, raised the following points on behalf of Stanford Dingley Parish Council:

- This was a very sensitive site which was located on the main route through the village. It was the only remaining building with a connection to the tannery.
- The need for development had however been accepted, but the Parish was supportive of the extant permission as it would be a more sensitive design than the proposal.
- The Parish Council had the following particular concerns, which had been raised at the site visit:
  - A Heritage Impact Assessment had not been provided which was a requirement of the National Planning Policy Framework (NPPF) The Local Authority was aware of the historical significance of the location within the conservation area. Paragraphs 189 and 190 of the NPPF placed a requirement on local planning authorities to protect such assets and request the completion of a Heritage Impact Assessment. A heritage asset should be conserved and where possible enhanced. The proposal also needed to accord with Policy CS19 of the Core Strategy. The Parish Council did not feel that enough had been done to adhere to policy requirements and greater weight should have been given to this in the Planning Officer's report. The Parish Council view was that the application could not be determined until the Heritage Impact Assessment had been completed and submitted.
  - The massing and height of the proposal. The proposed dwelling was 24% higher than either the existing barn or the extant scheme. This application, if approved, would result in a bulky appearance, particularly when approached from Chapel Row. This would be out of keeping with other dwellings in the village and conservation area. This was a particularly important consideration in a conservation area. Light spillage was a concern when considering the fenestrations.

### **Member Questions to Ward Member**

There were no questions raised by Members.

### **Member Questions to Officers**

Councillor Alan Law referred to the site visit where a discrepancy had been highlighted in relation to the height of the proposed dwelling. In response, Bob Dray, Development Control Team Leader, explained that measurements used by Officers were taken from the submitted plans. A condition of approval was for finished floor levels to be submitted and approved by the Local Planning Authority. In conclusion, Officers were comfortable on this point.

Councillor Alan Macro queried the absence of the Heritage Impact Assessment. Mr Dray made reference to paragraphs 189 and 190 of the NPPF which stated the need, at minimum, to consult the relevant historic environment record and assess heritage assets

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using appropriate expertise where necessary. This action was described in the update report and the Council's Archaeologist had advised that there was no further information on the Historic Environment Record about the barn or Saffron House. The suggested link to a tannery was considered feasible but could not be confirmed.

In conclusion on this point, Mr Dray advised that while a single document entitled a Heritage Impact Assessment had not been submitted, Officers were of the view that sufficient heritage information was available to determine the application. The Conservation Officer found the proposal acceptable.

Mr Dray reminded Members that the existing building could be demolished in accordance with the extant permission.

In response to questions of clarity from Councillor Andy Williamson, Mr Dray confirmed that the requirement for a Heritage Impact Assessment was a policy but not a legal requirement. As such, the requirement could be deviated from if there were grounds on which to do so. Mr Dray also clarified that considerations should be restricted to the changes proposed from the extant scheme, i.e. height and the impact of these changes.

Mr Dray further confirmed, in response to a query from Councillor Law, that the fact that the extant permission was granted under the Council's previous countryside policies, which had since been changed, was not a material point for this application.

### Debate

Councillor Pask reiterated the point that there was no argument in relation to the principle of development as the extant permission was in place. However, the site was located in a conservation area and this status was not granted lightly. Members needed to consider the impact of this proposal in comparison to the extant permission. The Parish Council felt that the height and bulk of the proposed dwelling was a material change in what was a prominent and sensitive location in Stanford Dingley. It was noted that the existing building was deteriorating but the Parish had questioned whether the proposal was in keeping with the local area. The glazing proposed to the front of the dwelling was of particular concern.

Councillor Williamson queried how the height of the proposed dwelling compared with the height of adjacent dwellings as those adjacent appeared to be higher in the diagrams. Mr Dray confirmed that to be accurate.

Councillor Geoff Mayes proposed acceptance of Officers' recommendation to approve planning permission. This was seconded by Councillor Williamson.

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

### Conditions

1. The development shall be started within three years from the date of this permission.

Reason: To enable the Local Planning Authority to review the desirability of the development and to comply with Section 91 of the Town and Country Planning Act (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) should it not be started within a reasonable time.

2. The development hereby permitted shall be carried out in accordance with the documents and plans listed below:
  - Proposed Floor Plans 1 of 2, reference 3544/212 revision D, received on 12 March 2019

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- Proposed Floor Plan 2 of 2, reference 3544/213 revision C, received on 12 March 2019
- Block and Location Plan, reference 3544/210 revision B, received on 12 March 2019
- Proposed Cart Shed B Elevations, reference 3544/216 revision C, received on 12 March 2019
- Proposed Cart Shed A Elevations, reference 3544/215 revision D, received on 12 March 2019
- Proposed Site Plan, reference 3544/211 revision E, received on 12 March 2019
- Proposed Elevations, reference 3544/214 revision A, received on 06 June 2019
- Report of the Structural Condition of Saffron House barn by Birds Associates reference 7136, received on 29 April 2019
- Bat Roost Assessment of Barn and Garage at Saffron House Stanford Dingley by GS Ecology dated 12 April 2019 received on 23 April 2019

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

3. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:
  - (a) The parking of vehicles of site operatives and visitors;
  - (b) Loading and unloading of plant and materials;
  - (c) Storage of plant and materials used in constructing the development;
  - (d) The erection and maintenance of security hoarding 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;

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

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

4. No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To promote cycling by providing convenient and safe bicycle storage. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD 2006-2026, Policy TRANS1 of the

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West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).

5. No development shall take place until full details of how all spoil arising from the development and how any materials arising from the demolition of the existing barn will be used and/or disposed of have been submitted to and approved in writing by the Local Planning Authority. These details shall:
- (a) Show where any spoil to remain on the site will be deposited;
  - (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
  - (c) Include measures to remove all spoil (not to be deposited) from the site;
  - (d) Include measures to remove any materials arising from the demolition of the existing barn from the site;
  - (e) Include timescales for the depositing/removal of spoil and removal of any materials arising from the demolition of the existing barn.

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

Reason: To ensure appropriate disposal of spoil from the development and any materials arising from demolition, and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies ADPP5 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and the Stanford Dingley Parish Design Statement 2010.

6. No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the dwelling, cart sheds and hard surfaced areas hereby permitted and a full landscape plan, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocation DPD (2017), Supplementary Planning Document Quality Design (June 2006) and Stanford Dingley Parish Design Statement 2010.

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

Reason: To ensure a satisfactory relationship between the development hereby approved and the surrounding area in accordance with National Planning Policy Framework (February 2019), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocation DPD (2017), Supplementary Planning Document Quality Design (June 2006).

8. No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The

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boundary treatment shall be completed in accordance with the approved scheme before the buildings hereby permitted are occupied.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocation DPD (2017), Supplementary Planning Document Quality Design (June 2006) and the Stanford Dingley Parish Design Statement for 2010.

9. 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.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- d) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- e) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- f) Include details of how the SuDS measures will be maintained and managed after completion, including for access arrangements. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-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.

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

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning

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Policy Framework (February 2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

11. The dwelling hereby approved shall not be occupied until the visibility splays at the site accesses have been provided in accordance with drawing number 3544/211 received on February 18th 2019. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

12. 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;  
or 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 (February 2019), and Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

13. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows/roof lights (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B or C of that Order shall be constructed on the north, south, west, and east elevations of the dwelling, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of respecting the character and appearance of the surrounding AONB area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

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

Reason: To prevent the overdevelopment or inappropriate development of the site and in the interests of respecting the character and appearance of the surrounding AONB area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

15. The development hereby approved shall not proceed except in accordance with the ecological mitigation measures detailed within the Bat Roost Assessment of Barn and Garage at Saffron House Stanford Dingle by GS Ecology dated 12 April

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2019 received on 23 April 2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 17 of the West Berkshire Core Strategy (2006 – 2026).

16. The dwelling hereby approved shall not be occupied until an electric vehicle charging point has been provided in accordance with the approved drawings, the area of the site designated for the parking and charging of electric vehicles on the approved plan shall thereafter be kept available for this use all times.

Reason: To promote the use of electric vehicle. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

17. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that order), Cart Shed A and Cart Shed B as labelled on the approved plans shall not be used for any purpose other than as car parking accommodation, nor shall any door, wall or other means of enclosure or stopping up of the entrances to the cart sheds be undertaken, unless permission has been granted in respect of a planning application.

Reason: To ensure that the cart sheds (car ports) are kept available for vehicle parking in the interest of road safety and in order to comply with policy P1 of the Housing Site Allocations DPD. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **(2) Application No. & Parish: 18/02975/FUL - The Swan at Streatley, High Street, Streatley**

*(Councillor Alan Law opened the item by explaining that he was both the Ward Member for The Swan Hotel application and also Chairman of the Committee. As such he had consulted the Council's Legal Team and had received assurance that there was no conflict of interest in this case.*

*Councillor Law added that he had acted properly at all times in the run up to this Committee and kept an open mind on the issues before Members. However, he explained that he wanted to avoid the risk that as Chairman he might have to use a casting or deciding vote on this matter which was within his Ward. Councillor Law therefore decided that in the circumstances, he would stand down from the Chair for the hearing of this application).*

As the Vice-Chairman had given his apologies for this meeting, it was necessary to appoint a Member to Chair the item. Councillor Alan Macro proposed Councillor Graham Pask, this was seconded by Councillor Peter Argyle and agreed by Members.

*(Councillor Graham Pask in the Chair)*

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/02975/FUL in respect of an application for planning permission for the formation of an overflow car parking area and associated landscaping at The Swan at Streatley.

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Mr Matthew Shepherd, Senior Planning Officer, presented the report to Members and drew attention to the points raised in the update report.

Further earlier site history related to the proposed car park site had been found to be relevant and was presented in the update report. The planning applications in each of these cases had been refused due to the impact they would have on the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB) and the site's location external to the settlement boundary.

The NWD AONB Board had lodged an objection to the application and commented that the proposed development did nothing to conserve or enhance the natural and scenic beauty of the AONB.

The Conservation Officer's concerns in relation to the harmful cumulative impact on the listed building and conservation area were outlined in the report. The Conservation Officer concluded that the proposal would constitute less than substantial harm when set against the test in the National Planning Policy Framework (NPPF). However, the Conservation Officer felt that the justification in support of this application had not been provided that would overcome this harm. The Conservation Officer considered that the benefits of the proposal did not outweigh the harm to the designated heritage assets.

Mr Shepherd then drew attention to the section in the report on the impact on highway safety which related to the permission granted for the redevelopment work for The Swan – application 16/2364/FUL. The design and access statement for this application noted explicitly that “It is considered that the works proposed as part of this application will not materially affect the number of visitors to the site and as such will not have any effect on the current parking provision on site.”

The Council had however requested that the applicant produce a formal assessment of the expected impact on the local road network in respect to safety, flows and convenience from successful and unsuccessful attempts to park at the site once the redevelopment of The Swan had completed. However, this had not been submitted making it difficult for Officers to reach a conclusion on whether or not there had become a need for the overflow car parking area.

Streatley Parish Council would be addressing Members, but Mr Shepherd highlighted that while the Parish did not object to the application, this was on the basis that no precedent would be set for further development on the site. However, this was something which could not be controlled by conditions.

Mr Shepherd then highlighted that 46 letters of support had been received to the proposed development and only 4 letters of objection. Members therefore had to balance their decision based on the benefits that approval of the application could bring, i.e. the growth of The Swan and the associated need for additional car parking which had been applied for, with the harm described to the AONB and Conservation Area. Economic/business growth was supported by the Council, but this needed to be sustainable in the longer term when it came to determining a planning application.

The number of additional car parking spaces sought, together with details of current capacity, was detailed in the update report as requested at the site visit. In summary, the current capacity after taking account of the current development of the site, there were 100 spaces. The proposed overflow car park would provide an estimated 89 spaces.

Mr Shepherd concluded by explaining that the Officer recommendation was to refuse planning permission due to the harmful impact the development would have on the AONB and Conservation Area, and the absence of the highway impact information that had been requested.



## **EASTERN AREA PLANNING COMMITTEE - 26 JUNE 2019 - MINUTES**

In accordance with the Council's Constitution, Mr Jeremy Spring and Mr Martin Jubb, Parish Council representatives, Mr John McGahan and Mr Ian Judd, supporters, and Mr John Gripton and Mr David Burson, applicant/agent, addressed the Committee on this application.

### **Parish Council Representation**

Mr Spring in addressing the Committee raised the following points:

- In the majority of cases Streatley Parish Council would object to an application which fell outside of the settlement boundary for fear of creating a precedent. However, the Parish was supportive of this application.
- The application had the overwhelming support of residents living in Streatley, Goring and beyond.
- Traffic congestion and parking in Streatley was a point of concern for local residents. Car parking provision, external to The Swan, was limited to the small car park near the recreation area, meaning that High Street was used for car parking which created an issue in terms of congestion. In addition, there was no off street parking available for residents.
- The Morrell Room was the only meeting room in the village. It had no car parking provision and users of the room had been able to park in The Swan's car park. This was also the case for the church. The Swan's car park had been used for many years for these purposes. It was also available to the many walkers that visited the area.
- The usage of The Swan would increase significantly once the redevelopment had completed. It did not have sufficient car parking to accommodate this increase and the result would be increased congestion on High Street.
- The Parish Council felt that the harm described to the AONB would be mitigated by the proposed landscaping. Paragraph 6.1 of the report confirmed that the site was not located in the conservation area although it did sit adjacent to its boundary.
- The need for additional highways related information had been highlighted, however in May 2019 the Highways Officer had given support to the proposal for increased parking provision.
- Paragraph 4.1 of the report stated that only appropriate limited development would be allowed in the AONB if it would help to maintain a strong rural economy. The Parish considered that this application met this criterion.
- The Parish Council felt that permission could be granted subject to the inclusion of a condition that prevented further development on the car park site.

### **Member Questions to the Parish Council**

Councillor Geoff Mayes queried whether church goers parked on the access road that connected High Street to the church. Mr Spring explained that this was the case, however this was something that the Council's Public Rights of Way Officer had stated should not be taking place.

Councillor Alan Law referred to the point made by the Parish Council that 'permission could be granted subject to the inclusion of a condition that prevented further development on the car park site'. Councillor Law then drew attention to paragraph 13.5 of the report which stated that 'restrictions to the use of the land or any further development would not meet the six tests of the planning practice guidance. The land

## **EASTERN AREA PLANNING COMMITTEE - 26 JUNE 2019 - MINUTES**

could, if permission is granted, be considered as previously developed land in the future therefore reducing the LPA's ability to resist future development'. This made it clear that approval of the application could not be subject to such a condition. He asked for the Parish Council's view based on that. Mr Spring was disappointed that this was the case, but understood that it would not fit with planning regulations. However, the Parish would still be in acceptance with the proposal without this condition.

### **Supporters Representation**

Mr Judd in addressing the Committee raised the following points:

- He explained that as Treasurer of the Morrell Room Management Committee he was fully aware of the viability of the Morrell Room.
- Many customers of the Morrell Room travelled by car and on average parking spaces were needed for 20 cars for each event held. There were no spaces available at the Morrell Room and the potential to park on High Street was very limited. For many years this issue had been resolved by the ability for customers to park at The Swan.
- Should this facility be removed then the financial viability of the Morrell Room would be put in serious jeopardy.
- Mr Judd agreed with the need to preserve the character of the area, but he did not feel that this proposal would be detrimental as the site would not be overlooked from the river.
- Approval of the application would result in the removal of parked cars from High Street and this would be an improvement.
- The Swan also made its car park available for the church. This was particularly important when the church needed to accommodate the many guests attending a wedding or a funeral.
- The application should be supported for the reasons explained.

Mr McGahan in addressing the Committee raised the following points:

- There was strong support for the application from many local residents.
- The expansion of The Swan had been approved and this would bring with it increased commercial activity. The parking need would significantly increase as a result.
- There was therefore the need for additional parking. There was already an acute shortage of parking provision in the area. External to The Swan, there were only ten spaces at most available on High Street. There were no other options.
- This highlighted the question of where the guaranteed additional vehicles would park if this application was refused.
- Traffic had already increased significantly over the bridge and had become a safety concern. This could worsen. The traffic level had grown since the cost of crossing the Whitchurch toll bridge had increased.
- Mr McGahan felt that the recommendation for refusal disregarded the practical needs of residents and he urged the Committee to consider approving this application as it would do much to solve the car parking issue.

## EASTERN AREA PLANNING COMMITTEE - 26 JUNE 2019 - MINUTES

### Member Questions to the Supporters

Councillor Andy Williamson queried the economic impact on the village if the application was refused. Mr Judd felt that this could have a serious impact on the Morrell Room. It was a charity and the hall was well used by local people of all ages. To date customers had been able to park at The Swan and walk safely to the venue. If the ability to do so was lost then customers could look elsewhere, revenue would reduce and ultimately the Morrell Room could be forced to close.

Councillor Alan Law explained that Mr McGahan had written to himself, the Parish Council and Highways Officers seeking a long term solution to parking in Streatley. Councillor Law asked Mr McGahan if he agreed that the first step to finding this needed solution was to have a full understanding of the issue. If that was accepted then Councillor Law queried if this would need to be understood by first conducting a highways assessment/survey. Mr McGahan felt that a proper survey was needed to achieve a proper solution. He was surprised that nothing, to date, had been done to progress this.

Councillor Graham Pask queried if the existing use of The Swan car park was subject to any form of agreement. Mr Judd explained that this existed as a 'gentleman's agreement' which dated back for many years. The Swan permitted use of its car park by church goers and users of the Morrell Room unless a significant event was being held at The Swan. In such cases, The Swan would advise of this.

Mr McGahan added that a large number of people visited George Michael's former home in Goring and in general, they attempted to park on High Street. Many Thames Path events also brought people and their cars to the area. The car parking situation and the associated congestion was worsening.

### Applicant/Agent Representation

Mr Burson (agent) in addressing the Committee raised the following points:

- The Streatley Parish Plan and the Goring Neighbourhood Plan highlighted a shortage of car parking as an issue.
- This shortage resulted in parking on High Street which was harmful to the conservation area. In addition, highway safety needed to be improved.
- The visual impact of the proposed car park would be minimal as this would be mitigated by landscaping.

Mr Gripton (applicant) in addressing the Committee raised the following points:

- The full reopening of The Swan would take place shortly. There was certainty that there would not be sufficient parking provision once the development had concluded as parking capacity was already an issue. It was noted at the site visit that the car park was full.
- If the application was refused, it would have a negative impact for the community, church goers etc as already described.
- Parking alternatives had been explored and the only feasible location for the overflow car park was as proposed – adjacent to the existing car park as this would be achieved with a minimum visual impact due to the landscaping.
- Local support for the application was significant. This was particularly the case due to residents' concerns regards car parking. The congestion on High Street was also of serious concern.

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- There was a willingness in the community to accept this application outside of the settlement boundary due to the circumstances or to extend the settlement boundary.
- The redevelopment of The Swan had been significant and encompassed a full refurbishment with the aim of bringing it back to its former glory. This would attract many more customers.
- Mr Gripton highlighted the applicant's hugely popular venue in Sonning, but this lacked the necessary car parking. The intention for The Swan was to put in place the necessary parking in advance.
- Approval of this planning application would align with the approved licence for the premises.
- West Berkshire Council's Highways Officer had raised concerns should the additional car parking not be granted.
- The decision to bring forward this application had not been taken lightly. There was absolute certainty of its need. Refusal of the application would impact on community uses as, post completion of the redevelopment of The Swan, the existing car park would be full with its customers. The demand was there.
- Mr Gripton stated the desire to support and accommodate the needs of residents. The needs of the village had to be considered, it would suffer harm if the application was not accepted.

### **Member Questions to the Applicant/Agent**

Councillor Law questioned the assertion that the car park was full on the day of the site visit. He queried whether it was the case that around half of the car park's capacity was used by contractors' vehicles. Mr Gripton advised that this was not the case, construction vehicles were parked in the field, customers had parked in the car park. It was full when only a third of the business was operating.

Councillor Law then queried if there would be an intensification of use of the Coppa Club when there was no indication in this application that the number of restaurant covers would increase beyond the planning permission granted for redevelopment of The Swan in 2016. Mr Burson explained that the permission of 2016 had no restraint on the number of covers. Mr Gripton added that The Swan's licence permitted up to 300 covers in the Coppa Club. This was the consideration for this application.

Councillor Law followed this by asking if 'up to 300 covers' was an intensification of use of the Coppa Club. Mr Burson responded that this was as per the licensing permission. Mr Gripton reiterated the expectation of attracting more visitors to the site, an increase on what was anticipated in 2016.

Councillor Macro queried how frequently it was anticipated that the overflow car parking would be used. Mr Gripton advised that it would certainly be utilised for large weddings either at The Swan or the church. It was expected that its use would exceed the permitted right of 28 days.

Councillor Pask queried, as the business had yet to reopen, how there was such certainty of increased demand and usage of The Swan. He also queried why this perceived need was not addressed within the 2016 planning application.

Mr Gripton explained that the experience gained from the already opened hotel in Sonning strongly supported the need for additional car parking. The level of demand in Sonning had been underestimated and had become a difficulty on the high street in

## **EASTERN AREA PLANNING COMMITTEE - 26 JUNE 2019 - MINUTES**

Sonning. The same level of popularity was anticipated in Streatley and this planning application for the overflow car park would resolve the issue before it occurred.

Mr Burson added that this view was supported by the independent Transport Statement submitted by the consultants Glanville which included an assessment of parking demand. This assessment was based on usage in similar venues elsewhere. The combination of this together with the experience at the Sonning venue and the parking survey conducted in Sonning gave a solid estimate. As stated the intention of this application was to pre-empt the increased demand.

Councillor Andy Williamson sought to understand the current number of parking spaces once building work had finished. Mr Gripton confirmed this to be 100 spaces from the 75 available at present. Two way access would be achieved, and consideration was given to needs of pedestrians and highway safety.

Councillor Williamson then queried the point made by Officers that a formal highways assessment had not been provided. Mr Burson explained that this was considered to be an unreasonable additional request when considering the information already available and the view of Highways Officers. It was felt that the provision of the additional information would not give any greater understanding of the issue.

### **Ward Member Representation**

Councillor Law addressed the Committee as Ward Member and made the following points:

- He called the application in to Committee. The applicant had requested this action if the application was recommended for refusal, but Councillor Law clarified that he would have done so regardless of the Officer recommendation.
- The update report contained useful additional site history. As already described by the Planning Officer all of these previous applications had been refused due to the impact they would have on the NWD AONB and the site's location external to the settlement boundary. In many cases these previous applications had been taken to appeal, where they were refused for the same reasons.
- This demonstrated the extreme sensitivity of the area at a point where two AONBs met – the NWD AONB and the Chilterns AONB. The site was also overlooked by National Trust land.
- The fact that there were no overhead powerlines also indicated the particular sensitivity. Great expense had been gone to for the installation of underground powerlines.
- Councillor Law made clear that he had the wellbeing and greater interest of Streatley at heart. He found much sympathy with the views that had been expressed by the Conservation Officer, the AONB Board and Environment Agency who considered that this application would do more harm than good. This was the shared view of these professionals.
- Should permission be granted, the site would be reclassified as a brownfield site which would make it more acceptable for further alternative development in future.
- West Berkshire Council was expected in the near future to declare a climate emergency. This would involve the encouragement of reduced car use.
- One alternative to the car and more car parking would be the operation of a shuttle bus to and from the train station. This was in operation in Sonning.

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- Councillor Law stated his wish to support The Swan which brought economic benefits to the area, however he found it difficult to do so with this application.
- This application and the recently approved licensing application all pointed to a greater intensification of use and this would generate significant traffic levels at a number of different peak times. This would include peaks in traffic at weekend lunchtimes and late evenings, particularly at weekends. This would be a change to the traffic situation which highlighted the importance of conducting a survey.
- At this point, Councillor Law advised that he was supportive of the Officer recommendation for refusal.

### **Member Questions to Ward Member**

- There were no questions raised by Members.

### **Member Questions to Officers**

Councillor Macro queried if it was the view of Highways that traffic levels would be of concern if the application was not approved. Gareth Dowding, Senior Engineer, explained that the concern for Highways Officers related to traffic congestion in Streatley and the potential for this to increase. However, according to the Transport Statement, traffic would not increase beyond existing levels. There were no concerns for the proposed car park as it was considered in isolation.

Councillor Macro turned to the issue of the site becoming brownfield if this application was approved. He queried if further development of the site could be prevented in a legal agreement, with use restricted to car parking. Sharon Armour, Solicitor, stated that it would not be possible to prevent a new application being submitted. Bob Dray, Development Control Team Leader, added that the Council would be duty bound to consider such an application on its own merits on planning grounds. This potential future consideration would be for a brownfield site.

Councillor Williamson returned to the topic of the formal highways assessment. He queried why this had not been commissioned. Mr Shepherd explained that it had been requested of the applicant to help evidence the adverse highways impact, but this had not been provided.

Councillor Williamson then queried if additional car parking had featured in previously approved planning applications. Mr Shepherd advised that this was not the case. The application dismissed at appeal for a swimming pool did include a car parking area. The Planning Inspector refused this application for reasons including its location outside of the settlement boundary and the harm it would cause to the countryside.

Councillor Williamson next questioned the consideration that should be given to economic factors, i.e. the potential impact on the Morrell Room. Mr Shepherd explained that Members needed to balance community benefits of the application with the level of harm to the AONB and Conservation Area.

Councillor Geoff Mayes queried whether traffic data was available during the period of time when Whitchurch Bridge was closed as this could help understand the impact of increased traffic. Mr Dowding confirmed that data from a traffic count was available, but commented that it would be difficult to link this to considerations for this application. This information could be misleading as Whitchurch Bridge was closed giving an artificial comparison. The only approach to take in terms of collecting data would be an up to date survey.

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Councillor Mayes asked if construction parking was allowed on the meadow as part of the 2016 planning application. Mr Shepherd confirmed that this was a permitted development right which allowed for temporary parking of construction vehicles.

Councillor Macro queried whether any control could be exerted over landscaping works if this application was refused. Mr Shepherd advised that this would be for the applicant to determine as it was their land which was outside of the conservation area. Mr Dray added that the only control would be over trees with a Tree Preservation Order.

Councillor Law asked the Highways Officer if he would accept that additional vehicle movements resulting from The Swan's redevelopment would impact on traffic levels in and around the village. Mr Dowding felt it difficult to be certain on this point. The redevelopment could well attract more visitors and those visitors would seek to park at the venue if parking provision was available. If parking space was limited then visitors could look to car share or could simply go elsewhere. However, as there was such a high reliance on cars, a lack of space could be a concern. In summary, the overflow parking area could create additional movements.

Councillor Law referred to the Transport Statement and queried if this covered traffic implications as well as parking need. He felt that a greater intensification of use had been recognised for The Swan and the main justification for this application came from increased traffic levels. Mr Dowding reiterated that traffic levels could increase but the quantity would depend upon the popularity of The Swan. Councillor Law expected that the redeveloped hotel would prove popular and queried, if this was the case, whether traffic would increase. Mr Dowding accepted that traffic would increase if this became the case.

Councillor Law then commented that he could not recall a case where Planning and Highways Officers were not in agreement. He queried why an up to date traffic survey had not been insisted upon. Mr Dowding confirmed that conversations had been held between both sets of Officers and additional information had been requested from the applicant. Mr Shepherd made reference to the Transport Statement provided by the applicant. However, he felt this contained conflicting views over whether or not traffic levels would increase. It was felt that the car park would respond to the demand of the hotel, but it would not alleviate the overall congestion issues faced by the village.

Councillor Williamson queried what was defined as frequent use of the overflow car park. Mr Dray explained that temporary use of up to 28 days per year was acceptable as a permitted development right. Use in excess of the 28 days would require the permanent solution that was being sought.

Councillor Jo Stewart queried the options available to Members. Councillor Pask summarised some key points. The Planning Committee's decisions were based on the planning policy set by Members on behalf of residents. These policies were ratified by the Planning Inspectorate. Planning policies were therefore, generally, followed. However, Committee Members needed to interpret policies and could legitimately make a decision contrary to policy if there were exceptional reasons for doing so that would not create a dangerous precedent. Decisions made contrary to policy, but without exceptional reasons, would generally be referenced up to the District Planning Committee (DPC) for determination.

The options were therefore to accept Officers' recommendation to refuse planning permission, which could then be appealed. If Members were minded to overturn Officers' recommendation and approve planning permission, in light of the strength of support and sympathy to those arguments, and acceptance that benefits outweighed levels of harm, then it could be recommended for approval with conditions to the DPC.

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Sharon Armour added for completeness that the Development Control Manager could refer an application to the DPC if a decision went against policy. Or the Area Planning Committee could directly reference an item to the DPC but they were under no obligation to.

Councillor Pask queried if the decision could be taken to refer the application to the DPC in order to allow time to conduct a highways assessment. Sharon Armour advised that if the Committee wished to allow time to conduct a highway assessment they could defer the item. However, Matthew Shepherd stated that the applicant had already been requested to carry out a highway assessment and had chosen not to do so.

If the application was referenced up then no decision could be made by the Planning Committee, only a recommendation.

### **Debate**

Councillor Macro stated that this was a very complex application to determine. A strong recommendation for refusal had been given by Officers. However, traffic congestion and parking were both issues for the area.

Councillor Macro's concern, if the application was approved, was the fact that the site would become previously developed (brownfield) land. This would make it difficult to resist other applications that could come forward for the site.

Councillor Peter Argyle commented that The Swan was a successful business and its expansion should not be stifled. Car parking was needed for this success to continue.

Councillor Argyle continued, the impact on views from the AONB would be sufficiently offset by the proposed screening, i.e. from the Thames Path. He acknowledged that it would be overlooked from the bridge. Councillor Argyle felt that it was difficult to identify severe harm on the conservation area as this was on the other side of the road.

Councillor Argyle fully accepted this was a balanced decision. On balance, and taking into account levels of support, he was on the side of the applicant.

Mr Dray commented that the screening referred to had been objected to by the Council's landscape consultant as the screening would result in a loss of the existing view of that area of the AONB. Councillor Argyle accepted the point but argued that this only applied to the length of the car park.

Councillor Law had looked carefully at points made in support and while much support had been given, as outlined in the planning report, his view was that much of the support (around 70%) came from people who did not live in Streatley. The strong support did not reflect the views of many Streatley residents he had discussed this with, other than church goers and users of the Morrell Room whose points were understood. There was not overwhelming support, he considered the views of Streatley residents to be 50:50 for this application.

Councillor Law continued that while traffic issues and parking were related, they were separate issues. Approval of the overflow car park would not help to ease congestion/traffic in Streatley. A traffic survey/assessment was required to fully inform views on the issue and this should be provided before a decision was made on extra car parking capacity.

Councillor Williamson shared the frustration that the traffic survey had not been provided. The concern of the site becoming brownfield was also shared. However, Members also needed to listen to the community and help to resolve issues in order to encourage businesses and economic prosperity.



## **EASTERN AREA PLANNING COMMITTEE - 26 JUNE 2019 - MINUTES**

Councillor Law proposed to accept Officers' recommendation to refuse planning permission. This was seconded by Councillor Keith Woodhams.

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

### **Impact on the North Wessex Downs Area of Outstanding Natural Beauty**

In accordance with Paragraph 172 of the National Planning Policy Framework Great weight should be given to conserving and enhancing the landscape and scenic beauty in Areas of Outstanding Natural Beauty, which are afforded the highest status of protection. This objective is supported by the Core Strategy where Policies ADPP5, CS14 and CS19 similarly seek to ensure that appropriate and sustainable development conserves and enhances the special landscape qualities of the area. The application site is sensitively located and visible from a number of public vantage points to include prominent views from the Thames National Trail and other public rights of way (Streatley Byway 12/1, Footpath 5/1 and 5/3 and Streatley Footpath 25/3), the river Thames itself which is a well navigated river, its lock and wiers and Streatley and Goring Bridge. The water meadow and its riparian character is important to the setting of this part of Streatley. The loss of this field to a car park, thus allowing for up to 87 cars to be parked will have an urbanising and significantly detrimental impact on the setting and rural character of the area. Furthermore the need for external lighting, while kept to a minimum, will have an adverse impact on the dark night skies. While mitigation measures are proposed these itself would result in a reduction of inter-visibility between Thames Path users and the AONB and change the landscape character of this area.

The benefits of the proposal do not outweigh the harm to the landscape character of the area and the detrimental visual impact of the development. The proposal is therefore contrary to the NPPF, specifically para 8, 127, 170 and 172. It is also contrary to local plan policies ADPP5, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026) and policy RL.5A of the West Berkshire Local Plan 1991-2006 (Saved policies 2007). Additionally the development is contrary to the objectives/policies of the AONB NWD Management Plan and the Streatley Village Design Statement (adopted 2006) which specifically recognises the meadows as a key feature appreciated by both local residents and the many visitors who make frequent use of the Thames Path.”

### **Conservation Area and Setting of the Listed Building Refusal Reason**

The Conservation Area's significance is derived from the interaction or interrelationship between the river, the surrounding open countryside, the linear pattern historic development, and the open spaces and vegetation within the Conservation Area. There are frequent views throughout the Conservation Area into the surrounding countryside. This constant visual link with the countryside makes a significant contribution to, and is an important component of the character and appearance of the Conservation Area. Whilst some of these views are limited to narrow glimpses, they are nevertheless part of the cumulative appreciation of the way in which the village has developed and how it remains linked to its countryside hinterland. Indeed, the village's character owes much to the mix of buildings and open spaces, and the soft boundary between the village and its rural surroundings. When the area is filled with cars the overriding visual impact would be from cars.

The proposed overspill parking area would still be visible from the vicinity of Goring Lock to the east. Although the planting might eventually screen the views of the proposed car park, the planting will also block views of the meadow and its role in the setting for the Conservation Area.

**EASTERN AREA PLANNING COMMITTEE - 26 JUNE 2019 - MINUTES**

The proposed development would have a harmful urbanising impact on the character of the site, both from the visual impact of the cars, as well as the noise and light associated with the cars. The benefits of the application do not outweigh the harmful impact the proposed development would have. The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and conservation Areas) Act 1990, the NPPF, para 189, 190, 194 - 196 and Policy CS19 of the West Berkshire Core Strategy (2006-2026), which seeks to protect the setting of heritage assets.

**Lack of Information on Traffic and Highway Implications**

The Council has requested that the applicants produce a formal assessment of the expected impact on the local road network in respect to safety, flows and convenience from successful and unsuccessful attempts to park at the site. The increased intensification of use beyond that revealed in the extension applications 16/02364/FUL and 17/01562/FUL, and the increase in vehicle trips to the site and the extra car parking, should be assessed. The applicants have however responded to the Council's requests by saying "the surveys requested are unlikely to notably further understanding", and have declined the opportunity to provide that additional and up to date information for due consideration.

There is therefore insufficient information to fully assess the implications of the application on the local highway network despite requests made for documents. As such there is insufficient information to satisfactorily determine the application against CS13 of the West Berkshire Local Plan 2006-2026 and the National Planning Policy Framework (2019).

**11. Site Visits**

It was agreed that site visits during British Summer Time would take place in the evening. They would revert to mornings for the remainder of the year.

A date of 10 July 2019 in the evening was agreed for site visits if necessary. This was in advance of the next Eastern Area Planning Committee scheduled for 17 July 2019.

*(The meeting commenced at 6.30pm and closed at 9.02pm)*

**CHAIRMAN** .....

**Date of Signature** .....

# Agenda Item 4.(1)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(1)	19/00344/COMIND	6 <sup>th</sup> June 2019	Demolition of existing structures, and erection of an 85 bed care home (Class C2) with associated works including one access, parking, services, and landscaping.  Stonehams Farm, Long Lane, Tilehurst  Frontier Estates Limited
	Extension of time	9 <sup>th</sup> August 2019	
	Tilehurst Parish Council		

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/00344/COMIND>

<b>Ward Member(s):</b>	Councillors Jones, Marino and Williamson.
<b>Reason for Committee determination:</b>	The Council has received 10 objections to the application
<b>Committee Site Visit:</b>	<b>31<sup>st</sup> July 2019</b>
<b>Recommendation.</b>	<b>The Head of Development and Planning be authorised to GRANT planning permission</b>

Contact Officer Details	
<b>Name:</b>	Michael Butler
<b>Job Title:</b>	Principal Planning Officer
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## 1. Site History

16/01947/OUTMAJ - Erection of 15 dwellings. Permitted 30<sup>th</sup> June 2017.

## 2. Publicity of Application

Site notice displayed. 19<sup>th</sup> March 2019. Expiry 9<sup>th</sup> April 2019.

Amended plans site notice—displayed 5<sup>th</sup> July 2019. Expiry 19<sup>th</sup> July 2019.

## 3. Consultations and Representations

<b>Tilehurst Parish Council</b>	Original plans. Objection. Concerns about sufficiency of parking on site, no affordable housing being provided, impact on local walkers, can the quota of 60 staff be achieved ?, will attract workers outside the area, do not wish to see 2 access points, proposed pedestrian crossing should be formalised, is there a need for this care home ?, question the traffic movements analysis. Amended plans – comments awaited.
<b>Highways</b>	Conditional permission is recommended. Adequate parking on site. Amended plans –reduction to one access onto Long Lane is supported. Traffic generation will be acceptable. Parking is acceptable on site.
<b>Environment Agency</b>	No objections. The application site does not lie in an area subject to any flooding risk.
<b>Housing policy</b>	The application appears to be a genuine C2 use so accordingly, notwithstanding the need for affordable housing in the area, no such housing can be required under policy.
<b>Pang Valley Ramblers.</b>	Objection. Concerned about impact of the scheme on FP number TILE/6/2 in the woodland adjacent, plus the impact of increased traffic on local pedestrians using the area. Also concerned about impact of fencing –oppressive.
<b>Public rights of way</b>	Objection to this application on the grounds of the road safety of pedestrians using the Sulham Recreational Route along Long Lane due to the additional traffic which would be created by the development and also object to the compromise of their safety walking in and out of Footpath TILE/6/2.
<b>Thames Water</b>	Conditional permission is recommended. Re water pressure and supply.
<b>SUDS</b>	Conditional permission is recommended.
<b>Conservation officer</b>	No objections as no designated heritage assets are affected by the application.
<b>Planning policy</b>	Comprehensive response on file. Issues to be considered are the fact that the scheme being C2 does not strictly comply with the HSA9 allocation for 15 dwellings, but the C2 use will still count against the Housing Land Supply by 47 units. In addition no affordable housing will be achieved. The case officer must be satisfied with the potential visual impact on the AONB. No objection

	per se.
<b>Environmental Health -</b>	Conditional permission is recommended. Hours of working and possible land contamination.
<b>Public representations</b>	<p>10 objections have been received to the application. Concerns based upon the following issues. Increased traffic arising from the care home over and above the 15 dwelling permission, increased light pollution, and overlooking against what is envisaged in the Local Plan, drainage and flooding issues might arise, the building is too large and of poor design, impact on AONB, the care home is not needed, it will introduce a commercial use into a residential area, impact upon local pedestrians and safety, on the highway. What if an alternative C2 use transpires? Impact on local medical services and other infrastructure. Tilehurst has had enough development, cumulative impact with the 66 dwellings approved adjacent, impact on wildlife, and impact on local parking – not enough on site.</p> <p>2 Letters of support for the introduction of a new care home on the ground that it is needed in the area.</p>

#### 4. Policy Considerations

National Planning Policy Framework 2019

National Planning Practice Guidance 2014.

West Berkshire District Local Plan 1991 to 2006 [Saved Policies]

West Berkshire Core Strategy 2006 to 2026. Policies ADPP1, ADPP5,

CS1,CS5,CS13,CS14,CS15,CS18, and CS19.

HSADPD of 2017. Policies GS1, P1 and HSA9.

#### 5. Description of development

5.1.1 The application site lies just to the north of Long Lane in Tilehurst parish, adjacent Vicarage Wood to the south west, and a well used public footpath. To the east of the application site lies an open field which has recently obtained planning permission under reserved matters for 66 dwellings not yet commenced on site. To the south east of the site across Long Lane lies existing housing. Immediately adjacent lies a single dwelling called The Barn, which does not form part of the application site.

5.1.2 The application site is presently part greenfield, part brownfield, comprising some disused agricultural and stable buildings, with open spaces in between. It is 1.13ha in extent. The site lies within the present adopted settlement boundary, set out in the HSADPD of 2017, to allow for the allocation of the site under HSA9 for up to 15 dwellings: indeed outline planning permission already exists on the site for that number—see site history above. In addition the site lies within the North Wessex Downs AONB designation.

5.1.3 It is proposed to demolish all the redundant buildings on the site and erect an 85 bedroomed care home with associated car parking [38 number] and single vehicular access onto Long Lane. This building will be 2.5 storeys in height, and is located to the south west of the site, allowing for a substantial buffer strip to be retained looking out towards the open countryside beyond this plateau location. Adjacent the boundary to the permitted housing will be an open area to be landscaped for private access for the incoming care home residents. Just for clarity, the original application as submitted included a 74 bed care home plus 4 additional dwellings with a separate access following negotiations with the case officer, the dwellings were deleted as was the additional access, the number of bed spaces increased by 11, to 85, and the number of parking spaces increased from 30 to 38. The revised plans have been fully re-consulted upon.

5.1.4 On the 12<sup>th</sup> July 2019, the Council informed the applicant that the revised scheme had been considered, under the 2017 Environmental Impact Assessment Regulations and would not require an Environmental Statement to be submitted with the application. The reasons are set out on the letter, on file.

## **6. Consideration of the application.**

The application will be examined under the following issues.

- 6.1 Principle and planning policy.
- 6.2 The need for elderly housing.
- 6.3 Highways and parking.
- 6.4 Landscape and visual impact.
- 6.5 Other issues. Design and amenity.

### 6.1 Principle and planning policy.

6.1.1 The application site was allocated for housing under Policy HSA9 in the HSADPD as adopted in May of 2017. In addition to that the current application now lies within the approved and adopted settlement boundary of the Eastern Urban Area, as identified on page 140 of the HSADPD. Accordingly, along with the extant outline permission for 15 dwellings and the part brownfield aspect of the existing buildings, there is no question that the scheme is acceptable in principle.

6.1.2 Whether or not an allocated housing site [Class C3 in the Use Classes Order] should be considered for an alternative use, in this instance Class C2 as a care home, is a more ambiguous point. The first point to pray in aid in support of the officer recommendation, is that the actual use of the site remains “residential” albeit it is a commercial use and a different use class as noted. This accordingly means that the development if approved and built out, will still assist in the Council’s Housing Land Supply situation, as contained in the updated NPPG relating to the need for the Planning system to meet the needs of the elderly, and the fact that it is stated that a calculation of the equivalent number of dwellings created by a care home should be made on a multiplier based upon the average number of adults living in households across the District: this is presently 1.8. Accordingly the care home will mean a figure of 47 units [85 divided by 1.8], which is 32 units more than the extant permission. In addition, on the adjacent housing site to the north east, planning permission has been granted for 66 dwellings, which is 10% more than the allocated figure of 60.

6.1.3 Balanced against the above is the factor that should the application be approved, this will mean the loss of 6 affordable dwellings, which would have been built out under the extant permission for 15 dwellings, as provided for by the associated s106 planning obligation. The housing officer has made it clear that no affordable housing contribution may be achieved from a C2 use as noted above.

6.1.4 To conclude officers are satisfied that the principle of the application is acceptable.

### 6.2 The need for the application.

6.2.1 Given that the application site lies on a site allocated for housing, officers requested the applicants to provide data and information as to why there was a particular need for a care home for the elderly in this location. A number of the objectors have raised this point.

Firstly, it is a well known and acknowledged fact that overall age profile of the British population is getting older, due to people living longer, and generally healthier lifestyles. The Thames Valley is no exception in this regard. The commissioned report by the applicants identifies, within the 5km catchment of the site, a projected rise of just over 25% of residents over 65 years in age, over the next 10 years. Secondly the current demand for care beds is 601, which is expected to rise to 822

by 2028. The current supply is identified as being 7 care homes in the catchment, providing 408 bed spaces. Added onto this has been a commitment for a new care home at Greendene Farm for 65 beds. Notwithstanding this, the report still identifies an overall undersupply of 193 bed spaces in the catchment, and, moving into the future, this is expected to rise to an undersupply of 398 by 2028, unless additional provision is made via applications such as this.

6.2.2 Whilst your planning officers are not experts in such matters, it is clear that even if the report's conclusions are over exaggerated, there remains an extant need for care home beds: in addition, it would be perverse of a developer to fund such an expensive new facility, if they were not satisfied with the future demand for such facilities.

### 6.3 Highways and transport.

6.3.1 The highways officer is recommending conditional permission for the application. He has examined the submitted transport statement [updated to reflect the expected change in traffic generation arising from the amended scheme] and is content that the generation of 172 movements over a 12 hour period, on the local highways network will not have a severe impact. This must of course be balanced against the traffic created by the extant permission for 15 dwellings.

6.3.2 It is acknowledged that the nature and timings of traffic created by the care home will differ from a residential home. Firstly there is the staff traffic to take into account, which will be on presumably three 8 hour shifts. Secondly there will be the servicing traffic for the care home with all the deliveries normally required for such a use. Thirdly there will be the visitors, mostly in evenings and weekends, but clearly some also during the daytime. Over a 12 hour period it is thus expected that the number of total vehicle movements will be 172, in and out. Compared to the extant permission for 15 dwellings, which is 90 movements over a similar period it's an increase of 82 movements. This equates to 7 additional vehicle movements over each hour [on average]. Your highways officer and the planning officer concur that this is acceptable in terms of the impact on local roads. In addition, in terms of the comparison between the first proposed scheme [74 bed home plus 4 dwellings] and the amended scheme, the latter would see a rise of just 3 additional vehicle movements onto the network over a typical 12 hour period.

6.3.3 The applicants have acknowledged that the width of Long Lane in the immediate vicinity of the site is poor, being about 3.2m. This is not sufficient for 2 way traffic. The applicant has agreed to fund [via a s278 highways agreement see conditions] the widening of the road in this area to 5.0 metres, so allowing two way traffic to pass, which is a planning gain. The site now has 38 parking spaces, an increase of 8 since the original 74 bed scheme. This means a new ratio of 2.23 bed spaces per parking space. Bearing in mind that probably none of the residents will be driving, this on site ratio is considered satisfactory for both staff and visitors to the scheme.

6.3.4 A number of objectors are worried that the section of Long Lane in the area particularly to the south adjacent Vicarage Wood, is poor. This is correct, but the fact remains that the Council has already allocated the site [and indeed the adjacent larger one] for housing which will create an increased level of traffic generation in any event. In addition, according to the traffic flow analysis along Long Lane as existing, 60% of the flows are southbound during the normal working day: applied to the 82 additional movements arising from the care home over and above the extant permission for 15 homes. This equates to 49 additional movements over a 12 hour period along the southern section of Long Lane ie an equivalent of 4 movements per hour. This is not believed to be significant or harmful.

6.3.5 To conclude, having regard to the advice in policy CS13 in the WBCS as adopted, and the advice in paragraph 109 of the NPPF of 2019, the application is acceptable in highways terms.

## 6.4 Landscape and visual impact.

6.4.1 The application site lies within the North Wessex Downs AONB, albeit adjacent to an existing settlement. It currently comprises a dilapidated range of unattractive former agricultural and quasi commercial buildings. It also lies on a landscape plateau which forms a wider component of the landscape form to the west of Reading, before falling to the Pang Valley.

To the south west of the site lies Vicarage Wood, a long established and mature woodland, which provides a strong and effective visual barrier to the proposed care home. To the north east of the application site lies an open field, however it is now almost certain that this will shortly be developed for 66 homes as permitted, very recently. A slide on the presentation screen will indicate the approved housing layout, which will in effect provide a future built form screen and backdrop to the new care home from this angle/vista. To the west of the application site, there is a buffer of land, within the red line application site, 49m length and 72m in width, which will be conditioned to be landscaped, in any permission. This will again assist in ensuring that any wider impact on the special qualities of the AONB is minimised.

6.4.2 Having noted all of the above, it is evident that the localised impact on the immediate area will be moderate in visual terms, especially on the local street scene and upon the users of the footpath to the south of the site. This is a matter that the Committee will need to take carefully into account, bearing in mind the lesser immediate impact the 15 dwelling scheme would have had upon the locale. The proposed new care home will be a large building—it will be 2.5 storeys and have a maximum width of 42m and a maximum length of 82m. Its maximum height will be 11.5m.

6.4.3 In addition to the above, now that the 4 dwellings have been removed from the application site, plus the additional access for those dwellings, this has allowed the applicant to submit a revised application which sits more comfortably on the red line site: this means the separation to both the permitted housing adjacent, and The Barn nearby, has been improved, along with the distance to the footpath boundary in the woodland. In addition, the distance of the care home from Long Lane has been increased by 13m. This will allow for an increased buffer planting strip in this street frontage, so further diminishing the potential visual impact of the care home on the street scene. This all results in relatively less visual impact on the immediate environment, and so assists in making the development acceptable, on balance.

6.4.4. The applicants, in their supporting material, have submitted a LVIA [Landscape and Visual Impact Assessment] which has concluded in a similar fashion. Accordingly it is concluded for the foregoing reasons, that the scheme will not only comply with the requirements set out in policy CS19 in the WBCS, but also the advice in paragraph 172 of the NPPF: this notes that great weight should be applied to the conservation and enhancement of the landscape and scenic beauty of AONBs in arriving at decisions on planning applications. It is the officer view, that the wider impact of the scheme on the AONB will in fact be minimal and acceptable. In the shorter views the input will be more adverse, but this will inevitably reduce over time given the build out of the housing adjacent, and the growth of the landscaped buffer strip.

6.4.5 To summarise, the development is considered to be acceptable in both landscape and visual impact terms.

## 6.5 Design and amenity, impact on local services.

6.5.1 The advice in the NPPF seeks to ensure that in the determination of planning applications, where new build is involved, the design and appearance of new buildings is carefully examined to make certain that they are acceptable. In this particular case this issue is important given the requirement on Local Planning Authorities to enhance the AONB where possible. Good design should be inherent in schemes as promoted, and not merely an afterthought. In this case the officer believes the new care home, with its traditional almost domestic approach, is successful albeit it is on a large/commercial scale. The design, with its faux chimneys, its degree of articulation so providing shadowing [and so more visual interest] its pitched roof dormers and full hipped roofs, all create a reasonably imaginative appearance which is considered attractive. In



addition the glazed links assist in diminishing the buildings overall bulk and mass. In terms of materials, the insertion of timber boarding, hanging tiles, clay roof tiles, plus facing bricks of some variety, all assist in producing elevations, which are typical of the local vernacular. So, in conclusion it is considered that the design is satisfactory, and it will not detract or harm the character of the local area and the AONB, consistent with the advice in policy CS19 in the WBCS.

6.5.2 The second design issue is the potential impact of the new care home on adjacent amenity. The Barn is the nearest existing dwelling adjacent the site: it is inevitable that the amenity of the present occupiers will be impacted by the new care home, particularly during the construction process. However, once built, such operations are normally quiet, and the separation distance from the new home to the Barn at it's closest point is 36m. This is considered to be acceptable. In terms of future impact upon amenity, regard has been had to the proximity of the approved housing layout as under 19/00718/RESMAJ. Again the closest point to the party boundary from the new care home is 32m, and none of the approved houses are close to that boundary so the effective distance will be greater. Accordingly, future overlooking or overshadowing problems, are not considered sufficient to warrant refusal. Finally, although some houses are sited across Long Lane opposite the site, the intervening separation is 35m. This is considered adequate separation.

6.5.3 Finally, a number of objectors are concerned that if the scheme is approved, it will necessarily result in an unacceptable impact upon local medical services. This is of course true to an extent when compared to the occupation of 15 homes as in the extant permission. The CCG have been consulted but no response has been received on this point. It is notable in addition that no CIL will be payable on the application, if approved and built. The Committee will need to take a view on this but given the 5km catchment noted for most of the future residents, they are of course, already largely living in the District [or in Reading Borough] and so having an existing impact.

## **7. Conclusion**

7.1 All planning applications are required to be determined in accord with the prevailing Development Plan, unless material considerations indicate otherwise. In addition, Councils are required to have regard to the three sustainability imperatives of economy, society, and environment as defined in the NPPF.

7.2 In this case the economic benefits of this application are clear: not only will the construction industry be given a significant, albeit temporary boost, but once the Home is in operation, about 50 FTE jobs will be provided on site which will clearly assist the local economy. Hence the application is supported.

7.3 In social terms the advent of much needed elderly care home accommodation is considered to be of benefit, as supported in the latest topic paper in the NPPG. It is noted that there will be a loss of 6 affordable dwellings however, which is a clear dis-benefit.

7.4 In environmental terms, the application is more balanced. On one hand the development will inevitably have an impact upon the local road network, and it will have to a degree a visual impact on the immediate locality. There will in addition be a noticeable future impact on amenity of the occupants of the Barn. However, for the planning reasons, as set out above, it is believed that these impacts are outweighed by the number of advantages as identified. It is accordingly concluded that planning permission should be granted, with conditions. No S106 obligation is required.

## 8. Recommendation

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

#### CONDITIONS

Time limit.

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).

Plans approved.

2. The development must be carried out in strict accord with the following approved plans: [all G4250] Site layout-90-001w, Elevations-0-P-07 B, Location plan-P-08 C, Ground floor-P-01-E, Roof plan-P-04-C, First floor-P-02-E, Second Floor-P-03-E.

Reason. To clarify the permission in accord with the DMPO of 2015.

Samples of materials.

3. On completion of the slab level of the care home no further work shall take place until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policy ADPP5 in the WBCS of 2006 to 2026.

Hours of working.

4. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:  
7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers, in accord with saved policy OVS6 in the WBDLP of 1991 to 2006.

Contamination.

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

Reason. To ensure public safety is protected, in accord with the advice in the NPPF of 2019.

## SUDS

6. No construction 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.

These details shall:

- e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an the public sewer at no greater than 2 l/s for up to the 1:100 year storm event with a 40% allowance for Climate Change;
- f) Include flood water exceedance routes, both on and off site; include flow routes such as low flow, overflow and exceedance routes;
- g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

## CMS

7. 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
- (h) HGV haul routes

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).

EV charging points.

8. On completion of the slab level of the care home, details of electric vehicle charging points must be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until associated electric vehicle charging point(s) have been provided in accordance with the approved drawings. The charging points shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicle. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

S278 works.

9. The development shall not be brought into use until the following works have been completed via Section 278 of the Highways Act 1980 or other appropriate mechanism:
- a. Pedestrian crossing and footway connections across Long Lane adjacent the proposed access point.
  - b. Widening of Long Lane opposite the proposed northern vehicular access.

The works shall be constructed in accordance with the approved drawing(s) and any statutory undertaker's equipment or street furniture located in the position of the works must re-sited to the satisfaction of the Local Highway Authority.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Visibility splays

10. The development shall not be brought into use until the visibility splays at the proposed access has been provided in accordance with the approved drawings. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the 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).

Vehicle parking.

11. The development shall not be brought into use until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, 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)

Vehicle access construction.

12. The development shall not be brought into use until the associated vehicular access onto Long Lane has been constructed in accordance with the approved drawing(s).

Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (July 2018) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Cycle parking.

13. The development shall not be brought into use until associated cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework,, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Water network upgrades.

14. The care home shall not be occupied until confirmation has been provided that either all water network upgrades required to accommodate the additional flows from the development have been completed; or an infrastructure phasing plan has been agreed with Thames Water to allow the care home to be occupied. Where an infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development in accordance with the advice in the NPPF on public health.

Minerals

15. No development shall commence until the following has been submitted to and approved in writing by the Local Planning Authority and thereafter all works for each phase shall be carried out in accordance with the methods agreed throughout the construction period:

- i) a method for ensuring that minerals that can be viably recovered during the development are recovered and put to beneficial use;
- ii) a method to record the quantity of recovered mineral (for re-use on site or off-site) and the reporting of this quantity to the Local Planning Authority.

Reason. To ensure no sterilisation of minerals in accord with policy 2A of the RMLP for West Berkshire.

Age restriction.

16. At no time shall any occupant of the care home be under the age of 65 years old, unless specific agreement in writing with the Local Planning Authority has been achieved.

Reason. To ensure the care home is used for its intended purpose, and in the interests of ensuring parking on site does not become congested, in accord with policy CS13 in the WBCS of 2006 to 2026.

Finished floor levels.

17. No development shall commence until details of the finished floor levels in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with Policy ADPP5 in the WBCS of 2006 to 2026.

Landscaping

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

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

Reason; To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of policy ADPP5 of the WBCS of 2006 to 2026, and the conservation of the AONB area.

Use of site restricted.

19. The premises shall be used for a care home only and for no other purposes in Class C2 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any subsequent amendment or replacement of this Order, nor shall its use be changed to any use falling under any other use class set out in the Town and Country Planning (Use Classes) Order 1987 (as amended) or any consequent amendment or replacement of this Order.

Reason: Any other use is not acceptable on the site in accordance with the advice in the DMPO of 2015 and the parking facilities on the site.

BREEAM

20. The Care Home shall achieve 'very good' under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The care home shall not be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating of very good has been achieved for the development, has been issued and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework and policy CS15 of the WBCS of 2006 to 2026.

External lighting.

21. On completion of the slab level of the care home, details of the external lighting to be used in the areas around the proposed building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the care home shall not be occupied until the external lighting has been installed in accordance with the approved details. No additional external lighting other than that proposed in accordance with the approved details shall be installed unless permission has been granted in respect of a planning application.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development in the AONB in accord with policy ADPP5 in the WBCS of 2006 to 2026.

Hard surfacing and fencing.

22. On completion of the slab level of the Care Home, a scheme for the means of treatment of the hard surfaced areas of the site, and the perimeter fencing around the site, must be submitted to and approved in writing by the Local Planning Authority. The care home shall not be occupied until the hard surfaced areas and fencing has been constructed in accordance with the approved schemes.

Reason: In the interests of visual amenity, in accordance with Policy ADPP5 of the WBCS of 2006 to 2026.

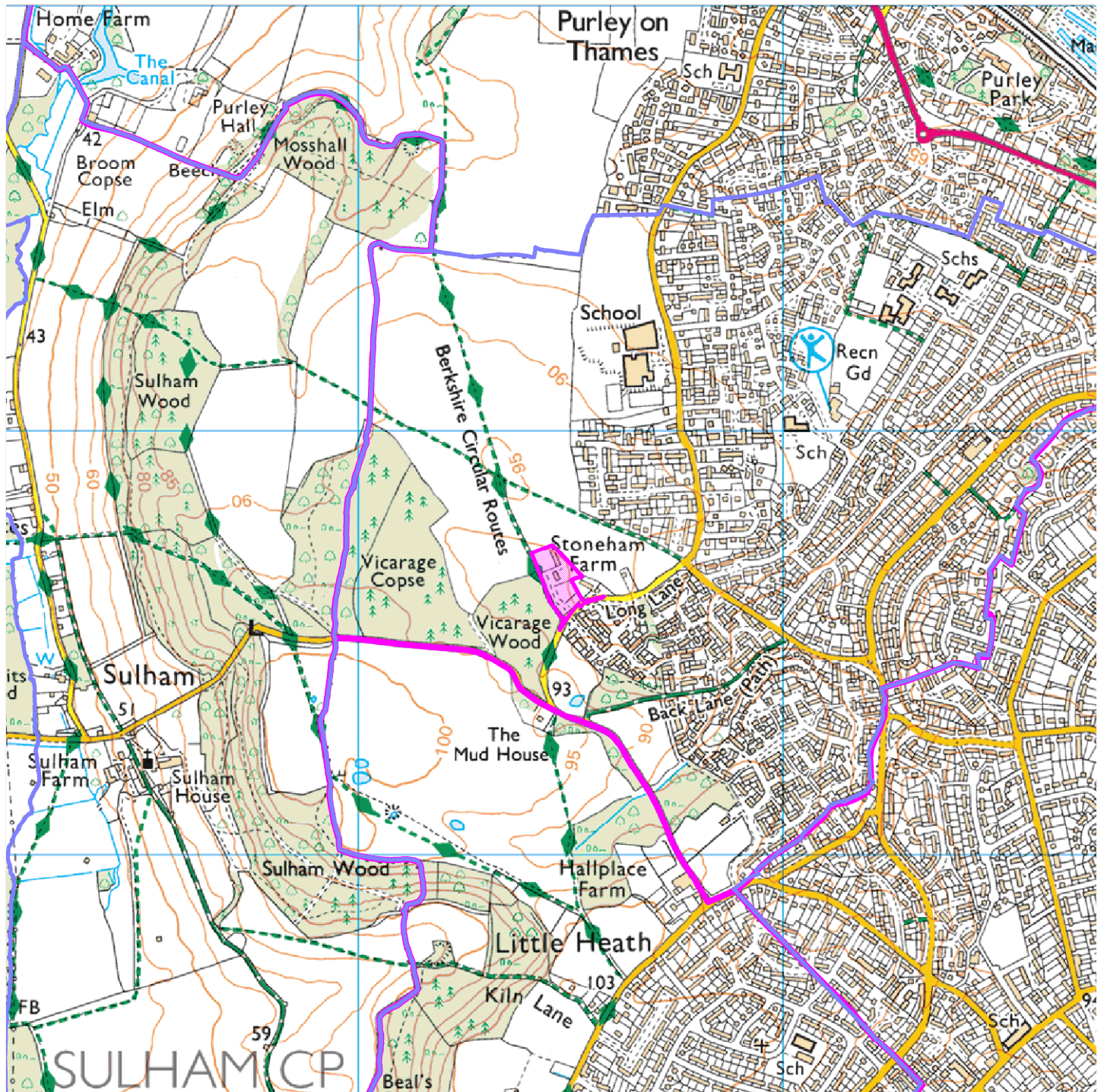
Informative.

1 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.

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Stonehams Farm, Long Lane, Tilehurst RG31 5UG



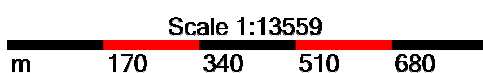
Map Centre Coordinates :

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	25 July 2019
<b>SLA Number</b>	0100024151



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# Agenda Item 4.(2)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(2)	19/00772/RESMAJ Extension of time  Burghfield Parish Council	5 <sup>th</sup> July 2019 8 <sup>th</sup> August 2019	Approval of reserved matters application following outline application 16/01685/OUTMAJ for 28 dwellings. Matters to be considered: Appearance, Landscaping, Layout and Scale.  Land Adjacent To Primrose Croft Reading Road Burghfield Common  Crest Nicholson South

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/00772/RESMAJ>

**Recommendation Summary:**      **The Head of Development and Planning be authorise to grant approval of reserved matters subject to conditions.**

**Ward Members:**                      Councillor G. Bridgman  
    Councillor R. Longton  
    Councillor G. Mayes

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

**Committee Site Visit:**                      31.07.2019

<b>Contact Officer Details</b>	
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## 1. Relevant Site History

16/01685/OUTMAJ, 2018, approval of outline planning application for 28 dwellings. Matter to be considered: access. Matters reserved: appearance, landscaping, layout and scale.

18/03027/COND1, 2019, approval of application for approval of details reserved by condition 7: access details, 8: visibility splays, of permission 16/01685/OUTMAJ.

19/00744/COND2, 2019, approval of application for approval of details reserved by condition 14: tree protection, 15: tree protection construction precaution, 16: arboricultural method statement, 17: arboricultural supervision, of permission 16/01685/OUTMAJ.

19/01870/COND3, 2019, pending consideration, application for approval of details reserved by conditions 18: habitat management, 20: reptile mitigation strategy, and 24: biodiversity enhancements of permission 16/01685/OUTMAJ.

19/01871/COND4, 2019, pending consideration, application for approval of details reserved by conditions 9: drainage, and 11: parking and turning, of permission 16/01685/OUTMAJ.

10/02978/SCREEN, 2010, environmental statement not required, screening opinion for erection of 28 dwellings with associated works.

A number of refused applications prior to 1994 ranging from 1 to 18 dwellings, some of which were appealed and dismissed.

## 2. Publicity of Application

Press Notice Expired: 16<sup>th</sup> May 2019.

Site Notice Expired: 4<sup>th</sup> June 2019.

## 3. Consultations and Representations

### **Burghfield Parish Council:**

Objection. Matters raised include: that the public footpath on Reading Road would be on the opposite side from the development and no form of crossing to allow pedestrians to cross safely; density of 30 dwellings per hectare not sympathetic to character of the area; environment and parking in front of houses not in accordance with Burghfield Parish Design Statement; no clear buffer between dwellings and ancient woodland affecting its ecological integrity; poor layout encouraging on street parking; lack of provision for alternative modes of transport such as cycle ways; affordable housing not evenly distributed in the development; housing and bin stores layout in close proximity to the Hollies nursing home; distance of site from facilities in Burghfield Common and no transport statement or travel plan; no second access for emergency vehicles.

<b>Highways:</b>	Initial comments: swept path plans for refuse vehicles required; amended plans requested for block paving of driveways not to extend into service margin of footway and block paved footways not acceptable for those which will be adopted; one cycle stand per bedroom within the flats required; other details submitted acceptable.  Comments following receipt of amended plans/additional information: No objection subject to condition on electric vehicle charging points; swept path for refuse vehicle acceptable; parking layout acceptable; internal roads and footpaths and hard surfacing acceptable; street lighting acceptable; cycle storage acceptable subject to plan of that for flats showing 6 cycles.
<b>Environmental Health:</b>	No objection subject to conditions identified on hours of work, scheme of works to minimise dust and land contamination, and informative on construction noise.
<b>Local Lead Flood Authority:</b>	Slopes of the drainage pond should be shallower, request amended plans to include steps. Additional information requested on dry ditch and off site watercourse the drainage is proposed to join to.
<b>Tree Officer:</b>	No objection subject to condition to secure submitted landscaping scheme.
<b>Waste Management:</b>	No objection subject to condition for refuse storage details to be provided.
<b>Ecology:</b>	No objection. Comment that outline permission conditions applied on lighting strategy, reptile mitigation and biodiversity enhancements which will need to take account of bats and the drainage pond/swale and include bat boxes for plots 23-28, 9-15 and 17.
<b>Joint Emergency Planning:</b>	No objection to submitted or amended scheme.
<b>Office for Nuclear Regulation:</b>	No objection to submitted or amended scheme.
<b>Housing Development Officer:</b>	Change requested to the tenure of the affordable housing units. Comments on the affordable housing not being pepper potted through the site. Comment on amended plans that the affordable 2 and 3 bedroom units still vary from identified need.
<b>Thames Water:</b>	No objection subject to condition on drainage strategy.

- Local Policing:** Request boundary treatment plans of 1.8 metres close boarded fencing; request secluded areas around plots 9 to 14 be secured with 1.8 metre close board fencing; request additional active window be included to overlook recessed parking spaces; request to secure alleyway to plot 19; request alterations to layout of groundfloor flats to provide additional surveillance; request details of access controls and secure post boxes for flats; request secure bin and cycle storage for flats; request low level dusk to dawn lighting above each communal entrance door. No comments received on amended plans.
- No comments received from:** Fire Authority, Berkshire SPOKES, Berkshire Buckinghamshire and Oxfordshire Wildlife Trust, Public Rights of Way, Ramblers' Association, West Berkshire Countryside.
- Correspondence:** 19 letters of objection to original submission and objections maintained regarding the amendments. Matters raised include:
- Layout does not provide adequate space for visitor parking or safe places for on street parking;
  - Inadequate distance to the Hollies and inadequate landscape buffer leading to loss of privacy and outlook and increase in noise for residents of the Hollies;
  - Failure to safeguard woodland, lack of 15m buffer to ancient woodland, housing should front the woodlands and lack of measures for its upkeep and ecological enhancements;
  - Proximity of drainage pond and pumping station to woodland and veteran trees;
  - Reliance on out of date and inadequate ecological survey reports, current site conditions are such that greater number and variety of protected species will be affected;
  - Existing issues with main sewer in proximity to site that would limit the foul drainage of the site;
  - Lack of consideration of traffic impacts on Reading Road;
  - Layout and design out of keeping with semi-rural edge of village;
  - Lack of public amenity space on site;
  - Impact on amenity of Primrose Croft from access and traffic into site and restricted outlook;
  - Loss of mature soft landscaping by access to site and screening for Primrose Croft;
  - Impact on boundary wall to the Hollies from planting and lack of access for maintenance;
  - Non-native species proposed in landscaping plans which would impact the woodland;
  - Lack of fencing to drainage pond;
  - Development contrary to planning policies and previous appeal decisions.



## 4. Policy Considerations

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 The statutory development plan comprises:  
The West Berkshire Core Strategy 2006-2026  
Housing Site Allocations Development Plan Document 2006-2026  
The West Berkshire District Local Plan Saved Policies 2007  
The South East Plan 2009 Policy in so far as Policy NRM6 applies  
The Replacement Minerals Local Plan for Berkshire 2001  
The Waste Local Plan for Berkshire 1998
- 4.3 The following Core Strategy policies carry full weight and are relevant to this application:  
National Planning Policy Framework Policy  
Area Delivery Plan Policy 1: Spatial Strategy  
Area Delivery Plan Policy 6: East Kennet Valley  
CS 1: Delivering New Homes and Retaining the Housing Stock  
CS 4: Housing Type and Mix  
CS 6: Provision of Affordable Housing  
CS 8: Nuclear Installations – AWE Aldermaston and Burghfield  
CS 13: Transport  
CS 14: Design Principles  
CS 15: Sustainable Construction  
CS 16: Flooding  
CS 17: Biodiversity and Geodiversity  
CS 18: Green Infrastructure  
CS 19: Historic Environment and Landscape Character
- 4.4 The Housing Site Allocations Development Plan Document policies carry full weight and are relevant to this application:  
GS.1: General Site Policy  
HSA.16: Land to the rear of The Hollies, Burghfield Common  
C1: Location of New Housing in the Countryside  
P1: Parking Standards for Residential Development
- 4.5 The saved policies of the West Berkshire District Plan carry due weight according to their degree of conformity with the National Planning Policy Framework. The following saved policies are relevant to this application:  
TRANS.1: Meeting the Transport Needs of New Development  
OVS.5: Environmental Nuisance and Pollution Control  
OVS.6: Noise Pollution  
OVS.7 and 8: Hazardous Substances
- 4.6 Other material considerations include government guidance, in particular:  
The National Planning Policy Framework 2018  
The Planning Practice Guidance Suite  
Manual for Streets  
Conservation of Habitats and Species Regulations 2017

- 4.7 In addition the following locally and regionally adopted policy documents are material considerations relevant to this application:  
Supplementary Planning Document: Quality Design 2006  
Supplementary Planning Document: Sustainable Drainage 2017  
Burghfield Parish Design Statement 2011

## **5. Procedural Matters**

- 5.1 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations new dwellings are liable for CIL.

## **6. Description of Development**

- 6.1 The application is for the reserved matters of appearance, landscaping, layout and scale for permission 16/01685/OUTMAJ. The outline permission granted approval for 28 dwellings and the access to the site, including a pedestrian island for crossing Reading Road.
- 6.2 The 16/01685/OUTMAJ included an approved parameter plan showing the access from Reading Road, access into the phase 2 land; extent of developable area; landscape buffer to the Hollies; a 1m buffer off Pondhouse Copse woodland; and an indicative alignment of the internal road and service margins. The permission also had an accompanying legal agreement and highways agreement which covered: the provision of 8 social rented dwellings and 3 shared ownership dwellings; off-site highways contribution for 2 additional crossings points on Reading Road and widening of the pedestrian footway on the opposite side of the application site; and provision of public open space.
- 6.3 The proposed layout would have plots 1 and 2 fronting Reading Road and plot 17 would be set further back but also orientated towards Reading Road. Plots 14 to 16 are orientated at 90 degrees to the main internal road with gardens to the south. The remaining plots front onto the main internal road with gardens to the rear facing east or south towards the Hollies or north towards Pondhouse Copse. The drainage pond and pumping station would be towards the north west corner of the plot. The parking for each property would either be to the front or side of the dwellings, or a combination thereof.
- 6.4 With regard to appearance and scale 14 of the dwellings would be detached, 8 would be semi-detached pairs, and 6 would be a block of flats. The materials would be a combination of brown or grey roof tile, yellow, or dark red or red multi facing bricks with 5 dwellings with tile hanging. All dwellings would be two storey with single storey garaging and sheds. With the exception of the block of flats which would have one part of the roof as a hipped roof, the remainder of the development would have gable ends, with 10 of the dwellings having a front facing gable end protrusion. The overall height would be 9 metres from proposed ground level.
- 6.5 The landscape buffer to the Hollies was increased to 3 metres, and the 1 metre buffer to Pondhouse Copse in the approved parameter plan has been maintained. Planting is proposed within the buffer to the Hollies, and planting around the site including new trees and large specimen trees, front garden shrubs and formal



hedges, understorey planting and site boundary hedging, as well as ornamental shrubs, grasses and bulbs within the public open space areas.

- 6.6 The hard landscaping is primarily the main internal road and footpaths, driveways and private footpaths to dwellings. The materials for these include tarmac, concrete block paving, permeable block paving, concrete setts, retaining walls and steps for those dwellings whose rear garden is at a lower ground level, and reinforced grass for vehicle access to the pumping station. In terms of boundary treatments a 1.2 metre timber post and rail fence would be at the front of the site towards Reading Road at the termination of the internal road and to the boundary of the site towards the public right of way. 1.8 metre timber close boarded fences are proposed around the private gardens of the dwellings. There would be 1.8 metre walls towards the front of the site by plots 1, 16 and 17.

## **7. Consideration of the Proposal**

### PRINCIPLE OF DEVELOPMENT

- 7.1 The site is part of a wider parcel of land which was allocated for housing development under the Housing Site Allocations DPD by policy HSA16 and has been incorporated into the settlement boundary of Burghfield Common. Outline permission has been granted for this part of the site for 28 dwellings and the main access into the site. The principle of development has therefore been established and there have been no changes to the local development plan policies since the outline permission was granted. The Council's Emergency Planning and the Office for Nuclear Regulation have confirmed no objection with regard to the land use planning consultation zone. This application is for the reserved matters of layout, scale, appearance and landscaping. Access was approved in detail under the previous application.

### LANDSCAPING

- 7.2 Policy CS18 of the Core Strategy expects new development to provide open spaces of an appropriate size and links to existing green infrastructure. It states specific standards in new developments are to be identified in the Site Allocations DPD.
- 7.3 Policy HSA16 of the Housing Site Allocations DPD for this site requires the following landscape measures:
- reflect the semi-rural edge of Burghfield Common through appropriate landscaping;
  - provide an appropriate landscape buffer adjacent to The Hollies to minimise impact on the residents.
- 7.4 The Council's Tree Officer, Public Rights of Way and Countryside (Grounds Maintenance) were consulted on the application. No comments were received from Public Rights of Way or Countryside. The open space is a requirement of the legal agreement associated with the outline permission and requires that a landscape plan be approved. The legal agreement also sets out the maintenance requirements until it is transferred to the Council or a management company.
- 7.5 It remains the case, as indicatively shown with the outline permission, that the drainage and open space are proposed as a combined feature on site. The issue of

the indicative position of the open space and drainage shown at outline stage was that it would have been behind properties and lacking natural surveillance. This has been addressed by bringing it into the site more with properties facing and to one side of it, so there would now be more natural surveillance. The area of open space was not considered sufficient to warrant refusal at outline stage due to the relatively small scale of development proposed. As the scale of development is relatively unchanged from that indicated at outline stage, it remains the case that the area of open space is on balance sufficient.

- 7.6 With regard to links to existing green infrastructure the improvements requested by Public Rights of Way at outline stage as noted in the Committee report at that time would fall under the Community Infrastructure Levy, and could be bid for to secure the improvements to the bridleway to the north west of the site for walkers and cyclists to use as a safe route to schools. Public Rights of Way have not commented on the reserved matters as to whether a gap in the proposed 1.8m perimeter fence should be provided to enable access from the site onto the bridleway.
- 7.7 In terms of the buffer to The Hollies the initial plans maintained the buffer of the approved parameter plan of the outline permission. Amended plans increased this to 3m, and altered the proposed planting within it to provide additional screening.
- 7.8 The Council's tree officer has commented on the reserved matters and advised that a good mix of new trees and shrub planting around the site has been proposed, and that the boundary hedge and tree planting to the boundary with The Hollies would provide screening. Furthermore, the internal road, open space and areas fronting the road planting are considered acceptable. The tree officer advised a condition for the landscaping to be provided in accordance with the submitted scheme.
- 7.9 The hard landscaping of boundary treatments and footways are outlined in paragraph 6.6, above. The boundary to Reading Road and the boundaries in areas not enclosing dwellings would be relatively open with a post and rail fence. Within the site there is limited boundary treatments to the front of the plots, but close boarded fencing around rear gardens and to side accesses to plots. Block paving would generally be used for footpaths to dwellings and parking areas.
- 7.10 The proposed landscaping scheme would provide open space with natural surveillance, an enlarged buffer to The Hollies beyond that approved at outline in the parameter plan, and provide varied landscape planting with much of the front of the site would be relatively open with minimal hard landscaping to the front of dwellings. There is the potential for increased links with the bridleway to the north west, and a condition has been identified to secure the landscaping. With this condition the proposed landscaping is considered to accord with the development plan.

## APPEARANCE

- 7.11 Policy GS.1 of the Housing Site Allocations DPD requires all housing sites to respond positively to the local context, ensuring a high quality of design that responds effectively to the character of the surrounding area. Policy CS14 of the Core Strategy requires high quality design that respects and enhances the character and appearance of the area, with regard to the immediate area and wider

locality. Policy CS19 also requires regard to be given to ensuring new development is appropriate in design in the context of the existing settlement.

- 7.12 Paragraph 6.4 above outlines the types of dwellings and the materials proposed. The development immediately either side of the site is a single dwelling in a relatively large plot and the larger building of the care home of The Hollies which is across most of the width of the plot. In the surrounding area dwellings in closer proximity to the site are generally detached, whilst there are instances of short rows of terraces and semi-detached dwellings in the wider locality. The majority of dwellings in the area are of red brick with tile roof, with some painted white, and generally gable end roofs.
- 7.13 The proposed landscaping responds to the locality; the surrounding area having trees, hedging, fencing and walls to front boundaries with limited hard boundary treatments to the front of dwellings where they are set within estates off the main road.
- 7.14 In this context the proposed dwellings are considered to be of a design that responds to the local context and has had regard to the immediate and surrounding area in the context of the existing settlement. The exact specification of materials has not been provided, but can be secured by condition. As such the appearance is considered in accordance with the development plan.

## SCALE

- 7.15 Policy HSA16 of the Housing Site Allocations DPD requires the provision of a mix of dwelling types and sizes on the allocated site. Policy ADPP1 states that the scale and density of development will be related to the site character and surroundings, and ADPP6 that development respond positively to local context. Policy CS4 of the Core Strategy expects new development to contribute to an appropriate mix of dwelling types and sizes.
- 7.16 With regard to density under policy CS4 this was considered at outline stage and it was established that the site was capable of accommodating 28 dwellings for which outline permission was granted.
- 7.17 The market housing would primarily be 4 bedroom houses (13), with 4x 5 bedroom houses. All of the smaller units would be affordable – 6x 1 bedroom flats, 2x 2 bedroom houses and 3x 3 bedroom houses. It was noted in the Committee report at outline stage that the surrounding area indicated that larger size dwellings would be in keeping with local character, and at that stage the indicative housing mix was for a greater proportion of larger dwelling sizes.
- 7.18 The applicant maintains that the proposed larger market housing is in response to market need, although the 2016 Berkshire Strategic Housing Market Assessment indicated a more pronounced need for 2 and 3 bedroom dwellings. These would be provided as affordable units on site.
- 7.19 The Council's Housing Development Officer was consulted on the proposal. The proposed housing mix was amended from the original submission in response to the Housing Development Officer comments that the current need for a scheme of 28 dwellings would be 5x 1 bedroom affordable units, 4x 2 bedroom affordable

units, and 2x 3 bedroom affordable units. In terms of market housing 13x 4 bedroom units and 4x 5 bedroom units.

- 7.20 The proposed mix of market dwellings is therefore in accordance with the Housing Development Officer's comments. The affordable units would over provide 1 bedroom units by 1, under provide 2 bedroom units by 2, and over provide 3 bedroom units by 1.
- 7.21 In terms of the scale of the dwellings proposed (excluding garages) and their height and massing the proposed dwellings would be up to 9m in height, with a footprint of 90 to 118 m<sup>2</sup>, with the flats and the semi-detached pair of houses 190 and 180 m<sup>2</sup>. Primrose Croft is approximately 150m<sup>2</sup>, and opposite the site No. 1 Hillside is approximately 90m<sup>2</sup> (and the original plans for this plot show it was a 4 bedroom dwelling), and No. 10 Hillside approximately 140m<sup>2</sup>. The Hollies is approximately 1,000m<sup>2</sup>.
- 7.22 The proposed plots are smaller than those in the immediate surrounding area, but are comparable to those slightly further south west.
- 7.23 The proposed mix of development would meet the requirement for the proportion of market and affordable dwellings to be provided on site. The affordable housing units whilst not fully in accordance with local housing need, is a better mix than initially proposed, and the market dwellings are in line with identified need by the Housing Development Officer.
- 7.24 The scale of development in terms of massing and size would be in keeping with other properties in the area, with slightly smaller plots but not uncharacteristic of the area. With regard to the affordable housing units these are to be secured by the legal agreement associated with the outline permission. Overall the proposed scale of development is considered to comply with local development plan policies.

## LAYOUT

- 7.25 Policies GS1 and HSA16 of the Housing Site Allocations DPD outline a number of criteria to be applied to the allocated housing site. The officer report on the outline permission reviewed these considerations. Whilst the illustrative drainage strategy raised concerns from the lead local flood authority it is the case that an integrated water supply and drainage strategy was considered capable of being accommodated, no objections were raised by Thames Water, and conditions were applied to secure a drainage strategy.
- 7.26 The accessibility of the site and measures to mitigate the impact of the development on the local road network were considered by Highways and found acceptable under the outline permission. These measures include widening of the existing footpath on the opposite side of Reading Road and crossings. The outline permission considered the biodiversity impacts of the development with conditions applied including for a habitat management plan, bat and reptile mitigation. The outline permission also included a landscape visual impact assessment and the parameters plan for the developable area of the site was informed by this.
- 7.27 With regard to this reserved matters application the proposed layout complies with the parameter plan with regard to the developable area. With regard to drainage

policy CS16 of the Core Strategy requires all development sites to manage surface water in a sustainable manner via sustainable drainage methods with attenuation to greenfield run-off rates and volumes, and where possible other benefits such as water quality, biodiversity and amenity.

- 7.28 Thames Water and the lead local flood authority have been consulted on the application. Thames Water raise no objection and request a condition also recommended at outline stage that the foul and surface water drainage statement be adhered to.
- 7.29 There were issues obtaining a consultation response from the lead local flood authority. They required more information on the dry ditch and the watercourse downstream that it leads to be shown on the plans. Due to the steepness of the sides of the proposed drainage pond it was requested that a set of steps be incorporated into it to provide an improved means of access for maintenance and a safe route out.
- 7.30 The conditions applied to the outline permission would still need to be complied with such as run-off and capacity calculations, permeable paving and maintenance including that of the pond. The proposed off-site discharge would also require an Ordinary Watercourse Consent from the Council as land drainage authority, which is separate from planning. Subject to the further details of the dry and wet watercourse off site and the steps to be provided in the drainage pond as part of a discharge of condition application under the outline permission the lead local flood authority advice is that the proposed layout still enables a sustainable drainage system to be incorporated into the development. As such the layout would comply with policy CS16 on flooding.
- 7.31 Policy P1 of the Housing Site Allocations DPD outlines the parking requirements for residential development, this site being within zone 3. The requirements in this zone for the development proposed are 1.5 spaces per 1 bedroom flat, 2 spaces per 2 bedroom house, 2.5 spaces per 3 bedroom house, and 3 spaces per 4 bedroom house. Garages are not included as a parking space. In total for this development 72 car parking spaces are required. The amended plans show 78 parking spaces, excluding garages.
- 7.32 Policy P1 also requires electric vehicle charging points which can be communal for flats and shared parking areas and individual points incorporated into houses. It also requires cycle storage in accordance with the Council's standards. The electric vehicle charging points can be secured by condition. The amended plans include sheds to accommodate cycle storage, as well as a refuse strategy for the location of refuse storage. Both the cycle and refuse storage were secured by condition on the outline permission. The proposed layout accords with the development plan with regard to parking provision and location of bin and cycle storage.
- 7.33 With regard to the layout of the internal road and footpaths Highways requested amended plans to demonstrate an 11m refuse vehicle could access the development, which was provided and accepted by Highways. Some of the details of the materials for the footways were requested to be amended by Highways which was also submitted and accepted. Furthermore, confirmation was received via Highways that the Council's electrical team advised the submitted street lighting was in accordance with the Council's current lighting specification. The internal road

and footway layout is therefore considered to accord with policies TRANS.1 and CS13.

- 7.34 Policy CS17 requires biodiversity assets to be conserved and enhanced and outlines the approach to development in proximity to locally designated sites, habitats, species, wild flora and fauna. Policy CS18 requires green infrastructure, such as trees covered by tree protection orders and public rights of way to be protected and enhanced. The Council's Tree Officer, Public Rights of Way and Ecology contact were consulted on the application.
- 7.35 As outlined in paragraph 7.25 the outline permission considered the ecological impacts and applied conditions which will need to be complied with, as well as informing the developable area of the parameter plan. It is the case that at outline stage a preference was expressed for dwellings to face towards the woodland and/or for the internal road to be alongside the woodland to better protect the woodland and ecology. However, the committee report for the outline permission also notes that the depth of the site to the rear of The Hollies was unlikely to be sufficient to enable that layout. The outline application did not require layout to be submitted at that stage, nor did it apply restrictions beyond the 1m buffer to the woodland to the developable area, and nor did it consider 28 dwellings to be beyond the capacity of the site.
- 7.36 The Council's Tree Officer has raised no objections to the proposed layout in terms of impact on the trees of the woodland which are to be retained, or impact on the amenity of future occupants of dwellings towards the woodland due to the trees. Nor do they raise any objection to the proposed drainage pond with regard to tree impacts. It is understood the Council is in the process of placing the woodland under a group tree protection area.
- 7.37 In order to protect the buffer between the rear garden boundary fence of the dwellings along this boundary and the edge of the site to the woodland a condition removing permitted development rights for means of enclosure to ensure access is not created to the woodland is recommended.
- 7.38 The Council's ecology contact advised that the conditions applied at outline stage for bat and reptile mitigation and habitat management will need to be complied with, and identified the plots where bat boxes will need to be installed. It was agreed that boundary treatments were required to the rear gardens of dwellings to ensure the buffer is provided to separate the dwellings from the woodland and conserve it as a local wildlife site. With regard to the ancient woodland it was advised that this does not cover the whole of the woodland area. The ancient woodland part is at least 15 metres away, the proposed development therefore complying with the standing advice of Natural England's of a 15m buffer as a means of conserving ancient woodland. It was also advised that the submitted lighting strategy is not sufficient for all parts of the lighting condition applied to the outline permission, which would still need to be discharged.
- 7.39 Public Rights of Way did not comment on the application. Thames Valley police commented on the lack of boundary information submitted, additional lighting requirements, and areas of the site that lack natural surveillance and might lead to anti-social behaviour. No comments were received from them with regard to the amended plans. The subsequently proposed boundary treatments and most of the

amendments to the parking strategy would now provide adequate security of private property.

- 7.40 However, a balance needs to be struck with the ecological impacts within the site. It would not be appropriate to block the area to the rear of plot 13 which serves as a buffer to the woodland and may prevent wildlife access to and across the site. Although some maintenance of this area would be required, it is likely to be unkempt and relatively inaccessible to people. Similarly whilst security lighting to access doors would be required, parts of the site used by foraging bats would need to be kept dark. Whilst 1.8m close boarded fencing is required to provide security to private property, amendments were required to the boundary treatments for 1.2m post and rail fencing where it isn't enclosing private space – at the end of the internal road to the west, and at the north east of the site towards the public right of way. This is partly to protect trees, partly to make the wider site more permeable visually with its surroundings, and primarily to increase permeability of the site to wildlife. Overall the layout complies with the development plan with regard to biodiversity and green infrastructure.
- 7.41 Policy CS14 of the Core Strategy requires development to make a positive contribution to quality of life. Policy HSA16 of the Housing Site Allocations DPD for this site required an appropriate landscape buffer adjacent to The Hollies to minimise any impact on residents, and the outline parameter plan excluded an area in this location from the developable area of the site. The Quality Design SPD on residential development outlines factors to be considered with regard to privacy, overlooking, daylight and outlook, and private amenity space.
- 7.42 Amended plans were submitted which increased the landscape buffer to The Hollies, and reduced the depth of some front gardens to increase the separation distance of dwellings from the building. The amendments also included some reconfiguration of the proposed plots with regard to garden sizes. Furthermore, some of the rear garden terraces were adjusted to reduce the potential of overlooking into adjacent properties.
- 7.43 With regard to separation distances the design guidance states that 21m 'back to back' is an established minimum distance for privacy, and a greater distance may be required where living rooms or dining rooms are located above the ground floor. The Hollies has gable end protrusions on its rear and side elevation towards the site. Proposed plots 19 and 22 would be at least 21.5m from these protrusions on The Hollies, and plots 18, 20 and 21 would be at least 23.5m from the rest of the rear wall of The Hollies. Plots 3 and 4 to the side of The Hollies would be at least 21.5m from the main part of the side wall of The Hollies, but less than 20m to the protruding part of The Hollies opposite plot 4. This would affect one window at The Hollies. It is understood from objections received that there are living rooms at first floor level within The Hollies. A separation distance of more than 21m would be provided for all but one first floor window at The Hollies, including a landscaping buffer of 3m.
- 7.44 Of the objections received reference was made to the appeal decision in 2011 for residential development on this site with regard to impact on The Hollies. The appeal decision did not accept the Council's position at that time that exceeding 21m separation distance was insufficient in providing for The Hollies amenity. It

would therefore not be a position the Council could subsequently maintain with regard to layout.

- 7.45 The location of the proposed dwellings is such that the majority will be to the north of The Hollies and Primrose Croft and would not therefore cause loss of light into these buildings from overshadowing from the dwellings. The landscaping within the buffer to The Hollies may cause some loss of light and/or overshadowing to the side elevation in the early mornings and to the rear in the late afternoon and evening. It should be noted that the building of The Hollies itself creates shade to the rear terrace for much of the day except in the afternoon when the sun is in the west. The side access to the east of The Hollies would be overshadowed in the afternoon and evening. There is a balance to be had between adequate landscape buffer required by the outline permission and overshadowing. Where the privacy of residents was considered paramount the proposed landscaping would achieve this. If the preference of The Hollies is for less landscaping within the buffer a condition could be applied for a separate landscaping scheme to be submitted for this area only.
- 7.46 The dwelling of Primrose Croft would be separated from the building of plot 17 by 17.5 metres. Plot 17 would be side on and set back from Primrose Croft with a single first floor window serving an en-suite bathroom. Permitted development rights can be removed for this dwelling to prevent additional first floor windows or roof lights which might cause overlooking. Plots 14 to 16 would be at least 35 metres from the dwelling of Primrose Croft.
- 7.47 The barge boarding of 0.45m height along part of the boundary with Primrose Croft and plot 17 would result in that boundary fence/wall being up to 2.25m in height. This is 25cm more than the maximum allowed under permitted development rights and would be at least 13.5 metres from the dwelling of Primrose Croft. Where it is located along roughly two thirds of one boundary and predominantly to the rear of the property, and where Primrose Croft is a relatively large plot, the impact on their quality of life in planning terms is not considered harmful. Overall the development is considered to comply with the Quality Design SPD with regard to separation distances, light and outlook.
- 7.48 Under the Quality Design SPD private garden areas should be 70m<sup>2</sup> for 1 and 2 bedroom properties and 100m<sup>2</sup> for 3 or more bedroom properties. Flats should have 25m<sup>2</sup> per flat to calculate the communal open space. The proposed garden areas have been checked, as well as the useable garden areas where part of some gardens to the rear of the site would include slopes with gradients of 1:2. With the exception of plots 5, 21 and the flats all units would meet the garden area requirements. Plot 21 is 2m<sup>2</sup> below the requirement, and plot 5 8m<sup>2</sup> below the requirement. This is partly due to the increase in the depth of the landscape buffer to The Hollies. Both plots are considered to have sufficient space for garden sheds, washing lines, area for sitting out and children's play.
- 7.49 The plots to the rear of the site would have part of their garden as a raised terrace. Discarding the 1:2 slopes to the rear of these gardens as these would not be particularly useable, these gardens would still have an area of at least 100m<sup>2</sup>. The flats however, when the 1:2 slope is discarded, would have 115m<sup>2</sup> area rather than 150m<sup>2</sup>. Furthermore, the proposed bin and cycle store shed outside the flats would be 3m from a ground floor window to a habitable room which is considered to restrict their outlook. It has been requested that this garden area be reviewed and



the shed moved 90 degrees to back on to the unallocated car parking spaces which would also provide an area of amenity space to the front of the flats. It is considered that there is scope to provide a larger garden area and bin and cycle storage for the flats that do not impact on the outlook of the ground floor flat. If additional information on these matters is not submitted within 5 working days of the Committee meeting conditions will be recommended only for this area of the site for ground levels and garden area.

- 7.50 Policy CS19 of the Core Strategy requires that development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Part of the proposed layout involves some alterations to the existing ground levels within the site and consideration needs to be given to the level of engineering works and their impact on the character of the area. The external levels drawing, sections and street elevations drawing between them show that in general the ground levels within the site will increase to provide level platforms for the development. Most of these changes will be gently graded. The areas that require a greater level of works are to the north west boundaries, part of the east boundary with Primrose Croft, and a small part of the west boundary with The Hollies.
- 7.51 Areas of banking are proposed to the boundary with The Hollies alongside the dwelling of plot 2. This is small area which will not be particularly visible or apparent in the street scene. The banking where the internal road terminates, around the boundary with the flats and along the rear boundary to plots 9 to 12 will not be apparent where it is towards the woodland and gravel boarding to retain soil within the development will be 0.6 metres in height in this location. The Tree Officer and Ecology contact raise no objection to the levels.
- 7.52 It is the case that the banking to the western boundary at the end of the internal road will appear somewhat incongruous, however, this is unavoidable given this would be the point of access into the remainder of the allocated site. The gravel board on the boundary with Primrose Croft would be 0.45m in height to retain the soil to provide the ground levels for plot 17. The change in levels would not otherwise be apparent and the levels between the front of plot 17 to the road would have a gentle incline. In terms of the impact on the wider character of the area and within the plot the engineering works required are considered to be appropriate under policy CS19.
- 7.53 The overall layout of the site and its impact are considered to accord with the development plan with regard to drainage, parking, internal road layout, biodiversity, green infrastructure, quality of life and character of the area, subject to the conditions identified.

## **8. Conclusion**

- 8.1 As the application is for reserved matters the recommendation for approval does not result in a planning permission, which has already been granted with the outline permission. In terms of the reserved matters there are a few matters of under provision, but are not of such impact that there is direct conflict with the development plan. These are the area of open space, the tenure of affordable housing units, some areas of private amenity space, and one first floor window of The Hollies less than 21m from the opposite dwelling. There will also be some impact on Primrose Croft with regard to boundary treatments and the potential for

overlooking were additional windows to be added to the side elevation of plot 17, which can be controlled by condition. Conditions can also be applied on the landscaping within the buffer to The Hollies if it is considered the tree planting would unduly impact light by overshadowing, and for levels and garden area for the flats if additional information is not received. The appearance, scale, landscaping and layout otherwise meets the parameters set at outline and the requirements of policy and guidance of the development plan.

## **9. Full Recommendation**

- 9.1 The Head of Development and Planning be authorised to grant permission subject to conditions.

## **10. Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the approved drawing numbers and documents:

Received on 5 April 2019

C-3000 Revision C

C-3001 Revision C

C-3005 Revision C

C-3006 Revision C

C-3010 Revision D

C-3011 Revision D

C-3015 Revision C

C-3025 Revision C

C-3030 Revision C

C-3035 Revision C

C-3040 Revision C

C-3041 Revision C

C-3042 Revision C

C-3045 Revision D

C-3050 Revision C

D7438.400

WLC194-1300-001 Revision A

The Environment Partnership Landscape Management and Maintenance Plan  
Design and Access Statement

Received on 5 July 2019

C-1020 Revision L

C-1021 Revision L

C-1024 Revision L

D7438.001 Revision 05

D7438.101 Revision 06

D7438.102 Revision 06

D7438.103 Revision 06

D7438.200 Revision 05

D7438.201 Revision 05

D7438.202 Revision 05

D7438.203 Revision 05

D7438.301

174961-03 Revision G

Received 10 July 2019  
C-1022 Revision L  
C-1023 Revision L

Received 17 July 2019  
174961-05 Revision C

Received 18 July 2019  
C-3020 Revision D  
C-3021 Revision A  
C-3030 Revision H

Received on 22 July 2019  
D7438.003 Revision 04

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

- 2 No development above the foundations of any dwelling shall take place until a schedule of the materials detailing the manufacturer and specifications to be used in the construction of the external surfaces of the dwellings 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 in accordance with the National Planning Policy Framework 2019, Policies ADPP1, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the Housing Site Allocations DPD 2006-2026, and Supplementary Planning Document Quality Design 2006.

- 3 Should any unforeseen land contamination be found during the development all relevant works shall cease and details of the contamination and the mitigation measures required, including timescales, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the mitigation measures shall be provided in accordance with the approved details prior to the first occupation of the relevant dwelling(s). Details of compliance with the mitigation shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the relevant dwelling(s). Should any land contamination not be found during development confirmation of this shall be submitted to the Local Planning Authority upon completion of the construction of the dwellings hereby permitted.

Reason: To protect the amenity of future occupants in accordance with the National Planning Policy Framework 2019, policy CS14 of the West Berkshire Core Strategy 2006-2026, and policies OVS.6, OVS.7 and OVS.8 of the West Berkshire District Local Plan Saved Policies 2007.

- 4 The drainage pond hereby permitted shall not be brought into use until details of its ongoing maintenance have been submitted to and approved in writing by the Local

Planning Authority. Thereafter the drainage pond shall be maintained in accordance with the approved details.

Reason: To ensure the drainage and surface water flooding for the site is sustainably managed and maintained in accordance with the National Planning Policy Framework 2019, policy CS16 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA16 of the Housing Site Allocations DPD 2006-2026 and the Supplementary Guidance Document: Sustainable Drainage Systems 2018.

- 5 No dwelling shall be occupied until details of electric vehicle charging points for each house and communal points for the flats have been submitted and approved in writing by the Local Planning Authority and the electric vehicle charging points have been provided in accordance with the approved details. The details shall provide 7kw chargers for individual dwellings and 22kw chargers for communal areas, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of sustainable development in accordance with the National Planning Policy Framework 2019, and policy P1 of the West Berkshire Housing Site Allocations DPD 2006-2026.

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

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic in accordance with the National Planning Policy Framework 2019, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

- 7 No dwelling shall be occupied until the cycle storage has been provided in accordance with the approved plans.

Reason: To promote cycling by providing convenient and safe bicycle storage in accordance with the National Planning Policy Framework 2019, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.

- 8 All landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including drawing numbers D7438 -200 Rev 05, 201 Rev 05, 202 Rev 05, 203 Rev 05 received on 5 July 2019 within the first planting season following completion of the construction of the dwellings hereby permitted. Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved. The landscaping shall be managed and maintained in accordance with the Environmental Partnership Landscape Management and Maintenance Plan received on 5 April 2019.

Reason: To ensure the implementation, management and maintenance of a satisfactory scheme of landscaping in accordance with the objectives of the National Planning Policy Framework 2019 and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy July 2006-2026.

- 9 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/roof lights/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed at first floor level and/or within the roof on the north east side elevations of the dwelling of plot 17 on drawing C-1021 Revision L received on 5 July 2019 hereby permitted, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties and to prevent the overlooking of Primrose Croft in the interests of neighbouring amenity in accordance with the National Planning Policy Framework 2019, Policy CS14 of the West Berkshire Core Strategy 2006-2026, Supplementary Planning Document Quality Design 2006 and Supplementary Planning Guidance 04/2 House Extensions 2004.

- 10 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Class E of that Order shall be carried out, on the area of land shown as a buffer to the woodland on parameter plan drawing 2610-A-1200-C to the north of plots 9, 10, 11, 12, 13 and flats 23-28 shown on drawing C-1021 revision L received on 5 July 2019 without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

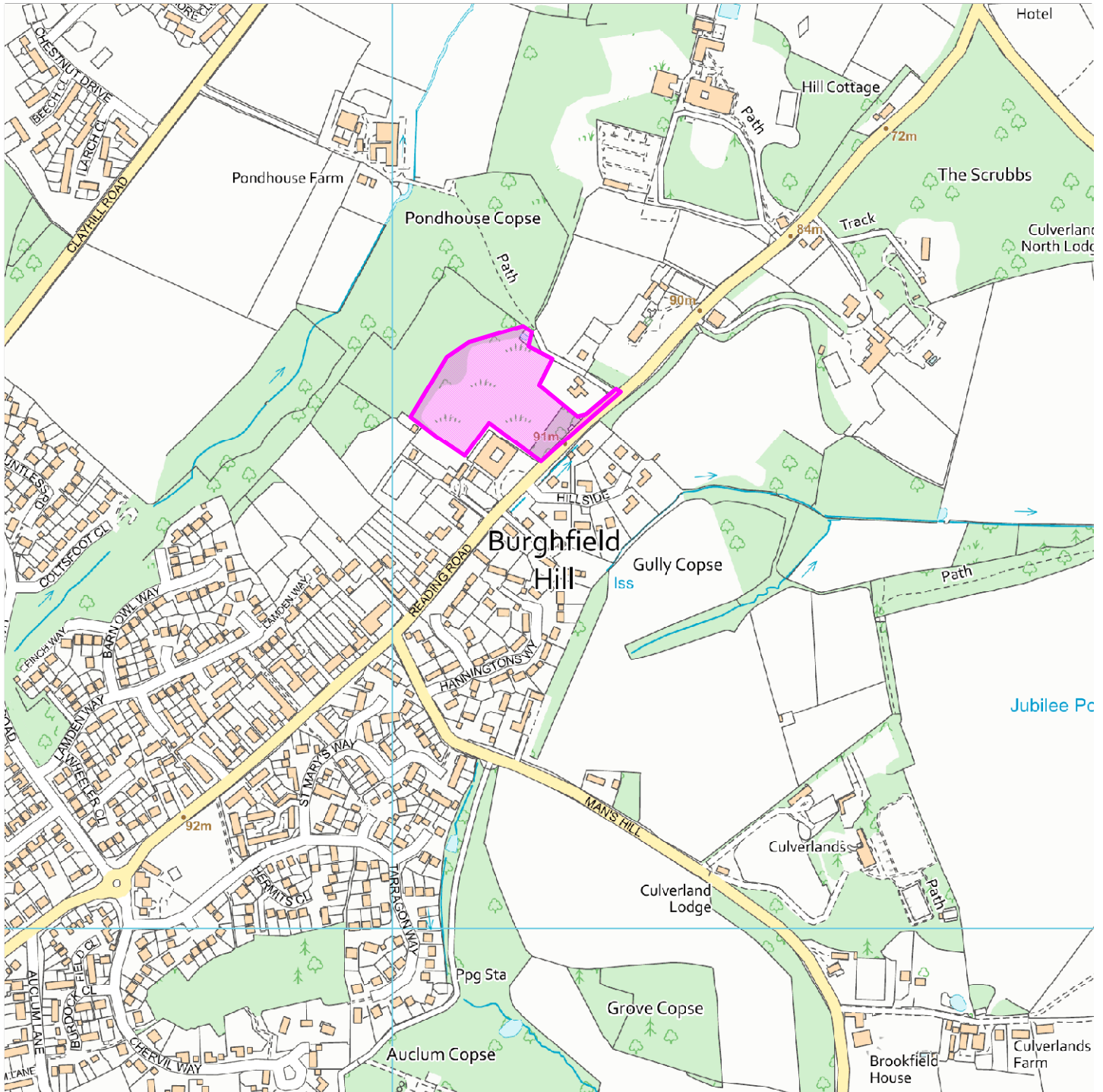
Reason: To protect the woodland and local wildlife area and in the interest of biodiversity in accordance with the National Planning Policy Framework 2019, Policies CS17 and CS18 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA16 of the Housing Site Allocations DPD 2006-2026.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or an order revoking and re-enacting that Order, with or without modification), no fences, gates, walls or other means of enclosure shall be altered or erected of plots 9, 10, 11, 12, 13 and flats 23-28 shown on drawing C-1021 revision L received on 5 July 2019 where it would be on and/or along the edge of the area of land shown as a buffer to the woodland as shown on parameter plan drawing 2610-A-1200-C. No gate or means of access shall be provided from plots 9, 10, 11, 12, 13 and flats 23-28 to the woodland or the area shown as a buffer.

Reason: To protect the woodland and local wildlife areas and in the interest of biodiversity in accordance with the National Planning Policy Framework 2019, Policies CS17 and CS18 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA16 of the Housing Site Allocations DPD 2006-2026.

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Land adjacent to Primrose Croft, Burghfield Common



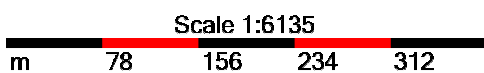
Map Centre Coordinates :

Scale : 1:6134

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	25 July 2019
<b>SLA Number</b>	0100024151



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# Agenda Item 4.(3)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(3)	19/01171FULD	21/06/2019	Demolition, salvage and rebuild of the existing buildings to create three live-work units together with access, landscaping and associated works.  Blacknest Farm, Brimpton Common, Reading, Berkshire, RG7 4RN  Feltham Properties
	Extension of time	14/08/2019	
	Brimpton Parish Council		

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/01171/FULD>

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

**Ward Member(s):**                      Cllr Dominic Boeck

**Reason for Committee Determination:**      Called-in the Ward Member should the application be recommended for refusal – “Local residents and Brimpton Parish Council have expressed concerns about the condition of the existing buildings.”

**Committee Site Visit:**                      31.07.2019

## 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

Demolition, salvage and rebuild of the existing buildings to create three live-work units together with access, landscaping and associated works.

Ref. No: 18/02134/FULD | Status: Refused

Outline planning permission for erection of replacement dwelling. Matters to be considered: Access, Scale and Layout.

Ref. No: 17/01844/OUTD | Status: Approved

Conversion of the existing buildings to three live-work dwellings.

Ref. No: 17/01857/FULD | Status: Approved

Outline planning permission for five dwellings following demolition of the existing buildings. Matters to be considered: Access and Layout.

Ref. No: 16/02916/OUTD | Status: Withdrawn

Section 73: Removal of conditions under approved application 112555:

Removal of agricultural occupancy.

Ref. No: 11/01960/FUL | Status: Approved

Modification of the obligation of approved application 112555

Ref. No: 11/01655/MDOPO | Status: Approved

## 2. Consultations

<b>Parish Council</b>	The Parish Council resolved to support the application as long as the buildings are single storey only and on the same footprint as the existing buildings.
<b>Highways</b>	No objections subject to planning conditions.
<b>Drainage</b>	No comments received with 21 day consultation period.
<b>Countryside and Environment (Public Right of Way)</b>	No comments received with 21 day consultation period.
<b>Ecology</b>	Object and recommend refusal.
<b>Waste Management</b>	No objections.
<b>Natural England</b>	No comments to make on this application.
<b>Archaeology</b>	This applications follows previous ones where the archaeological interest of the site has been discussed. I do not believe there will be a major impact on any significant archaeological features from this proposal to rebuild the existing buildings.

<b>Environmental Health</b>	No objections.
<b>AWE Blacknest</b>	No response received within the 21 day consultee period.
<b>Emergency Planning</b>	No adverse comments to make.
<b>Ministry of Defence</b>	No comments received with 21 day consultation period.
<b>Access Officer</b>	No comments received with 21 day consultation period.
<b>Basingstoke and Dean Borough Council</b>	No objections.
<b>Tree Officer</b>	<p>The application has considered the trees at the site as part of the re-development, and whilst a number of low grade trees need to be removed, this is fully supported in the arboricultural report, and the loss is considered acceptable, new landscaping will mitigate the losses.</p> <p>No objection to the application subject to the recommended conditions being attached.</p>
<b>Planning Policy</b>	The case officer has discussed the application with planning policy who remain of the view that the proposed scheme is not for a genuine live/work development, but rather mixed use B1 office and C3 residential. The new residential development would be outside of a settlement boundary with no justification or exceptional circumstances and is therefore contrary to planning policies, ADPP1, CS1 and C1.
<b>Officer for Nuclear Regulations</b>	The proposed development does not present a significant external hazard to the safety of the nuclear site. Therefore, ONR does not advise against this development.
<b>Thames Water</b>	No objections.
<b>Minerals and Waste</b>	No comments received with 21 day consultation period.

### **3. Publicity of Application and Representations**

- 3.1 The application was advertised by way of a site notice posted on the telephone post at the entrance to the site on Hockford Lane on 29/05/2019, expiring on 19/06/2019.

As yet no letters of representation have been received either supporting or opposing the proposal.

### **4. Policy Considerations**

- 4.1 The policies relevant to this application are:

The National Planning Policy Framework 2019;

Policies ADPP1, ADPP6, CS1, CS8, CS9, CS10, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

Policies C1, C3, C4, C7 and P1 of West Berkshire Council's Housing Site Allocation DPD (2017).

West Berkshire District Local Plan 1991-2006 (Saved Policies 2007): OVS5, OVS7 and TRANS1

Additional guidance on design is supplied in:

West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (June 2006)

West Berkshire Supplementary Planning Document: Quality Design: Quality Design: Part 1 Achieving Quality Design

West Berkshire Supplementary Planning Document: Quality Design: Part 2 Residential Development

West Berkshire Supplementary Planning Guidance: Planning Obligation

West Berkshire Supplementary Planning Document: Community Infrastructure Levy: Charging Schedule

### **5. Description of Development**

- 5.1 The site is located outside of a defined settlement boundary along Hockford Lane, west of Brimpton Common and adjacent to Scion Business Park (occupied by AWE Blacknest). Directly to the west of the

site is an open agricultural field, to the south (opposite side of Hockford Lane) are two dwellings known as Blacknest Cottage and Blacknest Lodge.

- 5.2 The site is currently contains six buildings and hardstanding with a number of trees and hedges. The storage units appear to be in a poor state of repair, whereas the larger units (proposed for housing) have previously been assessed as structurally sound and benefit from an extant planning permission 17/01857/FULD. The site is currently used by one commercial tenant. The surrounding land is rural in character, there are a small number of dispersed dwellings in the larger area. The storage units appear to have been used for purposes ancillary to the authorised use of the site rather than for separate storage use that would fall under class B8 of the use Classes Order.
- 5.3 The buildings on site are of a single storey, with the larger buildings having full height roofs capable of containing a second floor with accommodation in the roof space. The design of the buildings on site is mixed; the smaller storage units are a mixture of a converted stables with some walls of large grey brick and a half-hipped tile roof (H1 workspace), a breeze block and corrugated iron structure (H3 workspace) and a large grey brick and corrugated iron roof building (H2 workspace). Proposed dwelling H1 which is a single storey building extending the height in the centre, with a half-hipped roof, the building is a red brick with some timber detailing and a tiled roof. Existing building H2 is fully timber clad with a half-hipped tile roof. Proposed dwelling H3 is a pitched breeze block structure with a lean-to red brick extension with corrugated roofing.
- 5.4 Three buildings on site have an approved light industrial (Class B1c) use and ancillary storage buildings which appear to have originally been stables. The proposed works are for the demolition and redevelopment of the three light industrial buildings on the site to form dwellings and the conversion of the existing stables into office accommodation to form a mixed residential and associated office use of the site.

- 5.5 The site is located outside of the North Wessex Downs AONB and in flood zone 1. Inwood Copse, a local wildlife site is located approximately 300m west of the proposal site, the site is situated within a Biodiversity Opportunity Area, with a known presence of bats. The site is also located within the middle zone of the Atomic Weapons Establishment (AWE) Aldermaston.
- 5.6 The buildings on site were/are used for storage and light industrial purposes, the majority of the buildings are currently vacant.
- 5.7 The site currently benefits from extant planning permission 17/01857/FULD, for the conversion of the existing buildings on site to a mix of dwellings (C3) and office units (B1). This permission was granted as the proposal scheme was found to comply with Housing Site Allocations DPD policy C4. The current scheme does not comply with policy C4 as it does not relate to the conversion of the existing buildings on site, rather it is for the demolition and construction of new dwellings, retaining the buildings proposed for office use. There is no policy in the HA DPD which allows for the demolition of existing buildings in the countryside and their replacement with new dwellings.
- 5.8 The description of the application has been submitted as three 'live/work units', the proposed scheme includes six separate buildings, three dwellings and three B1 office units. The proposal scheme does not constitute an authentic live work development, rather it is a mixed use scheme comprising of C3 (residential) and B1 (office) units. This approach is consistent with the view taken on previous 'live/work' schemes submitted on site.
- 5.9 The agent has proposed that the application should be considered favourably when measured against the extant conversion consent as the overall sustainability of the proposal scheme would result in a more sustainable development than 17/01857/FULD by way of energy efficiency, this is discussed later in this report.
- 5.10 It is also stated by the agent that consent 17/01857/FULD has created a 'fall-back' position for the site, this is also assessed later in this report.

- 5.11 This application is for the demolition of three of the existing structures on site, and the rebuilding of these structures salvaging the majority of the materials of the original buildings. The design of the proposal in terms of layout, scale, mass height, windows and door placement and the internal design is the same as that approved under 17/01857/FULD. The external design, by way of façade, cladding, windows, doors and some materials, of both 17/01857/FUL and the current scheme differ to that currently on site.
- 5.12 To the north of the site is extant outline planning consent 17/01844/OUTD for the demolition of the existing bungalow and erection of a two storey replacement dwelling. This permission was granted in accordance with policy C7 of the Housing Sites Allocation DPD which relates to replacement dwellings in the countryside.

## **6. Consideration of the Proposal**

- 6.1 The principal matters in considering this application are:
- I. Refused application 18/02134/FULD
  - II. The principle of development
  - III. Extant consent 17/01857/FULD
  - IV. Energy efficiency Levels
  - V. Ecology
  - VI. Design and impact on the character of the surrounding area
  - VII. Parking and highway safety
  - VIII. Impact on neighbouring amenity

## **7. Refused application 18/02134/FULD**

- 7.1 A previous application of the same description on the site was refused under delegated powers on 19 October 2018 for the reason set out below:

The application site is located outside of the defined settlement boundary and within the open countryside as defined under Policy ADPP1 of the West Berkshire Local Plan Core Strategy (2006-2026) and Policy C1 of the West Berkshire Housing Site Allocation Development Plan Document 2017. The site comprises three buildings that have an approved light industrial (Class B1c) use and stables and a storage building. The proposed works are for the demolition and

redevelopment of the three light industrial buildings on the existing site to form dwellings and the conversion of the existing stables into office accommodation to form a mixed residential and associated office use of the site. The proposed works are located in a location with poor access to local services, amenities and public transport and would result in the development of three new dwellings on a site in the countryside, contrary to the provisions of Policy C1 of the Housing Site Allocations Development Plan Document 2017 which states that there shall be a presumption against new residential development outside of the settlement boundaries defined earlier in the policy. Furthermore the proposed works fail to identify any local need for live-work accommodation in the form to be provided such as would justify an exception to policy in this respect, and therefore are considered to fail to address an identified need or benefit the local rural economy contrary to the provisions of Policy ADPP1 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012, and to paragraph 77 of the National Planning Policy Framework (2018) that states that planning decisions should be responsive to local circumstances and support housing developments that reflect local needs, and that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.

The housing supply policies of the statutory development plan provide an up-to-date framework for the determination of housing applications within West Berkshire, and the Council can demonstrate a five year housing land supply. The application conflicts with the housing supply policies - Policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policy C1 of the Housing Site Allocations DPD 2006-2026. The proposal does not fall within any of the defined exceptions to the presumption against new residential development outside of the settlement boundaries, where only appropriate limited development is allowed. The housing supply policies of the development plan attract substantial weight, and the modest benefits of the proposal do not outweigh this conflict with policy.

- 7.2 There have been no material changes in the Local Development Plan since the refusal of 18/02134/FULD. The NPPF was up-dated February 2019, but its revisions do not affect the above reason for refusal.
- 7.3 This decision and reason for refusal was issued after the extant consent for the conversion of the existing buildings on site and is material consideration in determining the current application. The applicant had the opportunity to challenge this refusal but chose not to.



## 8. The principle of development

- 8.1 Policy ADPP1 states that new development should take place within or adjacent to settlements within the settlement hierarchy, the application site is neither within or adjacent to a settlement within the settlement hierarchy. The application is located outside of a defined settlement boundary, in accordance with policy ADPP1 it is located within the open countryside.
- 8.2 Policy CS1 is clear that new homes will be primarily built on suitable previously developed land or other suitable land within settlement boundaries or on land allocated in the Housing Site Allocations DPD. Whilst the site is considered to constitute previously developed land, it is not included as an allocated site or within a settlement boundary.
- 8.3 The site is situated in the East Kennet Valley, as such policy ADPP6 is considered when assessing the application. This policy strictly controls the development of new dwellings in the open countryside, the proposal is not considered to comply with ADPP6.
- 8.4 Under policy C1 there is a presumption against new dwellings in the open countryside unless specific criteria are met. In accordance with policies ADPP1, CS1 and C1 new dwellings in the countryside will only be permitted under the following exceptions; rural exception housing schemes, conversion of redundant buildings, housing to accommodate rural workers, extensions to or replacement of existing residential units and limited infill in settlements in the countryside with no defined settlement boundary. Policy C1 lists the criteria under which limited infill development in the countryside outside of a settlement boundary could 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.
- 8.5 The site is not within a closely knit cluster of 10 or more existing dwellings or adjacent to or fronting an existing highway.
- 8.6 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. The site not located along a built-up frontage and it is not an infill site.
- 8.7 The site does not extend the existing frontage, rather it would replace the current buildings.
- 8.8 The design of the scheme would not alter the street scene of the locality. The proposed amenity spaces is not considered as being similar to the adjacent dwellings (Blacknest Lodge and Blacknest Cottage), being significantly smaller in the case of units H1-H3.

External Amenity Area Measurements	
Dwelling/Proposed Dwelling	Approximate Area – Sq.m
Blacknest Lodge	2,394
Blacknest Cottage	1,794
H1	359
H2	1,092
H3	640
Consent 17/01844/OUTD	1,163

- 8.9 The proposal does not achieve all of the criteria required under policy C1 and therefore the principle of new residential development on this site is unacceptable and contrary to policies ADPP1, CS1 and C1.
- 8.10 The proposed development would result in the loss of the existing light industrial buildings as they would become residential use and the creation of new office units through converting the existing storage units. Office use is a main town centre use, no sequential test or evidence avoided of

need has been submitted for granting a town centre use in the open countryside. There has been no substantive evidence provided of need or justification for the new office space in this location.

## **9. Extant planning consent 17/01857/FULD - “Fallback Position”**

- 9.1 The site benefits from extent planning consent 17/01857/FULD for the conversion of the existing buildings to three dwellings (C3) and three work areas (B1).
- 9.2 In determining 17/01857/FULD, the proposal was assessed against policy C4 of the Housing Site Allocation DPD which allows for the conversion of existing buildings into dwellings in the countryside.
- 9.3 In assessing the extant consent, the proposed scheme was found to be compliant with policy including policy C4. The supporting text of policy C4 is relevant to this application; “The policy only allows for the conversion and adoption of sound permanent structures not the redevelopment of derelict buildings, which would be classed as new residential development in the countryside and assessed against Policy C1.” The current proposal has been assessed against and found to conflict with policy C1.
- 9.4 As per the requirements of policy C4, the building(s) proposed for conversion must be genuinely redundant and structurally sound. The agent has confirmed via email (24 June 2019) that there is a commercial tenant on site, as such the building(s) is not redundant and the weight afforded to planning consent 17/01857/FULD is significantly reduced as the buildings are not surplus to requirement for the existing use.
- 9.5 The current planning application has been called-in to Committee due to “local residents and Brimpton Parish Council have expressed concerns about the condition of the existing buildings”. As part of 17/01857/FULD the agent submitted a structural survey report which was used as evidence to prove that the existing buildings are structurally sound and capable of conversion. Following these findings there has been no evidence submitted to suggest that the current buildings are not structurally sound and capable of conversion and in the officers’ opinion

their current condition is not significantly prejudicial to the amenity of the area.

9.6 There are no local plan policies which allow for the demolition of existing non-residential buildings in the countryside and the construction of new dwellings. The agent has argued that extant consent could be implemented and then submit a new planning application for new dwellings which could then be assessed against policy C7 (replacement dwellings in the countryside). It is the case officers view that this would be a contrivance and manipulation of the planning system. Additionally, should this course of action be taken, without prejudice, it would be unlikely to receive support from the LPA. Accepting the argument that granting permission to convert existing rural buildings to residential use provides justification for their demolition and replacement would have the affect of strategically undermining the policies on housing in the rural area contained in the development plan.

9.7 The agent has referenced planning case law in terms of the “fallback position”. The case officer has carefully considered this argument and given it due weight in the decision making process. The proposition of the “fallback” does not outweigh the fundamental conflict of the proposed development with planning policies. Additionally, an application for a similar development was refused on the site (18/02134/FUL) on 19 October 2018, this decision is also a material consideration in determining the current application. The “fallback” position was considered under application 18/02134/FUL. There have been no material changes to national or local planning policies since this previous decision that would alter the Councils position on applications for new residential dwellings in the countryside (including the NPPF update of 2019).

## 10. Energy Efficiency Levels

10.1 It has been submitted by the agent that the energy efficiency level of the proposed development would be higher than what would be achieved by the current conversion planning consent, and that this should be a material consideration in determining the current application.

- 10.2 A number of documents have been submitted praying in aid of the improved sustainability measures (energy efficiency) contained in this application, these have been taken into consideration by the case officer and weighed in the planning balance.
- 10.3 The salvage and building scheme applies only to proposed residential buildings H1, H2 and H3 (C3 element), and specifically excludes the work elements (B1). The Council does not have a planning policy that requires new residential development to be constructed to a specific energy efficiency level. Policy CS15 of the Core Strategy does require that all new build non-residential development to be built to a level of zero carbon and BREEAM Excellent, as the work units (B1) have been excluded from the new build element, policy CS15 cannot be applied. The work element of the scheme would be no better than that approved under 17/01857/FULD in terms of sustainability and energy efficiency levels.
- 10.4 The sustainability report submitted with the application provides an assessment of the ways in which a new dwelling may be more energy efficient than the conversion of the existing buildings. A number of the proposed energy saving solutions can be applied and incorporated into the conversion scheme.
- 10.5 The agent has proposed to salvage much of the materials from the demolition of the existing building and re-use them as part of the new building, this would save a certain amount of the materials from landfill, but not all of the materials. The description of the materials approved under the extant consent are the same as proposed by the current application.
- 10.6 Should it be accepted by the Council that the proposed development could result in more energy efficient dwellings, there would be no planning mechanism under which the Council could enforce or measure such levels of sustainability. Since the Governments withdrawal of CfSH (Code for Sustainable Homes), there is no policy requirements that could enable to Council to require the development to be built to a set standard of energy efficiency.

- 10.7 It would not be possible for the Council to apply a planning condition to require the dwellings be built to a certain standard of energy efficiency such a condition would fail when assessed against paragraph 55 of the NPPF (2019). There would be no guarantee that the new build dwellings would be built to a higher level of energy efficiency that that which is required as a minimum under Building Regulations.
- 10.8 Notwithstanding the above, the Sustainability Statement submitted with the application has been reviewed by the case officer. It is the view of the case officer that the proposed benefits of the application scheme in terms of energy efficiency are not substantial and are not always an improvement when compared to the conversion approach (structural shell/ internal fabric). In short, the minor improvements in energy efficiency offered by the proposal scheme are that, the new floors would be timber rather than concrete, and the energy source would be a heat pump rather than electric. No evidence has been submitted to state that it would not be possible to install a heat pump or timber floors for the consented conversion scheme.
- 10.9 The NPPF (2019), paragraph 79 does allow for new isolated residential development in the countryside where the design is of exceptional quality in that: it is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting and be sensitive to the defining characteristic of the local area. The proposed scheme is not considered to come anywhere near to meeting the high standards of design envisaged in the NPPF.
- 10.10 The agent has claimed that the NPPF (2019), paragraph 79 should be considered applicable to the scheme in reference to section (c); the development would re-use redundant or disused buildings and enhance its immediate setting. The application is not to re-use the existing buildings (as per the extant consent) but rather to demolish them, additionally it does not enhance the immediate setting. The proposal scheme fails comply with paragraph 79 on both these fronts.

## 11. Ecology

- 11.1 The site is within a Biodiversity Opportunity Area, there is also a known presence of bats on the site.
- 11.2 A Phase 1 Ecological Assessment (survey works September 2016) and Bat Survey Report (survey works September 2016) have been submitted with the report. The submitted Bat Survey Report is dated May 2018, however the survey works were undertaken in September 2016.
- 11.3 Due to the age of the survey works the reports are based on, an update report for each document was requested by the case officer on 29 May 2019, 5 June 2019 and 5 July 2019, these documents have not been submitted.
- 11.4 The Phase 1 Ecology Survey submitted with the application is dated September 2016, Natural England standing advice is that surveys should not be more than 2-3 years old. This survey confirmed the presence of European Protected Species (EPS) namely brown long eared bats (*Plecotus auritus*) in buildings 1 and 2 and additional impact caused to buildings 3 and 4. Where EPS are concerned the standing advice states that surveys should be from the most up to date survey season. In addition to the Phase 1 survey a second bat survey was produced in May 2018, which established that both brown long-eared bats and common pipistrelle are roosting in the buildings at Blacknest Farm and this report was based on survey data from September 2016. ODPM Circular 06/2005 [para 99] states that *"It is essential that the presence or otherwise of protected species, and the extent to which they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*
- 11.5 The ODPM Circular 06/2005 [para 116] requires Planning Authorities to *"give due weight to the presence of a European protected species on a development site to reflect these requirements, in reaching planning decisions, and this may potentially justify a refusal of planning permission"*. In the absence of up-to-date survey data, the applicant is

unlikely to be unable to satisfy the requirements of the three derogation tests as set out within the EC Habitats Directive, these are tests that must be passed in order to obtain a protected species licence from Natural England. A licence is required for any potentially damaging activities such as development works where bats may be present. The applicant would be unable to demonstrate that the activities which are sought to be licensed would not be detrimental to the maintenance of the population of the EPS concerned at a favourable conservation status (i.e. the third of the 3 tests). It is therefore uncertain as to whether the impact on the both the Brown Long Eared bat (*Plecotus auritus*) and the Common pipistrelle (*Pipistrellus pipistrelles*) is still low as stated in the reports and that the roosts are still only day roosts.

11.6 Due to the above the Council cannot undertake its duty to have regard to the conservation of biodiversity as required by the Natural Environment and Rural Communities Act of 2006 and it would be contrary to the Core Strategy Policies.

11.7 Insufficient information has been submitted with the application to allow a comprehensive assessment of the current ecological state of the site to take place and therefore what mitigation levels are required.

## **12. Parking and highway safety**

12.1 The highway recommendation for previous applications 17/01857/FULD and 18/2134/FULD was conditional approval

12.2 It is proposed that the existing access to the east will be utilised, the access to the west serving the existing dwelling is proposed to be stopped up.

12.3 The achievable visibility splays do not comply with standards as set out in Design Manual for Roads and Bridges (DMRB). On this, the Transport Statement (TS) notes:

4.3.3 In terms of visibility splays, Drawing J322090-001 D provided at Appendix C, identifies the achievable splays from the existing access arrangement, with both tangent splays and also splays to reflect the



curvature of the carriageway alignment. Given the Hockford Lane carriageway width, which narrows down to 2.5 metres to the west, vehicular speeds in this location will be significantly below the derestricted speed limit permitted in this location. The forward visibility on the carriageway is likely to result in actual vehicle speeds within the 20-30 mph zone.

4.3.4 The theoretical visibility as shown on the attached plan identifies splays of 101 metres to the east in the trailing direction and 94 metres to the west in the leading direction. The tangential splays are 30 metres to the east and 37 metres to the west, which would reflect splays based on calculations in Manual for Streets for a low speed road of 23-25 miles per hour. The splays are all measured at a set-back distance of 2.4 metres.

4.3.5 Whilst the visibility splays are below what the Design Manual for Roads and Bridges (DMRB) would seek for a national speed limit (60mph) road, this is not a trunk road. Since there is no recorded accident history in this location and given this is an existing access arrangement that will be subject to a net decrease in vehicular flows (see Section 5), the access arrangement is considered suitable to serve the proposed development.

4.3.6 The access arrangements were permitted as part of application 17/01857/FUL.

12.4 The re-use of the existing access for this proposed use is therefore accepted given the existing permitted use at this site, with a condition regarding the retention of visibility splays as per the submitted plan.

12.5 Chapter 5 of the Transport Statement (TS) provides a comparison of the trip generation of the existing permitted use with the proposed use(s).

Paragraph 4.2.3 states:

The additional workspace's primary function is to enable residents to work from home and therefore will only generate a small number of external traffic movements (via occasional business meetings). The

resulting infrequent trips generated by the additional workspaces on the local highway network are considered too small to require a separate TRICS assessment as part of this application.

- 12.6 It was concluded on the previous applications that, given the potential vehicle movements that could be generated by the existing commercial use at the site (floor area 705sqm) the proposed use was considered to be acceptable. This is on the basis that the work units are tied to the dwellings.
- 12.7 Each dwelling is provided with 3 driveway car parking spaces which is in accordance with Policy P1 of the Submission Housing Site Allocations DPD. Two visitor spaces are also proposed, any parking required for the 'work' elements would be in addition to this.
- 12.8 Paragraph 4.4.3 of the Transport Statement states:
- Whilst the development proposal is for live/work accommodation, the external buildings associated with the working operation are simply meant to add a separation between the two aspects and are not designed as employment buildings that would generate an external parking demand on the site.
- 12.9 The highways service are satisfied that there is space within the site to accommodate additional vehicles, where required, provided the work units are linked to the proposed dwellings.
- 12.10 In the interests of sustainable development objectives at this stage a pre-commencement condition is requested requiring each dwelling to provide an electric car charging point.
- 12.11 Cycle storage can be provided within sheds in the rear gardens. Details should be submitted at this stage to avoid the requirement for a pre-commencement condition.
- 12.12 The highway aspects of this application are as per 18/02134/FULD which received no objections from the highways service.

### **13. Impact on neighbouring amenity**

- 13.1 The proposed development has not been assessed as resulting a in a negative impact on neighbouring amenities.

### **14. Other matters**

#### **CIL**

- 14.1 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.
- 14.2 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.
- 14.3 This application is CIL liable.

### **15. Recommendation**

- 15.1 The Head of Development and Planning be authorised to refuse planning permission for the reasons set out below.

## **REASONS FOR REFUSAL**

1. The application site is located outside of the defined settlement boundary and within the open countryside as defined under Policy ADPP1 of the West Berkshire Local Plan Core Strategy (2006-2026) and Policy C1 of the West Berkshire Housing Site Allocation Development Plan Document (2006-2026) 2017. The site comprises three buildings that have an approved light industrial (Class B1c) use and ancillary storage buildings. The proposed works are for the demolition and redevelopment of the three light industrial buildings on the existing site to form dwellings and the conversion of the existing storage units into office accommodation to form a mixed residential and associated office use of the site. The proposed works are situated in a location with poor access to local services, amenities and public transport and would result in the development of three new dwellings on a site in the countryside,

contrary to the provisions of Policy C1 of the Housing Site Allocations Development Plan Document 2017 which states that there shall be a presumption against new residential development outside of the settlement boundaries defined earlier in the policy.

The housing supply policies of the statutory development plan provide an up-to-date framework for the determination of housing applications within West Berkshire, and the Council can demonstrate a five year housing land supply. The application conflicts with the housing supply policies - Policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policy C1 of the Housing Site Allocations DPD 2006-2026. The proposal does not fall within any of the defined exceptions to the presumption against new residential development outside of the settlement boundaries, where only appropriate limited development is allowed. In this case the housing supply policies of the development plan attract compelling weight, and the modest benefits of the proposal do not outweigh this conflict with policy.

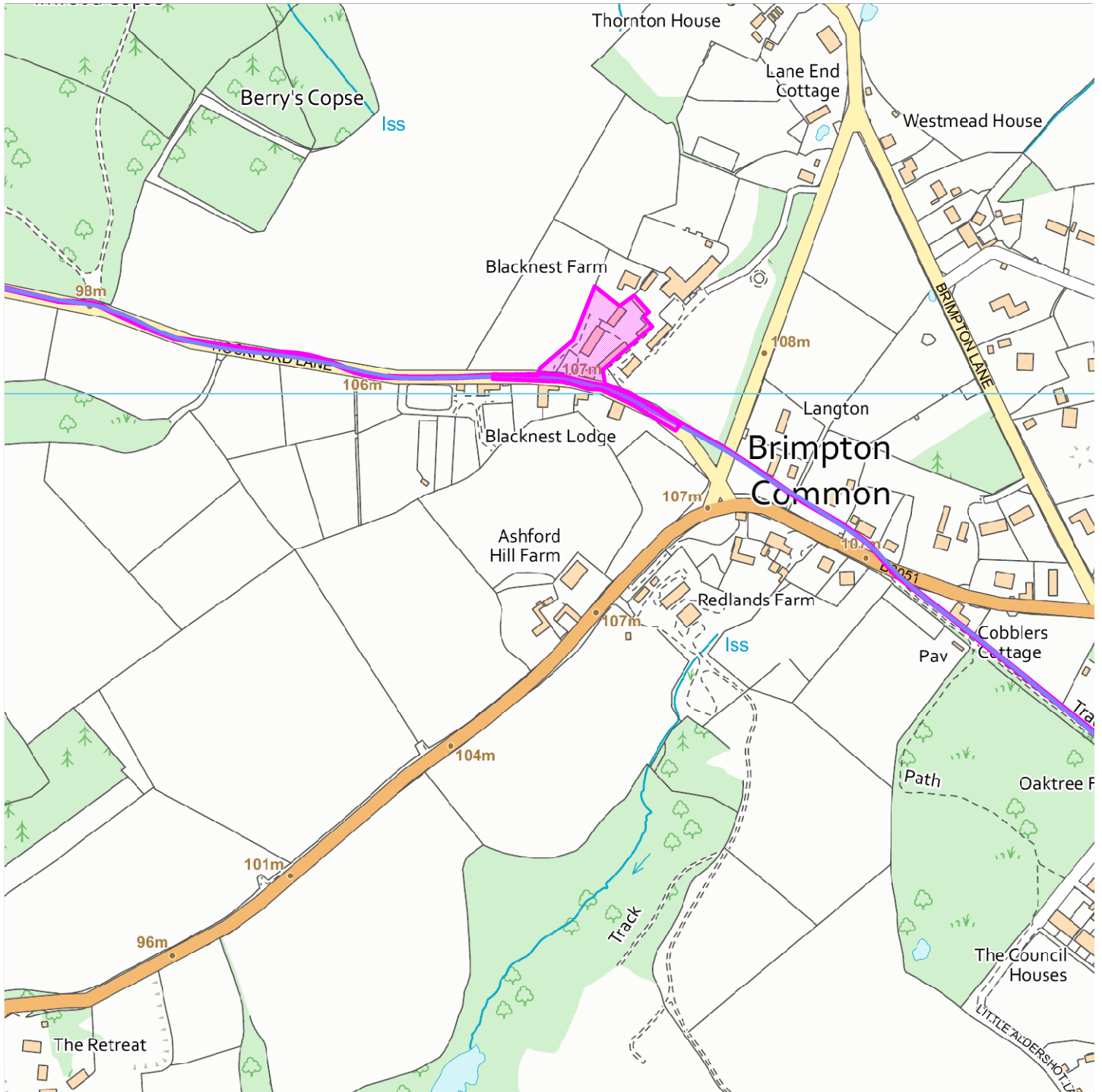
2. Due to the lack of an up-to-date Ecological Report and Bat Survey Report, it is not possible to accurately (and with any level of certainty) assess that the impact on identified Brown Long Eared bat (*Plecotus auritus*) and the Common Pipistrelle (*Pipistrellus pipistrelles*) would be at the same level as stated in the out-of-date (September 2016) reports and that the roosts are still day roosts. As such, the Council cannot undertake its duty to have regard to the conservation of biodiversity as required by natural Environment and Rural Communities Act of 2006. The proposal scheme is also contrary to Core Strategy policy CS17.

3. The proposed development of three dwellings and associated work units would not meet any identified need for additional housing or business units in the countryside or provide any significant benefit to the local rural economy such as would justify an exception to policy on development in the countryside. No sequential test has been submitted to prove a need for a town centre use in the countryside. The above is contrary to the roles of sustainable development defined in the National Planning Policy Framework 2019 and the requirements of Policy ADPP1 and CS1 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and C1 of the Housing Sites Allocation DPD (2006-2026) 2017, which state that only appropriate

limited development in the countryside will be allowed, focused on addressing identified needs and maintaining a strong rural economy.

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Blacknest Farm, Brimpton Common RG7 4RN

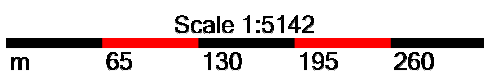


Map Centre Coordinates :

Scale : 1:5141

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	25 July 2019
<b>SLA Number</b>	0100024151

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# Agenda Item 4.(4)

Item No	Application and Parish	No.	8/13 week date	Proposal, Location and Applicant
(4)	19/00713/COMIND  Pangbourne Parish Council		08 August 2019	Section 73A: Variation of condition 2: approved plans, of planning permission 16/01419/COMIND  Bere Court Farm Bungalow Bere Court Pangbourne Reading Berkshire RG8 8HT  Mr Rehman Mohammed

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/00713/COMIND>

**Recommendation Summary:**

To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (section 8.2).

**Ward Member(s):**

Councillor Gareth Hurley

**Reason for Committee determination:**

Call in by Councillor Pamela Bale (Former Ward Member): So that members can see the building which has been constructed, and compare it with the original application for a single storey structure.

**Committee Site Visit:**

10 July 2019

**Contact Officer Details**

**Name:** Masie Masiwa  
**Job Title:** Senior Planning Officer  
**Tel No:** (01635) 519111  
**Email:** Masie.Masiwa@westberks.gov.uk

## 1. PLANNING HISTORY

1.1 Below is a summary of the relevant and recent planning history of the application site.

1.1.1 Approved application 16/01419/COMIND - Demolition of an existing stable block and farm machinery store and replacement with a new stable block and farm machinery store on the same site. A temporary PVC farm tent has been erected to house the machinery and equipment that was stored in the collapsed stable block. The replacement stable block will be in keeping with the surrounding buildings, the frame will be made out of Oak which will be clad in Oak weather board and handmade reclaimed clay tiles will be used for the roofing.

1.1.2 Refused: 18/01314/COMIND - Retrospective planning for the demolition of an existing stable block and farm machinery store and replacement with a new oak framed barn, farm machinery/tool store and workshop on the same site.

## 2. PUBLICITY

2.1 A site notice was displayed on 23rd March 2019 and expired on 12<sup>th</sup> April 2019.

2.2 The authority has therefore discharged the statutory requirement to publicise applications in accordance with the Development Management Procedure Order.

## 3. CONSULTATIONS AND REPRESENTATIONS

### 3.1 Consultations

#### **Pangbourne**

#### **Parish Council:**

Objection: This application is for the variation of Condition 2, Approved Plans of permission 16/01419/COMIND", however the property has already been built (not in accordance with the approved plans) and the permissions sought are in fact retrospective.

Furthermore, the Council believe that the existing building on site as it stands today has a number of significant differences to those shown on this application (19/00713/COMIND) or as shown as part of the original planning application (16/01419/COMIND). We believe that there are windows, doors and entrances not shown on this plan and it is unclear whether the internal layout matches the plan. A second floor has previously been installed which again is not showing on the plan for this application and the Council feel that this application is unclear. It is felt that the height of the current structure (built higher than the original approved application) is too high for a single storey building. It should also be noted that the building sits in a visible position in its plot and is not screened from

neighbouring properties.

There is no mention of or consideration in this application of recent planning application 18/01314/COMIND which was refused on 18th September 2018.

The Parish Council would request that a site visit is undertaken by officers at West Berkshire Council to assess what has been built before this application is decided.

**Highways:** No highway objections.

**Natural England:** No comment to make on the variation of condition 2.

### 3.2 Representations

3.2.1 No letters of representation have been received.

## 4. PLANNING POLICY

4.1 The statutory Development Plan comprises:

- West Berkshire Core Strategy (2006-2026) (WBCS)
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP)
- Housing Site Allocations Development Plan Document (May 2017) (HSA DPD).

4.2 Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (NPPF)
- The Planning Practice Guidance (March 2014) (PPG).
- The Ministerial Statement Planning for Growth (23 March 2011)
- Manual for Streets (DCLG/DfT)

4.3 The WBCS was adopted on 16 July 2012 and carries full weight in decision-making as a development plan document adopted since the publication of the NPPF. The following policies from the WBCS are relevant to this application:

- NPPF Policy
- ADPP1: Spatial Strategy
- ADPP5: North Wessex Downs Area of Outstanding Natural Beauty (AONB)
- CS12: Equestrian/Racehorse Industry
- CS13: Transport
- CS14: Design Principles
- CS 17: Biodiversity and Geodiversity
- CS 19: Historic Environment and Landscape Character

4.4 The saved policies of the West Berkshire District Local Plan carry due weight according to their degree of conformity with the NPPF. A number of policies in the Local Plan have been superseded by policies in the WBCS. The following saved policy from the Local Plan are relevant to this application:

- TRANS.1: Meeting the Transport Needs of New Development
- ENV29: Development involving Accommodation for Horses

4.5 In addition, the following locally adopted policy document is relevant to this application:

- Supplementary Planning Document Quality Design (June 2006)

## 5. DESCRIPTION OF DEVELOPMENT

5.1 The application seeks permission for the varying of condition 2 – approved plans of planning permission 16/01419/COMIND.

5.2 Planning application 16/01419/COMIND was approved by the Council for the:

*“Demolition of an existing stable block and farm machinery store and replacement with a new stable block and farm machinery store on the same site. A temporary PVC farm tent has been erected to house the machinery and equipment that was stored in the collapsed stable block. The replacement stable block will be in keeping with the surrounding buildings, the frame will be made out of Oak which will be clad in Oak weather board and hand made reclaimed clay tiles will be used for the roofing”*

5.3 As the proposal seeks to amend the approved plans that were attached to the approved application, the full condition is shown below for reference:

*The development hereby approved shall be carried out in accordance with drawing nos. 760/PL-01, 760/PL-02, 760/PL-03, and 760/PL-04 received 20th May 2016.*

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

5.4 The approved building has not been constructed in accordance with the above approved plans and has been built higher than the approved building with the length and width also increased. The breach of planning control was referred to the Planning Enforcement team and investigated accordingly by Officers. Following the planning enforcement enquiry and a site visit on 15 March 2018, it was established that the building had been constructed and fitted as a dwelling including a staircase, first floor living space and 4No roof lights.

5.5 An application to regularise this breach of planning control, was submitted under application 18/01314/COMIND and it was confirmed by the applicant that the building would no longer be used for the keeping of horses, but as a farm machinery/tool store and workshop/commercial purpose as part of a jam making and educational facility. The

proposal also included the planting of an apple orchard within the paddocks. It was also noted that the building had been constructed with glazing to the southern first floor gable, 4No roof lights to the western elevation roof pitch and the addition of a first floor. The application was refused by your Officers under delegated powers.

5.6 The comparisons of the approved building, the building now constructed and the building now proposed as part of his application is addressed in section 6.2.

5.7 The applicant is now seeking to regularize the constructed building by removing some of the unauthorised development to a level that could be acceptable to the Council. To achieve this the Section 73A application seeks to substitute drawing No's 760/PL02 (Site Plan), 760/PL- 03, and 760/PL-04 to allow for the following changes:

- a) A small increase in height of building;
- b) Removal of timber supports to southern elevation (inside);
- c) Increase in door size to southern elevation (inside);
- d) Changes to the internal layout.

5.8 Amended plans were submitted following the committee site visit to indicate the removal of the lean to element on the western elevation.

## **6. APPRAISAL**

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

- Principle of the development
- The Impact upon the character and appearance of the site and the AONB area - design and appearance
- The impact on the highways (safety and use);
- Other matters
- Community Infrastructure Levy
- The assessment of sustainable development

### **6.1 Principle of the development**

6.1.1 The main considerations relate to whether the varying of condition 2 (approved plans) with regard to the listed changes in Section 5.8 and with reference to the submission of the amended plans should be allowed.

6.1.2 The principle of a replacement private/recreational equestrian stable block has already been established by the grant of planning permission under planning application reference 16/01419/COMIND.

6.1.3 In approving planning application reference 16/01419/COMIND, the application was considered against the relevant planning policies.

6.1.4 Policy CS12 of the WBDLP concerns equestrian development. It states that proposals for equestrian use will be acceptable providing the scale, form, impact,

character, siting, and level of activity is in keeping with its location. Policy ENV29 of the WBLP recognises that the local horse riding activities contribute to a diverse rural economy and that equestrian activities are seen as part of the rural character of the area. It permits the erection of stabling where the proposed building has been designed to blend in with the rural surroundings, and the scale and location of such buildings and their use would not cause a material loss of amenity for the occupants of adjoining properties or other users of the countryside, and there is sufficient space provided the ancillary storage of food, bedding, tack and related equipment on a scale appropriate to the number of horses being accommodated. Sufficient land should also be provided with the stable to accommodate the number of horses. Furthermore, access to and from the highway should be in a location and form which would prevent any hazard to drivers and other users of the highway.

- 6.1.5 The submitted proposed layout is for three stables and a foaling box, this is similar provision as approved under application 16/01419/COMIND.
- 6.1.6 The area of land for the proposed change of use is considered adequate for the three proposed horses. There will also be sufficient storage for the hay and food within the stable. The building has also been revised to reflect a typical stable structure found within the open countryside.
- 6.1.7 In view of the above the principle of development is therefore acceptable.

## **6.2 The Impact upon the character and appearance of the site and the area**

- 6.2.1 The North Wessex AONB has a statutory designation under the Countryside and Rights of Way Act 2000. Section 82 Countryside and Rights of Way Act 2000 confirms 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 public bodies to have regard to the purpose of conserving and enhancing the natural beauty of the AONB in exercising or performing any functions in relation to, or so as to affect, land in the AONB. West Berkshire's Policy ADPP5 provides this statutory landscape protection
- 6.2.2 The building is located in a central and sensitive open paddock location.
- 6.2.3 Under the previously refused application reference: 18/01314/COMIND, the applicant proposed to use the building for a jam making commercial /business with alternate educational workshops. The documentation provided confirmation from the applicant that they no longer intended to keep horses at the site. In this latest application before the planning committee, the applicant has stated that they now intend to keep horses on the land, as their circumstances have now changed. Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant in this instance. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.

- 6.2.4 The criteria contained within the policy states that development shall contribute positively to local distinctiveness and sense of place. This is achieved by making efficient use of land whilst respecting the density, and character of the area.
- 6.2.5 Policy CS19 seeks to conserve and enhance the functional components of the landscape character and environment. Particular regard will be given to the sensitivity of the area to change, and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Proposals for development should be informed by and respond to features identified in various settlement character studies including the Quality Design West Berkshire Supplementary Planning Document, and community documents which have been adopted by the Council such as Parish Plans and Town Design Statements.
- 6.2.6 Taking the above policies into account, the revised stable building is considered to accord with the character of the AONB and its surrounding area. It is small in scale, preserving the rural features of the property and its surrounding area. In addition to this the materials are proposed to match with the existing features within the surrounding area.
- 6.2.7 In view of the above the proposed development will be in accordance with the character and appearance of the AONB, and is in compliance with Policy CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

### **Design and appearance**

- 6.2.8 The NPPF is clear that good design is indivisible from good planning, it attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings.
- 6.2.9 The NPPF also adds that the visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Great weight should be given to outstanding or innovative designs which raise the standard of design more generally in the area. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.2.10 Policy CS14 of the WBCS states that new development must demonstrate high quality and sustainable design that relates not only to the appearance of a development, but the way in which it functions.
- 6.2.11 The approved replacement stable block was significantly larger than the small modest stable block demolished on the site and was considered to be at the upper limit of what could be allowed on the site within the AONB. The now completed building has not been constructed in accordance with the approved plans and includes glazing, roof lights and a first floor. The completed building measures 22.7

m in length, 15.3 m in width and 5.9 metres in height, an increase of approximately 2.8 metres in height from the original stable block that was demolished. When compared with the approved replacement stable block, the latest revision will result in an increase in height of approximately 0.6 metres.

### **Comparative table**

	Length	Width	Height
Original approved stables 16/01419/COMIND	20.2 metres	14.6 metres	5.3 metres
As constructed building (Unauthorised)	22.2 metres	15.1 metres	5.9 metres
Current amended building 19/00713/COMIND	20.7 metres	14.6 metres	5.9 metres

6.2.12 As indicated in the above table, the current proposal is to reduce the length and width of the completed building to match the approved length and width, albeit the original verandah feature will now be enclosed. The main difference will be an increase in the height to approximately 5.9 metres and the length to approximately 20.7 which are minor increases of approximately 0.6 metres (height) and 0.5 metres (length). The design and overall appearance of the proposed building is considered to accord with the context of the site and its surrounding area and has been amended to be at the approved scale and appearance. The building will be appropriate in appearance, using materials that match with the existing features of the surrounding rural area.

6.2.13 In view of the above the design and appearance of the proposed development is in compliance with the advice contained within the NPPF, and Planning Policy CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

### **6.3 The impact on the highways (safety and use);**

6.3.1 Road safety in West Berkshire is a key consideration for all development in accordance with WBCS Policy CS13.

6.3.2 The Council's Highways Officer was consulted and has reviewed the amended plans. The Highways Officer has raised no objection.

6.3.3 Overall, it is considered that the proposed development would not have a material impact on highway safety and would be provided with sufficient parking. The application is therefore considered to comply with WBCS Policy CS13 and the parking standards as set out within the published HSADPD (May 2017).



## 6.4 OTHER MATTERS

- 6.4.1 The Parish has assessed the approved stable building, the constructed building and the latest submitted plans. In their comments the Parish has stated that:

*“We believe that there are windows, doors and entrances not shown on this plan and it is unclear whether the internal layout matches the plan. A second floor has previously been installed which again is not showing on the plan for this application and the Council feel that this application is unclear. “*

- 6.4.2 For clarity, the plans submitted as part of this application represent the final building to be constructed on the site. If committee members were minded to approve this application, the applicant will be required to make the necessary changes to comply with the approved plans.

## 6.5 Community Infrastructure Levy

- 6.5.1 WBCS Policy CS5 (Infrastructure) 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.
- 6.5.2 There is no requirement to pay CIL for equestrian development, as such this application is not CIL Liable.

## 6.6 The assessment of sustainable development

- 6.6.1 At the heart of the NPPF is a presumption in favour of sustainable development, the NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision.
- 6.6.2 Social dimension: Social considerations overlap those of environmental in terms of the impact on the visual amenity of the area. As these have been found to be acceptable the development is considered to constitute sustainable development.
- 6.6.3 Economic Dimension: It is considered that the proposal makes no significant contribution to the wider economic dimensions of sustainable development. The broader economic benefit of new equestrian uses is demonstrated.

6.6.4 Environmental dimension: With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment the impact on the character and appearance of the surrounding area has been assessed as part of this application. It is considered that the proposed amendments sufficiently protect and enhance the character and appearance of the AONB area. The environmental considerations have been assessed in terms of amenity and impact on the character and appearance of the area.

6.6.5 For the above reasons it is considered that the proposed development is supported by the NPPF's presumption in favour of sustainable development

## 7. CONCLUSION, PLANNING BALANCE AND RECOMMENDATION

7.1 The proposed varying of Conditions 2 - approved plans is considered acceptable.

7.2 Having regard to the relevant development plan policy considerations and the other material considerations referred to above, it is considered that the proposed amended stable block will accord with the character and appearance of the area and the landscape protection granted to the AONB. The proposal will not harm the existing character and appearance of the historic farmstead, the surrounding area and how it functions. The proposal will not present a significant impact on existing amenity levels enjoyed by neighbouring occupiers. These considerations carry significant weight and indicate that planning permission should be approved

7.3 This decision has been considered using the relevant policies related to the proposal. These are; ADPP1, ADPP5, CS12, CS13, CS14, and CS19 of The West Berkshire Core Strategy 2006 - 2026, Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007) and the National Planning Policy Framework.

## 8. FULL RECOMMENDATION

8.1 **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.2).

### 8.2 Schedule of conditions

#### 1. Amendment time limit

The approved amendments to the constructed stable building hereby permitted shall be carried out within 6 months from the date of this permission.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 should it not be started within a reasonable time.

## **2. Approved plans**

The development hereby approved shall be completed in accordance with drawing Nos. 03 and E01 REVISION 01 received on 11 July 2019.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against Policy ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

## **3. Materials**

The materials to be used in this development shall be as specified on the plans or the application forms. No other materials shall be used unless prior permission in writing has been obtained from the Local Planning Authority in respect of a planning application.

Reason: In the interests of amenity in accordance with the National Planning Policy Framework, Policy CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

## **4. External lighting**

The external lighting used in the development shall be in accordance with the approved external lighting details approved under discharge of condition application 16/02699/COND1. There shall be no further external lighting to that approved with the permitted condition discharge application unless permission has been granted by the local planning authority in respect of a planning application.

Reason: In the interests of visual amenity and to protect the dark night skies character of the AONB. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006).

## **5. Private recreational equestrian purposes**

Irrespective of the provisions of the Town and Country Planning (Use Classes) Order 2015 (as amended) and any subsequent revision, the application site area and development permitted, shall only be used for private recreational equestrian purposes and shall not be used for any other purpose including commercial riding, livery, breeding or training or any other non-equestrian use.

Reason: A commercial/business use may not be appropriate for this site. This condition is imposed in accordance with the National Planning Policy Framework and Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

## **6. Spoil removal**

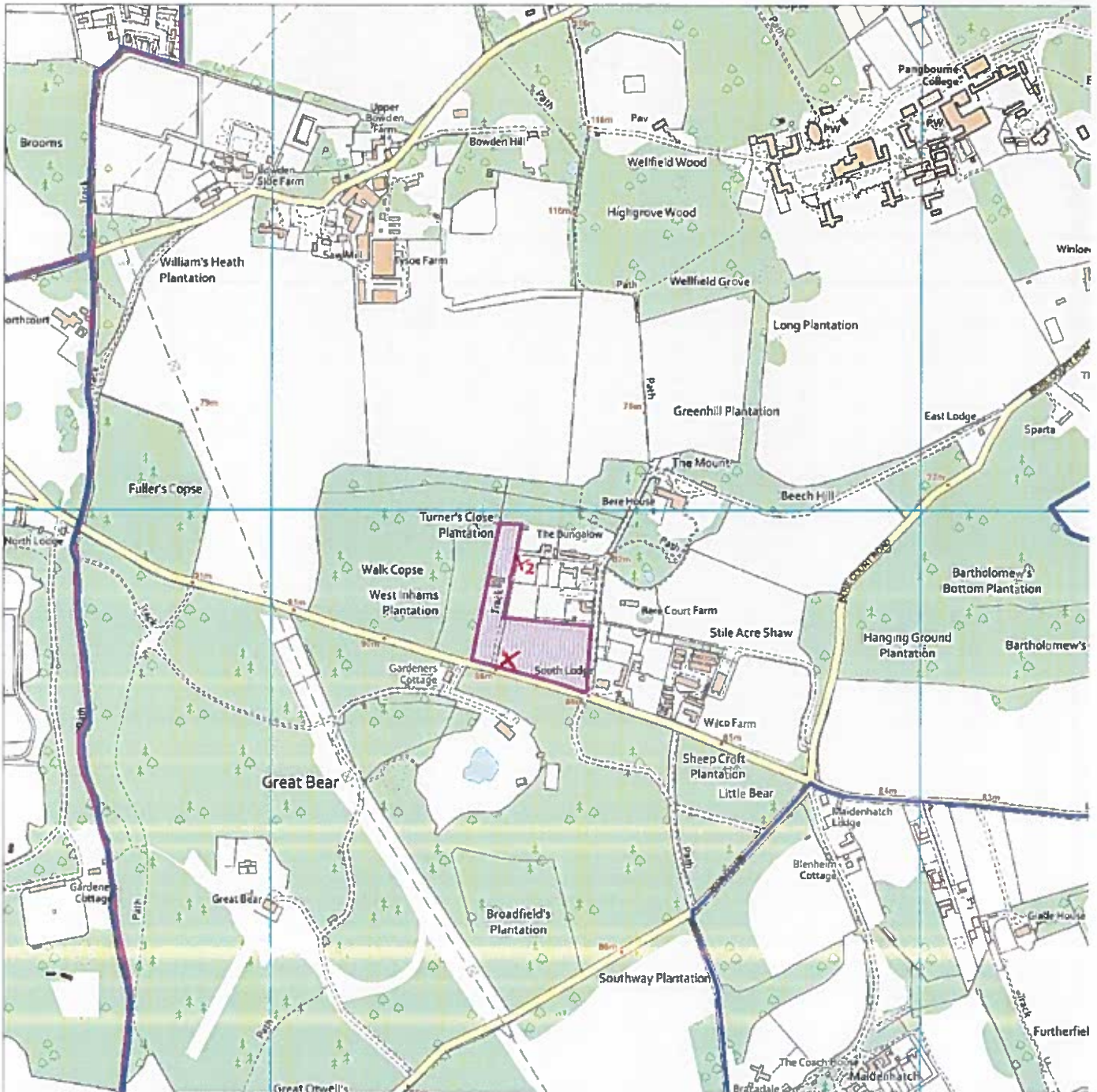
The spoil removal from the site shall be completed in accordance with the approved spoil removal details approved under discharge of condition application 16/02699/COND1. All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

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

#### **7. No additional floor space including a Mezzanine floor**

Notwithstanding the provisions of either the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order, with or without modification) and the Town and Country Planning (Use Classes) Order 2015 (as amended) and any subsequent revision, there shall be no internal or external alterations including any mezzanine flooring to increase the floor space of the building, without the permission of the local planning authority in respect of a planning application.

Reason: To retain control over the uses on the site and their intensification, particularly having regard to the limited parking space available and to enable these matters to be assessed against the policies of the development plan. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS5, CS13 and CS14 of the West Berkshire Core Strategy (2006- 2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).



Map Centre Coordinates :

Scale : 1:8836

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<b>Department</b>	
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