

# Notice of Meeting



Scan here to access the public documents for this meeting

## Eastern Area Planning Committee Wednesday 27th January 2021 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 Council meeting held on 10 September 2020, public speaking rights are 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 25 January 2021. Written submissions will be read aloud at the Planning Committee. Please e-mail your submission to [planningcommittee@westberks.gov.uk](mailto:planningcommittee@westberks.gov.uk).

Those members of the public who have provided a written submission may attend the Planning Committee to answer any questions that Members of the Committee may ask in relation to their submission. Members of the public who have provided a written submission need to notify the Planning Team ([planningcommittee@westberks.gov.uk](mailto:planningcommittee@westberks.gov.uk)) by no later than 4.00pm on Tuesday 26<sup>th</sup> January 2021 if they wish to attend the remote Planning Committee to answer any questions from Members of the Committee.

The Council will be live streaming its meetings.

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

You can view all streamed Council meetings here:  
<https://www.westberks.gov.uk/councilmeetingslive>

### 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, 19 January 2021



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 27 January 2021**  
(continued)

**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 on 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: [planningcommittee@westberks.gov.uk](mailto:planningcommittee@westberks.gov.uk)

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

Any queries relating to the Committee should be directed to Stephen Chard / Jessica Bailiss on (01635) 519462/503124 Email: [stephen.chard@westberks.gov.uk](mailto:stephen.chard@westberks.gov.uk) / [jessica.bailiss@westberks.gov.uk](mailto:jessica.bailiss@westberks.gov.uk)



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 27 January 2021**  
(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 - 26  
To approve as a correct record the Minutes of the meeting of this Committee held on 9<sup>th</sup> December 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: 20/02410/RESMAJ - Land north of Stretton Close, Bradfield Southend, Reading** 27 - 46

**Proposal:** Approval of reserved matters following Outline Permission 17/03411/OUTMAJ: Outline application for the proposed erection of 11 no. new dwellings; layout, means of access and scale to be considered. Matters seeking consent appearance and landscaping.

**Location:** Land north of Stretton Close, Bradfield Southend, Reading

**Applicant:** Westbuild Homes

**Recommendation:** Delegated to the Head of Development and Planning to grant the reserved matters approval subject to conditions.



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 27 January 2021**  
(continued)

- (2) **Application No. & Parish: 20/02500/HOUSE - 19 Paradise Way, Chapel Row, Reading** 47 - 60  
**Proposal:** Demolition of existing one storey side extension and erection of two storey side extension and associated works.  
**Location:** 19 Paradise Way, Chapel Row, Reading, RG7 6PA  
**Applicant:** Mr and Mrs James  
**Recommendation:** Delegate to the Head of Development and Planning to grant planning permission subject to conditions.

**Items for Information**

5. **Appeal Decisions relating to Eastern Area Planning** 61 - 70  
*Purpose: To inform Members of the results of recent appeal decisions relating to the Eastern Area Planning Committee.*

**Background Papers**

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

Sarah Clarke  
Service Director (Strategy and Governance)

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

## DRAFT

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

### **EASTERN AREA PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON WEDNESDAY, 9 DECEMBER 2020**

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

**Also Present:** Sharon Armour (Solicitor), Jessica Bailiss (Policy Officer (Executive Support)), Stephen Chard (Principal Policy Officer), Gareth Dowding (Principal Engineer), Bob Dray (Development Control Team Leader) and Sarah Melton (Senior Planning Officer)

#### **PART I**

#### **30. Minutes**

The Minutes of the meeting held on 28 October 2020 were approved as a true and correct record and signed by the Chairman, subject to the following amendment:

**Item 28 – 20/00674/FUL – land to the south east of Mortimer Station, Station Road, Mortimer (third paragraph of debate):**

Councillor Macro stated that his ward had been mentioned during discussions. Other potential sites for Theale Primary School had been ruled out due to the impact on the countryside. Regarding Theale Station, a bid had been submitted to improve the station including increasing the size of the car park and had been granted conditional **funding approval by the Thames Valley Berkshire Local Enterprise Partnership.**

#### **31. Declarations of Interest**

Councillor Alan Law explained that he had asked Councillor Alan Macro, as Vice-Chairman, to Chair Agenda Item 4(1). This was not a declaration of interest and Councillor Law had not pre-determined the item, but he did have a different interpretation of some aspects of the officer's report that he wished to comment on and did not feel it would be appropriate to do so from the Chair.

All Members of the Committee declared an interest in Agenda Item 4(2), but reported that as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

#### **32. Schedule of Planning Applications**

**(1) Application No. & Parish: 20/00723/FULD - land to the rear of Timberley, Pangbourne Road, Upper Basildon**

*(Councillor Alan Law explained that he had asked Councillor Alan Macro, as Vice-Chairman, to Chair Agenda Item 4(1). This was not a declaration of interest and Councillor Law had not pre-determined the item, but he did have a different interpretation of some aspects of the officer's report that he wished to comment on and did not feel it would be appropriate to do so from the Chair.)*

*(Councillor Alan Macro in the Chair).*

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/00723/FULD in respect of an application for a new dwelling and relocated access.

### **Removal of Speaking Rights**

As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights were removed for virtual Council meetings. This right was replaced with the ability to make written submissions. This decision was 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.

The above changes to speaking rights were subsequently amended at the Council meeting on 10 September 2020. It was agreed that parties making written submissions in relation to a planning application would be invited to attend the Remote Meeting of the Planning Committee to answer any questions that Members of the Committee might wish to ask in order to seek clarification on any part of their statement.

In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from Mr Ian Parsons, Parish Council representative, and from Mr Graham Starkins, Mr William Howard and Mrs Camille Howard, objectors.

### **Parish Council Representation**

The written submission of Basildon Parish Council was read out by the Clerk to the Committee as follows:

- The Parish Council had objected to the building of a house at the rear of Timberley on each occasion that the application had been made. The location of the proposal, the garden site, was the central reason for these objections. Pangbourne Road did have some housing behind the main pattern of housing parallel with the road but these buildings had minimal impact upon immediate neighbours, unlike this proposal which would overlook a number of houses in the vicinity, and would change the character of this part of the village.
- There were many grounds for objection to this proposal outlined by a very wide range of residents in their individual submissions. The Parish Council was particularly concerned about the following.
  1. There would be an increase in cars using the relatively small access point onto Pangbourne Road.
  2. The rear of the proposed construction consisted of a series of paddocks and a wood: the proposed construction would intrude upon the natural landscape.
  3. There was a continuing concern that the site would cross the settlement boundary.
  4. Building in the back garden of properties had been opposed consistently by the Parish Council and by residents. One of the remarkable features of this application was how little space was available for building, and parking, and how cramped the site would be if approval was granted.
  5. Access to the proposed building between Southcroft and Timberley was very narrow. Should the application be passed it might well establish a pattern for more 'infill' applications in this area as well as the possibility of further encroachment into the settlement boundary.

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

6. At least four neighbouring properties would be immediately affected both in terms of loss of privacy and in the direct impact upon the rear of these properties.
7. The proposal was out of character with the general pattern of building and plots in the immediate area.
8. Application 20/00723 was not significantly different from the previous applications, all of which had been refused by the Planning Committee.

### **Member Questions of the Parish Council**

*(Mr Parsons was in attendance to answer questions from the Committee)*

Councillor Graham Pask queried the concerns raised of potential encroachment beyond the settlement boundary when the Planning Officer had confirmed that the site fell within the boundary. Mr Parsons acknowledged that the plans showed this proposal as being within the settlement boundary. However, the concern was that the proposal abutted the site boundary and the owner of Timberley also owned land to the rear of the site. Therefore, there was concern of informal extensions to the rear of the application site that could encroach upon the rear boundary.

### **Objectors Representation**

The written summarised submission of the objectors was read out by the Clerk to the Committee as follows:

- There was disagreement with the findings of the Committee report, the dwelling Elangani was not comparable to the proposal scheme as it was in a significantly larger plot with a private access, and the development at Knapps Wood was not comparable as it was a substantially larger plot with its own access to the cul-de-sac.
- The proposed scheme was for a substantial dwelling squeezed to the rear of the host dwelling with no private access. The location plan showed how unusual, cramped and at odds with the neighbouring properties the proposed development would be. By allowing this application, the Council would set a precedent for dwellings to be built in any private, rear garden along the Pangbourne Road. Was this a precedent the Council wished to set?
- Two previous applications had been refused and dismissed at appeal. As stated by the Inspector in the 2017 appeal, 'development at this location would have an unacceptable urbanisation effect' and this would have an 'adverse effect on landscape character and scenic beauty of the AONB'. This had not been mitigated by this latest application.
- Paragraph 6.16 of the Committee report stated that the proposed application would have a reduced impact on the local environment because the proposed design had a lower mass than the previous application. However, paragraph 1.8 showed the proposed dimensions of the design had increased rather than decreased. The previous application had a maximum height of 6.8m and a footprint of 83.8sq.m. This application had both a greater maximum height of 7.3m and a larger footprint of 99.5sq. m. This meant the adverse impact on the landscape, character and scenic beauty of the North Wessex Downs Area of Outstanding Natural Beauty (NWDAONB) was greater than the previous application.
- Many of the photographs submitted were inaccurately labelled. They had been taken from the adjoining open countryside; land that lay outside of the settlement

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

boundary, and did not form part of the planning application. This made the site appear much larger than it was. For example, the photographs labelled 'existing structure on site' contained a structure that lay outside of the planning application site and the photograph labelled 'within the site looking west' was taken from a position approximately 10m outside the site and the village settlement boundary.

- Approving this application would result in the overdevelopment of a cramped site, with no private access, which would ruin the landscape, character and scenic beauty of the NWDAONB. Building a four-bedroom house in the back garden of Timberley's modest plot was totally opposed to the rural nature of the surrounding area. To repeat the appeal Inspectors words, 'development at this location would have an unacceptable urbanisation effect'. The slight amendments to this latest scheme had not changed this.
- There were concerns raised regarding the grubbing up of a mature orchard providing various wildlife habitats just before the very first planning application was submitted where in that application the space the orchard had occupied until a week or so before was what was considered disingenuously described as "garden".
- Attention should be paid to the Basildon Village Design Statement.

### **Ward Member Representation**

Councillor Alan Law in addressing the Committee as Ward Member made the following points:

- He pointed out, from the planning history, that two previous applications to build a house in the rear garden had been refused. Both of these decisions had been upheld at appeal.
- Both Planning Inspectors had commented on the importance of the setting and character of the site in the AONB and within the local landscape. The Officer's report did state that the design of the two previous refusals had been criticised. However, the Officer view was that the changes made for this application were enough to address this criticism. In relation to this point, Councillor Law advised that the height of the proposed dwelling was unchanged from the previously refused scheme and the footprint was slightly larger. There was a reduction in bulk as the dwelling had been reduced to 1.5 storeys, but he questioned whether this still constituted overdevelopment.
- Councillor Law did not feel that the report addressed the Planning Inspector comments in relation to the impact on the setting and character of the AONB and the local landscape. He made specific reference to comments made in the Planning Inspectorate appeal decision. The decision commented on the need for an application in this area to have an acceptable relationship to the adjoining open countryside and landscape setting. In the Inspector's view, the previous proposal would result in a more built up and enclosed appearance to the appeal site and its environment. The decision stated that the application considered at appeal 'would fail to protect the setting of the AONB and therefore its special landscape character and scenic beauty, contrary to the National Planning Policy Framework (NPPF)'. Councillor Law therefore queried whether the design had changed enough to reduce the impact on the AONB and the local landscape.
- Councillor Law had further questions in relation to the access to the paddock at the rear of the property. Who owned the access and how would it be utilised?



## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

### **Member Questions of the Ward Member**

Councillor Pask queried the dimensions of the proposal. The written submission of the objectors stated that while a comparison had been made with the dimensions of the first refused application, the same had not been provided for the second refused application. The objector stated that the maximum height had increased from 6.8m to 7.3m and the footprint showed an increase from 83.8sq.m to 99.5sq.m. He queried the accuracy of these figures alongside noting Councillor Law's comments on this point.

Councillor Law advised that he took his view, i.e. that the height was unchanged and that the footprint was slightly larger, from the officer's report as the measurements were not made clear on the plans.

### **Questions to Officers**

Councillor Pask queried if a comparison could be made between the dimensions of the second refused application and this proposed scheme. Sarah Melton, Senior Planning Officer, referred Members back to the plans in her presentation which gave the dimensions of both of the refused applications.

### **Debate**

Councillor Pask referred to the location plan on page 65 of the agenda pack. This showed in outline the site layout and size of Timberley and its neighbours, and also that of the Knappswood Close dwellings. It had been suggested that the Knappswood Close properties had undergone back garden development, but these were located within deeper plots than those of Timberley. Councillor Pask felt that the location of the Timberley property and its immediate neighbours had its own unique character.

Councillor Pask had given very careful consideration to the two appeal decisions relating to this site and he drew attention to a point made in the 2018 appeal decision that 'the adverse effect on landscape character and scenic beauty of the AONB carries with it great weight. This would significantly and demonstrably outweigh the limited benefits that have been identified.'

Councillor Pask added that he recalled the location from past site visits and he felt that if approval was given then this new dwelling would be squeezed in. He acknowledged that minimum distance requirements between properties might be achieved, but this was within the AONB. He was not supportive of the officer recommendation for approval.

Councillor Jeremy Cottam commented that the current view from the AONB was of the rear of Timberley and neighbouring properties. The Knappswood Close properties were closer in that respect. Councillor Cottam felt that the Knappswood Close dwellings had set a precedent. He did not therefore feel that the application could be refused based on the impact to the AONB.

He added that the reduced bulk from previous applications was an improvement and additional car journeys created by the development would not be significant.

Councillor Cottam was of the view that the applicant had done just enough on balance to overcome the concerns raised by the proposal.

Councillor Jo Stewart noted that the parking area of Timberley and that of its immediate neighbours were at the front of the properties. This proposal would change that as traffic would need to pass Timberley and the dwelling to its left. Cars to the proposed dwelling would therefore need to travel past neighbouring gardens. Councillor Stewart was concerned therefore at the impact on existing residents as there would be a negative impact on their peaceful garden space.

## EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES

Councillor Stewart did not feel that a precedent had been set as none of the neighbouring properties were accessed via rear gardens.

Councillor Stewart concluded her comments by giving her view that this was overdevelopment on a relatively small piece of land.

Councillor Law referred back to the point made by Councillor Cottam that, on balance, the application could not be refused due to the impact on the AONB. Councillor Law stated that this had not been the view of two Planning Inspectors who considered earlier applications at appeal. They both felt that the application would negatively impact the AONB. The Planning Officer view was that this proposal was slightly smaller and therefore had less of an impact, but he reiterated that this application was almost identical in terms of height and had a slightly larger footprint.

On comparisons to Knappswood Close, Councillor Law clarified that the second row of houses shown on the plan were not back garden developments, instead a large field had been built out into a cul-de-sac.

Councillor Law also stated that if permission was granted, then Timberley and the new property would be the only properties that shared an access. It would therefore not be in keeping with the rest of the street scene.

Councillor Pask proposed refusal of the application, contrary to the Officer recommendation, on the basis that the application would have an adverse impact on the landscape character and scenic beauty of this part of the AONB. The proposal constituted overdevelopment, it was therefore out of character and out of keeping with the immediate neighbouring properties. The proposal was seconded by Councillor Stewart.

Bob Dray, Development Control Team Leader, clarified the reasons for refusal prior to the vote.

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

1. The application site is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), wherein great weight is given to conserving the landscape and scenic beauty. The dwellings sited along this section of Pangbourne Road are set within long, narrow, rectangular gardens which create a sense of spaciousness within the rear gardens. The dwellings generally follow an established building line with properties fronting onto the highway. The generous plot to dwelling ratio, nature of the properties and their position within the site, which are set back from the highway, contributes towards an open spacious character. Whilst there are examples of backland development in the wider area, the immediate vicinity features gardens of smaller depth. Two previous appeals have been dismissed in light of objections to design and impact on the AONB. Owing to the size and scale of the proposed building, the ratio with its uncharacteristically small plot, and the uncharacteristic access and parking arrangements, the proposed development would result a cramped form of overdevelopment which fails to respect the established residential character and rural spatial characteristics of the locality. The proposed development would have an adverse visual impact and detract from the setting of village with the adjoining open countryside.

As such, the application conflicts with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies C1 and C3 of the Housing Site Allocations DPD 2006-2026, the Council's adopted Quality Design SPD (Part 2), the North Wessex Downs AONB Management Plan 2019-24, the North Wessex Downs Position Statement on Housing, and the Basildon Village Design Statement.

## EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES

### Informatives

1 In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application the local planning authority has attempted to work proactively with the applicant to find a solution to the problems with the development, however; an acceptable solution to improve the economic, social and environmental conditions of the area could not be found.

2 This application has been considered by West Berkshire Council, and REFUSED. Should the application be granted on appeal there will be a liability to pay Community Infrastructure Levy to West Berkshire Council on commencement of the development. This charge would be levied in accordance with the West Berkshire Council CIL Charging Schedule and Section 211 of the Planning Act 2008.

### **(2) Application No. & Parish: 20/01637/FUL - land adjacent to 10 The Street, Englefield**

*(Councillor Alan Law resumed in the Chair)*

*(All Members of the Committee declared a personal interest in Agenda Item 4(2) by virtue of the fact that Richard Benyon, Chairman of Englefield Estate and former MP, was known to them. 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 Alan Macro declared a personal interest in Agenda Item 4(2) by virtue of the fact that his children had attended Englefield Primary School and one of the supporters was an acquaintance of his. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)*

*(Councillor Ross Mackinnon declared that he was the Ward Member for the item and had called it in however, had not pre-determined the application and would consider it with an open mind.)*

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/01637/FUL in respect of the change of use of land from agricultural use to a car park.

Ms Sarah Melton, Senior Planning Officer, gave a detailed presentation on the application and highlighted the key points, including:

- The site was within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and was adjacent to a listed building.
- The main issues for consideration were whether the proposed scheme would have an acceptable impact on the protected landscape and designated heritage asset and whether it was justified and appropriate limited development.
- The application was recommended for refusal for five reasons: inappropriate development for location; harm to Englefield conservation area; harm to the setting of a listed building; landscape and visual impacts within the AONB and loss of green infrastructure.

### **Removal of Speaking Rights**

As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights were removed for virtual Council meetings. This right was replaced with the ability to make written submissions. This decision was made in accordance with The Local

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.

The above changes to speaking rights were subsequently amended at the Council meeting on 10 September 2020. It was agreed that parties making written submissions in relation to a planning application would be invited to attend the Remote Meeting of the Planning Committee to answer any questions that Members of the Committee might wish to ask in order to seek clarification on any part of their statement.

In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from Mr Richard Smith, Parish Council Representative, Mrs Hilary Latimer and Mr Chris Gittins, supporters, and Mr Phil Brown, the Agent.

### **Parish Council Representation**

The written submission of Englefield Parish Council was read out by the Clerk to the Committee as follows:

- The proposed development was primarily justified, and overwhelmingly supported, on the grounds of road safety in that it would remove cars particularly from a constricted area around the school and provide for safer walking and cycling in that area. On the basis of road safety alone any sensible risk assessment must surely lead to the conclusion that some such mitigation was essential to provide a level of risk that was as low as reasonably practical. It was particularly noted that the Committee report included a number of photographs taken when there was no traffic but none of those supplied with the application that showed a very different picture.
- However, there were other considerations. Englefield remained a real village community that had evolved over time, with the few 18th century buildings added to throughout the 19th century after the old village was removed and with further development in the 20th and 21st century.
- Unfortunately, changing social and economic conditions had overtaken the community. Within living memory, the village survived as almost an enclosed community where cars were counted on the fingers of one hand and visitors from outside were rare, for the most part tradespeople some of whom still used horse drawn transport. The number of schoolchildren numbered no more than 30 and all arrived on foot or by bicycle. That was no longer the case and owing to the constraints of the original layout the village suffered greatly from the impact of those changes – suffering that might readily be alleviated.
- In landscape terms, while the proposal might impact somewhat adversely on the setting, that impact would be minimal and outweighed by the benefits from the car park. No erection of any structure was proposed, just some permeable surface treatment replacing a small area of grass and some screening vegetation – none of which would have any irremovable effect on the land. Against this must be set the visual intrusion, inconvenience, reduction in air quality and risk to personal safety from the present situation.
- Considered on the basis of a full social cost-benefit analysis this proposal must surely succeed and Members were urged to approve the proposal.

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

*(Mr Smith was in attendance to answer questions from the Committee)*

Councillor Jeremy Cottam asked Mr Smith if there was any written agreement signifying that the car park could only be used for school traffic and queried who owned the land.

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

Mr Smith confirmed that Englefield Estate owned the land and there was no agreement that the car park would be for use only by the primary school.

Councillor Ross Mackinnon noted that the written submission highlighted the current traffic situation at particular times of the day and asked Mr Smith to describe this in more detail. Mr Smith reported that the photos submitted as part of the application showed cars parked along the entire length of The Street. There was another road that ran from a point opposite the proposed car park around the back of the housing and then joined back up with the main street. This road was often congested with parked cars and the visual splays at either end were non-existent. The area immediately outside the school was kept clear by the school, but everywhere else within close proximity was often congested with cars. Mr Smith urged Members to view the photos submitted with the application.

Councillor Graham Pask referred to a picture showing the view from The Street and noted that there seemed to be a dropped kerb. Councillor Pask asked if this area was used for parking on an ad-hoc basis. Mr Smith clarified that this area was on the opposite side of the road from the application site and stated that cars did park there from time to time. There was a nursery located at the old fire station, which sometimes used the area referred to for parking.

Councillor Geoff Mayes mentioned that a similar issue had been faced in Mortimer several years ago. He asked Mr Smith to confirm if the car park would replace the on street parking, which he thought was put in place using grasscrete in around 2011 to 2015. Mr Smith was uncertain about the grasscrete area being referred to. The area referred to by Councillor Pask was not grasscrete, but it was possible that there was some grasscrete further down the road. The car park, if approved, would replace all on street parking.

Councillor Alan Law understood that the area referred to by Councillor Mayes had formed part of a previous planning application and conditions had included some grasscrete along the verge closest to the school. Gareth Dowding (Highways) clarified that the area referred to had formed part of a planning application for the nursery in the old fire station and had included a reinforced grass verge area. It had been for use by parents of both school and nursery children.

### **Supporters Representation**

The written summarised submission of the supporters was read out by the Clerk to the Committee as follows:

- There were significant concerns that the potential barrier to having this application passed was the perceived lack of need. It was questioned whether the Council required an accident to happen outside the school before they saw a need for safety measures.
- The school's position in the conservation area limited the safety signage and traffic calming measures that could be put in place. With a growing number of pupils from outside of the rural catchment area, the number of cars coming in and out of the village at either end of the day was growing. Surely housing some of these cars in a discreet, off-road parking area would be far preferable to the roads and verges being blocked, both in terms of safety and in terms of preserving the conservation area.
- The Council had already passed the building of a large primary school on a green field site in Theale which had had a big impact on the look of the local area. The proposed car park in Englefield would be far more discreet and would ease traffic

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

congestion rather than create it, as the new school seemed to have done on the Englefield Road.

- The school was in an extremely fortunate position to have the support of the Englefield Estate who were proposing to provide this car park without any financial burden on the taxpayer.
- The objections of the Conservation Officer seemed to be based more on technicalities than on experience and knowledge of the actual village environment that locals wanted to protect.
- Despite the fact that limited development was permitted, the objection centred on five aspects claiming that the car park would be to the detriment of a green space and a countryside vista which was part of the special character of the village.
- There was a long open vista to the left of The Street as you travelled into the village, more than 60% of this would be retained. The Conservation Officer might not be aware that there was already parking on the other side of The Street, an eyesore causing a muddy mess and disrupting the view of the similar open field on that side of the road. This extended further than the proposed car park so there would be a net gain of open field vistas in addition to the tidying of the area and improvement to green infrastructure at the base of a magnificent stand of trees.
- Although the view of and from number 10 The Street would be marginally diminished from one of 4 sides to the building, it would remain in an open setting.
- The view of numerous other buildings, including the school, church and Englefield House with its magnificent deer park would be majorly improved by the absence of a long string of parked cars blocking the road and the view of anyone walking down The Street. Including the parents, children and staff of the school coming to and from the school twice a day.

### **Member Questions to the Supporters**

*(Mrs Latimer and Mr Gittins were in attendance to answer questions from the Committee)*

Councillor Jo Stewart acknowledged Mrs Latimer's impassioned plea in her written submission. It had been mentioned by Officers that there had not been any incidents in the last 20 years. Councillor Stewart asked why a car park was now being sought and if something had changed recently to spark the need for the application like an increase in pupil numbers or cars. Mrs Latimer stated that she had taught at the school since 2011 and had been Headteacher since 2018 and in this time parking at the school had always been an issue. Recently, fewer children from the local catchment area had attended the school with most of the school's pupil numbers made up by children living outside of the catchment area. In 2019, there was an intake of 80 children and only two were from the catchment area.

Mrs Latimer stated that there were over 70 families within the school's pupil population of 100 children and there were very few siblings. This had led to an increase in car traffic to and from the school. Car sharing had always been difficult however, this issue had been compounded due to Covid-19.

Mrs Latimer added that there had been an increased number of lorries, coaches and delivery vehicles to the area due to thriving business and community ventures in the local area. Regarding accidents there had been a number of incidents but nothing that had required reporting because no-one had been injured. Mrs Latimer was aware of incidents where toddlers had run on to the street or where people had needed to walk in to the road to avoid dogs being walked along the narrow path. This was very dangerous with cars

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

parked along the road and partially on footpaths. The advantage of the car park would be that the parked cars would not get as far as the narrow part of the street and it was this area that was most dangerous. Walking buses had been arranged however, due to the school being small there had not been enough staff available to sustain the scheme. Other options had also been looked at with the local community, including use of the garden centre car park, to try and reduce the problem however, every year parking continued to be a concern.

Councillor Law asked Mrs Latimer if she would be happy if there was a condition in place that meant only parents of children attending the school could use the proposed car park and secondly if double yellow lines were placed along The Street near the school. Mrs Latimer commented that the area was a conservation area and therefore yellow lines had never been used. She believed the yellow lines were not something that had been supported by the local community. Mrs Latimer was unsure if she was placed to agree to the conditions however, commented that she would be happy if such conditions were used.

### **Agent Representation**

The written submission of the agent was read out by the Clerk to the Committee as follows:

- This statement was on behalf of the applicant, the Englefield Estate. The Estate's planning consultant, Mr Brown of Savills, was available to answer any questions that the Committee might have in relation to the application proposals.
- Englefield village was at the heart of the Englefield Estate. Together with the community, the Estate was committed to ensuring that the village, under its long-term stewardship, maintained its social, economic and environmental vitality by supporting local people, services and facilities. In this context, the proposal for a car park was one of a number of small scale projects which were key to supporting the long-term vitality of the village. These were discussed with the community at a consultation event in 2019 and the suggestion for a car park was overwhelmingly supported.
- As a result, this application had the support of the local primary school, Parish Council and local residents - some 45 letters of support had been noted in the Officer's report.
- It was accepted that the location of the car park was sensitive, being in the countryside, an Area of Outstanding Natural Beauty, and a Conservation Area. Through sensitive use of materials and landscaping efforts had been made to minimise the impacts, and indeed the Officer's report acknowledged that the harm to these assets was not substantial. Any harm was, in the view of the applicant, clearly outweighed by the benefits of the car park which included:
  - The improvement in highway safety for school children that had consistently been supported by the primary school;
  - The provision of a safe, off-road footpath for children which would be provided from the car park to the school;
  - The removal of a proliferation of parked cars around the village, including that which blocked the entrance to the garden centre (opposite the school) and which damaged the grass verges and tree roots further along The Street and which detracted from the Conservation Area.

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

- This was a case of applying the planning balance: weighing the significant public benefits of the scheme against the less than substantial harm. We recognised that your Officers had recommended that the application be refused, but this was a matter of planning judgement, and so it was open to Members to come to a different view.
- We were aware of other cases in the District where car parks for schools (including within the AONB) had been granted, for example close by at Pangbourne School, at Bradfield College and at Ufton Nervet. In all these cases, the harm to the landscape and heritage aspects was judged to be outweighed by the benefits to the schools. This car park was therefore not a new precedent, and we respectfully request that Members move to approve the application.

### **Member Questions to the Agent**

*(Mr Brown was in attendance to answer questions from the Committee)*

Councillor Mackinnon asked Mr Brown to explain the look of the material that would be used for the car park if approved. Mr Brown reported that it would be a buff colour resin that would be filled with gravel. It was the same material that was used for Cobbs Farm Shop not far away from the application site. The site would be enclosed by a hedge. The Estate could plant a hedge and this would not require any planning permission.

Councillor Pask referred to comments about the use of the car park being for the school only and he queried why this was not included as part of the proposal. Mr Brown stated that this had been offered as an option to Officers and the report included information on a proposed condition suggested to the Headteacher limiting use to the school. Englefield Estate felt that this was a reasonable condition however, Officers were of a different view.

Councillor Mayes noted that there were gates located at the entrance of the site on the site drawing presented to the Committee and he queried if these would be open all day, seven days per week. Councillor Mayes also queried if there would be lighting within the car park area. Mr Brown stated that if the decision was taken to limit use to the school then the gates could be closed. There were a number of Estate staff who lived in the village, so this could be managed. There was some low level lighting included as part of the proposal for safety reasons however, Mr Brown stressed that this was not street lighting and was in keeping with the rest of the village. Mr Brown was concerned regarding a condition for double yellow lines due to the site being within a conservation area and rural in nature.

Councillor Alan Macro raised a query regarding the pathway shown on the drawing, which he believed was not part of the application. Councillor Macro asked why this was the case. Mr Brown stated that if on street parking was eliminated then this would also reduce conflict between vehicles being parked on the footpath and pedestrians. This would make it safer to walk along The Street. As an alternative, Englefield Estate had considered a route around the rear of number 10 to the school, which would also improve access to the village hall. This would be on land controlled by Englefield Estate and could therefore be delivered if necessary.

Councillor Stewart queried if there would be anything to stop parents from parking in existing areas or did the proposal incorporate or remove this area. Councillor Stewart was concerned that if the car park got too full then parents might chose to avoid it and still park elsewhere. Councillor Stewart queried if this was to be prevented from happening. Mr Brown clarified that the existing area that had been referred to was separate to the car park area on the opposite side of the road to the site and impacted on the pine trees close to it. He added that the school was very proactive in managing



## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

school traffic and parking, and Mr Brown therefore felt that some parking enforcement was achievable with the inclusion of controls implemented by the school.

### **Ward Member Representation**

Councillor Ross Mackinnon stated that he was neither for nor against the application and looked forward to hearing and taking part in the debate.

There were no Member questions for the Ward Member.

### **Member Questions to Officers**

Councillor Alan Macro referred to the planning report which stated that there was an 18m gap between the car park and a footpath. Councillor Macro queried if this was the footway along the side of the street. Ms Melton confirmed that this was correct.

Councillor Law noted from the report that Officers were not supportive of the car park being designated to parents of the school as this would be difficult to enforce. Councillor Law accepted this however, queried if there was any other reason why a condition on this could not be included. Secondly, Councillor Law was of the understanding that double yellow lines could be implemented in a conservation area and asked if there was any reason yellow lines could not be used in this instance.

In response to Councillor Law's question regarding restricting the car park to use by the school, Ms Melton did not believe that this would pass the test of the National Planning Policy Framework (NPPF) in terms of what was considered reasonable. Councillor Law queried who would appeal the condition if it was approved. Mr Bob Dray stated that Officers had to make assessments against the tests of the NPPF. If the Committee accepted that the harm identified by officers was justified as a result of the benefits from the proposal, then Officers would question if a limit to parents only was necessary. What added harm could come from others using the car park when it was not full?

Mr Gareth Dowding expressed his concern regarding a condition to restrict use to school access because this could potentially cause parents to park in the road if the gate was not opened on time. Regarding the question of double yellow lines, Mr Dowding stated that yellow lines could be provided in a conservation area however, this would be subject to a full consultation with residents in the area and could be objected to. Councillor Law noted the point and commented that planning permission could be subject to a consultation being carried out with residents.

Councillor Pask queried the suggestion of double yellow lines and suggested that a single yellow line could be used with time restrictions in place, for example, no parking between 8am to 10am and 2.30pm and 4.30pm. Mr Dowding reported that a single yellow line with time restrictions could be provided however, a full consultation would still need to take place. Mr Dray added that because the provision of yellow lines would be subject to a separate process with uncertainty of its success that he would be concerned about planning permission being subject to a condition on this. He advised that it would be considered unreasonable as it was out of the applicant's control.

### **Debate**

Councillor Mackinnon stated that he understood the objections from reading the Officers report which were in line with policy including the loss of green infrastructure and impact on a listed building. Councillor Mackinnon however felt that the impact on green infrastructure would be low given the site was located in the corner of a paddock and would use materials that were sympathetic to the countryside setting. Councillor Mackinnon reported that the current impact caused by parked cars was high and he felt that this would be improved by the proposal.

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

Councillor Mackinnon stated the importance of considering the application in context. The policies, if strictly applied, benefitted those who visited the AONB however, they did not benefit the people who lived in the village, who clearly supported the proposal. He acknowledged that it was going to be a difficult decision however, suggested that the benefits of the scheme needed to be taken into consideration and balanced with the concerns of Officers.

Councillor Macro referred to the point that there had been no objections from local residents to the proposal and stated that most of the properties in the area were owned by Englefield Estate and therefore this could have caused some reluctance to object. Councillor Macro knew the area very well and commented that at the end of the street there was a T-junction with a private road leading off it. This used to be open and parents could use the area if they were unable to find a space and needed to turnaround. Councillor Macro noted that this was now gated off and therefore increased the risk of vehicles carrying out three point turns near the school.

Councillor Macro reported that initially he had not been supportive of the application however, he had changed his mind after reading the submissions. Children's safety was paramount and he felt this outweighed the less than substantial harm that would be caused if the application was approved. Councillor Macro stated that he had some concerns about the 18m gap from the car park to the footpath and then 175m to the school. He felt that this could put off some parents who might try to park more closely. Regarding suggestions to restrict the use of the car park, Councillor Macro felt that this would be a mistake as the car park was near to and could be used by the local shop, post office and tea rooms. Councillor Macro declared that he was reluctantly minded to support the application.

Councillor Graham Pask commented that planning applications were not determined on the level of support or objection. He understood all the points raised within the Planning Officer's report. Councillor Pask noted from Mr Brown that the Estate could plant a hedge and obscure the gap between the dwellings. Councillor Pask stated that there would still be a gap between dwellings and this could have cars parked on it especially at drop off and pick up times and other times if the use was not restricted. Councillor Pask noted however, that cars currently parked on the road and in front of the site. Councillor Pask queried the ultimate harm in approving the application and noted the benefits. He stated that he was leaning toward supporting the application. Councillor Pask noted the points made by Officers regarding the yellow lines however, he felt assured that the school would manage the situation. Councillor Pask felt there were both advantages and disadvantages of restricting the use of the car park to the school and was interested to hear what other Members had to say on this point.

Councillor Cottam stated that he concurred with the points made by Councillor Mackinnon and the application needed to be judged on balance. Safety was very important and just because there had not yet been an accident did not mean that there would not be one. In his view if the proposal was approved, cars that were normally parked along the road would be moved to a confined area which would decrease the visual impact on the area. Councillor Cottam stated that he was therefore minded to support the application.

Councillor Law noted that the AONB had not commented on the application. He invited Members of the Committee to make a proposal regarding the application.

Councillor Pask felt that on balance the benefits of the application outweighed the disadvantages. Councillor Pask proposed that planning permission be approved. He suggested that a standard set of conditions be applied including start times, landscaping and surface treatment. Regarding restricting access to the school, Councillor Pask noted

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

that no Members had voiced an opinion in strong favour of enforcing this and therefore he did not feel a condition on this should be proposed. Councillor Cottam seconded the proposal.

Mr Dray suggested that conditions be delegated to Officers for determination and he read out the standard ones which would be applied. Councillor Law suggested that the condition regarding dark skies be added and queried if a gate was included within the drawings. Ms Melton confirmed that a gate was shown in the drawing. Mr Dowding suggested that a condition be added regarding drainage and SuDS.

Councillor Law invited Members of the Committee to vote on the proposal by Councillor Pask, seconded by Councillor Cottam. At the vote the motion was carried.

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

### **Conditions**

#### 1. Commencement of development

The development hereby permitted shall begin not later than three years from the date of this decision.

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

#### 2. Approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

- Location Plan, reference 6027E/SK24 B, received 17/07/2020;
- Village Parking Plan, reference 6027ESK9A, received 17/07/2020;
- Badger Survey Report, by Lockhart Garratt, received 17/07/2020, recommendations at Section 7.

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

#### 3. Schedule of materials

No development shall take place until a schedule of the materials to be used in the construction of the car park hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006). A pre-commencement conditions is required due to the highly sensitive location of the site and because the materials will be used throughout construction operations.

#### 4. Drainage

No development shall take place until a scheme of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable drainage principles to deal with surface water run-off within the application site. The car park shall not be first brought into use until the scheme of surface water drainage has been implemented in accordance with the approved details. The approved method of surface water drainage shall be retained thereafter.

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and the Sustainable Drainage SPD (December 2018). A pre-commencement condition is required because the sustainable drainage measures will need to be implemented during construction.

### **5. Construction method statement**

No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:

- (a) A site set-up plan during the works;
- (b) Parking of vehicles of site operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials used in constructing the development;
- (e) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
- (f) Temporary access arrangements to the site, and any temporary hard-standing;
- (g) Wheel washing facilities;
- (h) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (i) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (j) Hours of construction and demolition work;
- (k) Hours of deliveries and preferred haulage routes.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A precommencement condition is required because the CMS must be adhered to during all demolition and construction operations.

### **6. Hours of work (construction/demolition)**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

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

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

### **7. Tree protection scheme**

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

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

### **8. Surface specification (prior approval)**

No development or other operations shall commence on site until details of the proposed carpark and access surface specification in the root zones of existing and proposed trees, has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; details of satisfactory foundations are a key element of the scheme and so it is necessary to approve these details before any development takes place.

### **9. Provision of access, parking and turning spaces, and cycle facilities**

The car park shall not be first brought into use until the accesses, parking and manoeuvring spaces, and cycle parking facilities have been fully provided in accordance with the approved plans. Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring, and the cycle parking facilities kept available for their purpose, at all times.

Reason: To ensure the access, parking and turning is laid out in the approved condition, in the interests of public safety, and to ensure cycle parking is provided as proposed to encourage sustainable modes of transport. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

### **10. Soft landscaping (prior approval)**

A detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting

## EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES

information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first use of the car park (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### 11. Lighting strategy (prior approval)

No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) Include and isolux diagram of the proposed lighting.
- (b) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.

No external lighting shall be installed within the application site except in accordance with the above strategy.

Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

### 12. Hard landscaping (prior approval)

The car park shall not be first brought into use until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. fences and gates) and hard surfaced areas to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### 13. Permitted development restriction (gates, fences, walls etc)

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no gates, fences, walls or other means of enclosure which would otherwise be permitted by Schedule 2, Part 2, Class A of that Order shall be erected, constructed, or materially altered without planning permission being granted by the Local Planning Authority on an application made for that purpose. This restriction excludes any development expressly permitted by this permission, and does not prevent repairs or replacements (in full or in part) that do not materially affect the external appearance of any gate, fence, wall or other means of enclosure.

## EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES

Reason: To prevent the erection of such development which may have an adverse impact on the rural character and appearance of the area, or fail to conserve the open landscape of the AONB. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006).

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.

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.

### INFORMATIVES:

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

4 Before arriving at its decision, the Eastern Area Planning Committee considered the recommendation of planning and conservation officers, and listened to the representations made by interested parties. It was determined that the public benefits of the proposal outweighed the harm to the landscape and heritage assets.

### **(3) Application No. & Parish: 20/01940/LBC2 - West Streatley House, High Street, Streatley**

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 20/01940/LBC2 in respect of the addition of a kitchen vent through the roof of the rear extension.

Bob Dray, Development Control Team Leader, presented the report. He reminded Members that the only consideration for this application was whether the proposal preserved the special architectural and historical interest of this listed building and its setting.

Mr Dray explained that the Conservation Officer originally had concerns that the proposed flue would appear overly obtrusive due to its height and positioning. This had resulted in alterations being made to replace the flue with an inline vent and the

## **EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

Conservation Officer was satisfied with this revision. The Conservation Officer felt that the in-line clay tile vent would not be in any way obtrusive or harm the appearance of the building as long as the colour of the clay tile matched the approved tiles.

The 14 objections from members of the public were primarily concerned with the height and obtrusiveness of the flue and the flue had been amended in the way described.

Concerns raised of odour and noise did not apply to a listed building consent.

The Officer recommendation was to grant listed building consent subject to conditions, which included a condition for the materials that would be used.

No written submissions were received.

### **Ward Member Representation**

Councillor Alan Law in addressing the Committee as Ward Member made the following points:

- By way of background, Councillor Law explained that there had been a level of controversy in the planning history of West Streatley House and some enforcement issues raised in relation to set times for deliveries and for works. A level of concern had persisted in the local area and there had been objections to this application for listed building consent, primarily in relation to the flue.
- As explained by the Planning Officer, the changes made to the proposed flue and vent had done much to alleviate the concerns. The Conservation Officer was satisfied with the revisions made.

No questions were asked of the Ward Member.

### **Questions to Officers**

Councillor Geoff Mayes queried if it was a gas flue and whether there was a window overlooking the adjacent neighbouring property.

In response, Mr Dray explained that he was unclear on the fuel to be used but this was not relevant to an application for listed building consent. The only consideration was the impact on the character of the listed building.

The rear extension and its windows were at some distance from the neighbouring property as shown on the plans.

### **Debate**

Councillor Tony Linden proposed acceptance of Officers' recommendation to grant listed building consent subject to conditions. This was seconded by Councillor Jeremy Cottam.

**RESOLVED that** the Head of Development and Planning be authorised to grant listed building consent subject to the following conditions:

### **Conditions**

#### **1. Commencement of works**

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **2. Approved plans**

This listed building consent relates only to work described on the following drawings:



**EASTERN AREA PLANNING COMMITTEE - 9 DECEMBER 2020 - MINUTES**

1618-L01 (Location Plan), received 21st August 2020

1618-1B 50 C (Floor Plan and Section Elevation), received 16th November 2020

The works shall be carried out in strict conformity with the approved plans and associated approved submitted information.

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.

**3. Materials**

The works shall not take place until details of the colour and finish of the in-line clay tile vent have been approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site or by arrangement with the Planning Officer. All materials incorporated in the work shall match the approved samples.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policy CS19 of the West Berkshire Core Strategy (2006-2026).

**4. Making good**

All works of making good and repair to the retained fabric, whether internal or external, shall be finished to match original/adjacent work with regard to the methods used and to materials, colours, textures and profiles.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policy CS19 of the West Berkshire Core Strategy (2006-2026).

*(The meeting commenced at 6.30pm and closed at 8.14pm)*

**CHAIRMAN** .....

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

This page is intentionally left blank

# Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/02410/RESMAJ Bradfield	21 <sup>st</sup> January 2021 <sup>1</sup>	Approval of reserved matters following Outline Permission 17/03411/OUTMAJ: Outline application for the proposed erection of 11 no. new dwellings; layout, means of access and scale to be considered. Matters seeking consent appearance and landscaping.  Land north of Stretton Close, Bradfield Southend, Reading  Westbuild Homes

<sup>1</sup> Extension of time agreed with applicant until 29<sup>th</sup> January 2021

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02410/RESMAJ>

**Recommendation Summary:** Delegated to the Head of Development and Planning to grant the reserved matters approval subject to conditions.

**Ward Member(s):** Councillor Ross Mackinnon

**Reason for Committee Determination:** The Council has received in excess of 10 letters of objection.

**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:** Michael Butler  
**Job Title:** Principal Planning Officer  
**Tel No:** 01635 519111  
**Email:** Michael.Butler@westberks.gov.uk

## 1. Introduction

- 1.1 This application seeks the Council's approval of the reserved matters of "appearance" and "landscaping" for the erection of 11 dwellings in Bradfield Southend. This application follows the approval at appeal of application number 17/03411/OUTMAJ (appeal reference APP/W0340/W/18/3211943) in 2019.
- 1.2 Outline planning permission was granted at appeal for the erection of 11 dwellings on the site, with 40% (4 no.) affordable units. The outline permission has already approved the scale and layout of the dwellings, and the means of access to the site, i.e. the new vehicular access off Stretton Close to the south. Accordingly these are not matters which the Committee can revisit at this stage. Nor indeed can the overall principle of the new development, which is established by the outline permission.
- 1.3 This is an application for the outstanding reserved matters of appearance and landscaping, as defined by the legislation below:
- 1.4 "Appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 1.5 "Landscaping" means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
  - (a) screening by fences, walls or other means;
  - (b) the planting of trees, hedges, shrubs or grass;
  - (c) the formation of banks, terraces or other earthworks;
  - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
  - (e) the provision of other amenity features.
- 1.6 The Committee should be aware that the site is allocated for approximately 10 dwellings under policy HSA22 of the Housing Site Allocations DPD, as adopted in May 2017. The policy is proposed to be repeated in the draft emerging Local Plan Review up to 2037.
- 1.7 In addition, the Committee may now be aware of a proposal in the emerging Local Plan Review to allocate the land to the south-west of this application site for further housing of up to 13 dwellings under draft policy RSA25. Clearly this proposal is at an early stage, and attracts very little weight in terms of the consideration of this application, but is identified to give complete context.
- 1.8 The application site is presently an open pasture with trees present on the site, protected under a tree preservation order (TPO). It lies immediately to the north of Stretton Close, in Bradfield Southend. The area is situated within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). To the east of the application site lies Stanbrook Close comprising a range of detached dwellings, and to the north and west lies open land.
- 1.9 The application details the following dwellings:

Plot	Size	Type	Scale	Tenure
1	3 bed	Detached	2.0 storey	Affordable shared ownership
2	3 bed	Detached	2 storey	Affordable shared ownership
3	3 bed	Detached	2 storey	Open market
4	4 bed	Detached	2.5 storey	Open market
5	4 bed	Detached	2.5 storey	Open market
6	4 bed	Detached	2 storey	Open market
7	4 bed	Detached	2 storey	Open market
8	4 bed	Detached	2 storey	Open market
9	4 bed	Detached	2 storey	Open market
10	2 bed	Semi-detached	2 storey	Affordable social rent
11	2 bed	Semi-detached	2 storey	Affordable social rent

1.10 The overall density of dwellings on the site will be approximately 10 dwellings per hectare, which is lower than the surrounding area, and the block plan shows the access route bifurcating once into the site to serve the 11 dwellings, via a shared surface. On the block plan plots 1-3 are situated a very considerable distance from the dwellings in Stanbrook Close to the east, whilst plots 4-6 are closer, but as the submitted cross sections show still an acceptable separation distance (e.g. between plot 4 and 14 Stanbrook Close is just under 40 metres back to back).

1.11 The design of the dwellings is varied in architectural and elevational terms, creating a street scene which is of interest. A new sustainable drainage pond is proposed to the north of the application site to ensure on and off site drainage is acceptable, given the clear change from a greenfield site to a brownfield one.

## 2. Planning History

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

Application	Proposal	Decision / Date
17/03411/OUTMAJ	Outline application for the erection of 11 dwellings.	Refused 24/05/2018.  Appeal allowed 15/02/2019.

20/02746/FUL	New access into the application site.	Not yet determined.
--------------	---------------------------------------	---------------------

2.2 In addition to the above the Council currently has before it for determination a number of discharge of condition applications pursuant to the outline permission. These are purely technical matters for discharge as required, and not subject to formal public consultation.

### 3. Procedural Matters

3.1 A site notice was displayed on the 27th October 2020. The deadline for public representations expired on the 17th November 2020. A public notice was also displayed in the Newbury Weekly News on 29<sup>th</sup> October 2020.

3.2 A further “amended plans” site notice was displayed on the 24th November 2020. The deadline for representations expired on 8th December 2020.

3.3 The development is CIL liable. CIL liability will be based on the floor space of the development and confirmed by the CIL Charging Authority separately.

3.4 No s106 legal agreement is required in relation to this reserved matters approval, since the reserved matters is tied into the s106 linked into the outline permission for the delivery of the 4 affordable units.

### 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.

<b>Parish Council:</b>	Object to the application on a range of grounds. Firstly concerned about the array of applications submitted which is confusing. Secondly worried about the future environmental credentials of the site, particularly the lack of electric vehicle charging points, not enough bird and bat boxes, worried about future drainage, shared surface on access road not safe, should any dwelling be 2.5 storey? Covenants on land mean no utilities should cross the site. In addition positioning of some dwellings not acceptable, and affordable housing should be to those with local connections only. Other detailed matters raised about windows, car ports, fencing, and the design of roofs.
<b>Highway Authority (WBC):</b>	Conditional permission be granted. Wished to see electric vehicle charging points but this was not conditioned on the outline planning permission and cannot now be conditioned on the reserved matters application. Road layout and surface is acceptable and it will be adopted under section 38 in due course. The parking and turning areas all comply with policy P1 in the

	HSADPD as adopted. Swept path analysis for refuse vehicles is acceptable. Gates to plot 8 is acceptable.
<b>Housing Officer (WBC):</b>	The development is acceptable since 4 of the units will be for affordable purposes, as required.
<b>Environmental Health:</b>	No comments to make.
<b>Tree Officer (WBC):</b>	No objections. All the arboricultural works are controlled by condition via the outline permission and the discharge of conditions applications pursuant to that. Conditional permission is recommended.

### ***Public representations***

4.2 Representations have been received from 13 contributors, 1 of which gives neutral commons, and 12 of which object to the proposal. Some contributors have made multiple submissions.

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

- Concerned about the shared surface and lack of distinct pedestrian access through the site.
- Worried about future drainage both on and off site.
- Design and height of the dwellings not appropriate, they should all be just 1.5 storey only.
- Concerned about separation distances and potential for overlooking/loss of privacy.
- Confusing array of applications being submitted.
- Utilities should not cross the site due to restrictive covenants.
- Some still opposed to the overall principle of the development.
- Trees not adequately protected on the application site.
- Lack of electric vehicle charging points.
- Unclear if the fencing and the proposed landscaping is acceptable.
- Application does not comply with Core Strategy Policy CS4 as an inappropriate mix of housing is proposed.

4.4 The above views relate both to the original plans and the revised ones.

## 5. Planning Policy

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

- Policies ADPP1, ADPP5, CS1, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies GS1, HSA22, C1, C3 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6, TRANS.1, RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-24
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Appearance reserved matter
- Landscaping reserved matter
- Other matters raised in the public consultation

### ***Appearance***

6.2 In terms of the overall appearance and landscaping of the site the officer considers that the following matters are pertinent. Paragraph 127 in Chapter 12 (Achieving well-designed places) of the NPPF notes that (inter alia) that planning policies and applications should seek the following aspirations: development should function well on the site in question, and should insofar as possible reflect the local character of the area, in terms of appearance and local landscaping. A strong sense of place should be achieved if possible, and places should be attractive and welcoming to live in. The site potential in addition should be optimised, in terms of overall density, where possible, to make the best use of land.

6.3 Your case officer has now had the opportunity of visiting the application site on a number of occasions and has viewed the surrounding nature and type of dwellings in the immediate vicinity of the application site. It is considered that the varied designs promoted by the applicant's architect has successfully created a range of attractive designs, which not only will produce a varied street scene, but which will be in keeping with their surroundings. Most dwellings are 1.5 storey (only two are 2.5 storey) and none are above 8.5m to ridge as stipulated via condition on the outline permission. In addition the proposed appearance of all of the affordable dwellings is considered to be tenure blind in that the elevational treatment and materials will be of similar tone to the open market dwellings.



- 6.4 A number of the objectors have raised concerns about fencing. This is to be close boarded which might not be particularly rural, but will allow a degree of local privacy and is not out of place in the context of the area. Windows will be double glazed and not out of keeping with the surrounding housing. Car ports are introduced on some of the plots but this does not detract from the overall appearance of the dwellings. Finally the roofscape is varied and well-articulated, providing a good degree of variety in the proposed street scenes.
- 6.5 Given the site varies in gradient across the land parcel, it is inevitable that some of the proposed dwellings will have ridge heights (in AOD terms) higher than some of the others to both the east and the south, which has been a cause of concern for some objectors, but given the generous separation distances between the plots no harmful overshadowing or development being overbearing will occur. In conclusion, in terms of appearance the officer believes that the development will comply with the design policies of the NPPF and policy CS14 of the Core Strategy.

### ***Landscaping***

- 6.6 In terms of the landscaping of the site, a full scheme has been submitted by the applicant and this will be duly conditioned. This will include the planting of a range of small standard trees (e.g. maple), the planting of hedgerows of hawthorn, beech, hazel and field maple, and the planting of semi aquatic plants arounds the drainage feature/pond. The Council's tree officer has accepted the scheme. In addition the retention of the TPO trees across the site has been achieved by the conditions in the outline permission, and the agreed layout, means that the visual setting of the site will be softened by this backdrop of mature trees and hedgerows.
- 6.7 The fence to the eastern perimeter of the site to Stanbrook Close was originally proposed to be 1.8 metres in height. This has been increased to 2 metres at the request of the local occupants. This will afford a little more privacy.
- 6.8 It is accordingly considered that in this respect the application complies with policies CS14 (Design Principles), CS17 (Biodiversity) and CS18 (Green Infrastructure) of the Core Strategy in this respect.

### ***Other matters raised in the public consultation***

- 6.9 A number of local residents have raised concerns over the scheme, which do not fall for consideration as part of the appearance or landscaping reserved matters.
- 6.10 First, as explained in the introduction to this report, this application relates solely to the appearance and landscaping reserved matters. Outline planning permission has already been granted, and this including considerations of access, layout and scale. The Committee cannot now object to the principle of the application or any of these determined reserved matters.
- 6.11 Second, the concerns of objectors regarding the layout of the site cannot be examined at this stage as this was a matter considered and determined at the outline application stage. At this stage, the proposed separation distances between the dwellings and the possibility of any harmful overlooking between the new dwellings and those as existing was judged to be minimal and not harmful.
- 6.12 Third, in terms of sustainable drainage, this issue has already been agreed at the outline stage. Condition number 10 of the outline permission controls drainage measures, and the details submitted pursuant to this condition are being examined under application

number 20/02794/COND3 at present. The development cannot lawfully commence until the proposed drainage scheme has been approved.

- 6.13 Fourth, a number of residents believe that no utilities can be laid underground across the application site due to restrictive covenants. The presence or effect of restrictive covenants are not a planning matter but a civil matter for the developer to address.
- 6.14 Fifth, concern has been raised regarding the absence of electric vehicle charging points. According to policy P1 of the HSA DPD, electric charging points should be installed for new residential developments, but unfortunately the appeal decision did not include a condition requiring such provision. Having regard to the legal scope of appearance and landscaping reserved matters (see paragraphs 1.4 and 1.5 above) it is not considered that a condition can be applied to this application. Nevertheless, the case officer has sought to encourage their update within the development, but unfortunately the developer has declined citing issues of cost. Such a condition should not be applied to this reserved matters approval.
- 6.15 Sixth, the Parish Council wishes the reservations on the affordable dwellings to be for those with local connections. The outline planning permission is subject to planning obligations through a section 106 unilateral undertaking. This will deliver the four affordable units on the site. The unilateral undertaking is based on standard wording of S106 Agreement, and no provision has been made for allocation of the affordable units to local residents only. The Council ensures that all applications for the Housing Register are assessed and prioritised in accordance with the allocations scheme, and properties will be let to applicants with the highest priority who also meet the property criteria in the Housing Allocations Policy.

## **7. Planning Balance and Conclusion**

- 7.1 To summarise, the proposal it is for the approval of the “appearance” and “landscaping” reserved matters only on a greenfield site which is now a planning commitment by virtue of the outline permission granted at appeal for the erection of 11 dwellings with associated works and access. This site was and remains a housing site allocation in the Housing Site Allocations DPD 2006-2026 and is retained as a proposed allocation in the recently published draft emerging Local Plan Review to 2037.
- 7.2 In terms of the appearance of the dwellings, it is considered that the varied designs promoted by the applicant’s architect has successfully created a range of attractive designs, which not only will produce a varied street scene, but which will be in keeping with their surroundings.
- 7.3 In terms of landscaping, the mature and protected trees for a key component of the proposed scheme, which overall is considered acceptable by officers. The height of the eastern boundary fence has also been increased to address concerns by neighbouring residents.
- 7.4 Accordingly, given that the application clearly complies with extant development plan policies relating to design and landscaping, it is considered that the application should be approved, with appropriate conditions.

## **8. Full Recommendation**

- 8.1 To delegate to the Head of Development and Planning to GRANT RESERVED MATTERS APPROVAL subject to the conditions listed below.

## **Conditions**

### **1. Link between reserved matters and outline**

This approval relates solely to the reserved matters referred to in condition numbers 1 and 2 of the outline planning permission granted on 4<sup>th</sup> December 2018 under appeal reference APP/W0340/W/18/3211943 (application reference 17/03411/OUTMAJ). Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions applied to that outline planning permission.

Reason: For the clarity and the avoidance of doubt. The reserved matters cannot be considered separately from the permission to which they relate and the conditions applied on that outline permission are still applicable.

### **2. Approved plans**

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

- Drawing numbers: 16.48-100C, 140H, 141C, 142A, 143B, 144A, 145A, 146H, 150B, 151B, 152B, 153B, 154A, 155A, 156A, 157A, 158C, 159A, 160B, 161C, 162A, 163D, 164D, 165A, 166A, 167B, 168A, 169A, 170A, 171C, 172A, 173A, 174B, 175A, 176A, 180B, 181, 182A, 183, 184, 185A, 186, 187, 188, 189, 190 (J Spires Architects).
- Landscape Specification Notes 16.48-LSP1.
- Design & Access Statement 16.48-DAS2 Rev B.

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

### **3. Schedule of materials (prior approval)**

The construction of any dwelling shall not take place above slab level until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

### **4. Soft landscaping (approved plans)**

All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme (16-48-146H ) within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17,

CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

5. **Tree and vegetation retention**

No trees, shrubs or hedges shown as being retained on tree survey 903 by SJ Stephens dated Nov 2017 shall be removed without the written agreement of the Council.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

6. **Hard landscaping (approved plans)**

No dwelling hereby permitted shall be first occupied until the hard landscaping associated to that dwelling has been completed in accordance with the details of boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) shown on the approved plans/documents. The final dwelling to be occupied shall not be first occupied until all hard landscaping within the site has been completed in accordance with the approved plans/documents.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

7. **Architectural detailing**

No dwelling shall be first occupied until the detailing of its elevations has been completed in accordance with the approved plans. This includes (but is not necessarily limited to) the provision of any bargeboards, lintels (materials, keystone details), string/soldier courses, fenestration, quoins, porches, plinths, chimneys (corbelling), eaves detailing, cills, hanging tiles (varying tiles/detailing).

Reason: The articulation of elevations with such detailing makes an important contribution to the design quality of the development. The completion of these features prior to first occupation is therefore necessary to ensure that the buildings respect the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C3 of the Housing Site Allocations DPD 2006-2026, and Supplementary Planning Document Quality Design (June 2006).

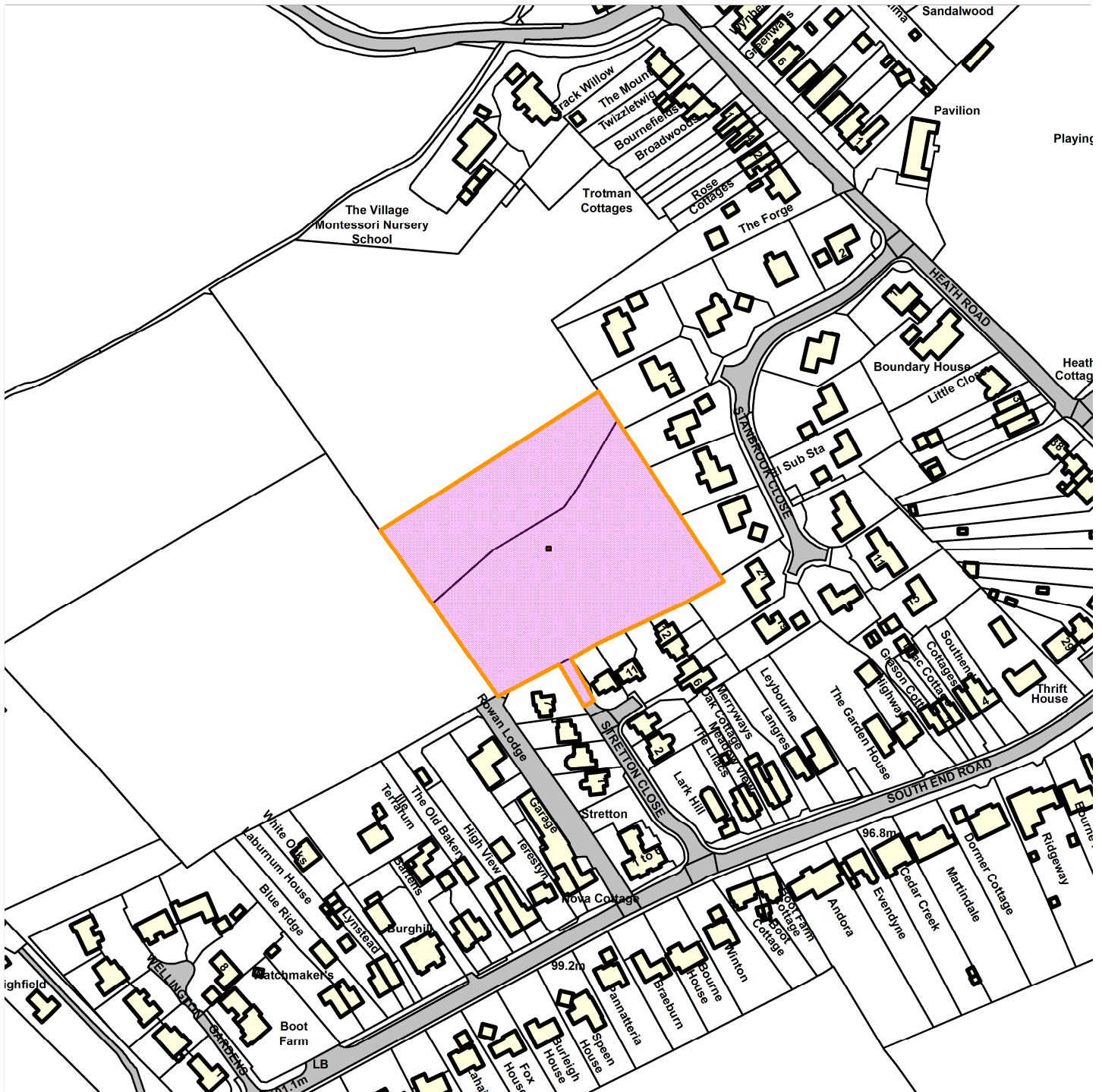
8. **Restriction on car port alterations**

The car ports hereby permitted shall be kept available for parking (of private cars and/or private light goods vehicles) at all times. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no physical alterations shall be made to the car ports (including enclosing the sides / installed doors), unless permission has been granted by the Local Planning Authority as a result of an application being submitted for that purpose.

Reason: To ensure that the car port is kept available for vehicle parking, and is not converted into a garage, in the interest of road safety. The residential parking standards of Policy P1 do not count garages towards parking provision. This

condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

This page is intentionally left blank



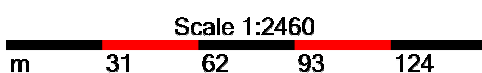
Map Centre Coordinates :

Scale : 1:2459

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

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

<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	18 January 2021
<b>SLA Number</b>	0100024151



This page is intentionally left blank



# Land north of Stretton Close

Photographs for Eastern Area Planning Committee  
Application 20/02410/RESMAJ



Looking north from Stretton Close towards application site





Looking north across application site



Looking north-east across the application site



Looking across the application site



Looking south to access from within the application site



Tree on site



Looking east from application site to Stanbrook Close



Looking east across application site



Looking south east from application site

# Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	20/02500/HOUSE Bucklebury	24 December 2020	Demolition of existing one storey side extension and erection of two storey side extension and associated works.  19 Paradise Way, Chapel Row, Reading, RG7 6PA  Mr and Mrs James

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02500/HOUSE>

**Recommendation Summary:** Delegate to the Head of Development and Planning to grant planning permission subject to conditions.

**Ward Member:** Councillor Graham Pask

**Reason for Committee Determination:** Application made by a member of staff of Planning in the employ of West Berkshire Council.

**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:** Simon Till  
**Job Title:** Team Leader (Western Planning Area)  
**Tel No:** 01635 519111  
**Email:** Simon.till@westberks.gov.uk

## 1. Introduction

- 1.1 This application seeks planning permission for demolition of an existing single storey side extension and the erection of a two storey side extension.
- 1.2 The application site is located in a cul-de-sac of residential development of mid 20<sup>th</sup> Century character and appearance in Chapel Row. The site is outside of any defined settlement boundary and is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

## 2. Planning History

- 2.1 There is no relevant planning history on the application site.

## 3. Procedural Matters

- 3.1 **Environmental Impact Assessment:** 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 **Publicity:** A site notice was displayed on 06 November 2020 alongside the highway adjacent to the site. The deadline for representations expired on 27 November 2020.
- 3.3 **Community Infrastructure Levy:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://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.

<b>Bucklebury Parish Council:</b>	No objections.
<b>WBC Highways:</b>	No objections following confirmation that three parking spaces exist and are accessible as shown on plan.
<b>WBC Ecology</b>	No comments received by date of writing.
<b>Natural England</b>	Consultation response received stating that Natural England do not wish to comment.



<b>North Wessex Downs AONB Officer</b>	No comments received by date of writing.
--	--

### ***Public representations***

4.2 No representations have been received by the date of writing.

## **5. Planning Policy**

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

- Policies ADPP1, ADPP5, CS1, CS13, CS14, CS17 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C6 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

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

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

## **6. Appraisal**

6.1 The main issues for consideration in this application are:

- The principle of development
- Design and impact on the character and appearance of the area
- The impact on residential amenity
- Parking provision and highway safety
- Ecology

### ***Principle of development***

6.2 The application site is located outside of any defined settlement boundary, but within Chapel Row, a rural village without a settlement boundary, and is therefore considered to be located in the countryside. The site is situated within the North Wessex Downs AONB. As noted within the accompanying ecology report the site is close to, but not within, a local wildlife site and a biodiversity opportunity area. The area surrounding the application site has a predominantly suburban and residential pattern of development.

6.3 Policy C1 of the HSADPD is relevant inasmuch as it identifies the settlement boundaries for residential development in the District. Policy C6 of the HSADPD sets out a presumption in favour of proposals for the extension of existing permanent dwellings in

the countryside, and criteria relating to scale and character, setting, materials and amenity impacts. Subject to the detailed considerations against these criteria – discussed in the following sections of this report – the principle of development is accepted by officers in this case.

### ***Character and appearance***

- 6.4 While the site is located within the North Wessex Downs AONB, and in an area outside of settlement defined as countryside under the policies of the local development framework, it is within a residential cul-de-sac and screened from views from the wider landscape. Therefore such visual impacts as the proposed works would engender would be limited and confined to the surrounding street scene.
- 6.5 The host dwelling for the proposed extension is a modest mid-20<sup>th</sup> Century property, of typical estate design, character and appearance for its time. The surrounding street scene consists of dwellings that formed part of the same estate development and are of a similar character and design. The host dwelling forms the eastern end of a terrace of four houses that is mirrored by another terrace of four dwellings to the east. It has a single storey extended element that has been included into the existing kitchen, and this is proposed for demolition under this application
- 6.6 The proposed side extension has been designed with a single storey porch element taking a line forward of the frontage of the existing dwelling. This element has a sloped roof that takes the same pitch as the existing dwelling. The second storey element of the extension has a set back of approximately 85cm from the existing front wall, and is set down from the ridge by approximately 30cm. While the extension would have a width slightly over half that of the existing dwelling it would retain a separation of approximately 1 metre from the boundary and over almost 6 metres from the 2 storey side wall of the neighbouring dwelling to the east, number 18 Paradise Way. It is considered that the proposed works are not of a scale or design that would overwhelm or dominate the elevations of the dwelling in the street scene, or result in a terracing impact.
- 6.7 In terms of design and materials, the proposed extension has been designed to have a clear subservience and be visually sympathetic, taking cues for the layout of openings and design of the porch and roof slopes from the elevations of the existing dwelling and those within the surrounding street scene, with a palette of matching materials that can be secured by way of condition. In light of these considerations the design of the extension is considered to be acceptable in accordance with the recommendations of Council's SPG and SPD, and the requirements of the NPPF, Policies C6, CS14 and CS19.

### ***Impact on residential amenity***

- 6.8 In respect of neighbouring amenity your officer notes that the extensions would face onto the side wall of the dwelling to the south, number 34 Paradise Way, with a separation distance of over 24 metres at first floor level, and would not significantly alter the existing relationships between these two dwellings in terms of overlooking. The extensions would also not engender any significant alteration in the relationship with number 17 Hatch Close to the north or its private rear amenity space, which would not stand to be any more overlooked than at present.
- 6.9 Your officer notes that three side windows are located in the western elevation of number 18 Paradise Way, the neighbouring dwelling to the east. However, these windows are obscure glazed and serve as secondary windows to the kitchen of this dwelling, the entrance lobby and the landing. Due to the separation distance between the proposed works and the secondary windows serving the entrance lobby and landing

these windows so not stand to lose significant amounts of light due to the proposed works. In respect of the kitchen window, while it is accepted that some additional overshadowing will occur, this window serves as a secondary opening and the Council's photography confirms that the room is served by a south facing door with a part glazed element that would provide its main illumination in this aspect and would not stand to be significantly impacted by the works.

- 6.10 In terms of overlooking of number 18 Paradise Way, your officer notes that no windows are proposed in the side elevation at first floor level, and that the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), would ensure that any windows installed in the side elevation at first floor level would remain obscure glazed and fixed shut below 1.7 metres of the floor level of the room served. Therefore no restriction on permitted development rights is proposed.
- 6.11 You officer notes that two ground floor windows are proposed to serve the dining room in the proposed extension. While these windows would face onto the side elevation of number 18 Paradise Way they would not overlook its private rear amenity space and the only window they would face would be the obscure glazed secondary window in the kitchen of the neighbouring dwelling. As such your officer does not consider that the two proposed side windows at ground floor level would increase levels of overlooking between the two dwellings.
- 6.12 In light of the above the proposed works are not considered to engender detrimental impacts on neighbouring amenity such as might merit refusal of this application.

### ***Parking provision***

- 6.13 The application site provides three parking spaces, and following confirmation that these spaces are already available and accessible on the site the highways officer has raised no concerns in respect of parking provision or highway safety. A condition is recommended in respect of the retention and surfacing of these parking spaces. It is noted that the submitted drawings show provision of an electric vehicle charging point in line with the requirements of Policy P1 of the HSADPD, and conditions are recommended requiring the retention of the parking and provision of the electric vehicle charging point prior to occupation of the extension. Subject to these considerations no objection is raised in respect of highways matters.

### ***Ecology***

- 6.14 The application is accompanied by a preliminary ecological appraisal that notes the presence of a bat roost in the chimney. It concludes that the proposed works can be carried out without harm to bats, and recommends biodiversity improvements in respect of installation of bat and nesting bird bricks into the extension. These recommendations have been carried through into the design of the extension shown in the submitted drawings and can be secured by way of an appropriate condition.
- 6.15 Bats are subject to the species protection provision of the Habitats Directive, as implemented by the Conservation (Natural Habitats etc.) Regulations 2010. This contains three 'derogation tests' which must be applied by the Local Planning Authority at the planning application stage and by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species. The three tests that must be met in order to successfully obtain a Natural England EPSM licence are as follows:
- 1) The consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or

economic nature and beneficial consequences of primary importance for the environment’;

- 2) There must be ‘no satisfactory alternative’; and
- 3) The action authorised ‘will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range’.

6.16 In this case the impact on the protected species has been considered in the accompanying ecological appraisal, which has concluded that the proposed works can be carried out without any impact on the protected species. Therefore it is not considered necessary to apply the derogation tests at this stage. Both Natural England and the ecologist have been consulted and have not commented on the application. Should it be found at any later stage that the works cannot be carried out in such a manner as not to impact on roosting bats it will be necessary for the applicant to cease works and apply to Natural England for the relevant licence, at which time these tests may be revisited by Natural England as the statutory body.

## 7. Planning Balance and Conclusion

7.1 The proposed works have been designed so as to comply with the Council’s guidance on design and are considered to be sympathetic to the street scene and character of the surrounding area. They are not considered to be of a scale or design such as to overwhelm the elevations of the existing dwelling, nor to result in significant detrimental impacts on neighbouring amenity or highway safety, and can be carried out in such a manner as to secure biodiversity gain while not resulting in detrimental impacts on protected species. As such your officer’s recommendation is for conditional approval.

## 8. Full Recommendation

8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the following Conditions:

### 1. Commencement of development

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

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

### 2. Approved drawings

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

Drawing No. 01 A (Proposed Two Storey Side Extension), Drawing No. 02 (Location Plan & Block Plan).

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

### 3. Materials

The external materials used in the extension hereby approved shall be as stated in the application form and approved drawings and shall match those used in the exterior of the existing dwelling in colour, size and texture.

Reason: In the interests of visual amenity, in accordance with the requirements of the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core

Strategy (2006-2026) 2012 and Policy C6 of the West Berkshire Housing Site Allocations DPD (2017).

4. **Parking spaces**

The extension hereby approved shall not be occupied until the three parking spaces shown on the approved drawings have been surfaced in accordance with the approved Drawing No. 02 (Location Plan & Block Plan). The parking spaces shall be retained for the parking of private motor vehicles and kept free of obstructions at all times.

Reason: In order to ensure the site is provided with sufficient space for parking vehicles and to alleviate the need for on street parking in the interests of highway safety in accordance with the requirements of Policy CS13 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy P1 of the West Berkshire Housing Site Allocations DPD (2017).

5. **Electric vehicle charging point**

The extension hereby approved shall not be occupied until an electric vehicle charging point has been provided in accordance with the approved Drawing No. 02 (Location Plan & Block Plan). An electric vehicle charging point shall be retained on the site in accordance with the approved drawing thereafter and kept available for charging of electric vehicles.

Reason: To ensure the provision of sufficient infrastructure for charging of electric vehicles in the interests of reducing carbon emissions in accordance with the NPPF and Policy P1 of the West Berkshire Housing Site Allocations DPD (2017).

6. **Bat and bird bricks**

The extension hereby approved shall not be occupied until the bat and bird bricks have been provided in accordance with the details shown on Drawing No. 01 A (Proposed Two Storey Side Extension). The bat and bird bricks shall thereafter be retained in accordance with the details shown on the approved drawing.

Reason: In order to secure biodiversity gain in accordance with the requirements of the NPPF and Policy CS17 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### ***Informatives***

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development which improves the economic, social and environmental conditions of the area.
2. 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.
3. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
4. Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence, subject to exceptions, to, amongst other things, kill or disturb animals listed in Schedule 2; this includes a single bat, not just a population of a species. This application involves repair works to a roof and this is included within the list of activities that could potentially affect bats set out in Government

Guidance (Bats: protection and licences). If, at any time during the repair, any evidence of bats or their roosts is discovered, work should cease immediately and the relevant authorities notified.

20/02500/HOUSE

19 Paradise Way, Chapel Row, Reading RG7 6PA



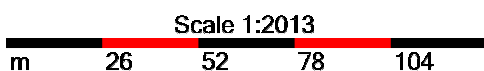
Map Centre Coordinates :

Scale : 1:2013

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

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

<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	18 January 2021
<b>SLA Number</b>	0100024151



This page is intentionally left blank



# 19 Paradise Way

Photographs for Eastern Area Planning Committee  
Application 20/02500/HOUSE



View of site from front alongside Paradise Way (south)



View of site from rear (north)



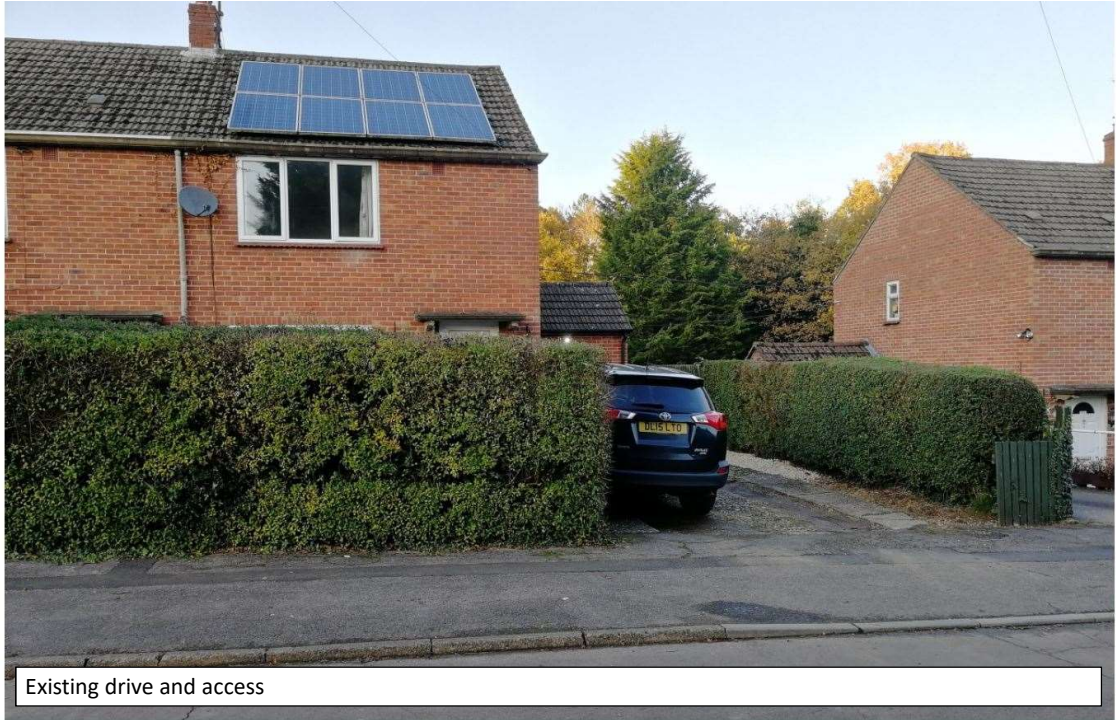
View of side elevation of 18 Paradise Way (neighbouring dwelling to east)



Side windows of 18 Paradise Way serving kitchen and landing (neighbouring dwelling to east)



Street view from Paradise Way (site and neighbouring dwelling to east in centre of photo)



## Planning Appeal Decisions

**Committee:** Eastern Area Planning Committee on 27<sup>th</sup> January 2021

**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 + any costs	Decision Date
20/00270/HOUSE Appeal: 3250095 Written Reps	<b>60 Reading Road, Pangbourne</b> Convert front garden into parking and dropped kerb	Delegated refusal	Dismissed	03/09/20
19/01511/FUL Appeal: 3242425 Hearing	<b>Land north of Theobald Drive, Purley On Thames</b> 7 detached dwellings with car parking, access and all associated landscaping and ancillary works.	Delegated refusal	Dismissed	21/10/20
18/02727/FULD Appeal: 3233002 Written Reps	<b>Land east of Limeswell, High Street, Streatley</b> Erection of a three bedroom house including studio, conservatory and garage	Delegated refusal	Dismissed	22/10/20
19/02750/CERTP Appeal: 3252766 Written Reps	<b>4 The Maltings, West Ilsley</b> Certificate of lawful use or development sought for installation of solar panels on roof.	Delegated refusal	Dismissed	26/10/20
19/02526/FUL Appeal: 3247250 Written Reps	<b>9 Bloomfieldhatch Lane, Grazeley</b> Two storey pitched roof extension to existing garage block and the conversion of the building to a new granny annexe.	Delegated refusal	Allowed	27/10-20
19/02265/FULD Appeal: 3252506 Written Reps	<b>Land to the south of Maida's Way, Aldermaston</b> Erection of four dwellings.	Delegated refusal	Dismissed	29/10/20
19/02947/FULD Appeal: 3255122 Written Reps	<b>Maple Corner, Maple Lane, Upper Basildon</b> Erection of a new four bed dwelling including new access, hardstanding and landscaping.	Recommended for approval  EAPC refusal	Allowed	03/11/20

19/02333/FULD Appeal: 3249672 Written Reps	<b>Three Cliffs, Bere Court Road, Pangbourne</b> Retention of existing house, demolition of existing barn building and greenhouse. Division of plot to allow for the construction of a new family dwelling and double garage. New double garage outbuilding for the existing house and associated works to the driveway.	Recommended for approval  EAPC refusal	Allowed	12/11/20
19/02144/FULD Appeal: 3250230 Written Reps	<b>Inglewood Farm Cottage, Templeton Road, Kintbury</b> Section 73 to vary condition 2 (approved plans) of 19/00277/FULD: replacement dwelling.	Recommended for refusal  WAPC resolved to approve  DPC refusal	Dismissed	16/11/20
19/02522/FUL Appeal: 3256941 Written Reps	<b>Church View Barn, Back Lane, Stanford Dingley</b> The demolition of the existing stable block and the construction of a three-bay replacement garage building with adjoining log store, alongside associated parking, access and landscaping works and the change of use of land to a residential use.	Recommended for approval  EAPC refusal	Allowed	21/12/20
19/00832/REM Appeal: 3256565 Written Reps	<b>Land adjacent to Summerfield, The Ridge, Cold Ash</b> Reserved matters of outline 16/02529/OUTD (5 dwellings). Matters seeking consent: appearance, landscaping and scale.	Recommended for approval  WAPC refusal	Allowed	05/01/21
18/01657/COND1 Appeal: 3257645 Written Reps	<b>Land adjacent to Summerfield, The Ridge, Cold Ash</b> Approval of details reserved by conditions on 16/02529/OUTD (5 dwellings).	Non-determination  WAPC minded to refuse	Allowed	05/01/21

#### **‘Other suitable land’ within settlement boundaries**

2. According to Core Strategy Policy CS1, “*new homes will be primarily developed on (amongst others) suitable previously developed land within settlement boundaries, and other suitable land within settlement boundaries*” (emphasis added). The following decisions emphasise that there is not an ‘in principle’ policy support for new housing within settlement boundaries; whilst there is a presumption in favour of residential (re)development, a wider assessment is required to conclude whether such proposals are in accordance with the housing policies.
3. In **Theobald Drive**, taking into account the significant contribution to the landscape character of the green corridor along Oxford Road, and that it forms part of the area’s

green infrastructure, the Inspector concluded that the site is not 'other suitable land' within the settlement boundary where Policy CS1 directs new housing. The appeal was therefore dismissed.

4. Similarly, **Limeswell** is within the settlement boundary of Streatley. The appeal site fronted a developed part of the High Street in Streatley and forms part of the existing property's garden. The site lies within the Streatley Conservation Area and there are many listed buildings nearby. The local area also forms part of the North Wessex Downs AONB. It was proposed to erect a two storey house and form a new access to the highway. The site lies in the defined settlement boundary of Streatley, thus the Inspector recognised that the principle of the erection of a new dwelling is generally acceptable in planning policy terms subject to site specific aspects concerning the effect of the development proposed on the heritage assets of the Conservation Area; the setting of nearby listed buildings, and highway safety issues.

### Housing in the countryside

5. In considering the four proposed houses at **Maida's Way**, on land outside of any settlement boundary, the Inspector states that no evidence has been put before him that the proposal would satisfy any of the exceptions identified in Policy C1, and having reviewed the scheme against these exceptions, the Inspector was satisfied that the proposal could not comply with the approach to housing in the countryside, and is therefore contrary to the development plan.
6. The Inspector went onto consider the arguments made by the appellant that the housing requirement of the Core Strategy should be regarded as a minimum figure and the Government objectives enshrined within the NPPF so significantly boost the supply of home ought to override the provisions of the Core Strategy. However, the Inspector noted that the Council can demonstrate a five-year supply of deliverable housing sites, therefore he could see no good reason to set aside the development plan, or treat it as somehow out-of-date, in favour of the NPPF in this context. The Inspector also acknowledged the location of the site in relation to local services and facilities and the economic benefits arising from the development; however, the Inspector stated that in cases where the Council can demonstrate a five-year supply, that the planning system should be genuinely plan led.

### Housing in relation to AWE

7. The appeal site for **Maida's Way** lies within the Detailed Emergency Planning Zone (DEPZ) surrounding the Aldermaston Atomic Weapons Establishment (AWE). The DEPZ is the geographic area within which West Berkshire Council is required to coordinate an Off-Site Emergency Plan (OSEP), along with other agencies. The proposed development would be located on the northern edge of the DEPZ, about 1100m from the site boundary of the AWE.
8. Core Strategy Policy CS8 relates specifically to proposals in proximity to AWE and states that in the interests of public safety, residential development in the inner land use planning consultation zones of AWE, is likely to be refused planning when the Office for Nuclear Regulation (ONR) has advised against that development. In this case, the proposed scheme is located within the inner land use zone of AWE Aldermaston. In consultation on the appeal application, AWE advised against the proposed scheme on the cumulative effects of additional dwellings within the DEPZ and that it would have an adverse effect on the AWE OSEP.

9. The Inspector recognised that the proposal would result in an increase in the population within the Sector. Whilst these additional numbers would be relatively small and the appeal site is located on the very edge of the DEPZ, next to a main road, the Inspector concluded that, despite the overall population within Sector R being less than other Sectors, due to this increase in population, the appeal proposal would be likely to prejudice the ability to implement the OSEP in the event of a radiation emergency. Accordingly, it would, as a result of its proximity to the Aldermaston AWE, increase the risk of harm to human health. He therefore concluded that the proposed development would result in an increase risk to human health, and in this respect, would be contrary to Policy CS8 of the Core Strategy and paragraph 95 of the NPPF.

## **Annexes**

10. In **9 Bloomfieldhatch Lane** one of the main issues was whether the proposal would constitute the creation of a separate dwelling, and if so whether this would be a suitable location for housing having regard to the development strategy for the area and accessibility to services and facilities. The appeal site comprised a detached two storey dwelling situated in a large plot with sizeable rear garden. A detached double bay hipped roof car port is located within this garden, which is accessed via a driveway which is located approximately to the south of the site. The appeal proposal is for an extension to the existing car port in the rear garden. This would extend the south-west elevation to provide an L shaped annexe. The proposal is for a granny annexe including several bedrooms, a small kitchen, lounge space and a garage. The Council was concerned that the amount of accommodation space provided, alongside the facilities provided for day-to-day living, and the separation distance from the main dwelling meant the proposal was tantamount to the creation of a new dwelling in the countryside.
11. The Inspector disagreed. They commented that whilst the accommodation provided was generous within the annexe, the proposed lounge, kitchen and bathroom are more modest in size and are commensurate to the needs of a single occupier. The proposal is located approximately 20 metres from the main dwelling, however there are no physical boundaries between the two and the proposal does not include any separate outdoor space of its own. The annexe would share a joint access, driveway and parking area with the existing dwelling. Furthermore, the annexe would not have a separate address nor would it have a separate utility provision. This would, in the Inspector's view, indicate that the proposal would remain ancillary to the main dwelling and would not become a separate residential dwelling.
12. The Inspector noted that the Council's *House Extensions* Supplementary Planning Guidance 2004 (SPG) states that large granny annexes capable of being made into separate dwellings will not normally be acceptable. However, they commented that SPG is not specific on any space standards which would constitute a large annexe. They were satisfied that a planning condition could be imposed to restrict the use of the annexe to ancillary.

## **Streatley Conservation Area and highway safety**

13. In **Limeswell**, the Inspector's decision had regard to the Streatley Conservation Area Appraisal (SCAA) of 2010. In addition to the architectural and historic merit of many of the buildings which line the High Street, the SCAA recognises the importance of green and open spaces and the views through, even glimpses, to the River Thames and to higher land and wooded hills and the wider rural setting of the village. The Inspector commented that the garden is not specifically identified in the SCAA as an important garden on open space. Similarly, SCAA did not identify the view through the appeal site as one of its key long distance views. The Inspector judged both aspects on its present



merits, finding the open garden behind the wall and the gap in the street scene do make a positive contribution to the character of the CA. However, the Inspector concluded that the subdivision of the site would conserve this character, and the proposed house would not be prominent in views from the High Street because of its set back and siting. No objections were raised in this respect.

14. However, the Inspector did raise concerns with the effect of the revised boundary wall and entranceway. He commented that the existing flint and brick wall is an imposing feature which contributes positively to the character of the CA, and provides a striking sense of enclosure to the public realm. He concluded that the combination of the proposed setting back, and the gap formed by the new entranceway, where the side walls would return at 90°, results in a substantial 'hole' in the frontage. This would be visually intrusive, and the sense of enclosure established by the present alignment and form of the wall would be lost. Consequently he found the impact on the CA unacceptable.
15. The Inspector concluded that the proposals would not harm the setting of some listed buildings, but would cause 'less than substantial' harm to the setting other those on the southern side of the High Street which would be affected by the changes to the frontage wall.
16. Finally, the Inspector agreed with the Council that the access would undermine highway safety. He recognised that much of the highway is restricted by double yellow lines, but there was an unrestricted area close to the access where a vehicle could park after the access was constructed. He expressed concerns in practical terms that such parking would greatly restrict the visibility of vehicles approaching from the west to the detriment of highway safety. The Inspector recognised that the proposed visibility splays were substandard according to Manual for Streets, and expressed concerns for the wall if improvements were sought. The Inspector recognised the local objections for loss of on-street parking caused by the formation of the new access, but stated that if the other aspects of the scheme had been acceptable, the loss of limited on-street parking facilities would not be sufficient reason on its own to reject the proposal.

### **Green corridor at Oxford Road, Purley on Thames**

17. In **Theobald Drive**, permission was sought for seven detached dwellings on a broadly rectangular area of sloping woodland between the Oxford Road (A329) and Theobald Drive (a residential cul-de-sac). The site is subject to an Area Tree Preservation Order (TPO), and the Inspector recognised that, as part of a green corridor and an area of natural or semi-natural green space, the appeal site contributes to the green infrastructure (GI) of the area. 25 metres of woodland would be lost to accommodate the development, with the retention of two woodland 'buffers' which wrap around either end. The retained woodland (around 54% of the site) was proposed to be enhanced by additional planting and management. No additional GI was proposed.
18. Notwithstanding the low quality of many individual trees, the lack of public access and the absence of protected species, the Inspector concluded the loss of a significant area for the development would significantly diminish the site's contribution to the amenity of the area and green infrastructure. She also considered the replacement tree planting would be overbearing on occupants of the dwelling, and render large parts of their gardens unusable. She had limited confidence in the long term effectiveness of the proposed woodland management.
19. The Inspector commented that the section of Oxford Road between the Roebuck Public House and the Knowsley Road roundabout is characterised by areas of woodland and

tree lined planting of varying depths. The south side has long sections with no footpath and the woodland directly abutting the carriageway. The north side has a footpath but is characterised by trees and understorey planting set behind low walls and close-board fencing. Consequently the predominant character along Oxford Road, particularly its southern side, is both verdant and sylvan. Similarly Theobald Drive has “an attractive, verdant and tranquil character.” The Inspector recognised that the character has changed as a result of recent developments, particularly Rawlins Rise, and commented that, with the benefit of viewing the development some four years on, this section has not largely maintained its attractive tree lined appearance as envisaged by the Inspector for that appeal. This evidently factored into her concern for the character and appearance of the area.

### **Permitted development rights for solar panels**

20. Article 3 and Schedule 2, Part 14, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) grants a national planning permission for the installation, alteration or replacement of microgeneration solar PV or solar thermal equipment on a dwellinghouse. This ‘permitted development right’ is subject to limitations and conditions set out in paragraphs A.1 and A.2 of Part 14. The Council refused to grant a LDC in **4 The Maltings** on the basis that it would breach conditions A.2(a) and (b), which require solar PV is, so far as practicable, sited so as to minimise its effect on the external appearance of the building and the amenity of the area. The phrase ‘so far as practicable’ is not defined in the GPDO.
21. The Inspector confirmed that these conditions do not require a conventional assessment of the effect of the proposal on the external appearance of the dwelling and the amenity of the area. Nevertheless, it must be shown, that in practical terms, the effects have been minimised. The Inspector recognised that the roof form of the dwelling (within the AONB and Conservation Area) contributes significantly to its overall architectural composition. The application supporting documentation includes a quotation that puts forward two solutions that the company say will provide a ‘strong platform to manage and control reliance on the National Grid for future household energy needs’. The Inspector commented that to pursue an option beyond the recommended 15 panels runs counter to minimising their effect because, in general terms, a lesser number of panels is more likely to be able to be sited in a way which minimises their effect. Moreover, proposed layout would have a significantly greater roof coverage than that stated in the quotation. All of these locations would be visible from various points of The Maltings.
22. Accordingly, the Inspector concluded that the appellant had not demonstrated that the solar panels on the front roof pitch of the dwelling would, so far as practicable, be sited so as to minimise their effect on the external appearance of the building and the amenity of the area, in breach of limitations A.2(a) and A.2(b). This appeal decision provides a useful reference for how to assess compliance with these limitations in future cases.

### **EAPC decision: Maple Corner, Maple Lane, Upper Basildon**

23. Permission was sought for a new two storey detached dwelling within the garden land of a bungalow. In the Housing Site Allocations DPD, Upper Basildon is regarded as a smaller village – suitable only for limited infill development. The Inspector was therefore satisfied that the site lies within the village context and that the principle of the erection of a new dwelling is acceptable subject to specific factors concerning the site and its surroundings.
24. The Inspector considered the appeal site is read in a village context rather than the open fields to the south and the wider rural landscape of the AONB. They commented that the

existing bungalow occupies a large site on a corner and there is reasonable space to the property to the south which fronts the cul-de-sac of Sykes Gardens. Taking account of the wider setting of the village in the AONB, the plot size of the proposed dwelling, together with the residual garden of Maple Corner, are still characteristic of the area. Moreover, the local properties tend to be two storeys in height. The proposal continues this design while leaving sufficient space to maintain the setting of the bungalow. In relation to other local buildings the scale, bulk and design of the dwelling proposed is appropriate to the area, as demonstrated in the street scene elevation, and the design of the new house would sit comfortably in the street scene. The Inspector concluded that the development would not look cramped in the immediate setting of the site, nor result in overdevelopment, which were fundamental concerns of the Council's Planning Committee.

25. In terms of the visual impact of creating a new access, the Inspector noted that this would be outside of the canopies of the existing mature trees, but the access and sight lines would require the removal of much of a roadside hedge. However, they commented that the hedge is of common rural species and the scheme provides for the planting of a replacement hedge and trees. Thus, the visual change brought about by the loss of the hedge was considered to be relatively short term and is unlikely to result in a suburbanising effect in the long term. The Inspector commented that the adjacent development at Sykes Gardens shows that landscaping along a highway can be successfully integrated with a vision splay for an access.
26. The main issue in terms of neighbouring amenity was the relationship with the adjoining 1 Sykes Gardens, the side elevation of which faces the appeal site. The Inspector commented that, while it is proposed to site the new dwelling closer to the boundary than the distance to the side of 1 Sykes Gardens, this proximity would be greater than the relationship between the other properties in Sykes Gardens. They recognised that the limited space is unlikely to be sufficient to retain or plant new shrubs/vegetation within the appeal site, but nevertheless the relationship between the proposed and existing houses would not be a harmful one. The aspects from the north facing windows in No.1 are already very restricted by the party boundary fence and vegetation within that site. The presence of the side wall of the appeal house will not make this materially worse, notwithstanding the Building Research Establishment (BRE) 'vision line'. It is similar to the relationship already established in nearby properties and where the main aspect is front and back.
27. Overall, the Inspector concluded that the proposed dwelling would be consistent with and maintain the established character and appearance of the area and would not harm the local environment or the wider landscape character of the AONB, and that the occupants of 1 Sykes Gardens would retain a reasonable level of amenity at their property and the proposal would not harm their living conditions.

**EAPC decision: Three Cliffs, Bere Court Road, Pangbourne**

28. The appeal proposal would subdivide this existing plot and would replace the existing barn building with a new dwelling. The settlement boundary for Pangbourne runs through the appeal site. The existing dwelling is located wholly within the settlement boundary, however the proposed dwelling would be adjacent to, but outside of this settlement boundary. The appeal proposal would therefore be located within the open countryside.
29. The Inspector agreed that the appeal site was located outside of the settlement boundary, and thus there is conflict with the above policies which seek to steer development to existing settlements. This conflict with the development plan is

something which they afforded weight to in their consideration of the appeal proposals. However, the Inspector went on to discuss the unique circumstances of this case.

30. The Inspector had regard the strategic aims of Policies ADPP1 and ADPP5, to focus development within or adjacent to the settlements specified in the settlement hierarchy, and related to transport accessibility, especially by public transport, cycling and walking, and their level of service, and that Pangbourne is identified as a rural service centre providing a district centre shopping function with a range of services and facilities. The appeal site is located an approximate 15 minute walk from the centre of Pangbourne which provides a number of services and facilities. As such the Inspector considered it would be entirely feasible for future residents to access these facilities via sustainable modes such as walking and cycling. They noted the Council's concerns that the roads surrounding the appeal site are narrow, with no footways and are unlit; however they referred to the low vehicle speeds and numbers in the area during their site visit, and that a number of residents were seen walking the roads.
31. In terms of the character of the appeal site itself, the Inspector commented that in this instance the appeal proposal would be located directly adjacent to the settlement boundary, and would share a close spatial relationship with the neighbouring properties. It would be located within an area which clearly has a predominantly residential feel to it, and the development would assimilate well with the surrounding residential dwellings and the proposal would not appear isolated. The proposal would not harm the existing relationship of the settlement and the open countryside.
32. In terms of concerns that allowing the development within this garden would set a precedent for other similar proposals in this area, the Inspector commented that they were not aware of any examples of specific sites which could be developed in the locality. Furthermore, each appeal and application must be judged on its own merits, and they did not have any compelling evidence to indicate that should the appeal be allowed this would encourage similar development in the area.
33. The Inspector concluded that although the appeal proposal conflicts with policies ADPP1, ADPP5 and CS1 of the CS, and policy C1 of the HSADPD, in so far as the development would be located outside of the settlement boundary, it would accord with the aims of those policies which seek, amongst other things, that development is located in accessible locations. The appeal site is therefore an appropriate location for housing.

#### **WAPC/DPC decision: Inglewood Farm Cottage**

34. The appeal site in this case comprises an existing cottage style dwelling situated adjacent to Inglewood Road, Kintbury. The site is located outside of any settlement and is therefore within the open countryside. It has a large rear garden with mature trees. The Inspector considered the site had a distinctive open rural feel.
35. Planning permission was already granted for a replacement dwelling. The amended plans which were the subject of this appeal would create a new wing which would extend in a broadly southern direction by a distance of approximately 8.5 metres. It would have a ridge height slightly lower than the main roof of the house. A new parking arrangement was proposed that would necessitate the removal of two mature trees on the site frontage.
36. Policy C7 of the HSA DPD pertains to the replacement of existing dwellings within the countryside. It states, amongst other things that there is a presumption in favour of the replacement of an existing dwelling of permanent construction. Replacement dwellings will be permitted providing that the replacement dwelling is proportionate in size and

scale to the existing dwelling, uses appropriate materials and does not have an adverse impact on the character and local distinctiveness of the rural area. There was no dispute that the original proposal complied with the policy, but the appeal proposal would substantially increase the size of the replacement dwelling, and the Council raised concerns that this would result in a dwelling which is not proportionate in size and scale to the existing dwelling. The proposal would represent an increase of floor space by approximately 253% compared to the original dwelling.

37. The Inspector noted that Policy C7 does not provide a definition nor metric in which proportionality is measured. However, the explanatory text states that the key components of proportionality are scale, massing, height and layout of a development. Any size increase has to be considered on the basis of the impact of a particular property in a particular location. The Inspector stated that, clearly, the definition and degree of harm is a matter of planning judgement based on the site specifics.
38. The Inspector noted the substantial increase to the overall footprint of the development. They considered that the scale of the proposal when compared to the somewhat modest existing dwelling would result in a disproportionate size dwelling. The totality of development would, in their view, add considerable built form within this predominantly sparsely developed rural area, which would significantly harm the character and appearance of the area.
39. The Inspector had regard to the screening on some boundaries, but found that the orientation of the extension would increase its visibility from a public viewpoint, adding considerable built form into a current verdant garden space. The removal of mature vegetation to facilitate the development would also add a degree of urbanisation to the street scene. A number of environmental benefits included within the proposal were considered to represent minor benefits and not outweigh the significant harm identified.

#### **EAPC decision: Church View Barn, Stanford Dingley**

40. The Inspector commented that the proposed garage and log store would be located in a similar position to the existing stable building and has been designed so that it would remain predominantly obscured by the hedgerow and proposed landscaping along the frontage of the site. Only glimpsing views would occur via the access driveway. Views of the building from the surrounding countryside would be obscured by the mature vegetation along the southern boundary of the site and the host dwelling to the east. It would appear subservient in scale and design to the host dwelling and comprise of building materials complimentary of the host dwelling and surrounding rural character of development.
41. The Inspector recognised that the host dwelling is a replacement dwelling and is a larger built form than has historically been on the site. They also noted that an attached garage previously existed before being converted to form an integrated part of the dwelling. Nevertheless, they concluded that the open and spacious characteristics of the site and sporadic pattern of development would be preserved as part of the proposal and would not detrimentally erode the surrounding landscape characteristics of the AONB.

#### **WAPC decisions: Summerfield**

42. The main issue for the reserved matters was the effect of the proposal upon the character and appearance of the area.
  - **Scale:** The Inspector commented that they would be taller and larger than the existing dwellings which adjoin the eastern and western boundaries of the site, but

that the provision of single storey garages at either end of the site would provide a transition. The proposed dwellings would be set back from the road, with gaps provided between them, allowing views of the open landscape to the south. Furthermore, he noted that the appeal site slopes away to the south, with the design approach seeking to utilise the topography to further reduce the presence of the dwellings when viewed from The Ridge. As a consequence, he concluded the proposal would not appear as an overly dominant form of development.

- **Appearance:** Each dwelling would have a slightly different design approach. There are however a number of common features such as chimneys, gables and a similarity in footprint shape. The Inspector stated this commonality is however not necessarily harmful. The appeal site is an infill plot within the existing pattern of ribbon development, therefore there is an element of design logic to creating a sense of rhythm and pattern, whilst ensuring that each plot is treated individually. Variety would be achieved through the use of different materials, timber framing and brick detailing. Considering the variety that already exists within the street scene, the Inspector considered the design of the appeal properties contains sufficient variation, along with suitable local references.

43. The main issues for the “discharge of conditions” appeal were whether the proposed materials were in keeping with the character and appearance of the area, and whether the proposal makes adequate provision for secure cycle storage.

- With respect to the materials, the Inspector commented that within the immediate vicinity of the appeal site and along The Ridge, existing dwellings display a varied style in terms of their design and form. Materials are also varied and include a range of different types and colour of brickwork, render, tile hanging and weather boarding. The design and finish of windows, doors, soffits and fascia boards are also mixed, with either wood or uPVC finish, with colours differing from plot to plot. Therefore, there is no singular particular material or finish which defines the overall character of the area, however that said, most materials appear to be of high quality. The Inspector concluded that the proposed dwellings would be completed in a range of materials and finishes, which he considered would reflect and respect the nature and appearance of surrounding developments.
- With respect to the cycle storage, it was intended that each dwelling would be served by either a garage or a car port and, within these, there would be sufficient space to securely store cycles via wall brackets. The Inspector commented that, whilst the submitted garage details do not show the provision of brackets, the details demonstrate that all properties would be provided with a dry and lockable space that would provide sufficient room for the safe and secure storage of cycles.

#### **Other decisions**

44. The following decisions have also been received and are listed in the table above, but do not raise any issues of general interest:

- 60 Reading Road – site specific considerations of highway safety and street scene