

Notice of Meeting



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Eastern Area Planning Committee

Wednesday 26 August 2020 at 6.30pm

This meeting will be held in a virtual format in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020

Please note: As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights have been removed for virtual Council meetings. This right is replaced with the ability to make written submissions. Written submissions are limited to no more than 500 words and must be submitted to the Planning Team by no later than midday on Monday 24 August 2020. Please e-mail your submission to planapps@westberks.gov.uk

The Council will be livestreaming its meetings.

This meeting will be streamed live here: <https://www.westberks.gov.uk/easternareaplanninglive>

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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 18 August 2020

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

Plans and photographs relating to the Planning Applications to be considered at the meeting can be viewed by clicking the link on the front page of the relevant report.

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



Agenda - Eastern Area Planning Committee to be held on Wednesday, 26 August 2020
(continued)

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

Any queries relating to the Committee should be directed to Stephen Chard on (01635) 519462/503124 Email: stephen.chard@westberks.gov.uk

Agenda - Eastern Area Planning Committee to be held on Wednesday, 26 August 2020
(continued)

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

Substitutes: Councillors Peter Argyle, Graham Bridgman, Owen Jeffery, Nassar Kessell, Richard Somner and Keith Woodhams

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting.
2. **Minutes** 5 - 18
To approve as a correct record the Minutes of the meeting of this Committee held on 5 August 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: 20/01134/HOUSE - Greenfields, Burghfield** 19 - 50
Proposal: Section 73. Variation of condition (4) garage use restricted of approved 18/01467/HOUSE - Erection of new garage with ancillary residential space on the first floor.
Location: Greenfields, Burghfield, RG30 3TG
Applicant: Rebecca Gore
Recommendation: Delegate to the Head of Development and Planning to grant planning permission.
- Items for Information**
5. **Appeal Decisions relating to Eastern Area Planning** 51 - 56
To inform Members of the results of recent appeal decisions relating to the Eastern Area Planning Committee.

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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
Service Director (Strategy and Governance)

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



Agenda Item 2.

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, 5 AUGUST 2020

Councillors Present: Nassar Kessell (Substitute) (In place of Jeremy Cottam), Alan Law (Chairman), Tony Linden, Ross Mackinnon, Alan Macro (Vice-Chairman), Geoff Mayes, Richard Somner (Substitute) (In place of Graham Pask), Joanne Stewart and Keith Woodhams (Substitute) (In place of Royce Longton)

Also Present: Sharon Armour (Solicitor), Jessica Bailiss (Policy Officer (Executive Support)), Stephen Chard (Policy Officer), Paul Goddard (Team Leader - Highways Development Control), Lydia Mather (Senior Planning Officer) and David Pearson (Development Control Team Leader)

Apologies for inability to attend the meeting: Councillor Jeremy Cottam, Councillor Royce Longton and Councillor Graham Pask

PART I

17. Minutes

The Minutes of the meeting held on 15 July 2020 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

- **Item 16 (1): 19/01172/OUTMAJ – Land North of The Green, Theale: Page 7, penultimate bullet point:** Councillor Alan Macro requested that the second sentence should read as follows: This created a road safety issue, particularly for school children needing to cross the bus park.
- **Item 16 (1): 19/01172/OUTMAJ – Land North of The Green, Theale:** Councillor Alan Macro stated that at the vote it had been decided that the application be approved however, that the plans for the pedestrian crossing should be reviewed. He believed that it had been agreed that the drawing for this should be removed from the conditions however, he noted that it was still included under condition four on page 11 of the minutes.

Reference to a plan for pedestrian crossing would be removed from condition four in the minutes.

- **Item 16 (2): 20/00737/COMIND – Land at Shalford Farm Brimpton: Page 31, penultimate paragraph:** To be amended to read as follows: “The local roads did therefore already carry traffic related to the wedding venue and the distance to Shalford Farm would be less than traffic to other accommodation.”

18. Declarations of Interest

Councillors Alan Law, Joanne Stewart, Tony Linden, Alan Macro, Ross Mackinnon and Richard Somner declared an interest in Agenda Item 4(1), but reported that, as their interest was a personal or another registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

19. **Schedule of Planning Applications**

(1) Application No. & Parish: 20/00674/FUL - Land to the South East of Mortimer Station, Station Road, Mortimer.

(Councillors Alan Law, Joanne Stewart, Tony Linden, Ross Mackinnon and Richard Somner declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were politically acquainted with Richard Benyon who owned Englefield Estate. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(Councillors Alan Law, Joanne Stewart, Tony Linden, Alan Macro and Ross Mackinnon declared a personal interest in Agenda Item 4(1) by virtue of the fact that they had been lobbied on the item. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(Councillor Geoff Mayes declared that he had been involved with the objectors to the previous application in 2008 however, would consider the item afresh and therefore was not declaring an interest)

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/00674/FUL in respect of the change of use of land and the construction of a 150 space car park with alterations to the highway, landscaping, and associated works.

As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had replaced with the ability to make written submissions. This decision had been made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.

Ms Lydia Mather, Senior Planning Officer, introduced the report and highlighted the following points:

- The existing car park for the station consisted of 53 spaces.
- The red line shown on plans of the proposed site did not include all of the landscaping.
- The planning report set out the history of the site and the previous appeal. There were five objectors in total and a letter of support from Great Western Railway (GWR) who would operate the car park.
- The update sheet included a further letter of support from a resident and one further objection.
- A slide was presented that showed the capacity of the existing car park to be between 55% and 92%. Although the car park was often at high capacity it was never at full capacity according to data.
- A questionnaire had been submitted, as part of the Statement of Community Involvement, which was carried out with local residents in June and July 2018. 85 residents had responded saying that they used the car park daily however, more used it monthly. The vast majority of those using the car park travelled to it by car. 377 had said that they would travel by train more frequently if it was easier to park at the station. 80 had responded that they did not use the station because it lacked parking however, a higher proportion of people had skipped this question.

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Councillor Alan Law felt that the key question should have been how many people actually parked their car at the station however, he did not see this featured within the information. Ms Mather confirmed that this question had not been included and that people had only been asked how often they used the station. Lydia Mather would double check this point.

Councillor Ross Mackinnon referred to the middle table on the slide, which asked people 'if travelling by train how do you normally get to the station' in particular the option to select 'car (sole occupant)' and he queried if this covered the query raised by Councillor Law. Ms Mather highlighted that there were only 53 spaces at the station and Councillor Law highlighted that the number selecting this option (203) had not all travelled to the station at once and could be parking on the street.

- Ms Mather referred back to the slide showing the result of the questionnaire and referred to the frequency and stated that one question not asked was how much more people would use the station if parking was increased.
- It was noted that there was demand however, it was not possible to quantify the number of spaces required.
- The size of the car park overall was not considered to meet a justified need or be sustainable. This had also been the view of the Appeal Inspector regarding the 2008 application.
- The update sheet noted that the landscaping required outside of the red line could be secured using a Grampian Condition however, it would not be possible to secure long term maintenance and therefore this was not considered to be appropriate by Officers.
- There was outstanding information required on drainage. A revised plan had been received however, a consultation response had not been received. If this was overcome then this issue could possibly be removed as one of the reasons for refusal.
- Concerns regarding highways included the safety of the footpath over the bridge in terms of the separation distance from vehicles and the steepness of the gradient. Concerns regarding narrowing in regards to the footpath had been rectified.

Mr Paul Goddard, Highways Development Control Team Leader, highlighted the following points:

- The plans presented to Members showed a proposed car park with 150 spaces, with a new vehicle access on to Station Road.
- Highways Officers were content with the layout of the car park and the proposed ramp and steps to the station. They were also content with the proposed sight lines.
- The bridge which was currently about 5.5 metres wide would be narrowed to 3.5 metres wide by the provision of a pedestrian route from the car park over the bridge. This then only allowed one way traffic and was why traffic signals were being proposed.
- The Highway Consultants on behalf of the applicant had undertaken a traffic survey along the road and using projections up to 2025 had created a LinSig model. Traffic Officers at West Berkshire Council had viewed the LinSig and felt it was acceptable however, they were still concerned regarding the proposal and its design.

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- The first area of concern was the red area across the brow of the bridge. Originally this was going to be only a painted surface and concern had been raised by Officers that this was not sufficient to ensure pedestrian safety. Improvements had been made to this element to include a 50ml/5cm kerb. However officers were still not content that this would adequately protect pedestrians and this was mainly due to issues with the gradient. Officers would normally seek a gradient of one in 20, when in places gradients of 1 in 7 were proposed.
- Highways Officers had concerns about the application and were therefore recommending refusal.
- Another question raised by Highways Officers regarding the proposal was whether the site would be lit.
- Mr Goddard referred to the survey data submitted. He could also not see a question which asked how many people actually used the car park. He could not see how the figure of 150 spaces had been reached from the data obtained. Ideally a projection of parking numbers during the day should have been received from the Transport Consultants. There were traffic figures included in the data however, it was not possible to see how this related to the figures included in the Statement of Community Involvement.
- Mr Goddard was concerned regarding the accuracy of these figures and highlighted that this in turn meant that the LinSig could not be relied upon. Mr Goddard also queried how the 150 spaces could be justified considering a similar amount of spaces were being proposed for larger stations in the area such as Newbury and Greenham Park. Moving forward past the Covid-19 pandemic it also needed to be considered what impact this would have on travel and increased homeworking. From the Highways Department's own surveys it was known that traffic levels were 65% of what they were pre-lockdown.
- Because of the overall design issues Highways Officers were recommending refusal of the application.
- Finally Ms Mather added that Planning Officers were aware that the application was acceptable in policy terms however, it was the size and scale that was of concern. Planning Officers were recommending that the application be refused and the reasons were set out in the report.

In accordance with the Extraordinary Council resolution, written submissions had been received from, Stratfield Mortimer Parish Council Parish, John and Ruth Clatworthy, objectors, Great Western Railway, supporter and Katherine Miles (Pro Vision), applicant/agent.

Written submissions were read out by the Clerk to the Committee as follows:

Parish Council Representations:

The written submission of Stratfield Mortimer Parish Council was read out as follows:

- Stratfield Mortimer Parish Council (SMPC) fully supported the planning application for the change of use of land and construction of a 150 space car park at Mortimer Station together with alterations to the highway, landscaping and associated works. The application derived from the strong local wish for increased parking at the station evidenced over a long period and had received full support from GWR and Englefield Estate since the outset.
- The project was a Neighbourhood Development Plan (NDP) project. Stratfield Mortimer had the only adopted NDP in West Berkshire; adopted by West

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Berkshire Council (WBC) in 2017, its policies were frequently cited by WBC in response to planning applications. In the main NDP questionnaire in 2015 1006 people (92%) endorsed station car park enlargement. This was the highest single response in a lengthy questionnaire. As a result, Policy IS3 established "extension to the station car parking will be promoted and encouraged". SMPC was carrying out the wishes of the community in this application and WBC should support this.

- SMPC's Statement of Community Involvement illustrated the methods used to involve and inform the people of Mortimer of the plans and proposals in line with the Localism Act 2011. In particular, the Community Needs survey June – July 2018 attracted 494 responses with results demonstrating overwhelming support for increased and improved station parking:
 - 410 (83%) thought current parking provision poor or very poor;
 - 377 (76%) would travel by train more if parking more accessible;
 - 438 (87%) thought train use would increase with improved parking.
- They noted that the survey was only carried out in Mortimer, thus capturing only a third of the catchment of Mortimer station i.e. excluding Burghfield Common, Silchester, Sulhamstead.
- The survey also did not take into account the residents of the 110 new homes allocated in the NDP and since granted permission. Analysis of the full results established the need for 150 new parking spaces. West Berkshire Core Strategy 2012 - Area Delivery Plan P6 Identified "poor transport connections of the East Kennet Valley" and stated "improvement to the accessibility of Mortimer Railway station will be sought, for example through enhancements to the road bridge. This will be taken forward through partnership working". The application was clearly consistent with WBC policy.
- Increasing capacity at Mortimer station also supported CS13 – "Improve travel choice and facilitate sustainable travel particularly... between... main urban areas and rural service centres". Mortimer was designated as a Rural Service Centre in the Core Strategy.
- The shortage of parking spaces had led to indiscriminate and very dangerous parking along Grazeley Road (up to 25 cars) eroding verges and along The Street towards St. Mary's Junior School exacerbating significant school drop off/pickup issues. This generated continued complaints from the public to SMPC and WBC.
- The village centre was more than a mile from the station; there was no public transport between the two. The steep hill meant walking to and from the station was not an option for many.
- SMPC urged councillors to support the application and give the residents of Mortimer what they had strongly requested.

Objector Representations:

The written submission of John and Ruth Clatworthy was read out as follows:

- The public consultation/community involvement claimed by SMPC to support their application was crude and did not adequately explore public views. Prior to the drawing up of the plans there was no consultation with the public on either site location or size and at the consultation event held in February 2019 the public was presented with a seeming fait accompli with no alternative offered.
- In their attempt at rebuttal of objections submitted, Pro Vision refer to "various long-term benefits of the proposal for villagers and those using the station for commuting" and claimed the pedestrian link would provide access to the station "and other village community facilities". There was no definition of these "long-term benefits" or "other village community facilities." There was also reference to

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"significant support from the wider community" but no evidence of this had been provided.

- The claim by Pro Vision that their survey demonstrated scope for a "modal shift" to increased use of rail travel from Mortimer was now severely undermined. GWR had recently announced that they planned to revise their season ticketing strategy to accommodate the reduction in passenger numbers because of the modal shift to home working resulting from the Covid 19 epidemic. Passenger numbers were 16% of pre-Covid -19 figures, they had announced. This reduction was reflected in the fact that a daily maximum of 5 parked cars had been observed in the existing station car park since the start of easing of lockdown restrictions on 15th June.
- West Berkshire Council's recent residents' survey of the impact of Covid-19 reported that "almost all respondents who were able to work from home intend to continue to do so and even more in the future."
- It was also worth noting that there was no prospect of electrification of this line in the foreseeable future and therefore use of diesel locomotives would continue. Encouraging increased rail passenger traffic on this line and therefore road traffic to access it was surely contrary to the Greener Berkshire policy.
- The applicants claimed that their proposed car park "fully respect(s) the rural character of the area". Urbanisation of the rural landscape involved showed no respect, and they contended, no amount of "sensitive landscaping" could mitigate the visual impact of a car park with height restriction gantry and other inevitable paraphernalia.

Supporter Representations:

The written submission of Great Western Railway was read out as follows:

- GWR strongly supported the proposed expanded parking provision for Mortimer Station.
- GWR had worked closely with Stratfield Mortimer Parish Council (SMPC) over the last three years to progress the project. Mortimer Station had seen significantly lower growth in rail passenger numbers than the industry average over the last 15 years. The existing car parking provision at the station was full to capacity, with rail users also parking on street in the vicinity of the station. These factors strongly suggested that the lack of car parking supply for the station was suppressing growth in rail use and limiting the station's role in the local transport network.
- The 2018 Assessment of Community Survey which covered only around a third of catchment area of Mortimer Station, clearly demonstrated that use of rail services was currently suppressed by the current car park capacity. Of 494 responses received more than 350 people stated they would travel by train more often if more parking was available at the station.
- The Office of Rail and Road published estimates of station usage each year for every station in the UK. Between 2004/5 and 2018/19 the number of passenger journeys to and from Mortimer station increased by just 3%. This compared with a 95% increase in passenger numbers across the industry and, as a more local comparable, 39% growth at Bramley Station over the same period. Growth in rail use at Mortimer Station had not grown in line with background demand growth.
- GWR had a track record of investing in station facilities and had expanded car parking provision at a number of rural stations over the last ten years where existing facilities were full, providing capacity for suppressed demand. For example, at Kingham doubling the car park capacity to 248 spaces increased the

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passenger numbers by 47%. At Hanborough increasing spaces from 39 to 278 saw a tripling of passenger numbers.

- Following and expansion of station car parking at Mortimer, GWR would expect a similar significant increase in passengers using the station.
- Access between the platforms at Mortimer was via a stepped footbridge and there was no step-free route between platforms. The Planning application recognised this through the provision of a safe pedestrian route and associated infrastructure via the proposed new car park and over the railway bridge on Station Road.
- In December 2019 GWR introduced additional Services on the Reading to Basingstoke line. GWR also intended to introduce 4-car trains on the route which had additional capacity compared to the current 2 and 3-car trains. These improvements would provide additional capacity and make the use of rail services from Mortimer Station more attractive, increasing demand and the role the station could potentially play in delivering modal shift away from the private car. For this to be realised however required additional car parking for the station.

Agent's Representations:

The written submission of Katherine Miles (Pro Vision), was read out as follows:

- Stratfield Mortimer Parish Council (SMPC) was the Applicant but Great Western Railway (GWR) would construct the facility and appoint APCOA, who managed the existing car park, to deal with fee collection, safety and security.
- Pro Vision had consulted WBC following the project being heavily endorsed in the NDP. SMPC had since worked closely with GWR and Englefield Estate (the landowner) over the last 4 years to procure studies and reports on Need, Landscape, Highways, Drainage, Trees, Ecology etc. to deal with concerns of the Council. Their three main concerns had been resolved: Firstly, justification of need for 150 spaces:
 - An independent survey was conducted in Mortimer and demonstrated overwhelmingly that at least 150 more spaces were needed.
 - GWR advised that rail travel from Mortimer, currently 189,000 annual journeys and only 51 spaces, was being significantly suppressed by parking limitations and that similar rural stations had much greater parking capacity e.g. Kemble, 223,000 journeys, had 220 spaces and Kingham, 124,000 journeys, had 123 spaces.
- Secondly, highway safety and accessibility for disabled and movement-restricted passengers using the road bridge and proximity of the access point to the bridge.
 - A new pedestrian footpath over the road bridge was proposed. Passengers would be able to park either side, complete a return journey, and safely return to their car via the road bridge as an alternative to the footbridge over the line. The access point had been moved further from the bridge to achieve visibility splays.
- Thirdly, visual impact on the character of the area:
 - A landscape and visual impact assessment had minimised the visual effect of the car park. The existing hedgerow would be maintained at a height not less than 2.5 metres. The car park would be almost invisible from the road and there were no footpaths from which walkers could see it. The car park was well screened from the station by dense existing trees and hedging along the back of the Basingstoke platform. A Grampian condition could secure additional planting.

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- Green Park Station would increase demand for parking at the station from those working in Green Park or travelling to Reading Stadium.
- New homes in Mortimer would also increase demand.
- Although Mere oak Park and Ride was useful for off-peak journeys to Reading or Royal Berkshire Hospital, there were delays of up to 30 minutes for traffic from Mortimer/Burghfield direction at morning rush-hour and of course it would be no help for passengers to Basingstoke.
- Some objectors cited a possible station at Grazeley as a reason not to increase capacity at Mortimer; this had been talked about for 40 years. GWR had stated that with the opening of Green Park station there would be no station built at Grazeley. In addition the Wokingham Local Plan was on hold pending a judicial review regarding the enlarged protection zone for Aldermaston and Burghfield AWE so the prospect for Grazeley had yet again receded into the distance. WBC should support the application to fulfil the wishes of residents to be able to make use of the transport link.

Ward Member Representation:

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

- Councillor Bridgman commented that he hoped planning decisions were not being based on the pandemic that was happening at that time.
- There was a clear and explicit need for a larger car park at Mortimer Station.
- The survey that led to the Stratfield Mortimer Neighbourhood Development Plan (NDP) had been carried out with over 1000 people.
- The Community Needs Survey and the submission by Great Western Railway suggested that Mortimer Station had not seen the growth in rail traffic seen elsewhere, which should be encouraged. This was hindered by the lack of parking. These issues were set out in the lobby pack sent to Members by the applicant prior to the deadline date for information.
- Through landscaping the urbanising effect had been extensively mitigated by the proposed landscaping detailed in Pro Vision's submission.
- Councillor Bridgman referred to the letter to the Planning Department from Englefield Estate, which was referenced in the update report and made their view on the application very clear. He quoted that the letter stated 'the estate would include the management of the planting within the lease arrangements for the car park'.
- Regarding the footway and disabled access, fundamentally at the current time there was no method for someone who was unable to climb the footbridge to access the Basingstoke platform. The proposal would allow people to cross at the road bridge.
- Regarding the proposed gradient and width of the footway, the footway would be wider and gradient less than the existing footway to the village.
- Regarding drainage, Pro Vision had submitted an amended drainage strategy on 3rd August to address concerns about flooding raised by the Local Flooding Authority (LFA). Councillor Bridgman highlighted the additional areas now included within the strategy. If this still did not allay concerns by the LFA, then the suggestion was that a condition be added requiring submission of a drainage strategy prior to commencement of development.

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- Finally regarding the footway into Mortimer Station, Councillor Bridgman drew attention to page two of the update sheet, which was a statement by the agent Pro Vision that ‘The footway access into the existing Mortimer station access will not reduce carriageway width.’
- In conclusion Councillor Bridgman reminded everyone that Mortimer was a Rural Service Centre and so was Burghfield, which was adjacent and relied on Mortimer for rail travel. The idea that the application was contrary to the NDP was ludicrous in Councillor Bridgman’s opinion. It was a project that was imbedded in the NDP and strongly supported by the consultation that proceeded it. The proposal had been supported by 90% of those that responded to the consultation. It was also passed at a referendum by a significant majority and over 50% turnout.
- Councillor Bridgman suggested that people should be encouraged to use rail travel rather than car travel. Great Western Railway (GWR) were trying to increase usage and this proposal would encourage people to park their car and use rail travel rather than driving.
- Councillor Bridgman had regularly stated during Committee meetings that West Berkshire Council should pride itself on being a policy led Planning Authority. Urban development in the countryside was often accepted if it complied with policy. The recent decision on 104 dwellings in Theale was granted permission because it was within the NPD. Although it was on an identified site, Theale Green Primary School, which was also granted planning permission was not as it was outside the settlement boundary however, it was granted permission because it complied with policy and there was an identified need. He felt that the proposal in question would have a less urbanising effect.
- The proposal was completely in accordance with policy, it was wanted by the village and promoted by the Parish Council. To refuse the application would undermine the process of the NDP.

Member Questions to the Ward Member:

Councillor Alan Macro referred to the previous appeal decision and noted it had mentioned a mini bus service had been running from the village to the station. Councillor Macro asked if this service, which had been heavily used, was still operating. Councillor Bridgman confirmed that there was currently no public transport from the village to the station. There was one bus a week from Beechhill in to Reading. The bus from Mortimer to Reading went in the other direction so there was no transport access to the station.

Councillor Macro asked if there was a reason why the service had stopped. Councillor Bridgman confirmed that he did not have an answer on this. He had not used the service as he was able to walk to the station.

Councillor Mackinnon queried if any alternative sites for the car park had been considered. Councillor Bridgman stated that no other sites had been put forward through the Parish Council. There was a potential site elsewhere but the difficulty was that it had been put forward for housing and it was objected to. Recently there had been nothing to suggest that this other site might be used for the car park. Councillor Bridgman raised two comments relating to the other site. Firstly it would still have involved a planning application for a car park for 150 spaces and therefore if that was the issue with the current application, then the other site would receive the same objection. Secondly the other site would not resolve concerns regarding access to the Basingstoke platform. Fundamentally the engagement that the Parish Council had undertaken had been with Englefield Estate, who were supportive of the application and was why the land had been put forward. The orientation of the new proposal compared to the 2008 application was

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different due to the landscaping and the plan to place a footway over the road bridge. It was possible that a further application could come forward if the current one was refused however, Members needed to make a decision based on the proposal in front of them and Councillor Bridgman did not want to see Mortimer denied the car park that it required because of the prospect of another application, which might not arise.

Councillor Jo Stewart was interested in the quality of life, in particular paragraphs 6.38 and 6.39 within the report, which detailed lighting. She noted that details on lighting had not been submitted as part of the application and asked Councillor Bridgman if he thought there would be an impact on residents living along Station Road from potential lighting used within the car park and light from headlights. Councillor Bridgman stated that he did not have details on lighting proposed for the scheme however, Mortimer was known as a dark village. This had been endorsed in the NDP and only low level lighting would be accepted unless there was a safety issue. Councillor Bridgman stated that if there was a safety issue he had no doubt this would be dealt with by the Parish Council.

Councillor Keith Woodhams referred to page 11 of the submission pack, which featured the submission from Pro Vision and that a new pedestrian footpath over the bridge was proposed, which would enable passengers to park either side, complete a return journey and safely return to their car via the road bridge as an alternative to the footbridge over the line. Councillor Woodman's asked Councillor Bridgman if he supported this paragraph. Councillor Bridgman reported that he had on occasion crossed the bridge on foot and this was not something he wished to repeat often due to it being unsafe. There was no safe way of getting from the Reading platform to the Basingstoke platform, if the footbridge was not used, which was also not a safe option in Councillor Bridgman's view. He agreed with the statement from Pro Vision referred to by Councillor Woodhams.

Councillor Geoff Mayes asked if the ending of the minibus service referred to earlier in discussions and the increase in the charges for the car park by Great Western Railway (GWR) increased the need for car parking off street. Councillor Bridgman stated that any reduction in public or private transport and changes in car parking charges was bound to have an impact. Councillor Bridgman did not think however, that these were the only reasons why the car park was necessary. He felt that the car park was necessary as shown by the evidence provided for the NDP and survey conducted as part of the planning application. Secondly Councillor Bridgman referred to GWR's evidence gathered from other sites and he felt that the Council should be encouraging people to use rail travel. Access to the station was primarily by car and if people were unable to park then this would cause displacement to other locations such as Green Park and would not reduce the number of cars on the road. Councillor Bridgman stated he would prefer it if people could drive to Mortimer and then get on a train.

Councillor Richard Somner raised a query regarding landscaping. He referred to paragraph 6.32 of the planning report and queried how the landscaping outside of the red line would be managed. Councillor Bridgman stated that he had spoken to the Estate Manager at Englefield Estate on this matter earlier in the day. He understood the Officers views regarding a Grampian condition. Councillor Bridgman felt that there were two options. Firstly, Englefield had expressed that they would be happy to see the red line moved to include the land subject to planting. Councillor Bridgman stated that the other option would be to have a S106 Agreement to ensure that the lease between GWR and Englefield Estate included provisions for the landscaping and its upkeep.

Councillor Law reminded Members that they needed to consider the plans in front of them and red lines could not be moved at this stage.

Councillor Tony Linden referred to the 2009 appeal decision that had been for a smaller site. Councillor Linden asked what the main differences were in the current application to

EASTERN AREA PLANNING COMMITTEE - 5 AUGUST 2020 - MINUTES

the one that had been refused. Councillor Bridgman stated that the NDP had changed the ground rules and policy now supported the provision of a car park and therefore he felt that the proposal should be supported by the Council.

Councillor Law referred to paragraph 6.9 on page 39 of the report, which showed various zones around the station. The Parish Council had stated that there were regularly 25 cars parked away from the Station along Grazeley Road. Councillor Law queried which zone Grazeley Road was in. It was confirmed that Grazeley Road was in Zone 4. Councillor Bridgman referred to a photograph that was included within the lobby pack sent by the Parish Council within the deadline for information, which showed this more clearly. Sharon Armour stated that she had some concerns as she was uncertain whether all Members had seen the Lobby Pack. Some Members confirmed that they had either not seen or not opened the Lobby Pack.

Councillor Law referred back to his question and drew attention to 6.10 of the report, which detailed Zone 4, which was where Grazeley Road was located. The Parish Council said that there were often 25 cars parked in this area however, the Transport Assessment survey stated that this was around 10 vehicles so there seemed to be a contradiction in the information provided. Councillor Bridgman stated that he did not understand the reasons for the differences however, stated that he occasionally drove to that area and it was full and the verges were getting destroyed.

Questions to Officers

Councillor Mackinnon noted that Officers had claimed that 150 spaces seemed too many for the development and he queried what the basis for this opinion was. Mr Goddard considered 150 spaces to be too many because although a lot of data had been provided there was nothing proving that 150 spaces was the figure that was required. He would have expected the following questions to have been asked; if the car park was enlarged would you use it; how often would you use the car park and when would you use the car park. This would have helped the Highways Department determine what the parking accumulation would be. 150 spaces seemed somewhat arbitrary. Highways Officers were not objecting to increased parking on the site however, felt it needed to be justified.

Councillor Mackinnon noted that it was not that the data supported a particular number of spaces but that data had not been provided that supported the provision of 150 spaces. He stated that if he was to ask Mr Goddard how many spaces were justified he would not be able to provide an answer and Mr Goddard confirmed that this was correct.

Councillor Law queried the process of the application and that he would have expected a process of evaluation. There were many issues that were unclear including the data and matters such as lighting. There was also an inconsistency between the numbers in the traffic survey and numbers from the residents' survey. Councillor Law felt that Officers should have been asking the applicant for this information as part of the process to clarify the issues raised and he queried if this had been done. Ms Mather reported that Officers assessed what was presented to them by the applicant. Planning Officers had carried out their own assessment and had hoped for input from Transport Policy however, this had not been forthcoming. Transport Policy could have also assessed the level of need. Ms Mather confirmed therefore that additional information had not been requested. Regarding lighting, this could be conditioned. Councillor Law noted that there was not sufficient information on traffic capacity, parking capacity and lighting for Officers to make a recommendation. Ms Mather confirmed that Officers had only been able to assess what was presented to them. Councillor Law felt that if all the data had been available a different recommendation might have been reached.

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Councillor Macro reported that in 2019 there was a planning application for Lidl in Tadley and a lot of the landscaping had been outside of the red line. The recommendation from Officers had been if Members were minded to approve the application then the applicant would be invited to sign a S106 Agreement for the landscaping and maintenance. He queried if the same could be applied to the current application and if so if it would alleviate concerns about landscaping and the impact on the rural aspect of the area. Ms Mather confirmed that a S106 Agreement could be used however, there would be legal fees involved for the applicant. It was however, not felt that this would be sufficient to overcome the impact on the landscape as there were still concerns regarding the size of the development; the amount of parking being required along with screening concerns. Councillor Law asked if Officers would normally ask applicants to provide a blue line. Ms Mather only recalled the red line being discussed and highlighted the applicant was not the same as the landowner in this case. A blue line would mean that a condition could be applied.

Mr David Pearson, Development Control Team Leader, stated that he was very concerned about the level of information that was unclear. For a number of reasons and in the interest of those supporting or objecting to the application it was important that there was a fair hearing. Mr Pearson felt that there were a number of matters that required attention before Members could make a decision. Mr Pearson felt that the item should be deferred until further information could be obtained including on the lighting issue; information justifying why 150 spaces were required and also so that any additional landscaping conditions could be referred to the landscaping consultant. If these areas were conditioned at this stage, Mr Pearson stressed that they could end up with a scheme that was quite different from the original proposal. He therefore did not feel that using conditions was appropriate.

Councillor Tony Linden stated that he had a question in reference to the one he had asked Councillor Bridgman, firstly the difference between the 2008 application and the current one and secondly how much weight should be given to the NDP. Ms Mather confirmed that the appeal decision pre-dated the Council's Core Strategy, it also pre-dated the NDP. It would have been considered under the policies applicable at that time. There was difference in the 2008 scheme in that it was orientated alongside Station Road rather than along the boundary with the railway. It was also for 100 spaces rather than 150. Regarding the NDP, this was one part of the whole framework of policies that needed to be considered.

Debate:

Councillor Richard Somner stated that he supported the statement made by Mr Pearson. Councillor Somner asked for clarification on traffic lights, as he could not find detail on how these would be funded if the proposal was approved. He also referred to the earlier conversation regarding zones and Grazeley Road. He had looked on Google Maps and as far as he could see, anyone parking on Grazeley Road would be parking over the other side of the A33 and would have a considerable walk to the station. For a matter of clarity, Councillor Somner thought that the road being referred to was the road that went to Grazeley Road called The Street. It was confirmed that this was correct.

In reference to Councillor Somner's question regarding the funding of traffic lights, Mr Goddard confirmed that as far as he was aware this was something that would be funded by the applicant or Great Western Railway and not something that would be funded by the Highway Authority.

Councillor Woodhams recalled hearing that 110 homes were proposed for the area. He asked if this was true. He commented that if the item was to be deferred then this should

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be taking in to consideration. Councillor Law confirmed that this was part of the DPD Local Plan and was going through the planning application process.

Due to insufficient information across key areas Councillor Nassar Kessell proposed that the application be deferred. This was seconded by Councillor Woodhams and at the vote the motion was carried.

RESOLVED that the planning application shall be deferred.

(The meeting commenced at 6.30 pm and closed at 7.58 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/01134/HOUSE Burghfield Parish Council	17/07/2020 ¹	Section 73. Variation of condition (4) garage use restricted of approved 18/01467/HOUSE - Erection of new garage with ancillary residential space on the first floor Greenfields, Burghfield, RG30 3TG Rebecca Gore

¹ Extension of time agreed with applicant until 27th August 2020

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01134/HOUSE>

The original application can be viewed at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/01467/HOUSE>

Recommendation Summary: Delegated to the Head of Development and Planning to grant planning permission.

Ward Members: Councillors Graham Bridgman, Royce Longton, Geoff Mayes

Reason for Committee Determination: Referred to committee by the Development Control Manager for scrutiny in light of the given justification for relaxing the restriction, and recognising the size of the host dwelling and that the intended occupant always lives in the host dwelling.

Committee Site Visit: Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

Contact Officer Details

Name: Lucinda Pinhorne-Smy
Job Title: Planning Officer
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Email: Lucinda.Pinhorne-Smy1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks to vary condition 4 associated with planning permission 18/01467/HOUSE, dated 9th August 2018, to allow the use of the first floor above the garage as a residential annexe.
- 1.2 Greenfields is located at the edge of the settlement boundary of Burghfield Village, which falls below the district settlement hierarchy. The settlement boundary runs through the site such that the house and garage are within the settlement boundary, but the access road and associated land to the south are outside and therefore regarded as open countryside in terms of Policy ADPP1. The black line below shows the settlement boundary with the application site highlighted orange.



- 1.3 Due to its location at the settlement edge and the original use of the site for keeping horses, despite being located within a small pocket of development, the application site has a sylvan character, with fields to the south-west and south-east. Due to the general reduction in built development extending out from the centre of Burghfield Village, the surrounding properties are predominantly characterised by large plots with a significant degree of mature landscaping. Whilst the main dwellinghouse and detached garage at Greenfields are located within the settlement boundary, the remainder of the associated land to the south is situated within open countryside. The main dwellinghouse comprises a chalet-style bungalow; the detached garage shares the main dwellinghouse's chalet-style design.
- 1.4 Application 18/01467/HOUSE granted planning permission for the erection of a new garage with ancillary residential space on the first floor. The approved plans for this application are provided in the plans pack of this agenda. Condition number 4 restricted the use of the building, stating:

The garage hereby permitted shall be used solely for ancillary residential purposes incidental to the enjoyment of the existing dwelling known as Greenfields, Burghfield. No trade, business or commercial enterprise of any kind whatsoever shall be carried on, in or from the garage other than for purposes that are ancillary to the enjoyment of the main dwelling, nor shall it be used for additional bedroom accommodation or for any form of human habitation.

Reason: In the interests of amenity and the creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development. This condition is imposed in accordance with the National Planning

Policy Framework (March 2012), Policies ADPP6 and CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and the Parish Design Statement for Burghfield.

- 1.5 This application seeks the variation of this condition to allow an elderly relative to occupy the first floor of the now substantially constructed detached garage as a residential annexe to the main dwellinghouse at Greenfields. At ground floor level the garage will retain two enclosed parking bays with up-and-over doors, and an enclosed staircase to the first floor. At first floor the accommodation will provide a living space, a bedroom, a kitchenette and a bathroom. The dimensions and appearance of the detached garage will not be altered as a result of the proposals.

2. Planning History

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

Application	Proposal	Decision / Date
125970 (Full)	Access to field where horses are kept Applicant Ms P. M. Gore	Approved 23.04.1986
128360 (Full)	Five loose boxes stabling for horses Applicant Mrs P. M. Gore	Approved 25.03.1987
132477 (Outline)	Proposal for one dwelling Applicant Mrs Gore	Refused 06.10.1988
Enforcement Action taken against the unauthorised change of use for stationing caravan – Appeal Allowed		
137047 (Full)	One single storey dwelling to replace caravan Applicant Mrs P Gore	Approved 23.05.1990
142090	Construction of one detached three-bedroom bungalow for wholly human habitation Applicant Mrs P Gore	Approved 24.02.1993
06/01425/OUTD	Outline permission for a three bedroom bungalow Applicant R. Gore	Approved 18.09.2006
07/00718/REM	Construction of new bungalow Applicant R. Gore	Approved 28.07.2007
11/01047/HOUSE	Loft conversion Applicant R. Gore	Approved 24.08.2011

18/01467/HOUSE	Erection of new garage with ancillary residential space on the first floor Applicant R Gore	Approved 09.08.2018
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2.2 The planning history indicates Mrs P Gore was the original owner / occupant of the application site, dating back to 1987.

3. Procedural Matters

3.1 Given the nature and scale of this householder 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 A site notice was displayed by the applicant on 11th June 2020 at the application site; the deadline for representations expired on 2nd July 2020. A public notice was displayed in the Reading Chronicle on 28th May 2020.

3.3 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 floor space (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Initial assessment of the scheme indicates the proposals would not increase the existing floor space of the first floor of the substantially constructed garage; the proposals are therefore unlikely to 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.

Burghfield Parish Council:	Support. Condition to remain, but varied to state; The garage building shall not be sold, let, rented or otherwise separately disposed of from the primary dwelling and not result in this living space being used as a functionally separate dwelling. It will remain part of the same planning unit as the original dwellinghouse and in single family occupation.
WBC Highways:	The photo submitted shows x3 driveway spaces are available so I have no highway objections. The applicants should be aware that as this is ancillary a separate postal address will not be issued for this additional

	accommodation. All utilities, mail and services must run through the main dwelling.
WBC Rights of Way Officer:	No comments returned.
Ramblers' Associated:	No comments returned.

Public representations

4.2 Joint representations have been received from two contributors, both of whom object to the proposal. 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:

- Highlight factual inaccuracies with the Planning Statement; Mrs Gore has always been resident at Greenfields;
- Policy / guidance states annexes should not be separate;
- Coronavirus should not be used as a 'material consideration' due to its temporary nature, and the permanence of lifting / modifying the condition.

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, ADPP6, CS1, CS8, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1 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)
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Burghfield Village Design Statement

6. Appraisal

6.1 The main issues for consideration in this application are:

- Whether the proposals would result in a material change of use by the creation of two dwellinghouses;
- Whether the use of the first floor of the garage approved under application 18/01467/HOUSE as a residential annexe for an elderly relative would cause

any detriment to the character and appearance of the application site, the street scene or the wider locality;

- Whether the use of the first floor of the garage approved under application 18/01467/HOUSE as a residential annexe for an elderly relative would harm the residential amenities of adjacent properties.

Principle of development

- 6.2 Condition number 4 of planning permission 18/01467/HOUSE permits the use of the first floor of the garage for ancillary residential purposes incidental to the enjoyment of the existing dwelling known as Greenfields, but specifically restricts its use for additional bedroom accommodation for any form of human habitation. The stated reason for the condition is *“In the interests of amenity and the creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development.”*
- 6.3 The Planning Statement submitted in support of this application states the applicant originally intended to use the first floor of the garage as a home office / study / gym. It is now stated that the applicant wishes to use the first floor as an annexe for her mother. The originally submitted statement suggests that the applicant’s mother came to stay at the application site due to the outbreak of the Coronavirus. However, third party representations submitted during the course of this application indicate that the applicant’s mother has always been resident at the application site. This position would appear to be corroborated by the planning history, which suggests that Mrs P Gore has resided at Greenfields in one form or other since the mid-1980s.
- 6.4 Subsequent to the above information being revealed, the agent has submitted an addendum to the originally submitted Planning Statement, confirming that the applicant’s mother has always lived at Greenfields. The agent had understood that the applicant’s mother had been living independently elsewhere and as a consequence paragraph 2.3 of the original statement *“can be regarded as misleading and the writer apologises for the unnecessary obfuscation.”* However, notwithstanding the living arrangements to date, the addendum states:
- “As stated before, the new building presents an opportunity to provide Applicant’s mother with her own private bedroom, small living area, bathroom and basic kitchenette. This would enable all parties to enjoy a greater degree of privacy.”*
- 6.5 Given that the applicant’s mother has resided at the same address for some considerable years, this is considered to support the assertion that the annexe accommodation would be used as an intrinsic part of the existing dwelling. The use of the first floor of the garage as a residential annexe for an elderly relative of the occupants of the main dwellinghouse at Greenfields as a single household would not result in material change of use to two dwellinghouses, as the site would remain in single family occupation.
- 6.6 As a general rule residential annexes are expected to demonstrate dependency on the existing main dwellinghouse and should be capable of being absorbed back into the main dwelling after the need for an annexe has gone. Section 8 of the House Extensions SPG, which concerns Granny Annexes or Accommodation for Elderly or Disable Relatives, states that a residential annexe should be linked internally to the main dwelling, but may have a separate entrance. However, this guidance was adopted in July 2004, and in the intervening period it has been accepted on a case-by-case basis that occasionally detached annexe accommodation can be considered acceptable, provided the dependency on the host-dwelling is maintained. The key tests in planning law relate to the physical and functional relationship between the annexe and the host dwelling.

6.7 In this instance, the garage constructed at Greenfields, under application 18/01467/HOUSE, is located 1.3m from the main dwellinghouse. This previous permission accepted the use of the first floor of the garage as a home office / study / exercise room. There is only one vehicular access to the application site, and paragraph 1.6 of the Planning Statement Addendum confirms:

- Services for the annexe will be connected to the main dwellinghouse at Greenfields;
- There will be no separate utility meters, address or telephone and television connections to the annexe;
- The annexe will not have any separate parking area, curtilage or garden space;
- Once no longer required as annexe accommodation for the applicant's mother, the use will revert back to study / home office / leisure / exercise room.

6.8 The proposed accommodation shown on the proposed floor plans includes a living space with kitchenette, a bathroom and a bedroom. The facilities are commensurate with a small flat, and it is conceivable that they could function independent of the main house. However, taking into account the modest scale of the proposed accommodation and the close physical relationship between the annex and house, it is considered that the proposal is genuinely ancillary to the main house provided both continue to be occupied as a single household.

6.9 As a consequence, despite not being linked to the main dwellinghouse, the proposed annexe, occupying the first floor of the approved garage, is considered to be modest in size and located in sufficiently close proximity to the main dwellinghouse. It would not result in any extensions to the already approved garage building, and would remain subordinate to the host dwelling. It is considered that, as a result of the proposals, the garage would retain its essential character as an ancillary building of moderate scale. If permission to vary the condition as proposed is granted it would not facilitate the creation of a separate planning unit, and the annexe would remain in single family occupation.

6.10 Whilst the applicants' personal circumstances and living arrangements are informative, planning permission runs with the land rather than with any individual. It is therefore necessary to ensure that the condition continues to meet the purpose for which it was applied. Whilst the recommended conditions relaxes the restrictions of the specific use of the first floor, it maintains the core restrictions that are necessary to prevent a material change of use to form two dwellinghouses.

6.11 The comments of the Parish Council are noted, and the sentiments that a separate planning unit is not created are echoed. However, a condition restricting the sale / rent of the annexe in the manner suggested would not meet the criteria for conditions set out in paragraph 56 of the NPPF, and would go beyond the Local Planning Authorities legal power / authority because it would interfere with proprietary rights. The key planning issue is the use of the building, not its ownership. However, it is considered that a sufficiently worded condition can be attached to ensure the fundamental aspirations of the Parish Council are met.

Character and appearance

6.12 The garage is substantially constructed and the proposals would not alter the design, dimensions or location of the building. The approval of this application would not materially affect the character and appearance of the area compared to the original development in this respect.

- 6.13 However, it is considered that a separate unit in this location would not respect the character of the area, and the enlargement of the annexe to include the ground floor as well as the first floor would no longer retain the moderate scale and subordinate appearance of the building. It is therefore recommended that the condition wording is varied to ensure the proposed annexe remains ancillary to the main dwellinghouse at Greenfields (also for the reasons given above) and, additionally, that the ground floor is retained for parking and not converted into additional habitable accommodation.

Neighbouring Amenity

- 6.14 The dimensions, location and scale of the garage building approved under application 18/01467/HOUSE would not be altered as a result of this application. The occupation of the first floor of the garage as a residential annexe is not considered to result in any greater propensity for overlooking neighbouring properties than the use as a home office / study / exercise room would have afforded and no additional windows are proposed. Given that the applicant, her family, and her mother already all reside at the application site, the use of the first floor of the garage as a residential annexe is not considered to intensify the use of the application site. The proposals are therefore not considered to adversely affect the residential amenities of adjacent properties in terms of any overdominance, obtrusiveness, loss of light, overlooking, noise or nuisance.

7. Planning Balance and Conclusion

- 7.1 Whilst there have been objections to this application, it is considered the proposed variation to condition number 4 of planning permission 18/01467/HOUSE to allow the occupation of the first floor of the garage building as a residential annexe for an elderly relative, ancillary to the main dwellinghouse at Greenfields, is acceptable and can be secured by the use of conditions.
- 7.2 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is acceptable and conditional approval is justifiable.

8. Full Recommendation

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

Conditions

1. Approved plans

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

- (a) Drawing numbers 18005_AL-SP-12 Revision P02, 18005_AL-E-10 Revision P03 and 18005_AL-P-10 Revision P01 (Proposed Roof Plan only) received on 29 May 2018 and the 1:1250 Location Plan and drawing number 18005_AL-SP-11 Revision P01 (excluding Ground Floor Plan) received on 15 June 2018; all submitted pursuant to application 18/01467/HOUSE.
- (b) Drawing number 2039/PL/04 Revision A, submitted pursuant to application 20/01134/HOUSE.

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

2. **Materials**

The materials to be used in the development hereby permitted shall be as specified on the plans and application form of application 18/01467/HOUSE.

Reason: To ensure that the external materials respond to local character. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance 04/2 House Extensions (July 2004) and the Parish Design Statement for Burghfield.

3. **Use of first floor**

The first floor accommodation of the garage building shall be used only as an integral part of the existing dwelling, and for purposes ancillary and/or incidental to the residential use of the dwelling known as Greenfields, Burghfield. The first floor shall not be used as a separate dwelling unit, and no separate curtilage shall be created.

Reason: The creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development, and respecting the character and appearance of the area. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP6, CS1, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and the Village Design Statement for Burghfield.

4. **Use of ground floor**

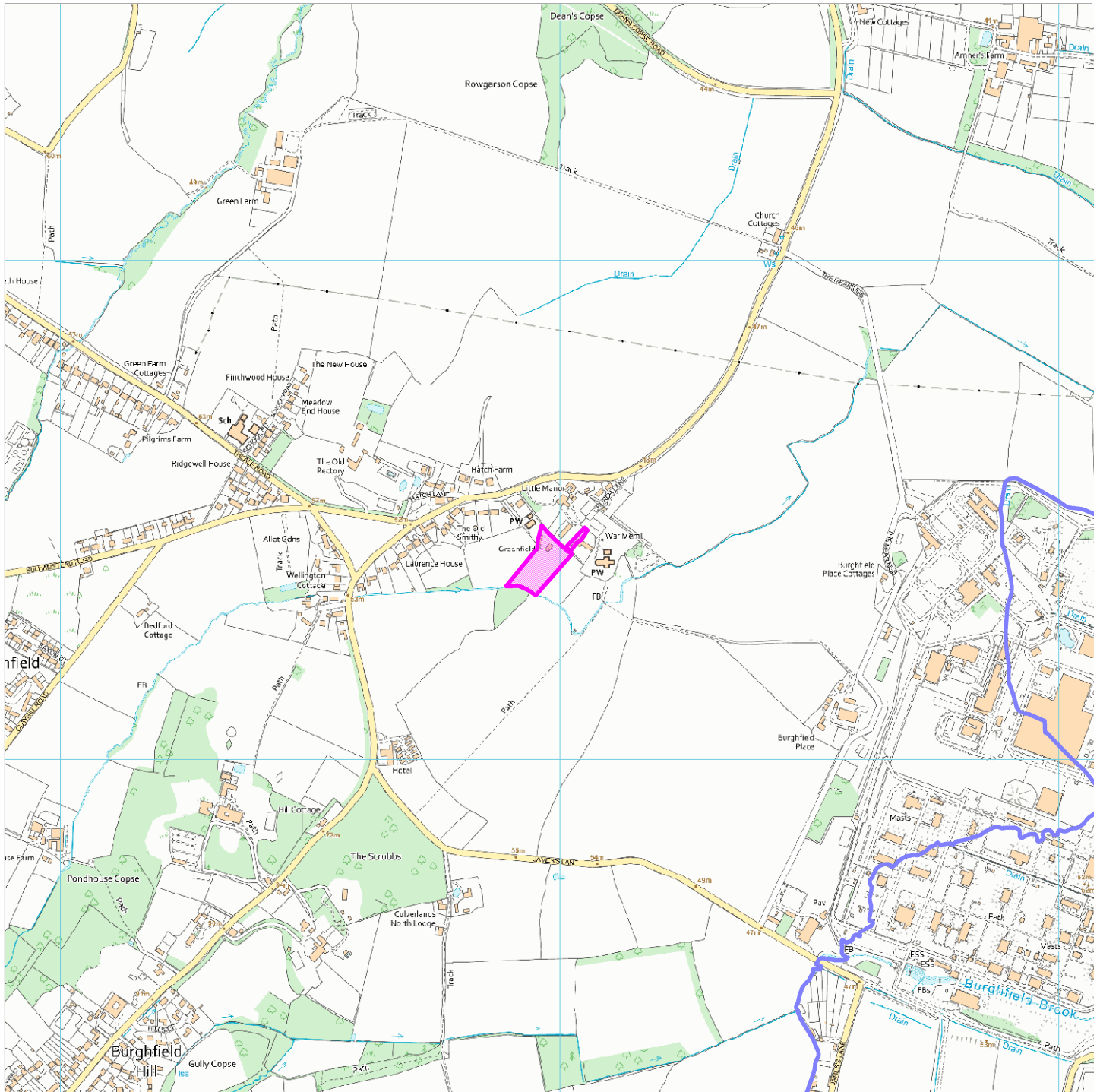
The ground floor of the garage building shall be used solely for purposes incidental to the enjoyment of the existing dwelling known as Greenfields, Burghfield. No trade, business or commercial enterprise of any kind whatsoever shall be carried on, in or from the garage other than for purposes that are ancillary to the enjoyment of the main dwelling, nor shall it be used for additional bedroom accommodation or for any form of human habitation.

Reason: The creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development, and respecting the character and appearance of the area. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP6, CS1, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and the Village Design Statement for Burghfield.

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20/01134/HOUSE

Greenfields, Burghfield RG30 3TG



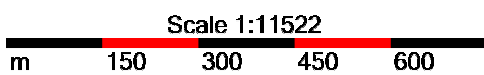
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	18 August 2020
SLA Number	0100024151



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Greenfields, Burghfield, RG30 3TG

Photographs for Eastern Area Planning Committee
Application 20/01134/HOUSE



New garage (approved under application 18/01467/HOUSE) in context of main dwelling



Front elevation of garage approved under application 18/01467/HOUSE



Rear elevation of garage approved under application 18/01467/HOUSE



Context of access to the application site at the head of Church Lane

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**Plans and drawings relevant to reports
submitted to Eastern Area Planning Committee**

Wednesday 26th August 2020 at 6.30pm

Online via Zoom

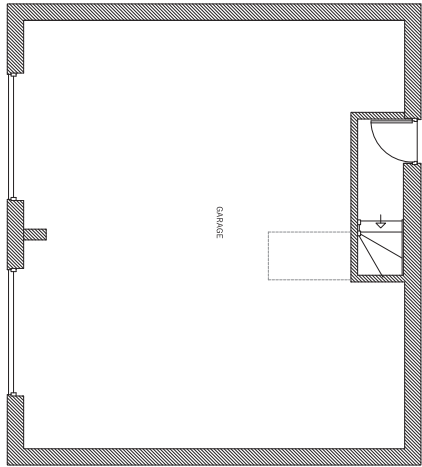
[to be read in conjunction with the main agenda]

Please note:

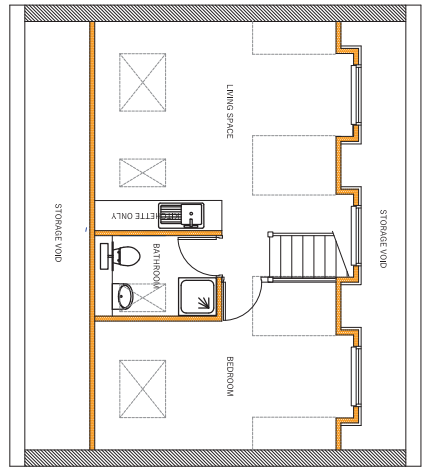
- *All drawings are copied at A4 and consequently are not scalable*
- *Most relevant plans have been included – however, in some cases, it may be necessary for the case officer to make a selection*
- *All drawings are available to view at www.westberks.gov.uk*



20/01134/HOUSE
Greenfields
Burghfield
Reading
RG30 3TG




GROUND FLOOR PLAN



FIRST FLOOR PLAN



 PHILIP WADDE ARCHITECTURE		www.philipwadde.co.uk 17000, Church Lane R630 3TG	
PROJECT	Greenfields	AT	Greenfields Church Lane R630 3TG
CLIENT	Mrs R Sowe		
TITLE	Structural Plans - Proposed residential conversion	DATE	07/05/20
SCALE	1:100 @ A1	CONSULTANT NUMBER	20397/UKA
DESIGNER	1:100 @ A3	NO.	A

Atkins Resonance Philip Wadde Associates Ltd 2020

ADDENDUM to PLANNING STATEMENT:

Application Reference number: 20/01134/HOUSE

Removal/Variation of condition imposed under planning consent 18/01467/HOUSE:

**Erection of new garage with ancillary residential space on the first floor
at Greenfields, Church Lane, Burghfield Village, Reading RG30 3TG**

- 1.1. Objectors took issue with the contents of paragraph 2.3 of the planning statement submitted in support of the application and pointed out that that the Applicant's mother has always lived at Greenfields, and certainly for at least the past 20 years.
- 1.2. Applicant confirms that this is correct. Applicant advises that before the outbreak, her mother had also stayed with a friend. With the outbreak of the pandemic, she considered that her mother should rather stay and self-isolate at Greenfields.
- 1.3. The writer understood and was under the impression that Applicant's mother had been living independently elsewhere.
- 1.4. Paragraph 2.3 can be regarded as misleading and the writer apologises for the unnecessary obfuscation.
- 1.5. As stated before, the new building presents an opportunity to provide Applicant's mother with her own private bedroom, small living area, bathroom and basic kitchenette. This would enable all parties to enjoy a greater degree of privacy.
- 1.6. Applicant confirms and agrees that:
 - Services for the annexe will be connected to the main dwellinghouse at Greenfields;
 - There will be no separate utility meters, address or telephone and television connections to the annexe;
 - The annexe will not have any separate parking area, curtilage or garden space;
 - Once no longer required as annexe accommodation for the applicant's mother, the use will revert back to study/home office/leisure/exercise room.

- 1.7. The Applicant's motivation for hoping to be able to accommodate her mother in the annexe is not particularly relevant as a planning consideration, and we submit that the proposed use is acceptable in planning terms and that suitable conditions can be imposed to prevent the creation of a new planning unit.

André Botha

9 July 2020

(LLB. MSc)
Albright Dene Planning

Plans previously approved under
application 18/01467/HOUSE

Greenfields, Church Lane, Burghfield, Reading, West Berkshire, RG30 3TG



Site Plan shows area bounded by: 466878.91, 168323.05 467078.91, 168523.05 (at a scale of 1:1250), OSGridRef: SU66976842. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Produced on 13th Jun 2018 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2018. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00329889-61C1C6

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PROPOSED

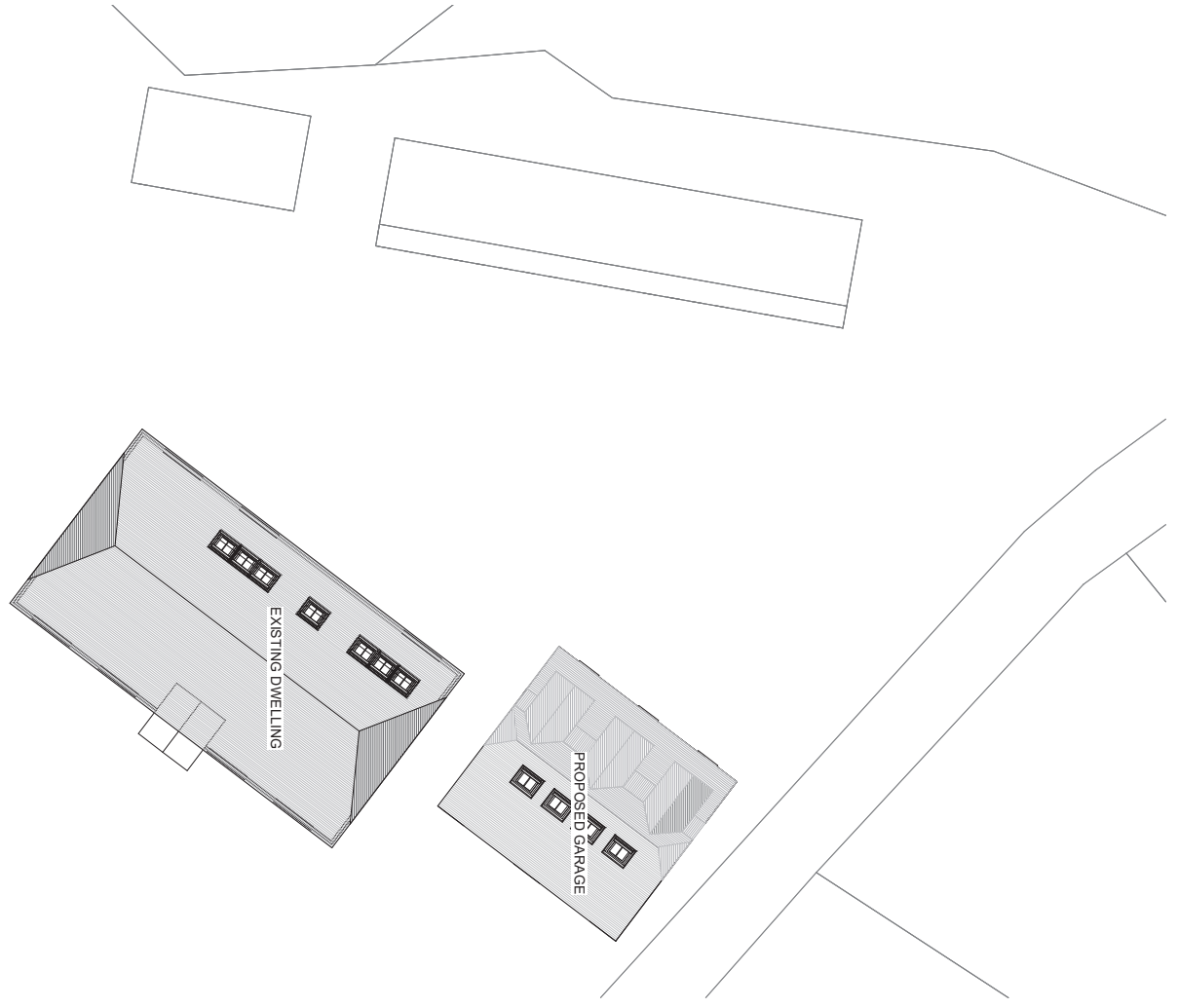
CLIENT NAME	Albright Drive
PROJECT N°	18005
PROJECT NAME	Proposed New Garage
SITE ADDRESS	Greenfields, Bughfield Village, RC30 3TG

DRAWING TITLE
PROPOSED ROOF PLAN

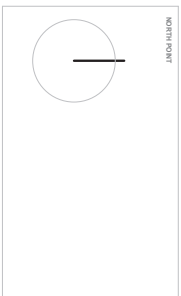
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DRAWING PURPOSE	Planning		
DATE	25-05-2018		
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1:200	P02	DR	AB

REVISION NOTES	DATE
08/08	REV
	18/08

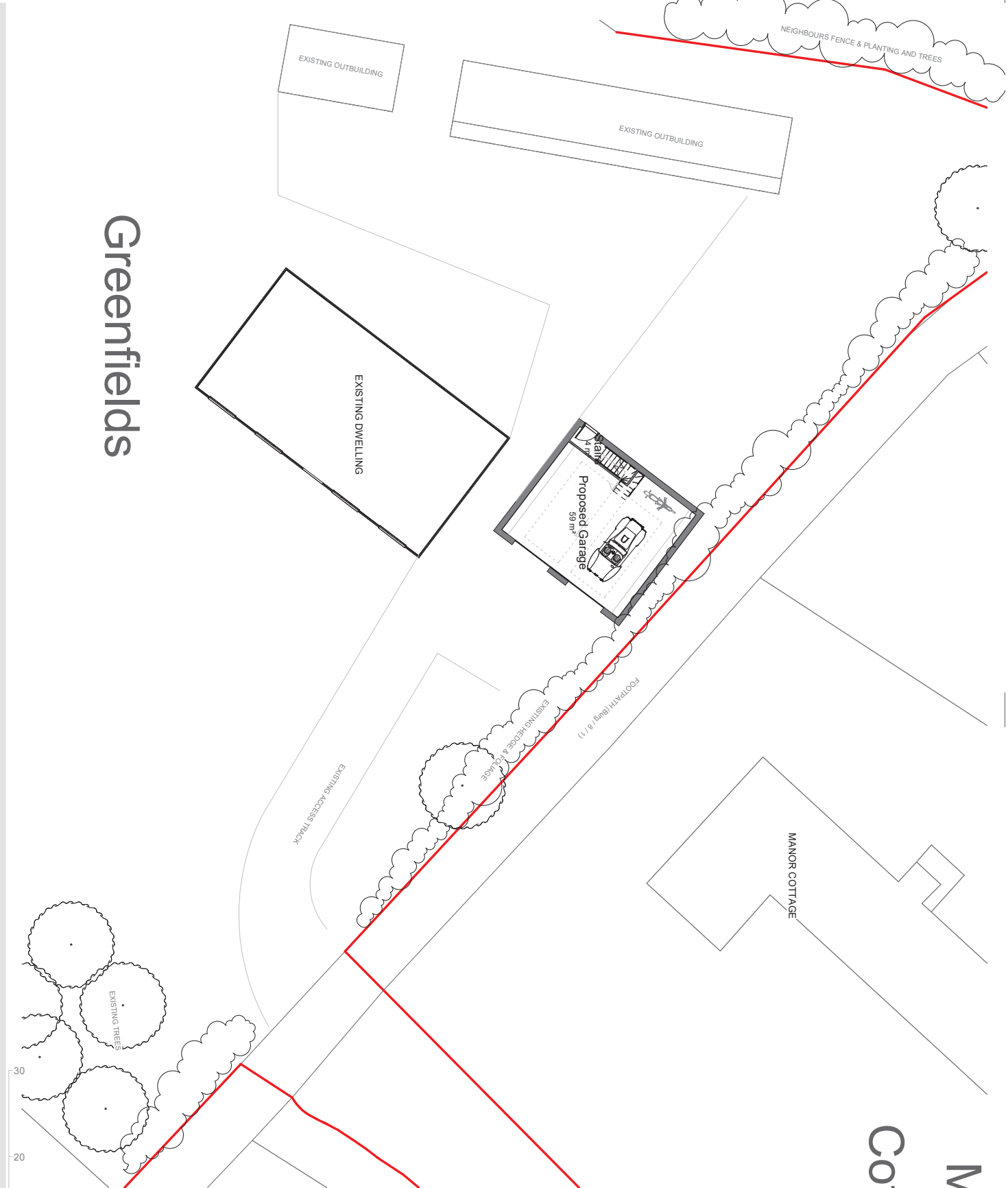
TOTAL GROUND FLOOR GFA = 63m²
 TOTAL FIRST FLOOR GFA = 37m²
 TOTAL FLOOR AREA CREATED = 100m²
 TOTAL FOOTPRINT OF NEW BUILDING = 78m²



Greenfields



Greenfields



CO
N

PROPOSED

A3

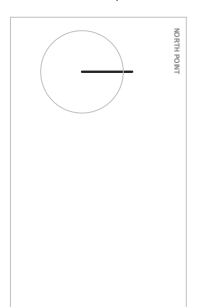
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PROJECT N°	18005
PROJECT NAME	Proposed New Garage
SITE ADDRESS	Greenfields, Bughfield Village, RC30 3TG

DRAWING TITLE	PROPOSED SITE PLAN
DRAWING N°	18005_AI_SP-14
DRAWING PURPOSE	Planning
DATE	21-05-2018
SCALE AT A3	1:200
REVISION	P01
DRS	AB

DATE	REV	NOB

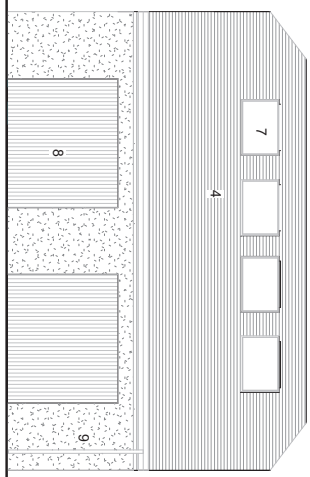
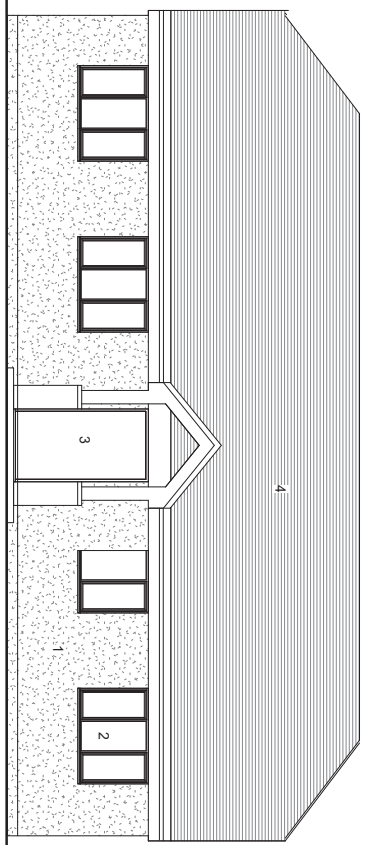
OWNERSHIP BOUNDARY

TOTAL GROUND FLOOR GFA = 63m²
 TOTAL FLOOR AREA CREATED = 100m²
 TOTAL FOOTPRINT OF NEW BUILDING = 75m²

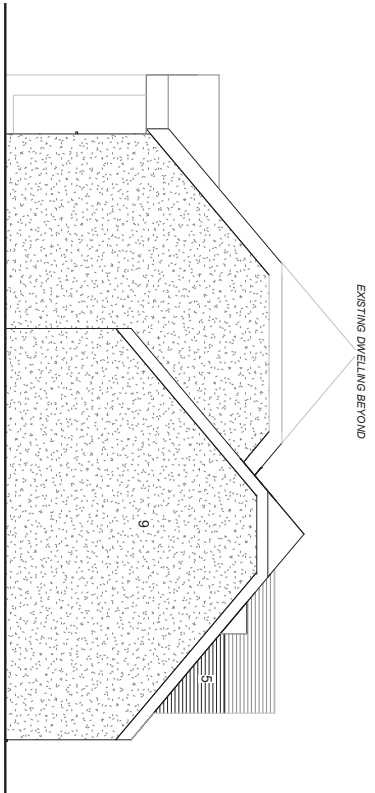
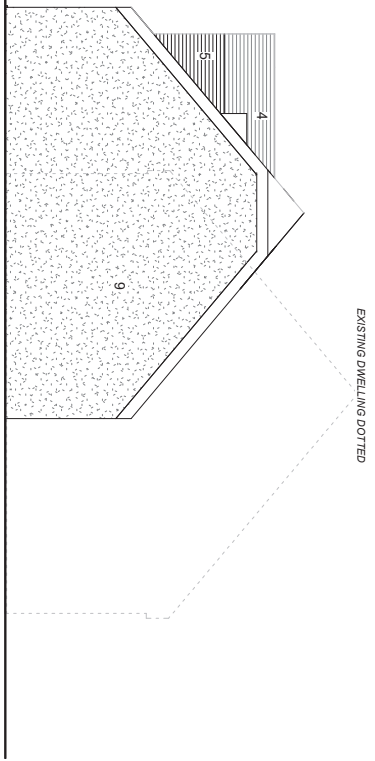


OS MAP INFORMATION FROM PRO MAP
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30
20
10
5
0m

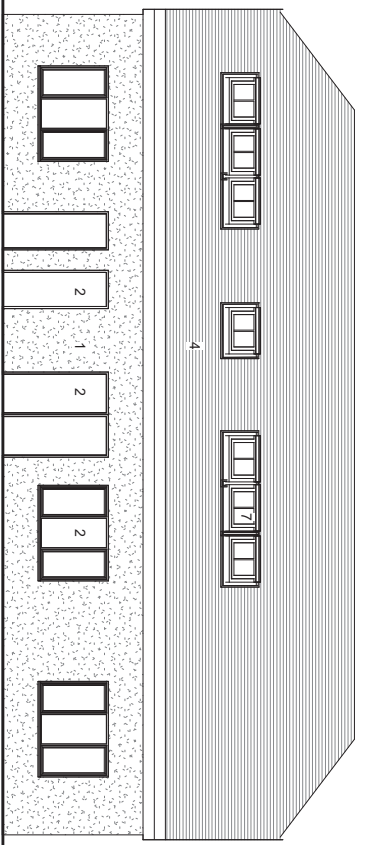
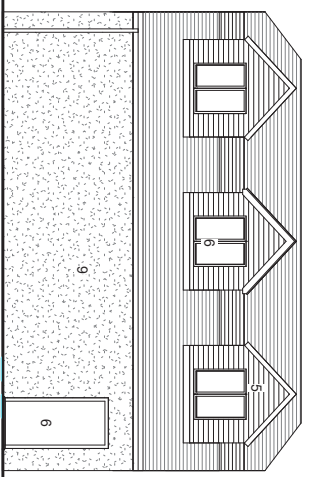


SOUTH ELEVATION



EAST ELEVATION

WEST ELEVATION



NORTH ELEVATION

PROPOSED

A3

PROPOSED IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED. THE DESIGNER ACCEPTS RESPONSIBILITY FOR THE DESIGN AND THE INFORMATION PROVIDED. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED. THE DESIGNER ACCEPTS RESPONSIBILITY FOR THE DESIGN AND THE INFORMATION PROVIDED.

CLIENT NAME	Albright Drive
PROJECT N°	18005
PROJECT NAME	Proposed New Garage
SITE ADDRESS	Greenfields, Bughfield Village, RC30 3TG

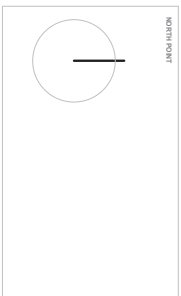
DRAWING TITLE
PROPOSED ELEVATIONS

DRAWING N°	18005_A11_E -10
DRAWING PURPOSE	Planning
DATE	25-05-2018
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REVISION	PO3
REVISION NOTES	DR CR AB

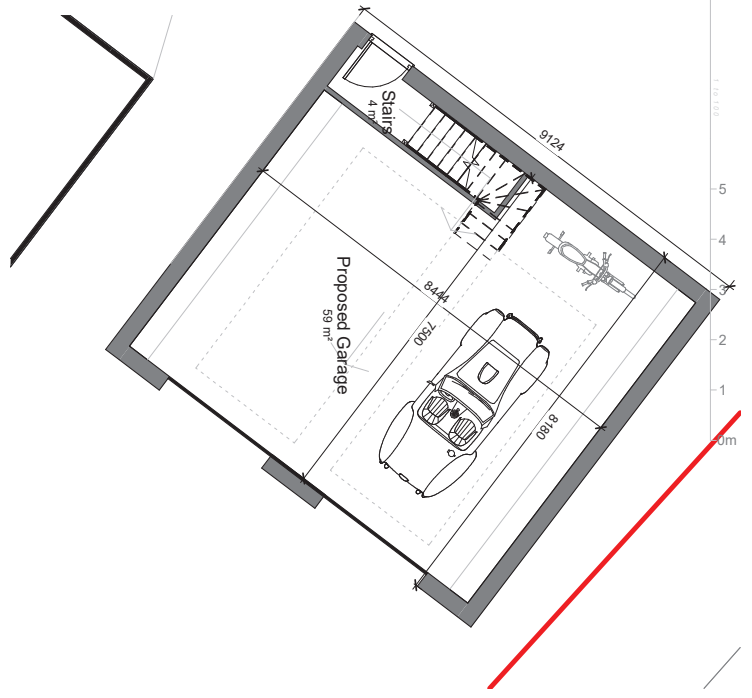
REVISION NOTES

DATE: 25/05/2018
REV: PO3
NDB

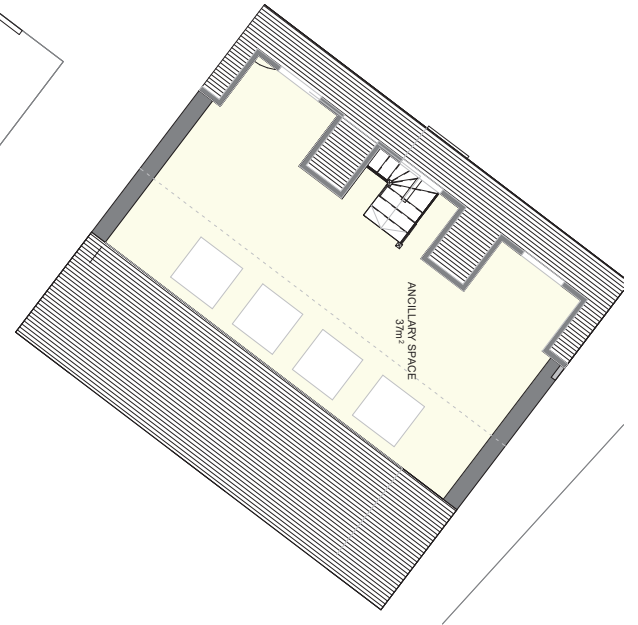
- MATERIALS**
- 1 - Existing render (white)
 - 2 - Existing uPVC windows & doors
 - 3 - Existing doors (timber)
 - 4 - Slate Roof tiles
 - 5 - Proposed Timber (Oak) cladding and fascias
 - 6 - uPVC doors and windows
 - 7 - Roof lights (velux)
 - 8 - New garage door.
 - 9 - New render (to match existing)



10m
5
4
3
2
1
0m



1-PROPOSED GROUND FLOOR PLAN
1 : 100



2-PROPOSED FIRST FLOOR
1 : 100



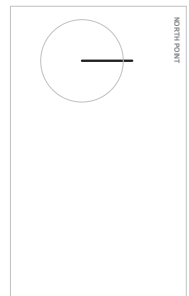
3-PROPOSED ROOF PLAN
1 : 100

PROPOSED

A3

CLIENT NAME	Albright Dana
PROJECT N°	18005
PROJECT NAME	Proposed New Garage
SITE ADDRESS	Greenfields, Bughfield Village, RC30 3TG

DRAWING TITLE		18005_AL-P-10	
PROPOSED FLOOR PLANS			
DRAWING N°	18005_AL-P-10	DATE	25-05-2018
DRAWING PURPOSE	Plotting	DESIGNED / CHECKED BY	DR / AB
SCALE AT A3	1 : 100	REVISION	P01
REVISION NOTES			
DATE	REV	NOTE	



Albright Dene Ltd
Andre Botha
3A Northcroft Lane
Newbury
RG14 1BT

Applicant:
Rebecca Gore

PART I - DETAILS OF APPLICATION

Date of Application

29th May 2018

Application No.

18/01467/HOUSE

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Erection of new garage with ancillary residential space on the first floor

Greenfields, Burghfield, Reading, Berkshire RG30 3TG

PART II - DECISION

In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council GRANTS planning permission for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-

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

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

2. The development hereby permitted shall be carried out in accordance with the approved drawing numbers 18005_AL-SP-12 Revision P02, 18005_AL-E-10 Revision P03 and 18005_AL-P-10 Revision P01 received on 29 May 2018 and Location Plan and drawing number 18005_AL-SP-11 Revision P01 received on 15 June 2018.

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

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

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance 04/2 House Extensions (July 2004) and the Parish Design Statement for Burghfield.

4. The garage hereby permitted shall be used solely for ancillary residential purposes incidental to the enjoyment of the existing dwelling known as Greenfields, Burghfield. No trade, business or commercial enterprise of any kind whatsoever shall be carried on, in or from the garage other than for purposes that are ancillary to the enjoyment of the main dwelling, nor shall it be used for additional bedroom accommodation or for any form of human habitation.

Reason: In the interests of amenity and the creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP6 and CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and the Parish Design Statement for Burghfield.

The decision to grant Planning Permission has been taken having regard to the policies and proposals in the National Planning Policy Framework, South East Plan 2006-2026, West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, Supplementary Planning Document; and in particular guidance notes and policies:

ADPP6, CS14

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

1. The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.
2. The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.
3. For further information regarding the discharge of the conditions or any other matters relating to the decision, please contact the **Customer Call Centre** on: 01635 519111
4. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development which improves the economic, social and environmental conditions of the area.
5. The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area or the residential

amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

6. The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
7. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
8. The applicants attention is drawn to the fact that the Local Planning Authority does not accept that the red line plan accompanying the application accurately reflects the size of the lawful curtilage on site.

Decision Date :- 9th August 2018



Gary Lugg
Head of Development and Planning

TOWN AND COUNTRY PLANNING ACT 1990

Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a householder planning application, if you want to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online using the Planning Portal at www.planningportal.co.uk.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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Planning Appeal Decisions

Committee: Eastern Area Planning Committee on 26th August 2020

Officer: Bob Dray, Team Leader (Development Control)

Recommendation: Note contents of this report

1. This reports summaries recent appeal decisions in the table below, and provides feedback on some of the key findings. The appeal decisions and associated documents can be viewed by searching by the application reference number on the Council's Public Access website: <https://publicaccess.westberks.gov.uk/online-applications/>

Application / Appeal	Site	LPA Decision	Appeal Decision	Decision Date
19/01070/HOUSE Appeal: 3242638 Written Reps	22 Sedgefield Road, Newbury Erection of single storey rear extension.	Delegated refusal	Allowed	02/03/20
19/01646/FULD Appeal: 3243683 Written Reps	Redwood, Burnt Hill, Yattendon Revised application for demolition of existing house, garage and outbuildings, erection of one new house.	Delegated refusal	Dismissed	18/06/20
19/01837/FULD Appeal: 3244084 Written Reps	Nightingale Farm, Wantage Road, Leckhampstead Construction of replacement dwelling, driveway and associated landscaping.	Delegated refusal	Dismissed	30/06/20
19/00637/FULD Appeal: 3240289 Written Reps	The Malt Shovel rear car park, Upper Lambourn New 4 bedroom house with off street parking	Appeal against non-determination – would have been refused.	Dismissed	07/07/20
19/01308/FULD Appeal: 3244597 Written Reps	1 Burghfield Bridge Close, Reading Erection of a new dwelling.	Delegated refusal	Dismissed – Council's application for full costs against appellant refused.	10/07/20
19/03055/PACOU Appeal: 3246991 Written Reps	The Elmwood Building, South End Road, Bradfield Southend Change of use of offices (Class B1a) to form 5 apartments.	Delegated refusal	Dismissed	13/07/20
19/00713/COMIND Appeal: 3244528 Written Reps	Bere Court Farm Bungalow, Tidmarsh Lane, Pangbourne Vary/delete conditions 1, 2 and 7 on planning permission 16/01419/COMIND which relates to a stable block. Appeal against imposed conditions.	EAPC approval	Allowed in part	17/07/20

19/02196/COMIND Appeal: 3244360 Written Reps	Bere Court Farm Bungalow, Tidmarsh Lane, Pangbourne	Delegated refusal	Dismissed	17/07/20
19/02792/FUL Appeal: 3245698 Written Reps	25 Abbots Road, Burghfield Common Extension to existing front, side and rear boundary to the property, include open space involving a change of use to garden amenity space and erection of new fence with landscaping to form new boundary.	Delegated refusal	Dismissed	20/07/20
19/02266/FUL Appeal: 3244815 Written Reps	Chantry House, Hill Green, Leckhampstead Construction of a storage barn and apron together with highway access and landscaping.	Delegated refusal	Dismissed	28/07/20

Housing in the countryside

- The **Malt Shovel** is a further appeal that has been dismissed for a proposal that is contrary to the Council's policies for housing in the countryside. These policies give a presumption against new residential development in the countryside with some exceptions, one of which is limited infill development that complies with Policy C1 in the HSA DPD. In assessing the proposal against C1, the Inspector stated that the Malt Shovel and buildings opposite together form a clear end to the close-knit area of built development of the settlement, with fields and scattered developments beyond. The Malt Shovel and neighbouring cottages form a close-knit cluster of dwellings, however the retention of the car park and the sizeable gardens of the cottages would leave a considerable gap between that cluster and the proposed dwelling. Therefore, the proposed dwelling would not be within a cluster of existing dwellings or within an otherwise built-up frontage, and would extend built development significantly further along Malt Shovel Lane. The proposed plot size and spacing would not be similar to adjacent properties or respect the rural character and street scene of the locality, and the scale and character of the proposed development would not be commensurate with those of existing dwellings. It was therefore found to conflict with Policy C1, and by extension the other housing policies. This appeal decision is consistent with the Council's continued interpretation of being within a closely knit cluster.



3. In dismissing the appeal, the Inspector also highlighted the unsustainable location of the site, and considered that the proposal would cause “less than substantial harm” to the conservation area.

Replacement dwellings in the countryside

4. The proposal at **Redwood**, sought a large replacement dwelling, which was considered under Policy C7. A key issue was whether the proposal complied with the requirement for the replacement dwelling to be proportionate in size and scale. The Inspector recognised that the key components in determining whether a proposal is proportionate are scale, massing, height and layout of a development. They compared the footprint, floor area and height of the existing and proposed dwellings and concluded that the substantial additional floor area and volume could not reasonably be said to be proportionate in terms of Policy C7, notwithstanding the proposed reduced ground level. The Inspector also gave great weight to the conservation and enhancement of the AONB, and identified that the proposal would cause significant harm to the street scene through the introduction of a substantial new dwelling. Whilst there are no “rules” in terms of percentage increases, this assessment demonstrates how these measurements are still important indicators of the size, scale and massing of any proposal.
5. The proposal at **Nightingale Farm** sought to replace a relatively modest bungalow with a new larger dwelling on higher land set away from the road. Similarly, in considering whether the proposal is proportionate to the existing dwelling, this appeal decision recognises that the key components of the assessment are the scale, massing, height and layout of a development. In this case, it was recognised that by comparison to the existing dwelling, where the footprint is dispersed, that of the proposed dwelling would be greater and concentrated into a single, larger building. It would therefore be of a greater scale, bulk and massing than the property to be replaced. The additional height and rising ground levels meant that it would be more visible in the landscape than the existing dwelling, and thus harm the AONB landscape.

Domestic outbuildings in the countryside

6. The proposal at **Chantry House** was for a substantial building for personal storage of a helicopter, classic car collection and other domestic paraphernalia. It was suggested that this building was required close to the appellants’ property for security, which as a Grade II listed building meant that such a building had to be outside the existing residential curtilage. The Inspector found this justification unsubstantiated, with no specific evidence before them to demonstrate how alternatives had been explored and subsequently discounted. The proposal amounted to an extension of residential curtilage into the countryside. As a residential outbuilding, the size of the building was considered substantial and as a result, it would not appear subservient to the main dwelling on the site. Whilst the design of the building would be similar to those which make up the existing Chapel Farm complex and, from public viewpoints, it would be viewed against the backdrop of the existing agricultural buildings, the introduction of a large, residential outbuilding within the countryside would appear as an incongruous feature within the AONB. Moreover, the proposed access route and apron would introduce a significant amount of hardstanding into what are currently open agricultural fields.

Flood risk sequential test

7. The decision at **1 Burghfield Bridge Close** is another example of a new residential development failing the flood risk sequential test within Flood Zone 2. The NPPF and PPG indicate that residential development should be directed away from medium and

high flood risk areas, that is, away from Flood Zones 2 and 3 and into Flood Zone 1, the area of lowest flood risk. The PPG indicates that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is only where the appellant can demonstrate, by undertaking a sequential test, that there are no reasonably available sites in Flood Zone 1, that decision makers should take into account the flood risk vulnerability of a proposal and consider reasonably available sites in Flood Zones 2 or 3. In this case, the appellant had not submitted a Flood Risk Assessment (FRA) or sequential test to show that there are no reasonably available site for development in Flood Zone 1. The Inspector therefore dismissed the appeal, in part, on this basis.

8. The **Malt Shovel** falls within Flood Zones 2 and 3. Although the application was accompanied by a FRA, the appellant had not specified a search area and no case was being made that the dwelling would meet an identified local need. Therefore, the Inspector stated, the starting point for the search area is the whole District. The Inspector identified that the Core Strategy and HSA DPD identify various settlements and sites suitable for development in the District and as such, in all likelihood there are other sites at lower flood risk that could accommodate one dwelling. The Council advised during the appeal process that sufficient housing is being provided outside flood risk zones and there was no substantive evidence before the Inspector from the appellant to demonstrate otherwise. Therefore, the proposal failed the sequential test.

Neighbouring amenity

9. The decision at **22 Sedgefield Road** demonstrates the need to exercise planning judgement in applying supplementary planning guidance on neighbouring amenity. In this case a single storey extension would infringe the 60 degree line measured from the nearest ground floor habitable window, but the Inspector stated “there is always an element of judgement required in applying such a test taking into account the context of the development.” They identified that the extension would only be 0.6m higher than the existing boundary fence, which could be increased in height to 2m under permitted development, and that the ridge of 3.6m height would be around 3m away from the boundary. In context, they concluded that any additional loss of sunlight or outlook would not be significant, and thus allowed the appeal.
10. The decision at **1 Burghfield Bridge Close** considered a relationship where the rear wall of a new 1.5 storey house would be sited in close proximity to the boundary with a neighbouring property with a ridge height just shy of 7m. Here it would be sited almost directly opposite, and within around 10m of, the side wall of the neighbouring property, which contains several windows and double doors leading onto a small paved area, beyond which there is a lawned area of garden. The rear wall of the proposed dwelling would have the highest eaves of the building and would extend to around double the height of the existing rear boundary fence. The Inspector found that the combination of the length and height of solid wall, together with the roof above it, and its close proximity to the side boundary, garden and side wall of the neighbour, would result in an overbearing impact on the outlook from the rear windows and doors of the neighbour and from the side garden of that property. This was considered harmful to neighbouring outlook despite no material loss of light.

Amenity land in housing estates

11. The decision at **25 Abbots Road** highlights the value of undeveloped amenity land that often forms part of the landscaping of housing estates. In this case the proposal was to enclose the open area so that it would be within the garden of 25 Abbots Road, by erecting a 1.8m high close boarded fence with trellis. The Inspector stated that the effect

of the fence, including the trellis, on top of the additional height of the ground level would be harmfully intrusive into the street scene both from Abbots Road and Woodman's Lane and would significantly reduce the generally open aspect in the area. It would extend the enclosed area materially to the side of the property closer to the road, harmfully enclosing it when generally these areas are open. The provision of landscaping would not be sufficient to mitigate these harms.

Office to residential conversions

12. The proposal to convert **The Elmwood Building** to apartments under permitted development failed because it was not demonstrated that the existing building fell within the qualifying office use (i.e. solely within Use Class B1a) given valuation records of the property comprising warehousing as well as offices. This demonstrates the need to verify that the existing use when considering prior approval applications for a change of use.

Bere Court Farm Bungalow

13. This site and development has a complex planning history but, in essence, the scheme is for the erection of a new stable block and farm machinery store. Such a scheme was permitted under application 16/01419/COMIND to replace a former ramshackle stable building.
14. Essentially the two appeals sought to make changes to the permitted scheme, and the main issue was the effect on the character and appearance of the area. The building, as constructed, varied materially in multiple respects from the permitted scheme, and this also varied from the submitted drawings in both appeals. The Inspector made clear, that it is the submitted drawings in both appeals that are to be considered rather than what had been built.
15. The first appeal relates to conditions that were imposed on the planning permission approved by EAPC for a revised scheme. This appeal was allowed in part, but only in terms of the requirement to complete works (changing the design of the building) within 6 months. The other variations/deletions were dismissed as the conditions remained necessary.
16. The second appeal related to a further alternative design that was refused under delegated authority. The Inspector recognised that although the actual differences in size were minor, the loss of the overhang to the stable section diminished some of the equestrian character of the building shown in the permitted scheme. They also expressed concern with the degree of glazing in the main gable of the front elevation, together with extensive roof lights and chimney, which gave the stable and machinery building more of a domestic character. Whilst small individually, taken together these changes would result in a building which is materially different in design and form to the permitted scheme. This was considered harmful in the rural AONB location.

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