

Notice of Meeting



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Eastern Area Planning Committee Wednesday 29th January 2020 at 6.30pm At the Calcot Centre, Highview (off Royal Avenue), Calcot

Members Interests

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

Date of despatch of Agenda: Tuesday, 21 January 2020

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

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

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Calcot Centre between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148

Email: planapps@westberks.gov.uk

Further information, Planning Applications and Minutes are also available on the Council's website at www.westberks.gov.uk



WestBerkshire
C O U N C I L

Agenda - Eastern Area Planning Committee to be held on Wednesday, 29 January 2020
(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 /
jessica.bailiss@westberks.gov.uk



Agenda - Eastern Area Planning Committee to be held on Wednesday, 29 January 2020
(continued)

To: Councillors Jeremy Cottam, Alan Law (Chairman), Royce Longton (Vice-Chairman), Ross Mackinnon, Alan Macro, Geoff Mayes, Graham Pask, Joanne Stewart and Andrew Williamson

Substitutes: Councillors Graham Bridgman, Gareth Hurley, Owen Jeffery, Nassar Kessell, Tony Linden and Keith Woodhams

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting.
2. **Minutes** 5 - 10
To approve as a correct record the Minutes of the meeting of this Committee held on 8 January 2020.
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: 19/02517/HOUSE - River Barn, Marlston Hermitage, Thatcham** 11 - 26

Proposal: Retrospective in part - Distributary channel with foot bridge; Two storey extension replacing single storey extension; Restoration of Mill Barn; Oak framestore; Partial demolition of outbuilding.

Location: River Barn, Marlston Hermitage, Thatcham, Berkshire, RG18 9UX

Applicant: Dr and Mr Mitchell

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



Agenda - Eastern Area Planning Committee to be held on Wednesday, 29 January 2020
(continued)

- (2) **Application No. & Parish: 19/02333/FULD - Three Cliffs, Bere Court Road, Pangbourne, Reading** 27 - 39
- Proposal:** Retention of existing house, demolition of existing barn building and greenhouse. Division of plot to allow for the construction of a new family dwelling and double garage. New double garage outbuilding for the existing house and associated works to the driveway.
- Location:** Three Cliffs, Bere Court Road, Pangbourne, Reading, Berkshire, RG8 8JY
- Applicant:** Mr Geoff Finch
- Recommendation:** The Head of Development and Planning be authorised to **GRANT** planning permission.

Items for Information

5. **Appeal Decisions relating to Eastern Area Planning** 41 - 42
Purpose: To inform Members of the results of recent appeal decisions relating to the Eastern Area Planning Committee.

Background Papers

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

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.

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, 8 JANUARY 2020

Councillors Present: Owen Jeffery (Substitute) (In place of Royce Longton), Alan Law (Chairman), Tony Linden (Substitute) (In place of Joanne Stewart), Alan Macro, Geoff Mayes, Graham Pask and Andrew Williamson

Also Present: Sharon Armour (Solicitor), Michael Butler (Principal Planning Officer), Stephen Chard (Principal Policy Officer) and Bob Dray (Development Control Team Leader)

Apologies for inability to attend the meeting: Councillor Peter Argyle, Councillor Jeremy Cottam, Councillor Royce Longton and Councillor Joanne Stewart

PART I

33. Minutes

The Minutes of the meeting held on 20 November 2019 were approved as a true and correct record and signed by the Chairman.

The Minutes of the meeting held on 4 December 2019 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

Item 32(1) – 19/01063/COMIND – land south of Ravenswing Farm, Adjoining Aldermaston Road and Silchester Road, Tadley

Member Questions to the Agent (first paragraph, final sentence):

The Chairman felt that Councillor Macro's second question relating to the level of support was **not relevant** and stated that Mr Mitchell did not have to answer this question.

Member Questions to Officers (third paragraph, first sentence):

David Pearson (Development Control Team Leader) stated that if the application was approved with that condition then the Action Plan could be approved.

Conditions

Additional condition of approval:

24. Grampian Condition.

34. Declarations of Interest

There were no declarations of interest received.

35. Schedule of Planning Applications

(1) Application No. & Parish: 19/02490 - Land West of Hill Place, Bath Road, Woolhampton

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 19/02490/FUL in respect of a Section 73A application to vary conditions 3 and 12 to increase time limits on previously approved application 19/00031/FUL: Shed to be

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removed by 30/08/20. Dayrooms to be completed by 30/08/20. Retrospective application for the siting of two dayrooms, two mobile homes and two touring caravans for occupation by Gypsies/Travellers. Creation of new access onto highway. Enclosure of site by fencing.

Michael Butler, Principal Planning Officer, introduced the report. He clarified that the original time limit for implementation of these two conditions was 30/11/19. This had not been complied with and this application was to extend the time limit until 30/08/20 (exactly one year post the decision).

The update report contained the formal consultation response from Network Rail. They had no objection to the deletion of condition 9 (externally generated noise from the rail line), and in addition did not object to the proposed revised timescales for the submission of details in relation to drainage and land stability. Their response stated that any damage which might occur on the application site would be the responsibility of the applicant.

Mr Butler highlighted the correction in the update report to paragraph 6.19 of the report. The Community Infrastructure Levy (CIL) charge should read as approximately £9,000 and not £6,000. However, it had been indicated by the applicant that it might prove financially difficult to pay this charge.

Advice contained in the Ministry of Housing, Communities and Local Government's (MHCLG) Planning Policy for Traveller Sites, a national policy that sat alongside the National Planning Policy Framework (NPPF), stated that in relation to gypsy/traveller accommodation the personal circumstances of the applicant could be taken into account, including financial matters. This was therefore a material factor to be taken into account by the Committee.

The application was recommended for conditional planning permission.

Mr Butler concluded his presentation by stating the view that, subject to approval, if these conditions were not complied with then it was very unlikely that any further application would be considered favourably. If there was non-compliance then enforcement action would be taken.

In accordance with the Council's Constitution, Mr Tony Renouf, Parish Council representative, Mr Spencer Copping, agent, and Councillor Graham Pask, Ward Member, addressed the Committee on this application.

Parish Council Representation:

Mr Renouf in addressing the Committee raised the following points:

- Woolhampton Parish Council considered the proposal in October 2019 and at that time objected to the application. This was based on the fact that the applicant was originally seeking to vary condition 3 to allow three years from the grant of permission to complete the dayrooms.
- However, the changes that had since been made to reduce this timeframe meant that the Parish Council's objection was no longer valid and was therefore withdrawn.
- The Parish was hopeful that the applicant would abide by all of the planning conditions. Mr Renouf particularly highlighted conditions 2, 6 and 12. He would like assurance that adherence to conditions would be enforced if necessary.
- Mr Renouf queried how condition 5 (site not to be occupied at any time other than by gypsies and travellers) would be secured.

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- The Parish Council assumed that no construction would take place until condition 10 had been implemented – the site investigation.

The Chairman clarified that Woolhampton Parish Council was no longer objecting to the application. They were however concerned in relation to adherence to conditions.

Agent Representation:

Mr Copping in addressing the Committee raised the following points:

- He felt that the officer report covered the main points.
- However, he added that since the original application, the applicant had run into financial difficulties with developing the site. This had created issues with meeting conditions and had led to delays.
- Further time had been sought to complete the two specified areas and to make CIL payments. Mr Copping would be working closely with the applicant to ensure revised timescales were met.
- The Network Rail response in relation to condition 9 was welcomed as this helped with finances.
- Mr Copping requested that conditional planning permission be granted.

Member questions to the Agent:

In response to a question from Councillor Graham Pask, Mr Copping confirmed that land stability and sustainable drainage system (SuDS) requirements would be met.

Ward Member Representation:

Councillor Pask in addressing the Committee raised the following points:

- He called in the application as many of the conditions had not been complied with. Conditional planning permission was granted in August 2019 and the conditions were both necessary and reasonable.
- A concern locally, shared by himself, was in relation to needing transparency over infill works. This was of particular concern when considering the close proximity to the railway line.
- Councillor Pask drew attention to the photographs provided in the Planning Officer's presentation. He was concerned at the stability of the walled area.
- This was why Conditions 8 (submission of sustainable drainage measures) and 10 (site investigation to ensure land stability) were so important and must be adhered to. He hoped conditions would be adhered to if conditional permission was granted. The personal circumstances of the applicant were noted alongside this.

Member Questions to Officers

Councillor Owen Jeffery queried if it was necessary to refer to both gypsies and travellers in the report and conditions. Bob Dray, Development Control Team Leader, clarified that gypsies and travellers belonged within the same definition in the relevant legislation. The proposed condition text did not need to be changed.

Mr Butler then sought to respond to the concerns raised by the Parish Council and Councillor Pask. There was a sequential order to implementing the conditions. For example, Condition 10 was required to be completed within two months of the date of approval (if granted) and before construction of the dayrooms/their foundations could commence.

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The potential for enforcement activity had also been raised. Mr Butler explained that the Council's Enforcement Officer was very knowledgeable about gypsy and traveller sites from previous experience. The site would be monitored and enforcement action taken if this became necessary, i.e. if the site was not occupied by gypsies or travellers. The Parish Council could also raise any concerns with the Enforcement Officer.

Councillor Alan Law sought assurance that the applicant and agent were fully aware of the requirements of condition 10 and had accepted this condition. Mr Butler advised that verbal confirmation had today been received from the agent that the applicant was content with the conditions. He would also be seeking written confirmation.

Debate

Councillor Pask thanked officers for their negotiations on this application, i.e. limiting the extension of the deadline to 30/08/20 and not the originally requested 2022. He felt the proposed conditions to be reasonable.

Councillor Pask queried if action would be taken if land stability was deemed to be a problem. Mr Butler confirmed this was the case.

Councillor Pask proposed acceptance of the officer recommendation to grant planning permission. This was seconded by Councillor Tony Linden.

Councillor Alan Macro agreed that the timeframe could be extended. He felt that the timescales originally set for some of the conditions was extremely tight. However, he was disappointed that none of the site investigation or SuDS work had been undertaken.

Councillor Geoff Mayes commented that infill materials should have been specified and he queried whether this had been clarified. Mr Butler advised that, as an unauthorised site, there was no record of materials. However, this would be thoroughly assessed in accordance with condition 10 and samples would be analysed. Remediation works would be undertaken if found necessary.

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

Conditions

1. The development must remain in accord with the as approved plans (all prefixed JOO3121): CD01-A, CD02-A, CDO3-C, and CDO4-.

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

2. At no time shall more than 2 mobile homes, 2 touring units and 2 day rooms be located on the application site.

Reason: Any increase in the number of caravans/ mobile homes/ day rooms on the site may amount to an overdevelopment. This would be contrary to Policy CS7 of the West Berkshire Core Strategy 2006-2026.

3. By the 30th August 2020, the applicant shall ensure that the development is completed in accordance with the revised block plan (number CD03-Rev C), including the two dayrooms. The landscape works for the western buffer shall be completed within the first planting season following the date of this decision. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

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Reason: To enhance the visual aspects of the site in accord with policy CS19 in the West Berkshire Core Strategy 2006-2026.

4. Within one month of the date of this permission, the vehicular access to the highway shall be constructed in accordance with the approved plans, including a bonded material across the entire width of the access for a distance of 3 metres measured back from the carriageway edge.

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

5. The site hereby permitted shall not be occupied at any time other than by gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites (MHCLG).

Reason: The special reasons for permitting this use must persist on site in accordance with policy CS7 in the West Berkshire Core Strategy 2006-2026.

6. No commercial use or activities shall take place on the red line application site at any time, including the storage of any materials. No vehicles over 3.5 tonnes shall be stationed, parked or stored on the application site.

Reason: The site lies adjacent dwellings; to introduce a B2/ B8 use would be harmful to amenity and not in accordance with the advice in the NPPF or Policy CS14 of the West Berkshire Core Strategy 2006-2026.

7. No external lighting shall be installed on the site at any time unless details have first been submitted to and approved in writing by the Local Planning Authority. Once approved the lighting must be erected in accordance with the approved details.

Reason: The site lies in the rural area where excessive additional lighting would be harmful, in accordance with paragraph 180 of the NPPF and Policy CS19 of the West Berkshire Core Strategy 2006-2026.

8. Within two months of the date of this permission, details of sustainable drainage measures to manage surface water within the site must be submitted to and approved in writing by the Local Planning Authority. These details shall:
 - a) Include and be informed by a ground investigation survey which establishes the soil characteristics and groundwater levels to confirm the principles applied are feasible in practice;
 - b) Include flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes;
 - c) Include details of how the SuDS measures will be maintained and managed in perpetuity.

Once approved, these sustainable drainage measures shall be implemented in accordance with the approved details within a further 3 months of the date of that approval. The sustainable drainage measures shall be maintained in the approved condition thereafter.

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

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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).

9. By the 30th August 2020, the unauthorised shed on the site shall be removed in its entirety from the application site.

Reason: In the interests of visual amenity, in accordance with the NPPF and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

10. Within two months from the date of this decision, a site investigation of the nature and extent of any land instability shall be carried out, in accordance with a methodology which shall have previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the Local Planning Authority. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures within 3 months of the date of approval of the agreed scheme.

Reason: To ensure the site will not impact valued infrastructure in accord with Policy CS5 of the West Berkshire Core Strategy 2006-2026.

11. No surface water shall be discharged onto adjacent Network Rail land, and no soakaways, attenuation ponds or other drainage infrastructure shall be within 5 metres of the boundary to the adjacent railway land.

Reason: To protect valued infrastructure in accord with Policy CS5 of the West Berkshire Core Strategy 2006-2026.

12. The two day rooms hereby permitted shall only be used for purposes ancillary and/or incidental to the use of the two mobile homes hereby permitted on the site. The day rooms shall not be used as separate residential accommodation nor shall they be used to provide additional sleeping accommodation.

Reason: To ensure no overdevelopment of the site and to restrict new dwellings in the rural areas in accordance with Policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policy C1 of the Housing Site Allocations DPD 2006-2026.

36. Site Visits

A date of 22 January 2020 at 9.30am was agreed for site visits if necessary. This was in advance of the next Eastern Area Planning Committee scheduled for 29 January 2020. Councillor Andy Williamson gave his apologies for the site visit.

Councillor Graham Pask gave his apologies for the next Planning Committee. Councillor Tony Linden would be acting as his substitute.

(The meeting commenced at 6.30pm and closed at 7.10pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	19/02517/HOUSE Bucklebury	12 th December 2019	Retrospective in part - Distributary channel with foot bridge; Two storey extension replacing single storey extension; Restoration of Mill Barn; Oak framestore; Partial demolition of outbuilding. River Barn, Marlston Hermitage, Thatcham, Berkshire, RG18 9UX Dr and Mr Mitchell

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/02517/HOUSE>

Recommendation Summary: Refuse planning permission

Ward Member(s): Councillor Graham Pask

Reason for Committee Determination: Called-in by Councillor Pask

Committee Site Visit: 22nd January 2020

Contact Officer Details

Name: Alice Attwood
Job Title: Senior Planning Officer
Tel No: CC: 01635 519111 DD: 01635 503602
Email: Alice.Attwood1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for a number of proposed developments at River Barn, a residential property in Marlston Hermitage. The proposed developments include:
- Two storey extension to dwelling, replacing an existing single storey extension;
 - Restoration of the mill barn (former mill building, now within curtilage of River Barn);
 - Erection of an oak frame store;
 - Partial demolition of an existing outbuilding;
 - New distributary channel to the River Pang, with footbridge over.
- 1.2 The site is situated in Marlston Hermitage which does not have a defined settlement boundary and is therefore considered to be “open countryside” in terms of policy ADPP1 of the Core Strategy. The site is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and is visible from footpaths Bucklebury 13/1 and Bucklebury 102/3.
- 1.3 This site is accessed from Brocks Lane. Until recently, the site was screened by vegetation which has since been semi-cleared and a post and rail fence has erected along some of the site boundary. No direct public transport links pass by the site at this present time near the site, however, considering the rural location of the site this is not unusual.
- 1.4 On site is the dwelling known as River Barn, a single storey blockwork outbuilding adjacent to the river, the old timber frame mill barn, a greenhouse and other outbuildings of differing sizes. The old mill barn and River Barn are both considered to be non-designated heritage assets.
- 1.5 A storage building has been erected to the north west of the site behind the old mill barn. The planning department do not have record of a planning application or lawful development certificate for this structure. This building does not form part of this current proposal and has been erected without any formal application to the Council.
- 1.6 The old mill already has planning permission to be restored (reference 19/00907/HOUSE), although the same proposals form part of this application. Members should be aware that water wheel is outside of the red line and therefore cannot be considered as part of this application (the Environment Agency’s position is predicated on this basis). No application or lawful development certificate has been forthcoming in regards to works to the water wheel.
- 1.7 Works have begun on the proposed store building, which was also granted planning permission under application 19/00907/HOUSE.
- 1.8 Work has also begun on distributary channel, and therefore this part of the application is partly retrospective. The relocation of the greenhouse has also already been undertaken and so is retrospective.
- 1.9 A fence and gate have been erected at the entrance of site. A rustic post and rail ‘Sussex’ fence runs along the hedge line boundary to a close boarded fence which secures the new gate. This was covered by application 19/00907/HOUSE.
- 1.10 Close-boarded fencing has been erected to the south east of the site, the planning department do not have record of a planning application or lawful development certificate for this fencing. It would appear that this fence is above 1 metres and is

adjacent to the highway and therefore, requires planning permission. Close board fencing to the south east of the site does not form part of this application.

- 1.11 There has also been the creation of a second vehicle access to the south of the site. It is considered that the works are likely permitted development, however, no lawful development certificate application has been received. The creation of the second vehicular access and hardstanding does not form part of this application.
- 1.12 Permission is also sought for the relocation of a greenhouse and the partial demolition of an outbuilding.
- 1.13 The proposed mill barn at River Barn has been the subject of recent partial roof collapse. The south west end of the proposed mill barn is still standing and has some of original mill equipment in situ. Once restored the mill barn would measure approximately 11.2m x 7m and has a ridge height of approx. 7.3m.
- 1.14 The proposed store will be located on the site of a previous oak framed barn which was removed. The new store will be made from brick and oak with handmade clay tiles. The store is approximately 7.4m by 5.2m and has a ridge height of approximately 4m.
- 1.15 The original dwelling (as defined by the Town and Country Planning (General Permitted Development) (England) Order 2015) is considered to be south-west bay (timber frame) / garage bay, central bay and north-east bay (brickwork). The footprint area of the original dwelling is approximately 81 m². The proposed extension would be approximately 89 m² which would bring the total new proposed footprint to approximately 170 m². The proposed length of the extension from the original dwelling is approximately 15.20 m, and the width of the proposal extension varies from approximately 4 m to 7 m.

2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
19/02018/COND1	Application for approval of details reserved by Condition (5) Heritage Condition - detailed method, (6) Heritage Condition - samples and schedule (7) Heritage Condition - sample area of brick, (8) Heritage Condition - weatherboarding reuse and (9) Written scheme of investigation of previous application 19/00907/HOUSE: Oak frame and brick store to replace similar building burnt down many years ago. Restoration of partially collapsed mill barn. Gates and fencing.	Approved and Discharged 2019
19/01307/HOUSE	Two storey side extension replacing single storey extension. Relocation of greenhouse and partial demolition of outbuilding.	Withdrawn 2019
19/00907/HOUSE	Oak frame and brick store to replace similar building burnt down many years ago. Restoration of partially collapsed mill barn. Gates and fencing.	Approved 2019

78/09031/ADD	Erection of 1 dwelling	Approved 1978
78/08779/ADD	Erection of a farmhouse	Withdrawn 1978
75/02769/ADD	Erection of a pair of agricultural cottages	Refused 1975

2.2 Under 19/02018/COND1 all pre-commencement conditions have been discharged.

3. Procedural Matters

- 3.1 **EIA:** Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** Site notices were displayed on 30.10.2019 at entrance to River Barn and by the beginning of footpath Bucklebury 13/1 on Brocks Lane. The deadline for representations expired on 20.11.2019.
- 3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Initial assessment, based on the CIL PAIR form, indicates that the CIL liability for this development will be CIL liable. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Bucklebury Parish Council:	No objection – It was agreed that the issues concerning glazing, raised in application 19/01307/HOUSE (which was withdrawn) have been addressed, in this application, to the satisfaction of Bucklebury Parish Council.
Highways Authority:	No comments.
Conservation Officer:	Objection – This application (which has retrospective in part) is for a distributary channel with foot bridge; two storey extension replacing single storey extension; restoration of Mill Barn; and a replacement oak framestore. The restoration of Mill Barn, and the replacement oak framestore have already been granted permission under

	<p>application 19/00907/HOUSE (Replacement oak frame and brick store and restoration of partially collapsed mill barn). I therefore have no further comments to make on these aspects.</p> <p>I understand that this application has been submitted as the applicant would like the heritage benefits that the restoration of the unlisted Mill Barn will bring to be weighed against the harm caused by the proposed extension (which I note was subject to a recently withdrawn application – 19/01307/HOUSE).</p> <p>The restoration of the dilapidated non-listed mill barn will bring about heritage benefits, however, the amount of weight that can be attached to this is not as great as it would be if the building were listed. The proposed extension would create a wing that would be out of proportion with the scale and character of this modest dwelling. Forming a visually dominant, rather than subservient, addition to the building, which would not only harm the character of the dwelling, but also the rural character of the AONB.</p>
CPRE:	<p>Supports – The setting of this somewhat historic building with its associated Water Mill barn in the AONB is very important. The proposed plans have been carefully worked out to preserve this setting with the to be restored Mill barn. The proposed extension to the south will have no impact on this setting and has been carefully scaled to have little impact on the landscape, as indicated in the sketch picture. Removal of the large blockwork workshop in between beside the river as proposed is essential in this regard and should be made a condition, by the time of sign off/permanent occupation of the dwelling.</p>
River Thames Society:	No comment.
North Wessex Downs AONB:	<p>No objection to outbuilding removal but objection to dwelling extension.</p> <p>The AONB unit would object to the proposed changes to the house which would see only a third of the current building retain and a massive extension proposed that would more than triple the size of the original. The character of the building would be lost. The extension would run parallel with the road frontage which would appear bulky and overbearing to users of the highway, thus suburbanise this rural intimate lane to the detriment of the scenic and natural beauty of the AONB.</p> <p>Core policy CS14 states Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. The proposed development would fail to comply with this core thread in</p>

	addition to policy CS19 (b) in particular). The multiple new windows in particular the large double height opening on the altered south west elevation would result in considerable light spill into what is a dark environment. Dark skies are a special quality of the AONB and should be conserved by avoiding new external lighting and additional light spill from windows. Tinting the glass would take the edge off but would not alter the impact of the large opening in open countryside.
Archaeological Officer:	No objection if condition accepted.
Rights of Way Officer:	No comments received.
West Berks Ramblers:	No comments received.
Environment Agency:	No objection.
British Gas:	No comments received.
Lead Local Flood Authority:	No comments.
Canal and River Trust:	No comments.
Natural England:	No comments.
Environmental Health:	No comments received.
Ecological Officer:	Objection – No phase one ecology survey presented.
Tree Officer:	Objection – No tree protection measures have been provided for the existing trees and hedges within the site to protect from new construction works. Details of the existing trees in close proximity to Mill Barn, tree protection and any remedial works to the nearest trees have not been provided. Object to the distributary channel and extensive clearing of riverbank vegetation, trees and shrubs. The clearance of this section could have long term effects and disturbance to the balance of water flow in the locality and within the designated NWDAONB which are not adequately addressed in the 'additional environmental aspects' statement.

Public representations

- 4.2 Representations have been received from 12 contributors, 12 of which support, and 0 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Sympathetically respects the historic building on the site.
- Concern if proposal is not approved there will be a loss of a heritage asset.
- Making the site fit for habitation.
- The restoration of Mill Barn and its waterwheel will in be a benefit for the whole community in that a crumbling historic structure which would otherwise disappear will be brought back to working condition.
- The house either needs knocking down and starting again or a complete makeover. The plan to do this and extend it makes sense to make it habitable for the 21st Century and can only improve the area. The extension will allow the existing structure to remain, which is an old-style wood framed build, allow much needed light into the house with better sized rooms and improve the visual appearance of the premises.
- Creation of a new wildlife habitats and other ecology benefits.

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C6 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS5 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- WBC Sustainable Drainage Systems SPD (2018)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of proposed extensions
- Principle of new distributary channel
- Character, appearance, and conservation of the AONB
- Trees and landscape
- Heritage
- Permitted development removal and fall-back position.
- Ecology
- Flood risk

Principle of proposed extensions

- 6.2 River Barn is located outside of, and remote from, any defined settlement boundary and is located within the “open countryside” in terms of Core Strategy Policy ADPP1. The site is also within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy ADPP1 states that only appropriate limited development in the countryside will be allowed, focused on addressing identified needs and maintaining a strong rural economy. Recognising the area as a national landscape designation, Policy ADPP5 states that development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night skies, particularly on the open downland. Development will respond positively to the local context, and respect identified landscape features and components of natural beauty.
- 6.3 In this context of restraint, Policy C1 from Housing Site Allocations DPD gives a presumption against new residential development outside of the settlement boundaries. This presumption against development is subject to a number of exceptions, one of which is the extension of existing dwellings in the countryside where the proposal complies with the criteria of policy C6.
- 6.4 Policy C6 states that there is a presumption in favour of proposals for the extension of existing permanent dwellings. An extension or alteration will be permitted providing that:
- i. the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling; and
 - ii. it has no adverse impact on: the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape; and
 - iii. the use of materials is appropriate within the local architectural context; and
 - iv. there is no significant harm on the living conditions currently enjoyed by residents of neighbouring properties.
- 6.5 An in-depth consideration has been given to this proposed development and it is considered not to be compliant with policy C6 because the proposed does not meet criteria (i) and (ii). Consequently, the development conflicts with the aforementioned policies of the development plan (ADPP1, ADPP5, C1 and C6) as a whole.

Principle of new distributary channel

- 6.6 Whilst there are no specific policies in the development plan that relate to the creation of a distributary channel to a river, the above policy of restraint also applies to other development in this location, and policy CS18 of the West Berkshire Core Strategy states that the district’s green infrastructure will be protected and enhanced (the definition of “green infrastructure” includes waterways). As such, the principle of creating a new distributary channel is considered acceptable provided it demonstrably complies with policy CS18, as well as respects the character and appearance of the area (policies CS14 and CS19), does not have adverse effects on flood risk, and does not adversely affect conserves and/or enhances local ecology (policy CS17).

Character, appearance and conservation of the AONB

- 6.7 Part of current proposal includes an extension to the existing dwelling. The footprint area of the original dwelling is approximately 81 m². The proposed extension would be approximately 89 m² which would bring the total new proposed footprint to approximately

170 m². The proposed length of the extension from the original dwelling is approximately 15.20 m, and the width of the proposal extension varies from approximately 4 m to 7 m.

- 6.8 Whilst it is noted a residential link has been proposed in an attempt to give the appearance of subservience, officers disagree that the residential link between the original dwelling and extension addresses the issues of subservience because the design of the proposed extension as a whole is not subservient to the original dwelling, fundamentally owing to its considerable size. The original dwelling has a volume of 474 m³ and the proposed extension would increase the volume of the dwelling to 1003 m³. This is a significant increase in built form and effectively gives the appearance of a second dwelling.
- 6.9 Policy C6 (i) states that the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling. Notwithstanding attempts to articulate the extension, its considerable size is such it is considered the proposed extension is not subservient to the original (or existing) dwelling. The length of the proposed extension unbalances the original dwellings design. The proposed extension would create a large wing that would be out of proportion with the scale and character of this modest dwelling and would be visually dominant within the North Wessex Downs AONB. The proposal therefore conflicts with policy C6 (i).
- 6.10 The existing modest dwelling sits comfortably within a generous plot. This has historically meant that the dwelling is relatively inconspicuous amongst the garden vegetation and surrounding trees. The proposal would change this relationship between the dwelling and the plot.
- 6.11 Policy C6 (ii) states the development should have no adverse impact on: the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape. It is clear from Google Street View, and previous case officer's site photographs from Summer 2019, that the curtilage was previously heavily vegetated and there was no access to the south of the site except for a small overgrown pedestrian gate. There has recently been a significant amount of vegetation clearance and the creation of a new vehicular access and hard surfacing. Whilst these works appear to either be not 'development' or be permitted development, together with the proposed extension they would result in a substantial change to the character of the site that would significantly urbanise the vicinity, and therefore detract from the rural character of the area. The impact on views along Brocks Lane are localised to the stretch of road alongside the property, but within this stretch the impact is substantial because of the length and height of the extension alongside the road.
- 6.12 There are also long-distance views of the site from west and south-west, including on two public footpaths (Bucklebury 13/1 and Bucklebury 102/3). As rural public rights of way, these are highly sensitive receptors for any views. From these views, the current house and mill barn are relatively inconspicuous and in keeping within the landscape. Although it is agreed that the outbuilding is not a positive feature, its height and form is such that it remain relatively inconspicuous within the landscape. From these views, the length of the proposed extension would be highly visible, conspicuous and its scale out of keeping. The partial demolition of the outbuilding is a small benefit, although the benefit is not as great as the harm from the proposed extension, particularly given that it is single storey.
- 6.13 The AONB Partnership object on essentially these grounds. They continue to raise concerns with the potential light spill from the proposed glazing and the adverse impact on the AONB's characteristic dark night skies. Overall, they consider the proposed development does not conserve or enhance the AONB. It is recognised that the level of glazing has been reduced from the withdrawn scheme, but there would still be a significant impact under the current proposals.

- 6.14 Therefore, the scale of the proposal is not subservient to the original dwelling (or even the existing extended dwelling) in terms of its volume, length and footprint. It is essentially doubling the size of the existing house. It is noted that the design rationale seeks to use a barn-style form, with modern materials to contrast with the age of the original property. However, this does not overcome the substantial harm associated with the scale and prominence of the proposed extension.
- 6.15 The proposed mill barn restoration and new store would remain subservient to the original dwelling in isolation of other developments. Both the mill barn and store have been designed to be in character with the existing dwelling. The existing dwelling is reflective of a farm cottage. Historically, River Barn has been a farm and there have been outbuildings on the site since 1878. However, at the present time many of these buildings have fallen into disrepair and fallen down. Restoring the mill barn would strengthen River Barn's historic character and re-establish its past milling culture. The proposed store would also be considered to be in keeping with the character of River Barn because it is rustic in appearance and the materials match the proposed mill barn. Both proposed buildings share similar materials to the original dwelling house.
- 6.16 It should be noted that the mill barn and proposed store would not be overly visible in the wider context of the AONB landscape because there is vegetation screening to the west of the site. Under application 19/00907/HOUSE, it was found that the store would lead to an increase in built form in the countryside which would be marginally harmful to the AONB landscape. However, the restoring of the old mill building is considered positive and the proposed store is needed to dry panels for the restoration of the old mill barn. Therefore, it is considered in these circumstances an increase in built form would only be marginally harmful to the wider countryside but have a direct enabling effect on the restoration of the mill barn. However, under the current application the considerable additional increase of built form is considered to be majorly harmful to the character and appearance of the area, and by extension fail to conserve the special qualities of the North Wessex Downs AONB.
- 6.17 Significant clearing has taken place to create the retrospective distributary channel with footbridge. This has effectively opened up the site and made urban features more visible from public viewpoints. No landscaping scheme has been submitted therefore no comment can be made on how the site will recover from the clearance.
- 6.18 For the reasons detailed above, the proposal will cause significant harm to the character and appearance of the area, and thereby fail to conserve the North Wessex Downs AONB. Therefore, the proposal is considered not to be compliant with policies C1, C3 or C6 of the Housing Site Allocations DPD (2006-2026) and policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).
- 6.19 NPPF paragraph 172 states great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The scale and extent of development within these designated areas should be limited.
- 6.20 According to the North Wessex Downs AONB Management Plan 2019-2024, key issues with the potential to have significant influence on the AONB's Development Special Qualities include (amongst others):
- New large free-standing dwellings as replacement dwellings in the open countryside. [Although the proposal is for an extension rather than a replacement dwelling, the principle is considered relevant]
 - The loss of rural character through suburbanising influences from new development (new fencing, lighting, signage, parking areas, paved footpaths, loss of native hedgerows and creation of new garden areas).

- Impact on dark skies and tranquillity of high-powered external lighting, especially where poorly directed or in an exposed location (not usually subject to planning control).

6.21 The proposed extension would cause significant harm to the AONB open countryside for the above reasons and because of the conflict with the above key issues. Great weight is given to significant harm the proposal would cause to the AONB landscape.

Trees and landscape

6.22 A significant amount of vegetation clearance has taken place. Whilst this does not need planning permission, it has changed the character of the site, and made any new proposed development more conspicuous in the landscape. Core Strategy Policy CS14 states 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. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Development proposals will be expected to make efficient use of land whilst respecting the density, character, landscape and biodiversity of the surrounding area. The landscaping of the site as part of this application is therefore a relevant planning consideration.

6.23 As set out above, the scale of the development is not considered to be subservient which has led to an unacceptable visual impact. Soft landscaping would not be sufficient to overcome this fundamental concern.

Heritage

6.24 It is noted from the letters of support that the mill barn is of local importance. It should be recognised as a non-designated heritage asset. In 19/00907/HOUSE, the conservation officer originally raised concerns in regards to brick work and elm weatherboarding ratio. During that application, amended drawings were received to address these concerns. These are the same amended drawings which have been submitted with the current application. The restoration of the mill barn would bring some heritage benefits. However, the weight attached to this benefit needs to be weighed with other material considerations.

6.25 In addition, the cottage at River Barn is also considered to be a non-designated heritage asset. The conservation officer found that the proposed extension would create a wing that would be out of proportion with the scale and character of this modest dwelling. Forming a visually dominant, rather than subservient, addition to the building, which would not only harm the character of the dwelling, but also the rural character of the AONB.

6.26 While it is noted that mill barn and the cottage are of local importance they do not benefit from being listed and therefore do not benefit from the same statutory protections or legislation as heritage assets with listed status. Both non-designated heritage assets fall within the scope of policy CS19 of the Core Strategy and specifically paragraph 197 of the NPPF.

6.27 Paragraph 197 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 6.28 It is considered that some weight could be given to the benefit of restoring the mill barn. However, it should be noted that the proposed restoration has planning permission which has been implemented, and critically is not dependent of the proposed extension. It is therefore not appropriate to justify a harmful extension based on the benefits of the restoration.
- 6.29 The restoration of the water wheel cannot be considered as part of this application as it is outside of the red line application site. Therefore, there is no planning mechanism which can secure the restoration of the water wheel and it does not form part of the planning balance.
- 6.30 On the other hand, moderate weight could be given to the harm that will be caused to River Barn by the proposed extension, as identified by the conservation officer.

Permitted development and fall-back position

- 6.31 Within the planning statement it is stated that *'The existing blockwork outbuilding could be used (subject to Building Regulations only) for domestic residential use at present. In addition Permitted Development rights still exist for the house which would allow a 4m deep rear extension. This would be uncontrolled in terms of appearance. The retention of the outbuilding would offer no relief from its appearance or its impact on the immediate environment.'* This statement is considered to be incorrect for two reasons.
- 6.32 Firstly, under The Town and Country Planning (General Permitted Development) (England) Order 2015, extensions in the AONB are not allowed if (amongst others):
- It would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
 - If the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;
 - If the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.
- 6.33 Therefore, the scope for developments in this location would be considerably restricted under permitted development.
- 6.34 Secondly, under 19/00907/HOUSE it was considered necessary to regulate further development on this site because there is a risk that overdevelopment could occur and this would have a negative impact on the AONB. It was agreed with the applicant that permitted development rights would be removed on this site. Removal of permitted development rights is undertaken in the interests of visual amenity and to avoid the overdevelopment and an unacceptable increase in the level of visual impact of on the North Wessex Downs Area of Outstanding Natural Beauty.
- 6.35 All pre-commencement conditions have been discharged under application 19/02018/COND1 and material operations have taken place in relation to the store building consented under 19/00907/HOUSE. Consequently, application 19/00907/HOUSE has been implemented and therefore PD rights have now been removed for this site.
- 6.36 Therefore, there the site does not benefit from domestic permitted development rights. Consequently, there is no valid fall-back position that should be considered as part of this application. Irrespective of this, the scope for extensions and outbuildings is significantly curtailed within the AONB, so there would have been no permitted significant extensions that could be permitted development and would have altered the above conclusions.

- 6.37 It has been noted that, in further correspondence, a second fall-back position has been proposed. This concerns the demolition of the old mill barn and River Barn Cottage, and replacement with a new dwelling. Officers are unlikely to support the removal of two non-designated heritage assets because it is likely to be against local and national planning policies. Therefore, this fall-back position is considered not to a practical or realistic. In any event, any such proposal would require planning permission and the policy parameters for replacement dwellings are comparable to those extensions in the countryside.

Ecology

- 6.38 A phase one ecology survey has been requested by the Council's ecologist. This information has not been provided.
- 6.39 A bat survey has been provided but the Council's ecologist found that *'The site/existing dwelling has been said to be in the Bat survey report as being low potential for bats, we disagree with this assessment and think that given the quality of the surrounding feeding and commuting habitat and the roosting opportunities offered for bats that a further 2 bat surveys should have been undertaken. Additionally the temperature at the end other the solitary emergence was 11 degrees centigrade which is only 1 degree above what is acceptable (10°C) survey minimum. The implications of this are that the bats that could be based there or use that roost some of the year may not have emerged from hibernation by this point so early into the survey season (survey undertaken on the 4th of May with the survey season starting on May the 1st), meaning that further bat surveys should have been undertaken when all these factors are taken into account.'*
- 6.40 It is noted the applicant's ecologist suggests the surveys could be conditioned. However, the council disagrees that ecology surveys could be surveyed because in the Government Circular 06/2005 on Biodiversity and Geological Conservation states in paragraph 99 that it is essential that the presence or otherwise of protected species, and the extent that 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. There are no exceptional circumstances presented with this application to justify surveys being conditioned. It is considered that there is reasonable likelihood of the species being present and affected by the development. Therefore, it is reasonable to request a phase one ecology assessment to be undertaken.
- 6.41 The EA originally raised concerns on the basis of insufficient ecology information, but in a second response they have withdrawn their original objection. The EA found while this is not the optimum time of year to carry out ecological surveys including for water voles, they accept the findings and opinion of the applicant's ecologist and for the issues within their remit they do not consider that a more detailed ecological survey is necessary. However, the Council's Ecologist still insists on the phase one ecology assessment in order to fully assess the ecology matter with in the planning remit, which extend beyond the River Pang.
- 6.42 The EA may have granted a permit but this is separate from planning permission. Planning permission and environmental permitting are different legal frameworks. A decision for planning permission and EA permitting may be granted or refused according to their respective legal requirements. They are often sorted in tandem. However, the granting of an EA permit does not necessarily overcome planning concerns or requirements as set out in planning legal and policy framework. The EA remit concerns the River Pang and on the proviso that the water wheel does not form part of this application, they have withdrawn there objection.

- 6.43 The Council's ecologist finds more information is needed from the applicant in regards to the wider ecological habitats on site (other than the bat survey report), given the proximity to the River Kennet SSSI and other strong ecological features ecologist insist on an extended phase one habitat survey undertaken by a suitably experienced and qualified ecologist at the correct time of year. This may lead to further surveys needing to be undertaken depending on the findings before this application can be approved. Policy CS 17 of the West Berkshire Core Strategy gives a policy basis for the above requirement.
- 6.44 Without the forthcoming information, the ecologist upholds their objection as it will not be possible to assess the impact of the proposal on ecology as a whole:
1. Insufficient ecology surveys, including an extended phase one survey, further bat surveys, and likely additional detailed surveys arising from the phase one (such as water vole, reptile, and otter);
 2. Insufficient information to demonstrate how the proposal to achieve net gains in biodiversity, particularly given the recent vegetation clearance that has taken place on the site;
 3. The absence of a Modular River Survey / MoRPh undertaken and subsequent report to gauge whether an acceptable net gain can/has been achieved for the affected stretch of chalk stream watercourse (a priority habitat) that potentially hosts valuable invertebrate species assemblages.
- 6.45 It is noted that the distributary channel with footbridge has been proposed to offer a benefit in the planning balance against the harm caused by proposed extension, but without evidence to support this contention, little if any weight can be given to such benefits. Moreover, implementation of the distributary channel with footbridge is not dependent on the implementation of the proposed extension.

Flood risk

- 6.46 Although the application site is located adjacent to the River Pang, and there are areas of elevated flood risk surrounding the site, the area of development itself lies within EA Flood Zone 1, which has the lowest probability of fluvial (river/coastal) flood risk. Neither the EA nor the Lead Local Flood Authority object on flood risk grounds.

7. Planning Balance and Conclusion

- 7.1 The proposal is not compliant policy C6 because the proposed does meet criteria (i) and (ii). The proposed extension represents a severe conflict with policy C6, and by extension the associated policies which provide for only appropriate limited development in the AONB open countryside. This conflict attracts substantial weight in the planning balance. The failure to respect the character and appearance of the area, and conserve the AONB also attracts great weight. The net impact on the heritage of the site is negative due to the harmful impact of the extension on River Barn.
- 7.2 Whilst not objectional in their own respects, the new tributary and restoration of the old mill are not depended on the proposed extension to the existing dwelling. The weight to be given to the benefits that the tributary and restoration of the old mill would bring are limited by comparison to the identified conflict and harm.
- 7.3 Ecological benefits have been promoted by the applicant as benefits to the proposal that can be weighed in the planning balance. Fundamentally, any ecological benefits that may arise from the works to the River Pang are not dependent upon the proposed extension. Furthermore, whilst there is no objection in principle to these works, insufficient information has been provided to demonstrate any benefits, or indeed that

no harm would arise. Without the required ecological surveys, national policy is clear that planning permission should not be granted.

- 7.4 Consequently, these limited benefits are significantly and demonstrably outweighed by the policy conflict and significant harm the proposed extension would cause to the open countryside and AONB. The proposal would lead to an overly urbanised site which would be visible in the wider NWD AONB landscape. Therefore, this application should be recommended for refusal.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to REFUSE PLANNING PERMISSION for the reasons listed below.

Refusal Reasons

1. Development plan, character and appearance, AONB, heritage

The application site is located in open countryside within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). According to Core Strategy Policy ADPP1, development in West Berkshire will follow the existing settlement pattern, and only appropriate limited development in the countryside will be allowed. Core Strategy Policy ADPP5 recognises the sensitivity of the area as a national landscape designation.

In this context Policy C1 of the Housing Site Allocations (HSA) DPD states that there will be a presumption against new residential development outside of the settlement boundaries. Exceptions to this include extension of existing dwellings within the countryside, and policy C6 provides qualifying criteria for where extension of existing dwellings within the countryside will be permitted. The proposed development fails to comply with Policy C6 for the following reasons:

The size (particularly the scale, length and footprint) of the proposed extension is not subservient to the original (or existing) dwelling and is not considered to be designed in character with the existing dwelling. Therefore, the proposed development fails to comply with criteria (i).

The length and scale of the proposed extension unbalances the appearance of the original dwelling. The proposed extension would create a wing that would be out of proportion with the scale and character of this modest dwelling and would be visually dominant within the North Wessex Downs AONB. Therefore, the proposal has an adverse impact on the setting of the existing building and local rural character. The extension would have adverse impact on the original dwelling which is considered to be of historical interest and a non-designated heritage asset. The proposal would lead to visually dominant built form viewable from nearby public footpaths (Bucklebury 13/1 and Bucklebury 102/3) leading to adverse landscape and visual impacts within the AONB landscape. Therefore, the proposed development fails to comply with criteria (ii).

As the proposal fails to comply with Policy C6, by extension it fails to qualify as appropriate limited development in the countryside, contrary to the aforementioned policies as a whole. Owing to the identified adverse impacts, the proposals also fails to comply with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, and Policy C3 of the Housing Site Allocations DPD 2006-2026.

2. **Insufficient information on ecology**

Insufficient information has been provided with respect to the ecological impacts of the development. Specifically:

- a) Insufficient ecology surveys have been submitted, including an extended phase one survey, further bat surveys, and likely additional detailed surveys arising from the phase one (such as water vole, reptile, and otter);
- b) Insufficient information to demonstrate how the proposal to achieve net gains in biodiversity, particularly given the recent vegetation clearance that has taken place on the site;
- c) The absence of a Modular River Survey / MoRPh undertaken and subsequent report to gauge whether an acceptable net gain can/has been achieved for the affected stretch of chalk stream watercourse (a priority habitat) that potentially hosts valuable invertebrate species assemblages.

Accordingly, the application is contrary to the National Planning Policy Framework, Policy CS17 of the West Berkshire Core Strategy 2006-2026, Circular 06/2005 on Biodiversity and Geological Conservation, and the Wildlife and Countryside Act 1981.

Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	19/02333/FULD Pangbourne	15 th November 2019 ¹	Retention of existing house, demolition of existing barn building and greenhouse. Division of plot to allow for the construction of a new family dwelling and double garage. New double garage outbuilding for the existing house and associated works to the driveway. Three Cliffs, Bere Court Road, Pangbourne, Reading, Berkshire, RG8 8JY Mr Geoff Finch

¹ Extension of time agreed with applicant until 30th January 2020

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/02333/FULD>

Recommendation Summary: Grant planning permission

Ward Member(s): Councillor Gareth Hurley

Reason for Committee Determination: Referred by the Development Control Manager as the proposal is a departure from the development plan and is being recommended for approval.

Committee Site Visit: 22nd January 2020

Contact Officer Details

Name: Alice Attwood
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Alice.Attwood1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for retention of existing house, demolition of existing barn building and greenhouse, division of plot to allow for the construction of a new family dwelling and double garage, and new double garage outbuilding for the existing house and associated works to the driveway.
- 1.2 The new dwelling would share an access route with the existing property, in a similar manner to Clayesmore and South Stonehams Cottage, albeit these two dwellings are within the settlement boundary.
- 1.3 The site lies within the North Wessex Downs Area of Outstanding Beauty (AONB). The site is located partly within the defined settlement boundary (closest to Bere Court Road) and partly outside the settlement boundary. The proposed location of the new dwelling is wholly outside the settlement boundary.
- 1.4 The north of the plot is characterised by sloping woodland, with a range of different trees. There are trees on the site which are the subject of Tree Preservation Orders. It is stated that all trees on the site are to be retained. The site includes a large barn structure adjacent to the north eastern boundary.
- 1.5 The existing barn building is proposed to be demolished. The existing barn footprint measures approximately 110sqm. The proposed dwelling is to be erected with living areas of the house having an internal floor area, over one floor, of 163sqm. Two car ports will also be erected on site. One would belong to the existing dwelling at Three Cliffs and the other belong to the proposed dwelling.

2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
APP/W0340/W/19/3224233	Appeal of Retention of existing house. Demolition of existing barn building and greenhouse. Division of plot to allow for the construction of a new family dwelling and garage. New double garage outbuilding for the existing house and associated works to the driveway. (18/02098/FULD)	Dismissed on 20.06.2019
18/02098/FULD	Retention of existing house. Demolition of existing barn building and greenhouse. Division of plot to allow for the construction of a new family dwelling and garage. New double garage outbuilding for the existing house and associated works to the driveway.	Refused on 19.10.2018
17/03438/FULD	Retention of existing house. Demolition of existing barn building and greenhouse. Division of plot to	Withdrawn on 06.03.2018

	allow for the construction of a new family dwelling and double garage outbuilding for the existing house.	
01/00962/HOUSE	Single storey extension to enlarge kitchen and form conservatory	Approved on 31.07.2001

3. Procedural Matters

- 3.1 **EIA:** A screening opinion has been issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, concluding that the proposal is not EIA development.
- 3.2 **Publicity:** A site notice was displayed on 04.10.2019 at entrance to Three Cliffs, Bere Court Road, Pangbourne. The deadline for representations expired on 25.10.2019. An advert in the Reading Chronicle under Planning Notices was displayed on 03.10.2019.
- 3.3 Amended Plans were received on 12.11.2019 and the application was publicised as a departure from the development plan. A departure site notice was displayed on 15.11.2019 at entrance to Three Cliffs, Bere Court Road, Pangbourne. The deadline for representations expired on 06.12.2019. An advert in the Reading Chronicle under Planning Notices was displayed on 21.11.2019.
- 3.4 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Pangbourne Parish Council:	No objection.
Highways Authority:	No objection if conditions accepted.
North Wessex Downs AONB:	No comments received.
Rights of Way Officer:	No comments received.
West Berks Ramblers:	No comments received.
Ecological Officer:	No comments received.

Natural England:	No comments received.
Lead Local Flood Authority:	No objection.
Waste Officer:	No comments received.
Tree Officer:	No objection if conditions are accepted.

Public representations

4.2 Representations have been received from 3 contributors, 1 of which is in support, and 2 of which object to the proposal.

4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- In support:
 - Proposed development is proportionate, quite modest, and in keeping with the character of Bere Court Road.
 - An opportunity to bring a balance to housing development in the community benefiting the small builder, the local supply chain and ultimately the wider community.
 - Neighbouring amenity would be unaffected.
- In objection:
 - Preference for the original proposal ref 17/03438/FULD, which was felt would cause the least impact on neighbouring property and require less screening.
 - The proposed development extends the existing barn footprint and is outside of the settlement boundary that may set negative future precedents.
 - Requested that it is only granted on the initial application as it causes the least impact to the immediate neighbours.
 - The Planning Inspector, in assessing the appeal, concluded that a proposal for a dwelling in this location only meets the policies on 'accessibility' (and nothing else).

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS1, CS4, CS13, CS14, CS15, CS16, CS17 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)
- WBC Planning Obligations SPD (2015)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Design, character and appearance
- Neighbour amenity
- Highways matters
- Sustainable drainage
- Ecology and trees
- Removal of permitted development rights

Principle of development

- 6.2 According to Core Strategy Policy CS1, new homes will be primarily developed on land within settlement boundaries and land allocated for residential development. Under the spatial strategy, Pangbourne is designated as a “Rural Service Centre” which as a second tier settlement within the District Settlement Hierarchy attracts a commensurate level of development. However, within the “open countryside” (i.e. outside defined settlement boundaries), only appropriate limited development will be allowed, focused on addressing identified needs and maintaining a strong rural economy.
- 6.3 The Pangbourne settlement boundary runs though the site. The existing dwelling at Three Cliffs is located within the settlement boundary but the part of the garden where the development is situated is located outside of the settlement boundary.
- 6.4 Policy C1 of the HSA DPD provides a presumption against new residential development outside of the settlement boundaries. There are limited exceptions to this presumption, listed in Policy C1, but the proposed development does not fall into them. Policy C1 further provides that planning permission will not be granted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB or where development would have an adverse cumulative impact on the environment or highway safety.
- 6.5 The proposed development conflicts with the aforementioned policies in terms of its located outside of the defined settlement boundary, and ordinarily this conflict would attract substantial weight and likely result in the refusal of planning permission.
- 6.6 However, this is unusual case as the Inspector at appeal for the previous proposal concluded as follows: *“The appeal site is located outside of any settlement boundary and so is in the open countryside for policy purposes. The appeal site is though immediately adjacent to the settlement boundary for Pangbourne. As such, although the proposed development would not be in accordance with the Council’s settlement hierarchy, in practical terms, it would have almost exactly the same access to local services and facilities as houses adjacent which are in the settlement boundary. As such, I find that the proposed development would be in an accessible location. Although it would not comply with Policy ADDP1, ADPP5 and CS1 of the CS and Policy C1 of the*

Housing Site Allocations Development Plan Document (2017), it would accord with the aims of these policies related to directing development to accessible locations.”

- 6.7 This appeal proposal provides a direct precedent to this current application, and is a very significant material consideration that must be weighed against the conflict with the development plan policies.
- 6.8 As explained further in this report, the proposed development has been amended to address the inspector's previous concerns on the detailed design. The curtilage of the proposed dwelling has been made smaller to not include the plantation trees which act as a nature barrier to the open countryside. The proposal has been carefully designed to respect the North Wessex Downs AONB (AONB) and neighbouring amenity. Consequently, aside from the conflict with the development plan in principle, there are no other technical objections to the proposal.

Design, character and appearance

- 6.9 The proposed dwelling would replace the barn and be of a similar scale with a small increase in footprint but no increase in height. The proposal would not be visible from the road because the height of the ridge has been dropped down by 4 m and a good quality landscaping scheme has been proposed.
- 6.10 The proposed dwelling has a reduced curtilage which does not include the plantation trees to the north of the site. The reduction in the curtilage will prevent domestic encroachment into the countryside. The plantation trees act a natural buffer between the proposed dwelling and the open countryside. The plantation trees may be secured through a landscaping condition and they also act as a natural buffer to encroachment.
- 6.11 The proposed garages were amended to become car ports which reduces the built form and visual massing, and aid the site in keeping a sense of openness. The proposed and existing dwelling would have good-sized gardens which provide more than the recommended private amenity space set out in the Quality Design SPD. The proposal would remain well screened from the wider AONB landscape.
- 6.12 As such it is considered these proposed measures would help the proposal to maintain a sense of spaciousness and rurality in this part of the AONB. It is considered the Inspector's original concerns have been overcome in this regard.
- 6.13 The design of the proposed dwelling is reflective of the existing barn. In the local area the dwellings are all of individual design. It is considered the proposed design of the dwelling is respectful of the constraints on site. The palette of materials proposed for the development are made of three principle elements: wood and glass for the facades, and standing seam metal for the roof. It is considered that these materials will allow the house to sit well within the woodland setting and relate strongly to the barn building that is to be replaced.
- 6.14 It is considered that proposal has unique set of circumstances which would mean the proposal would not harm or undermine the existing relationship of the settlement within the open countryside. The design is reflective of the existing barn which is to be replaced and it is considered the proposal would contribute positively to the character and distinctiveness of a rural area, including the AONB.
- 6.15 It is considered that the design of the proposed dwelling would relate well to the local character and appearance of the area. It is considered a dwelling in this local would not look out of place in this location. The design is respectful of the sensitive AONB landscape. Therefore, it is considered that the proposal is considered compliant with policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

Neighbouring amenity

- 6.16 In the previous appeal, the Inspector raised concerns that the proposed house would be significantly taller than the existing barn building, with the height of its eaves meaning that there would be a good deal of massing above the level of the existing hedges. As such, given the height and bulk of the proposed dwelling, it would have an overbearing effect on the outlook from Clayesmore and South Stonehams Cottage.
- 6.17 The ridge height of the proposed dwelling has been dropped by 4 metres in comparison to the appeal scheme. The house would match the height of the existing barn and replicates the form of the barn on one side. The proposed house would be much lower than the height of the existing trees, although the tree canopy is such that plenty of light would be available for the dwelling. The building would be well screened by existing trees, shrubs and planting. It is considered the proposed dwelling, in terms of massing and scale, is similar to that of the existing barn. In addition, the dwelling is in the same place as the existing barn. With the reduction in height it is considered that that proposal would not have an overbearing effect on the outlook from Clayesmore and South Stonehams Cottage, any more than the existing barn does.
- 6.18 The Quality Design SPD requires a minimum distance of 21 metres between directly facing windows. It is considered that no windows on the proposed dwelling will directly overlook any nearby neighbouring dwellings or their window. In addition, the dwelling would be situated approximately 29 metres from the Clayesmore's west elevation, approximately 40 metres from South Stonehams Cottage's north-west elevation, and approximately 36 metres from Two Oaks' eastern elevation. The dwelling is situated well over a distance of 21 metres from neighbouring dwellings. It is considered that neighbouring dwellings would therefore maintain a reasonable amount of privacy if this proposal is allowed.
- 6.19 Due to the reduction in ridge height, plus the physical separation between the proposed dwelling and other neighbouring dwellings, it is considered the proposal would not lead to a loss of day or sun light to neighbouring dwellings. No material overshadowing will be caused by this proposal.
- 6.20 It is considered the proposal would not have a negative impact on the amenity of Three Cliffs because there is physical separation. There is approximately 34 metres between the proposal dwelling and Three Cliffs. Both dwellings would be sited in large plots and would be served by well over the recommended 70 sqm of outdoor private amenity space.
- 6.21 It is considered the proposed development would not lead to a harmful impact on neighbourhood amenity and is considered to be compliant with policy CS14 of the West Berkshire Core Strategy 2006-2026.

Highways matters

- 6.22 The Highways Authority raised no objections to this application provided a condition was accepted by the applicant; the applicant has accepted these conditions. It is considered that the correct number of parking spaces have been proposed. Therefore, with the applicant's acceptance of highways conditions, the proposal is considered compliant with policy P1 of the Housing Site Allocations Development Plan Document.

Sustainable drainage

- 6.23 The Lead Local Flood Authority raised no objection to this proposal. They provided the following comments: "*The applicant is proposing to place a soakaway within the external*

areas with the proposed house and garages draining into this area. We have noted from the BGS website that the site is understood to be underlain by Chalk with groundwater likely to be very deep (circa 29m below ground level based on an historic borehole). We are therefore satisfied with the principles and delighted that the applicant is proposing to utilise infiltration within green areas. We are also happy to see the proposed permeable paving within the driveway which could be allowed to discharge straight to ground, provided the base reaches the Chalk strata. Based on the above, we will not be providing any further response or Conditions as we are satisfied that the principles of the development are sound. We would however recommend that the applicant reviews our advice below with regards to the sizing and application of the proposed SuDS features."

- 6.24 It is considered that the sustainable drainage method the applicant is proposing are suitable and the proposal is considered to be compliant with policy CS16 of West Berkshire Core Strategy.

Ecology and trees

- 6.25 No ecology comments were received in regards to this application. The applicant did supply a bat survey which was carried out by a qualified ecologist. There was no notable ecology found on site.
- 6.26 The Council's Tree Officer raises no objections providing conditions are accepted by the applicant; and the applicant has agreed the suggested tree conditions. The Tree Officer advises that the repositioning of the proposed soakaway further away from "T88 Field Maple", which is covered by a TPO, is welcomed as it was a concern at the time of the previous application.
- 6.27 The application is accompanied by an Arboricultural Impact Assessment (AIA) by SJ Stephens Associates dated 11 November 2019. This includes an Arboricultural Method Statement (with foundation details to be used within the root protection areas of site trees) and a Tree Protection Plan. The AIA will be included in the list of approve documents. An Arboricultural Supervision condition will be required for the demolition and construction phases. This has been accepted by the applicant. It is therefore considered the proposal is compliant with Policies CS17 and CS18 of West Berkshire Core Strategy in these respects.

Removal of permitted development rights

- 6.28 As set out early in the body of this report, there are a unique set of planning circumstances to this case. Part of the development is considered to be outside the settlement boundary. It is noted the site is already partly domesticated because of its use as a residential garden. It is equally noted that careful design has been undertaken to reduce the impact of scale and massing on neighbouring amenity. Later additions onto the proposed dwelling could cause the site to become overly urbanised and cramped, and any extension to the rear could encroach into the plantation woodland. Extensions to the proposal dwelling are therefore likely to have a negative effect on the dwellings relationship with its plot if unregulated. Therefore, the removal of permitted development rights is proposed.

Planning balance and conclusion

- 6.29 The proposed house is located outside the settlement boundary of Pangbourne, and ordinarily this conflict with the development plan would attract substantial weight against granting permission in the planning balance. However, it was concluded by the Inspector on the previous appeal that the residential development on this site would

accord with the aims of these policies related to directing development to accessible locations, and consequently the appeal was not dismissed on this ground. This direct appeal precedent is a very significant material consideration unique to this particular case and set of circumstances.

- 6.30 In weighing the conflict with the development plan, it is also recognised that the woodland to the rear has historically provided a well-defined buffer to the open countryside beyond, and the settlement boundary in this location does appear arbitrary on the ground. When considering the application as a whole it is considered the proposal would not give rise to any material planning harm, the proposal having successfully addressed the technical objections maintained by the Inspector at appeal. There is a small public benefit in terms of providing an additional dwelling to the housing stock.
- 6.31 Therefore, in the unique circumstances of this case, the application is considered to be an acceptable departure from the development plan. As such, the application is recommended for conditional approval.

7. Full Recommendation

- 7.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. **Commencement of development**

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

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

2. **Approved plans**

The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below:

- (i) Location Plan and Plot Division - 1713/02_301 A received 11.11.2019
- (ii) Proposed Site / Roof Plan - 1713/02_303 B received 13.10.2019
- (iii) Proposed Ground Plan - 1713/02_304 A received 11.11.2019
- (iv) Proposed Elevations - 1713/02_305 received 13.10.2019
- (v) Proposed Car Ports - 1713/02_306 A received 11.11.2019
- (vi) Vehicular Access Visibility Splays - 1713/02_307 received 13.10.2019
- (vii) Design and Access Statement - 1713/02_602 received 13.10.2019
- (viii) Extended Phase 1 Habitat and Daytime Bat Survey by Sedgemoor Ecology Services received 13.10.2019
- (ix) Arboricultural Impact Assessment – 1094 - received 11.11.2019

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

3. **Materials**

The construction of the dwelling shall not take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the dwelling and hard surfaced areas hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This information is required before construction because insufficient has been submitted with the application. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and the Village Design Statement for Pangbourne.

4. **Hours of work (construction)**

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

7:30am to 6:00pm Mondays to Fridays;
8:30am to 1:00pm Saturdays;
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework (February 2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026).

5. **Domestic extensions/outbuildings PD removal**

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, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and/or E of that Order shall be carried out on land indicated in red on Location Plan and Plot Division - 1713/02_301 A received 11.11.2019, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

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

6. **Tree protection**

Protective fencing and ground protection shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on the approved drawings, including drawing number 1094-04 Nov 2019 within the AIA by SJ Stephens Associates dated November 2019. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires except as stipulated within the AIA.

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

7. **Arboricultural Method Statement**

The Arboricultural Method Statement and tree protection measures within the AIA report by SJ Stephens Associates dated 11th November 2019 shall be implemented in full and tree protection measures and works carried out in accordance with the Assessment. No changes shall be made to the works unless amendments have first been submitted to and approved in writing by the Local Planning Authority and shall include details of any changes to the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

Reason; To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

8. **Arboricultural supervision**

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

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

9. **Hard landscaping**

No dwelling hereby permitted shall be occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

10. **Soft landscaping**

No dwelling shall be first occupied until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning

Policy Framework, Policies ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

11. Ecological mitigation

The mitigation measures described in Extended Phase 1 Habitat and Daytime Bat Survey by Sedgell Ecology Services received 13.10.2019 shall be implemented in full and the measures shall thereafter be retained.

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

12. Visibility splays

The new dwelling shall not be first occupied until the visibility splays at the site access have been provided in accordance with drawing number 1713/02_307 received 13.10.2019. 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 applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

13. Parking and turning

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

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

14. Electric charging points

The new dwelling shall not be first occupied until an electric vehicle charging point has been provided in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicles. This condition is applied 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).

15. Residential curtilage

The residential curtilage of the new dwelling shall be limited to the land outlined with an orange dashed line and labelled as "proposed curtilage for new house" on the Proposed Site / Roof Plan - 1713/02_303 B received 13.10.2019. The land outside of this orange dashed line shall not be used as residential curtilage for new dwelling.

Reason: To clarify the extension of residential curtilage to prevent encroachment into the countryside. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5 and CS1 of the West

Berkshire Core Strategy 2006-2026, and Policies C1 and C8 of the Housing Site Allocations DPD 2006-2026.

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Planning Appeal Decisions: Eastern Area November 2019 – January 2020

Appeal / Application	Site	LPA Decision	Appeal Decision	Decision Date
3231442 19/00020/FULD Written Reps	Land to the Rear of 378 London Road, London Road, Benham Hill, Thatcham, RG18 3AA Three one bedroom flats.	Delegated refusal	Dismissed	07/11/19
3234385 19/00221/FULD Written Reps	Glenvale Nurseries, Hungerford Lane, Bradfield Southend, Reading, RG7 6JH Demolition of Glenvale garden centre and replace with 1 detached dwelling, retaining the existing entrance onto Hungerford lane.	EAPC refusal (recommended for refusal)	Dismissed – full costs awarded against the appellant	14/11/19
3191683, 3213725, 3213726, 3213727 16/01240/OUTMAJ 16/01237/FUL 16/01238/FUL 16/01239/FUL Public Inquiry	Burghfield Sailing Club, Hangar Road, Sulhampstead, Reading, Berkshire Outline planning permission for up to 218 homes and associated development; linked with three non-determination appeals for the construction of culverts under the highway to enable flood alleviation.	Delegated refusal (outline) and non-determination (culverts)	Appeal withdrawn during inquiry – partial costs awarded against appellant	25/11/19
3232761 19/00778/OUTD Written Reps	Burford, Stanford Road, Bradfield Southend, Reading RG7 6HL Construction of a one and a half storey dwelling with a detached garage at land to the rear of Burford Cottage.	Delegated refusal	Dismissed	18/12/19
3230985, 3230982 19/00518/HOUSE 19/00519/LBC2 Written Reps	Old Thatch, Crookham Common Road, Brimpton, Reading, Berkshire, RG7 4PT Demolition of a 1960's single storey extension and erection of a single storey extension to rear of property.	Delegated refusals	Both appeals dismissed	18/12/19
3234841 18/03268/FULD Written Reps	Clairewood, Hampstead Norreys Road, Hermitage, Thatcham, RG18 9RZ Demolition of the existing single storey dwelling and garage and its replacement with two semi-detached dwellings. Included within the proposals are works to lift and thin the crown of TPO within the garden.	EAPC refusal (recommended for approval)	Allowed – costs application against the Council refused	02/01/20
3232623 18/02964/OUTD Written Reps	Wisteria Cottage, Bath Road, Midgham, Reading RG7 5UU Outline planning application for the erection of two detached dwellings on brownfield garden land surplus to requirements and less than half a hectare in size.	Delegated refusal	Dismissed	08/01/20

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