

Notice of Meeting



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Eastern Area Planning Committee Wednesday 15th September 2021 at 6.30pm

In the Council Chamber Council Offices
Market Street Newbury

The Council will be live streaming its meetings.

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If members of the public wish to attend the Planning Committee they can do so either remotely or in person. Members of the public need to notify the Planning Team (planningcommittee@westberks.gov.uk) by no later than 4.00pm on Tuesday 14th September 2021 if they wish to attend the Planning Committee.

Please note that due to the current Coronavirus restrictions there is a limit on the number of people who can enter the Council Chamber. Remote attendance at the meeting is therefore encouraged at this time.

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 7th September 2021

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.



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 15 September
2021 (continued)**

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

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

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



Agenda - Eastern Area Planning Committee to be held on Wednesday, 15 September 2021 (continued)

To: Councillors Alan Law, Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro (Vice-Chairman), Geoff Mayes, Graham Pask (Chairman), Richard Somner and Keith Woodhams

Substitutes: Councillors Peter Argyle, Graham Bridgman, Jeremy Cottam, Nassar Hunt, Owen Jeffery and Joanne Stewart

Agenda

Part I

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1. **Apologies**
To receive apologies for inability to attend the meeting.
 2. **Minutes** 5 - 16
To approve as a correct record the Minutes of the meeting of this Committee held on 25th August 2021.
 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: 21/01390/HOUSE - The Old Travellers Rest, Hungerford Lane, Bradfield Southend** 17 - 28
- Proposal:** Section 73 variation of condition 2 (approved plans) of approved 20/00852/HOUSE - Demolition of three unsafe timber outbuildings, construction of a replacement timber car port/garage, two single storey extensions to the rear of the building, single storey extension to the side of the building and alterations including modifications and replacement of windows.
- Location:** The Old Travellers Rest, Hungerford Lane, Bradfield Southend, RG7 6JP
- Applicant:** Mr and Mrs Bearman
- Recommendation:** Delegate to the Service Director (Development & Regulation) to grant planning permission.

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- (2) **Application No. & Parish: 21/01358/HOUSE - Thatchers, Road known as Broad Lane, Chapel Row** 29 - 38
- Proposal:** Demolish existing rear extension, construct new single storey rear extension and 2 storey side/rear extension, construct new garage block with office/games room above and a single storey link to main house
- Location:** Thatchers, Road known as Broad Lane, Chapel Row, RG7 6PB
- Applicant:** Mr and Mrs Hudson
- Recommendation:** Delegate to the Service Director (Development & Regulation) to grant planning permission
- (3) **Application No. & Parish: 21/01481/HOUSE - Oakingham House, Bere Court Road, Pangbourne** 39 - 50
- Proposal:** The proposal consists of two main parts. Firstly, to convert the current indoor pool to create a kitchen, dining and family room area within ancillary storage areas to include boot and utility space. Above a subservient first floor extension, we propose to form two bedrooms with en suites with associated dressing areas and covered balcony. Secondly, we propose a single storey extension to the current outbuilding courtyard to create a gym.
- Location:** Oakingham House, Bere Court Road, Pangbourne, RG8 8JU
- Applicant:** Mr and Mrs J Ray Snr
- Recommendation:** Delegate to the Service Director (Development & Regulation) to grant planning permission.

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,



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2021 (continued)**

- 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
Stephen Chard on telephone (01635) 519462.



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DRAFT

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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 25 AUGUST 2021

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

Also Present: Sharon Armour (Solicitor), Michael Butler (Principal Planning Officer) and Stephen Chard (Democratic Services Manager)

Apologies for inability to attend the meeting: Councillor Ross Mackinnon

PART I

10. Minutes

The Minutes of the meeting held on 4 August 2021 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

It was noted that Simon Till's job title needed to be corrected to Development Control Team Leader.

Item 8(1) – 20/02527/OUTMAJ – Blacks Lake, Paices Hill, Aldermaston

Parish Council Representation (bullet point one, second sentence):

The Case Officer was recommending approval, however it was felt that the decision was based on erroneous assumptions and the full impact on residents was being underplayed.

Member Questions to Officers (fourth paragraph, second sentence):

It was therefore **not** a unique situation within West Berkshire to have a village with an important freight network running through it.

Debate (first paragraph, fourth sentence):

Councillor Bridgman took on board the substantial amount **of** work that had taken place in relation to the AWE DEPZ and off site emergency plan and finally in relation to the landscape buffer and the need to encase the site in greenery.

Item 9 – 21/01086/COMIND – The Grange Nursery, 18-21 Church Gate, Thatcham

Member Questions to the Objector (second paragraph, third sentence):

He presumed that there was a commercial lease with a landlord, which was coming to an end **and** he highlighted that the landlord could choose at that point not to renew the tenancy.

Debate (second paragraph, final sentence):

He supported the proposed use of the site and therefore he was in favour of the application but he recognised the difficulties **it** caused for the existing business and its users.

11. Declarations of Interest

There were no declarations of interest received.

12. Schedule of Planning Applications

**(1) Application No. & Parish: 21/01645/FULD - Redwood Burnt Hill
Yattendon Thatcham West Berkshire**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 21/01645/FULD in respect of the demolition of existing house, garage and outbuildings, and the erection of one new house and detached open carport. This was a Section 73 application to vary condition 2 (approved plans) of approved planning permission 20/02001/FULD.

Michael Butler (Principal Planning Officer) introduced the item and highlighted the key points within the report. The recommendation was to grant conditional planning permission. The reason for the application coming before Committee was because in excess of ten objections had been received to the application.

The applicant sought to include a single storey side extension to include a plant room, a rear single storey conservatory/rear extension, and the enlargement of the carport from a single to a double carport. There had been a considerable planning history for this application with a number of appeals made as referred to in the agenda pack. No Environmental Impact Assessment had been required and the application had been publicised in the normal way. Ashampstead Parish Council and Yattendon Parish Council both strongly objected to the application; the Highways Officer had no objections and no objections had been received from the technical consultees. 19 objections had been received from members of the public, as set out in the report, and all were considered to be reasonable planning considerations.

The Committee was asked to appraise this application in terms of the decision-making context, the character and appearance of the site and any impact on neighbouring amenity and highway safety. The report set out in detail exactly what comprised a Section 73 application and it was considered to be the appropriate legislative vehicle for the Council to consider this particular application. In terms of character and appearance, given the application was a variation of the original application, rather than a householder application, the relevant principal policy was Policy C7 (Replacement Dwellings) rather than Policy C6 (Extensions). Officers considered that the application followed the criteria set out in Policy C7 with the overall size of the dwelling taken to approximately 260sqm still within the bounds of being proportionate in relation to the existing dwelling, as demolished, and therefore not so harmful as to merit rejection. In addition, Officers did not consider it would harm the character of the wider AONB. The site was extremely well screened by mature trees which were the subject of a TPO. In terms of the impact on neighbouring amenity, Officers considered the impact would be minimal and therefore in the planning balance and conclusion, as set out in the report, felt the application should be approved.

Mr Butler guided Members to the update sheet in which Ashampstead Parish Council had raised further, legitimate, concerns about the way the builder was developing the current site, for which enforcement Officers had been notified. However, Mr Butler strongly recommended to Members they should only assess the physical merits of the application and not the merits of the builder.

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With regard to conditions, Mr Butler advised that Condition 2 would need to be revised as the existing dwelling had already been demolished and he read out the proposed rewording of the condition.

In accordance with the Council's Constitution, Councillor Alex Dick, Parish Council representative, Councillor Anne Harris, adjacent Parish Council representative, Mr David Soanes, objector, and Mr Tony Thorpe, agent, addressed the Committee on this application.

Parish Council Representation:

Councillor Dick, in addressing the Committee on behalf of Ashampstead Parish Council, raised the following points:

- Councillor Dick was disappointed that Officers had recommended approval of the application as the Parish Council believed the application was in direct contradiction to the conditions placed upon the developer on the existing, approved application which the Parish Council had supported.
- The proposal would be an overdevelopment of the site and would revert it to a similar size and scale of application that had previously been refused. The Parish Council therefore asked what had changed to now make this application acceptable.
- The Parish Council disagreed in the strongest possible terms with the comments in the planning statement that stated the extensions would have no additional effect on the character and appearance of the surrounding area, the AONB or the site's relationship with neighbouring residential properties, for the following reasons:
 - The approved plans saw an increase of 100% in the internal area measured against the original property which stood on the site. Whilst these proposals would add a further 10% to the allowed internal area, it was effectively a further increase on the original property.
 - The proposal to bring the development closer to the neighbouring properties reduced the openness of the site which clearly had an impact on the opposite properties and spoilt the rural character of this part of the AONB.
 - The proposed sunlit dining room added considerable depth to the development and due to the rising ground, created much more of a massing effect when viewed from Thee Oaks (the neighbouring property).
 - Condition 23 of the previous planning decision was specifically applied in order to prevent overdevelopment but now appeared to be ignored altogether. Allied to that, the concern was that if planning permission was granted for this application, it might lead to an attempt to increase the property size even further.
 - It appeared to the Parish Council that the developer was using every loophole and excuse to get a larger built area established. For the developer to refer to "predictable extension requirements and the need for plant rooms and sunlit rooms" now when there was not one previously, showed a degree of ineptitude at best or, as felt by the Parish Council, a desire to 'play the system'.
- Councillor Dick said he hoped Members had seen the significant engineering and earthworks across and beyond the site for which there was no planning permission and which could potentially destabilise the adjoining road and land and raise ground levels significantly, which the Parish Council believed was the case. It appeared the purpose for doing this was to bury the old house to save having to dispose of it and it was a concern as to what would happen with the significant amounts of soil which

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had been brought onto the site and added to the soil created from digging the huge hole to bury the old house.

- The previous decision specifically noted that spoil would only be generated by the digging of foundations, trenches and service ducts, all spoil to be back-filled with any surplus used to build up and level the frontage parking area. The builder appeared to be spreading a compacting soil which had not arisen from the digging of this and had significantly changed levels for which he did not have planning permission to do. In fact, there was a condition specifically designed to prevent this which was a clear area of concern for the Parish Council, accepting the fact that this related to the previous application.
- There had already been significant movement and storage of materials beyond the planning red line and the tree protection area which the Parish Council believed could cause damage to the existing trees and hedges, including those on the adjoining properties. This was in direct contradiction to the approved plans.
- The Parish Council saw themselves as a group willing to work with individuals putting in applications and only rarely made objections and indeed had approved the existing proposals for this property. However, it was clear to the Parish Council that the developer was now trying to achieve, through creeping development and the barrage of applications, a larger built area.
- The Case Officer had recommended approval but it was a view that, with respect, the Parish Council disagreed with and as such urged the Committee to reject this application.

Adjacent Parish Council Representation:

Councillor Harris, in addressing the Committee on behalf of Yattendon Parish Council, raised the following points:

- Councillor Harris advised Members that she lived in Burnt Hill diagonally opposite to the site in question. She agreed with the points raised by Councillor Dick from Ashampstead Parish Council.
- Having had eight applications and two Appeals over a three year period, and now an application under Section 73, which was thought to be for minor alterations to an accepted plan, there was now an attempt to put two extensions onto the property and to double the size of the carport. Councillor Harris said that none of those who objected understood how this could be classed as a minor alteration and regarded this as an attempt to get round the planning system and to build a property that was much bigger than was given permission for.
- The site was in an AONB and this plan would fill up the whole road sight way so that you could not see through. This was not in keeping with the rural area.
- It was noted that, on the new plans, there seemed to be very little in the way of planting; previously there had been a lot of trees and shrubs shown and whilst they had been specified they appeared to be conspicuous by their absence, which was felt to be very disappointing.
- Councillor Harris questioned how the adjustments to the plan were suddenly a necessity of modern family life when a few months ago they were not needed at all.
- It was felt by the community that this developer was yet again trying to use the system for his own ends and continued to completely ignore the local community and the way things should be done.

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Member Questions to the Parish Council:

Councillor Law said that at the site visit, Councillor Harris had pointed out the fact that the ground sloped down from the road and she had mentioned that when there was heavy rain the road flooded at the bottom and the water ran down and flooded both sides of the road. Councillor Law wanted to raise this as SuDS Officers had not made a response to this application and he wondered why this was the case.

Objector Representations:

Mr Soanes, in addressing the Committee on behalf of Burnt Hill objectors, raised the following points:

- Mr Soanes advised Members that he lived in Burnt Hill and was representing the views of 19 objectors from 30 households. There had been a wide range of opinion, for which there were three main areas of concern:
 1. The development was overbearing for its location.
 2. The development would occupy a great part of the road frontage.
 3. The development would overlook the immediate neighbour at Thee Oaks, particularly from the glazed rear extension.
- The application was originally for a building that would replace the demolished 114 sqm with 228 sqm, so a 100% increase had been approved. This had not been objected to by the local residents because the applicant had previously applied four times for either one much larger property or two smaller properties. The last three applications had been for individual properties at just under 400 sqm. Therefore, the residents had been quite pleased that permission had been granted for a property of 228 sqm which had received only four objections.
- The Section 73 added a further 30 sqm of space which, based on the new approved footprint, represented a 26% increase of this footprint. Added to this was the carport which was proposed to be doubled in size.
- The residents were left wondering whether there was a 'back door' method of getting a larger property without going through the planning process and led to a general concern of overdevelopment.
- There were two extensions to the existing application, one being a slightly larger rear extension. This rear extension was actually four times the size of the extension on the left hand side. Technical objections would not be expected to this development because it was a one for one, the house stayed the same.
- It had been mentioned that the site was well screened but this was not the case as it was only well screened to the rear, to the farmland.
- Whereas there were other large houses opposite in an area called North Gardens, these were not on Scratchface Lane and were inside a separate gated community.
- Section 73 was not specific about whether this was a minor or major addition of space, however, a 29% increase of ground floor accommodation must be considered a major addition.
- The Applicant's Planning Consultant had made the point that they did not think it would be attractive to a buyer without this additional space – but this should have been considered before the purchase of the plot. Speculative building carried risk and it was hoped that on this occasion sense would prevail and the development would be limited to the actual application already approved.

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Member Questions to the Objector:

With reference to the rear extension being four times the size of the side extension, Councillor Bridgman asked Mr Soanes how he had arrived at that proportional difference as his own figures differed from this. Mr Soanes said he had measured using a scale rule, albeit the plans had unusually been drawn to a 1:200 scale which made the building look a lot smaller than it actually was. Mr Soanes thought the side extension – the plant room – came to 5.6 sqm and the rear extension came to 19 sqm, amounting to a total of 25-26 sqm.

Agent Representations:

Mr Thorpe in addressing the Committee raised the following points:

- The application for amendment was a householder application for single storey side and rear extensions that would normally be Permitted Development (PD). The proposal made no change to the roof height or the width of the approved principle front elevation that was currently under construction.
- The Officers had attached a standard condition to the original planning approval that took away PD rights. As the same condition was applied, virtually without exception, to every single new house approved in the district, so the removal of PD rights was normal and did not suggest there was anything special or unusual about the application or the site.
- The Government's generous PD relaxations were that 50% of the garden area could be built on and rear extensions up to 8 metres in length for detached houses could be built without requiring planning permission. It was important to note that the proposed extensions were nowhere near as large as those allowed by the Government. The single storey side extension was two metres wide, was set back from the frontage by three metres which had been done to break up the building line and did not make the frontage look any wider.
- The single storey rear extension projected four metres which was only half of the Government allowance. It was inset by one metre on one side, 4.5 metres on the other so it was screened from public view behind the approved house and additionally screened by the already approved frontage landscaping (a beech hedge).
- The carport was proposed to be doubled in size but was a lightweight, see through structure on a plot with a 46 metre wide frontage, equivalent to the width of seven 6 metre car lengths. It would have little impact on the street scene because it lay below street level since Scratchface Lane was on a hill and the carport was further screened by the approved beech hedge frontage landscaping.
- The single storey side extension was needed to house noise-generating plant associated with the required air source heating system. If the plant were outside it would significantly increase noise levels to the neighbour.
- The dense laurel hedge along the side wall of the neighbour's house was not only as tall as the proposed extension but there was also a 6.5 metre gap between the extension and next door.
- The rear extension was more or less parallel with the rear of the neighbour's house so it could not be seen from inside his house; only the top section could be glimpsed from his back garden over the retained dense laurel hedge.
- There was an 11 metre gap between the extension and the neighbour's garden which was the same Policy length required for a full length new residential rear

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garden so it ensured there was no overlooking, overshadowing or loss of privacy to neighbouring properties.

- The already approved rear patio was in fact closer to the neighbour's garden than the proposed single storey rear extension so from that patio you would see more than from the windows of the proposed brick walled rear extension.
- As the Planning Officer's report highlighted, the proposals were proportional, they added little to the overall scale, bulk or massing of the approved dwelling and they were not harmful to the character of the area or the AONB.
- In terms of the AONB, the site lay within the settlement, it was enclosed on three sides by residential development and the fourth side adjoined the field to the rear whose view was blocked by a significant full width copse of tall TPO trees.
- Since the proposal did not affect openness, local character, the AONB, or affected amenities and privacy of surrounding dwellings it might be difficult to formulate a defensible reason for refusal. It was respectfully requested that Members gave the amendments favourable consideration.

Member Questions to the Agent:

Councillor Macro asked who owned the tall laurel hedge between the site and Thee Oaks. Mr Thorpe said the hedge was on a shared boundary but was under the control of the applicant.

Councillor Bridgman said he found it difficult to gauge the plans as they did not have actual distances along the walls, but were set to scale, so he asked for dimensions of the house for which planning permission had been granted. Mr Thorpe said the scaling of plans and the way plans were presented were in accordance with Government guidelines and that local authorities received guidance on what was and what was not acceptable and these plans were in accordance with those guidelines. Councillor Bridgman said he understood that but would have to work off what he had scaled them to which was the original house for which planning permission had been granted as 11 x 11 sqm and the original carport as 5.8 x 3.4 sqm; the new rear extension as 6.5 x 4.2 sqm, the new side extension as 5 x 2.4 sqm and new carport as 6 x 7.5 sqm. Councillor Bridgman said he accepted these as the footprints that he had scaled from the plans Members had been provided with.

In relation to PD rights, Councillor Bridgman said the site was in the AONB, as was the vast majority of West Berkshire, and the Government had limited PD rights so it was therefore not true to say that if this were a householder application for extensions to an existing property it would have PD rights. Mr Thorpe said if there was not a condition taking away the PD rights then this would not require planning permission.

With regard to the air source heating system unit, Councillor Bridgman asked whether the original permission that had already been granted included this air source heating. Mr Thorpe said this was a new Government proposal (introduced subsequent to the previous approval) which no longer allowed gas central heating, so the developer had had to consider what he should use within the building and that requirement was to have an air source heating system. The best place to house the unit was within the building where it would be quieter than if it was located outside where the noise generated by the fans might cause annoyance to neighbours.

Councillor Law said that Mr Thorpe had said it was quite normal for most houses in West Berkshire, particularly in AONB, to have PD rights removed but that was not the case. Councillor Law said it was not unusual to take PD rights away but it was not the norm as had been stated. Mr Thorpe said he had been working in Planning in the local area for 40

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years and the majority of the approvals he received from West Berkshire did have a condition taking away PD rights.

Ward Member Representation:

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

- Councillor Law said looking through the report he could not find the on balance view with regard to character and appearance and would be seeking clarification on that.
- As seen from the history, there had been eight applications on this site since 2018 with several of them being refused and two going to appeal with the decisions of the Council being upheld at appeal. The application that was approved in 2020 was for a smaller property. It was understandable that the Parish Councils, local objectors and neighbours had concerns that this had been approved and then within a few months of approval, proposed additions were made.
- Councillor Law said Section 73 clearly stated minor variations only but the proposals to his mind were not minor and he wanted to understand why they were classed as such.
- With regard to flooding in the area, Councillor Law asked why SuDS were not asked to give a response to this application.
- Ashampstead Parish Council had referred to what they believed to be breaches of conditions on the approved application and whilst there was sympathy with that view, Councillor Law reinforced the Case Officer's point that that was not relevant to the application being considered, but was an enforcement issue.

Councillor Pask thanked Councillor Law and directed him to paragraph 5.20 of the report which set out the on balance view in regard to character and appearance.

Member Questions to Officers:

Councillor Law had two questions; why were the proposed variations to the property considered minor and why were SuDS not asked to give a response to this application. Mr Butler was unable to advise why SuDS had not given a response but they had been consulted on the case. With regard to the proposed variations to the property, Mr Butler said Officers considered Section 73 to be the correct vehicle for this application because, as the report clearly stated, there was no statutory definition of what was minor or not. Therefore, the development needed to be seen in the context of the overall permission.

As the Agent had stated, if PD rights had not been removed from this development in the existing permission, then once the dwelling was occupied, and not before, then PD rights came into play and the extensions could have actually been built. Mr Butler said he had dealt with much larger variations of existing permissions, relatively, than this under Section 73.

If the Council decided to issue consent then that would be a free standing fresh permission on which the Committee could apply the variation to the plans but it was open to the Committee to apply other conditions as they saw fit. The only condition that could not be varied was the time condition though that was irrelevant now because the development had already commenced. Councillor Law asked why PD rights had been removed on this application. Mr Butler said he did not know for certain the reason as he was not the case officer and had only had recent involvement, but could only assume it was because it was not in a settlement area as, in terms of policy, it was in the countryside and was AONB.

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Councillor Bridgman said with regard to Section 73, a decision had been taken in the England and Wales Court of Appeal that had found in favour of the judge in the Taunton Deane case that it was a question of planning judgement. As a result, Councillor Bridgman felt this gave the Committee some scope to decide its planning judgement in this case. The scale of additions to a property that already had planning permission and which had had PD rights removed and therefore either required a Section 73 or a fresh planning application to increase the site, was a matter of planning judgement in the context of this Committee. Mr Butler agreed it was a matter of planning judgement and said the professional technical advice by Officers for this application was acceptable on balance. If Members wished to take a different view that was entirely legitimate and they had the right to do so. Sharon Armour said that Section 73 could go beyond a minor amendment and Members needed to look at the permission as a whole and whether the terms were still the same.

In terms of the appeal that had been turned down, the question of scale and bulk was of importance, in light of which Councillor Bridgman asked Mr Butler if he agreed with his calculations for the two new extensions and the increased size of the carport. Mr Butler apologised that he did not have a scale rule with him but that from his reading of the plans – and 1:200 was an entirely recognised planning scale – the rear extension was no more than twice the footprint floor area of the side extension and to bear in mind they were both only single storey.

Councillor Macro said at the site visit he had noticed the very tall laurel hedge between the site and Thee Oaks which the agent had said was in the control of the applicant. Councillor Macro asked whether the hedge was on the landscaping proposals for the previous application and if not, was there a way of protecting the hedge so it could not be cut down. Mr Butler said he did not know if the hedge was specifically protected under the existing landscaping conditions and he would need to know whether that hedge was within the red line of the application site and therefore could be conditioned under control of the applicant. Mr Butler was able to clarify that the hedge was not subject to a TPO.

With regard to the red line, plans showed a black dotted line and Councillor Mayes asked if that was the limitation of the site. Mr Butler's assumption was that the black dotted line did represent the red line, in which case the laurel hedge was outside the line and therefore could not be conditioned. The agent was able to clarify however that the hedge was in the ownership of the applicant and therefore could be conditioned.

Councillor Somner said to Mr Butler that what was being considered were additions to an approved application and he would have thought that the primary requirement for a response from SuDS would have been for the main application and main dwelling and that potentially the additions would not have a material impact on the previous SuDS outcome. Mr Butler felt that was a reasonable assumption and drew attention to the wording of Condition 14 of the report in that the original permission was now under construction. Therefore, the sustainable drainage measures had already been approved under that discharged condition. Mr Butler added that any further built form would impact slightly upon SuDS but would not be a material impact because if it was completely material and substantial it would not have been accepted under Section 73.

Councillor Linden referred to the point the agent had made about the air source heating system, the Government had indicated they no longer wanted gas boilers, but he did not believe they had legislated it was illegal to put a gas boiler in a new build. Mr Butler said he did not know the answer to that as he was not a building regulations expert but it was entirely legitimate for the applicant to take on these sustainability measures for a dwelling which would be there for perhaps 100 years so it would certainly not be discouraged.

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Councillor Bridgman asked if the application under Section 73 failed and therefore the side extension which would house the heat source unit could not be built, would the applicant be able to install such a unit in the garden of the building rather than inside the building as permitted under PD. Mr Butler said this would not be allowed as under the existing permission the PD rights had been removed for all outbuildings so the applicant would then have to come back for Section 73 or a householder application for approval.

Debate:

Councillor Bridgman said he had serious difficulty with Section 73 and the word minor. He accepted what Mr Butler had said and that it was open to this Committee to grant this application under Section 73. It was also open under planning law on planning balance for Committee to refuse the application. Councillor Bridgman said the original building on the site with the garage was just under 65 sqm footprint and whilst accepting that the appeal referred to the height of the building and the bulk of the building, he felt that the footprint did give a measure of what the Committee was dealing with. The replacement dwelling that was proposed had a ground floor footprint of 105.8 sqm. The extant permission the Committee was now dealing with was for a house that was approximately 121 sqm and a carport approximately 20 sqm, a total of 141 sqm of development. What was proposed was an increase with the rear and side extensions of just under 40 sqm taking it to about 180 sqm. Adding the carport took it to over 200 sqm. Councillor Bridgman reminded Members the Appeal was on 185 sqm. Looking at Policy C7, which was referred to in the report at point 5.11:

Policy C7 states that there will be a presumption in favour of the replacement of an existing dwelling of permanent construction. A replacement dwelling will be permitted providing that: i. The existing dwelling is not subject to a condition limiting the period of use as a dwelling; and ii. The replacement dwelling is proportionate in size and scale to the existing dwelling....

Councillor Bridgman felt this resultant development was not in proportion in size and scale and that PD rights were removed for a very valid reason. On this basis, Councillor Bridgman intended to propose refusal of the application.

Councillor Law said he was very much in agreement with the approximation of the scale and sizes that Councillor Bridgman had calculated and had also arrived at approximately the same figures. Looking at the plant room on the plans, it was clearly slightly more than twice as broad as it was deep which differed to what the agent had stated. With regard to SuDS, it was absolutely correct that if this was a variation Section 73, then SuDS was done on the previous application, but Councillor Law's contention was that this should never have been a Section 73 as the variations were more than minor and if the Officers had decided this should have been a new application then there would have had to have been a new SuDS report. Councillor Law said he was convinced that if these plans had been submitted back in 2020 it would have been refused due to the impact on AONB and possibly overdevelopment of the site. What was before Members now were approved plans with a few substantial additions on it which took it over the limit. Councillor Law said when Councillor Bridgman made his proposal for refusal he would be happy to second it.

Councillor Somner explained his considerations. He was in support of air source heating and he hoped a lot more developers would look to it as a solution. He felt it had not been helpful for Members to look at pictures for which they made their own interpretation as to sizes which had not been stated. Under the circumstances, Councillor Somner questioned why the sizes had not been made available on the plans. Constant reference had been made to initial refusals and the combined sizes of the development and what was being looked at now and what was most recently approved. Councillor Somner felt

EASTERN AREA PLANNING COMMITTEE - 25 AUGUST 2021 - MINUTES

this was 'mission creep', which in these circumstances was disrespectful to residents, to Officers and to Members of the Committee. Officers were in a very difficult position as they were looking at what was in front of them for a current application and when you looked at a current application you made a decision based on that, and that alone. This application was felt to be too soon after the previous application for it not to be a consideration.

Councillor Macro said he was in agreement with Councillors Law and Bridgman. He said the plans showed the outline of the previous dwelling and when compared to the outline of what was being proposed it could not be said that the resultant dwelling would be proportionate in size to the original with the addition of the two extensions.

Councillor Bridgman proposed refusal of the application on the grounds that on planning balance and as a matter of judgement the Committee considered that the application was not a minor variation to the previous planning permission and that it should be the subject of a full planning application if the applicant wished to continue with it. Mr Butler stated that this was not a valid reason for refusal. The reason for refusal must demonstrate material planning considerations such as overdevelopment, harm to the AONB, disproportionality contrary to policy, etc.

Councillor Bridgman amended his proposal to state that if the application was granted there would be overdevelopment of the site within the AONB and was outside of the settlement boundary.

Councillor Law seconded Councillor Bridgman's amended proposal to refuse the application on the basis of overdevelopment and its overbearing and negative impact on the character of the AONB.

Councillor Macro proposed a further reason for refusal being that the application was contrary to Policy C7 in that the resulting dwelling would be disproportionate in size to the original dwelling. Councillor Bridgman said he would be happy to include this reason within his proposal and this was seconded by Councillor Law.

Mr Butler clarified the reasons for refusal as overdevelopment, contrary to Policy C7, disproportionality and overbearing/negative impact on the AONB.

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

- Overdevelopment
- Contrary to Policy C7
- Disproportionality
- Overbearing/negative impact on the AONB

13. **Appeal Decisions relating to the district**

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

Mr Butler took the opportunity to update Members following the appeal decision for the Lidl application adjacent to Tadley. He expressed his disappointment that the decision had been made in favour of the applicant on 24/08/21.

It was a major development on a very clear greenfield site and there was no question it was outside settlement boundary. He was disappointed that in the letter the Planning Inspector did not refer to the development plan policies of this district, specifically ADPP1 which was the crux of the case and which the Inspector did not examine in any detail whatsoever.

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Essentially, the Inspector felt the landscape visual impact was, on balance, acceptable although he did accept there was conflict with policy. However, he accepted that the retail need was exceptional, not necessarily for the residents of this district, but exceptional for the residents of Basingstoke and Deane. The Inspector spoke about wider sustainability issues and the fact that a lot of residents were travelling to the major centres for discount retail food shopping and that approval of the application would reduce that travelling and those were largely the factors upon which the Inspector had made his decision. Mr Butler said he had every expectation that Lidl would implement the application.

Councillor Law noted that when the Inspector referred to precedent he was talking about immediate sites whereas the Planning Committee had been talking about a precedent of building supermarkets out of town on greenfield sites.

(The meeting commenced at 6.30pm and closed at 8.00pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	21/01390/HOUSE Bradfield	13/07/2021 ¹	Section 73 variation of condition 2 (approved plans) of approved 20/00852/HOUSE - Demolition of three unsafe timber outbuildings, construction of a replacement timber car port/garage, two single storey extensions to the rear of the building, single storey extension to the side of the building and alterations including modifications and replacement of windows. The Old Travellers Rest, Hungerford Lane, Bradfield Southend, RG7 6JP Mr and Mrs Bearman

¹ Extension of time agreed with applicant until 16/09/2021

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01390/HOUSE>

Recommendation Summary:	Delegate to the Service Director (Development & Regulation) to grant planning permission
Ward Member:	Councillor Ross Mackinnon
Reason for Committee Determination:	Called-In by Councillor Mackinnon
Committee Site Visit:	8 th September 2021

Contact Officer Details

Name:	Lucinda Pinhorne-Smy
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1. Introduction

1.1 This application seeks to vary condition 2 associated with planning permission 20/00852/HOUSE, dated 4th June 2020, which granted permission for the demolition of three unsafe timber outbuildings, construction of a replacement timber car port/garage, two single storey extensions to the rear of the building, single storey extension to the side of the building and alterations including modifications and replacement of windows. This application is to be determined under Section 73A of the Town and Country Planning Act 1990.

1.2 The variations sought relate to the approved carport building are detailed as follows:

Layout	Reversing the position of the 2 bay open carport from the north-west side of the building to the south-east, and positioning the enclosed bay and pedestrian access closest to the dwelling;
Roof Design	Replacing the conventional dual-pitched roof and side-facing gables with a half-hipped roof design;
Rooflights	Reducing the number of roof-lights from 8 to 6;
Window	Moving the first floor window from the north-west elevation (facing the main dwellinghouse) to the south-east elevation (facing fields / paddock land).

1.3 The Old Travellers Rest comprises a former public house that has been converted into a residential dwelling within single family occupation. Due to its historic function as a public house the dwelling is situated on a visually prominent site at the junction of Cock Lane and Hungerford Lane, with the part of the building comprising the original public house abutting the back-edge of the pavement. Recent extensions have resulted in the building appearing as a coherent single dwellinghouse, with the various disparate parts of original building having been unified by the application of consistent render and introduction of complimentary fenestration details across the building as a whole. The dwellinghouse is situated in the northern-most corner of the application site with spacious gardens extending to the south-west and south-east.

2. Planning History

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

Application	Proposal	Decision / Date
20/00852/HOUSE	Demolition of three unsafe timber outbuildings; the construction of a replacement timber car port/garage, two single storey extensions to the rear of the building, a single storey extension to the side of the building and alterations including modifications and replacement of windows	Approved 04.06.2020
05/01895/HOUSE	Two-storey rear extension	Approved 18.08.2005

02/02257/HOUSE	Two-storey extension	Approved 25.10.2002
01/01312/FUL	Change of use from a public house with residential accommodation to a residential dwelling	Approved 18.06.2001

3. Procedural Matters

- 3.1 **EIA:** Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environment Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** A site notice was displayed at the application site on 23rd June 2021, the deadline for representations expired on 14th July 2021.
- 3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floor space (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Initial assessment of the scheme indicates the proposals would not increase the floor space of garage/ carport above that approved under application 20/00852/HOUSE. A residential extension exemption was issued for application 20/00852/HOUSE by the CIL Charging Authority. More information is available at www.westberks.gov.uk/cil.

4. Consultation

Statutory and non-statutory consultation

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

Bradfield Parish Council:	<p>Object:</p> <p>The construction does not have an oak frame; it is cavity wall concrete block construction</p> <p>The height and footprint of the building have increased dramatically</p> <p>The dates on the plan are inconsistent with the application submission</p> <p>The built form far exceeds the approval and the resultant building has vastly increased the bulk and is out of keeping for an outbuilding in this rural location</p>
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Bucklebury Parish Council (adjacent)	Bucklebury Parish Council objects to this application on the grounds that this application is retrospective, but still does not show the car port / garage as built.
WBC Highways:	No highway objections; conditions as per 20/00852/HOUSE

Public representations

4.2 Representations have been received from 2 contributors, both of which object to the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- The building construction (concrete blocks) differs from the approval (timber frame);
- The size of the building differs from the garage / carport approved under application 20/00852/HOUSE;
- The building appears as if it is intended as a dwelling;
- The bulk of the building is out of character for the rural setting;
- The building is connected to all services;
- In order to protect the AONB from inappropriate development this application must be rejected;
- The Council cannot check on how developments are being used and must stop potential abuses at approvals stage;
- The over-specification of the building indicates the building can be used for accommodation;
- Approval would set a precedent for housing development in the AONB.

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, CS8, CS13, CS14, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C6, 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 is whether the variations to the originally approved development are acceptable. The Planning Practice Guidance notes that with such application there is no statutory definition of a minor material amendment but that it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. Whilst changes to the design are proposed, these are within the scope of a minor material amendment.
- 6.2 The guidance states that local planning authorities should focus their attention on national and development plan policies, and other material considerations which have changed significantly since the original grant of permission. Since the original permission there have been no changes to the main policies of the development plan. The National Planning Policy Framework has been updated, most recently in July 2021, but has not changed significantly in terms of assessing this application.
- 6.3 Given the guidance the principle of development for a detached carport / outbuilding, ancillary to the main dwellinghouse, remains established by policy C6 of the Housing Site Allocations DPD. Highways remain satisfied there is sufficient parking and turning on site.
- 6.4 The issues raised by the proposed variations are the impact of the resultant building on the rural character and appearance of the North Wessex Downs AONB, whether the resultant building remains a commensurate scale with the host dwelling to continue to satisfy policy C6 criteria in respect of subservience, and whether the use of the building would remain ancillary.

Character and appearance

- 6.5 Concern has been raised with regards to the visual bulk of the outbuilding currently under construction at The Old Travellers Rest, and potential discrepancies in size from the original approval. A site visit confirmed that the width of the building on site measures 12.86m, compared to the 12.93m approved; the buildings depth on site (6.37m) accorded with the approved drawings to within 1mm (6.36m). The overall ridge height of the building was unchanged at 6.4m, however, the lowest eaves height has been increased by 100mm, to 2.5m, and the highest eaves height has been increased by 200mm, to 3.4m. The very minor differences in the dimensions on site are considered to be within acceptable tolerances for the difference that occurs between the approved plans and site construction. The other, more noticeable, changes are not considered to have any meaningful impact on the appearance of bulk of the building.
- 6.6 The most significant difference to the appearance of the outbuilding has been the change to the roof design. The applicants altered the construction from the approved dual-pitched roof with side-facing gables to a half-hipped roof design. The intention behind this change, as stated within the application, was to reduce the appearance of the scale of the building and to appear more in keeping with the roof-scape of the host dwelling. It is generally accepted that half-hipped roof designs often ameliorate the appearance of increased volume, mass and bulk in new roof-scapes. In this regard it is considered that the revised roof design with the introduction of half-hipped roofs, would appear less bulky than the original roof design approved. It is also accepted that this half-hipped design is more in keeping and sympathetic to the roof-scape of the host dwelling, which itself has a predominantly half-hipped roof-scape.
- 6.7 The changes to the layout, with the open-bays now located further from the host dwelling, the removal of a pedestrian access from the front elevation, and the store now accessed internally, are also considered to lessen the impact of the approved building.

This view is taken on the basis that the enclosed parts of the outbuilding would now be located closer to the host dwelling, with the structure appearing more open as it progresses into the more open aspects of the application site. The removal of the pedestrian door in the front elevation is considered to further assist the subservient appearance of the outbuilding and enhance its character as an outbuilding with no obvious independent access.

- 6.8 The concerns of the Parish Council and third parties are noted, however, there is no indication within the application that the building would be used for any other purpose than a garage / store / carport with ancillary accommodation above, and the application must be assessed as presented. It is considered that appropriate conditions could be included with any permission that may be granted to ensure that the carport bays remain open, the ground floor store is not converted to additional habitable accommodation, and the ancillary first floor accommodation approved under application 20/00852/HOUSE remains incidental / ancillary to the main dwellinghouse. This relationship between outbuilding and host dwelling, particularly within rural locations, is not uncommon and is considered to be appropriate development in the AONB when occupied as a single family dwelling unit.
- 6.9 With regards to the construction of the outbuilding, the agent has confirmed that works stopped on the building when informed by the Council that an application was required, and as a consequence its current appearance does not reflect its finished state. It is acknowledged that the building has been constructed from blockwork rather than timber, however, this is a significantly cheaper method of construction than a hardwood structure and has equal, if not greater, longevity. The agent has confirmed that a timber post will be inserted between the current open bays to achieve the same external appearance as a timber-framed structure, and the blockwork will be clad in dark-stained timber cladding. At the time of the site visit the downpipes were affixed to dark-stained timber cladding, which appeared a sympathetic material to finish the building. The materials used in the construction of the outbuilding are therefore not considered to render the building unacceptable provided the finishing materials achieve the same appearance as the approved plans. The site visit gave the indication that this was the applicant's intention; however, if concern remains, it is considered appropriate conditions can be included with any permission that may be granted to secure an appropriate finish.
- 6.10 It is therefore considered the carport / garage at The Old Travellers Rest would remain a sufficiently subservient structure as a consequence of the proposed variations to the scheme approved under application 20/00852/HOUSE, and would not appear any more intrusive in the landscape. There is no greater potential for the first floor accommodation to be utilised as a separate unit than the scheme approved under application 20/00852/HOUSE, which was conditioned to remain ancillary, and indeed this first floor accommodation would be marginally reduced by the introduction of the half-hipped roof design. The outbuilding is therefore not considered to cause any greater harm to the rural character and appearance of the North Wessex Downs AONB than the scheme approved under application 20/00852/HOUSE.

Neighbouring Amenity

- 6.11 As a consequence of the reversed layout of the building the internal staircase is intended to be located on the north-west side of the outbuilding and the first floor window in the end-wall has been relocated to the south-east elevation. In light of the fact views from this window would be directed over fields and paddock land, with the nearest residential property in excess of 100m from the application site, the relocation of this window is not considered to harm the residential amenities of adjacent properties.

7. Planning Balance and Conclusion

- 7.1 Whilst there have been objections to this application, it is considered the proposed variation to condition number 2 of planning permission 20/00852/HOUSE to facilitate changes in fenestration, roof-design and layout are considered acceptable, and cumulatively the changes would not be harmful to the character and appearance of the application site or the rural character of the North Wessex Downs AONB. It is considered that appropriate conditions can be employed to manage any outstanding concerns with regards to any potential unlawful use of the building at a future date and the finishing materials.
- 7.2 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is acceptable and conditional approval is justifiable.

8. Full Recommendation

- 8.1 To delegate to the Service Director (Development & Regulation) to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. **Approved plans**

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

2006-P14A (Proposed carport / garage - Floor Plans and Elevations), received on 18th May 2021

2006-P14 (Proposed carport / garage as approved with dimensions annotated), received on 6th September 2021

2006-P14A (Proposed carport / garage as built with dimensions annotated), received on 6th September 2021

2006-P01 (Block and Location Plan), received on 7th April 2

2006-P02 (Existing Ground Floor Plan), received on 7th April 2

2006-P03 (Existing First Floor Plan), received on 7th April 2

2006-P04 (Existing Roof Plan), received on 7th April 2

2006-P05 (Existing Elevations 1 of 2), received on 7th April 2

2006-P06 (Existing Elevations 2 of 2), received on 7th April 2

2006-P07 (Existing Timber Outbuilding), received on 7th April 2

2006-P08 (Existing Timber Outbuilding), received on 7th April 2

2006-P09 (Proposed Ground Floor Plan), received on 7th April 2

2006-P10 (Proposed First Floor Plan), received on 7th April 2

2006-P11 (Proposed Roof Plan), received on 7th April 2

2006-P12 (Proposed Elevations 1 of 2), received on 7th April 2

2006-P13 (Proposed Elevations 2 of 2), received on 7th April 2

2006-P16 (Existing Timber Outbuilding), received on 7th April 2020;

P2006-P15A (Proposed Site Layout), received 1st May 2020

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

2. **Materials**

The finishing materials to be used in the carport / garage hereby permitted shall be as specified on drawing number 2006-P14A, and include an Oak Framed façade to

the carport and garage openings and stained timber cladding to the external walls. The materials used in the remainder of the development approved by planning permission 20/00852/HOUSE shall be retained in their current condition.

Reason: To ensure that the external materials respond to local character. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

3. Permitted development restriction

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 extensions, alterations, buildings/outbuildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, and/or E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C6 of the Housing Site Allocations DPD 2006-2026; and the House Extensions SPG.

4. Ancillary/incidental use

The garage / carport building hereby permitted shall not be used at any time other than for purposes ancillary and/or incidental to the residential use of the dwelling known as The Old Travellers Rest.

Reason: To limit the future use of the building to prevent uses which would not be ancillary or incidental to the main dwelling. This condition is applied in the interests of preventing a change of use which would result in an unsustainable pattern of development, and detract from neighbouring and local amenity. This condition is applied in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, WBC Quality Design SPD (2006), and WBC House Extensions SPG (2004).

5. Vehicular access and visibility splays

The vehicular access and visibility splays approved by drawing numbers 2006-P15A and 2006-P17, received on 1st May 2020, shall be retained as constructed on site. The land within these visibility splays shall be kept free of all obstructions (including vegetation) to visibility over a height of 0.6 metres above the carriageway level

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

6. Restriction on car port alterations

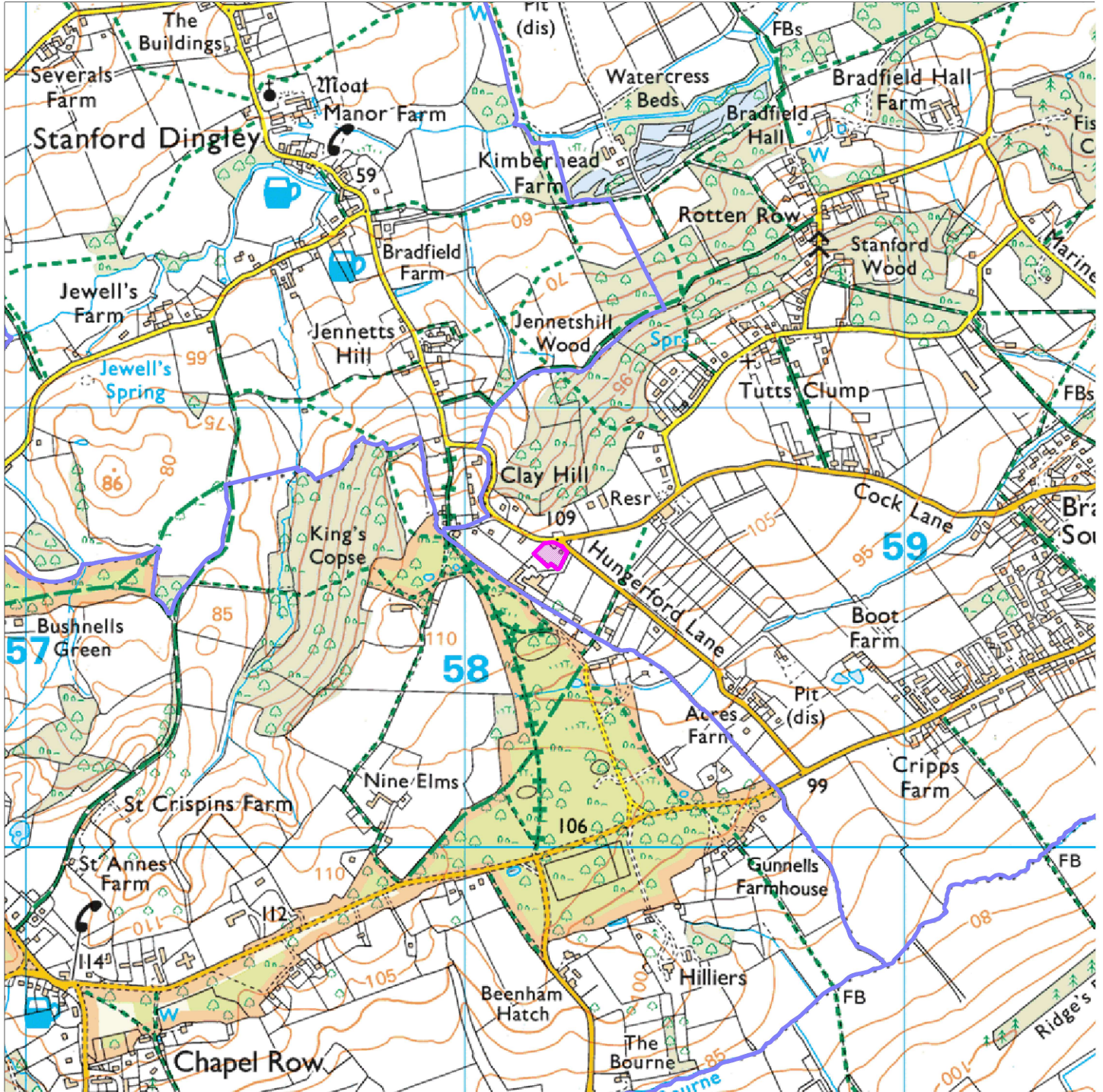
The carport hereby permitted shall be kept available for parking (of private cars and/or private light goods vehicles) at all times. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no physical alterations shall be made to the carport (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: In the interests of the amenity of neighbouring properties and the creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development. This condition is applied in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, WBC Quality Design SPD (2006), and WBC House Extensions SPG (2004).

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The Old Travellers Rest, Cock Lane To Kings Copse House, Southend, RG7 6J



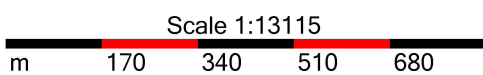
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	02 September 2021
SLA Number	0100024151



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Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	21/01358/HOUSE Bucklebury	07/07/2021 ¹	Demolish existing rear extension, construct new single storey rear extension and 2 storey side/rear extension, construct new garage block with office/games room above and a single storey link to main house Thatchers, Road known as Broad Lane, Chapel Row, RG7 6PB Mr and Mrs Hudson

¹ Extension of time agreed with applicant until 16th September 2021

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01358/HOUSE>

Recommendation Summary: Delegate to the Service Director (Development & Regulation) to grant planning permission

Ward Member(s): Councillor Graham Pask

Reason for Committee Determination: Called-in by Councillor Pask

Committee Site Visit: 8th September 2021

Contact Officer Details

Name: Lucinda Pinhorne-Smy
Job Title: Planning Officer
Tel No: 01635 519111
Email: Lucinda.Pinhorne-Smy1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the demolition of an existing rear extension and construction of a new single storey rear extension, a two-storey side / rear extension and a new garage block with office/games room above and a single storey link to the main house.
- 1.2 The application site comprises a mature detached dwelling situated within a spacious plot located on the north side of Broad Lane in Chapel Row. The application site is outside of a defined settlement boundary and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The site benefits from a good degree of mature soft landscaping and consequently is not a visually prominent feature in the street scene. In contrast to the context of Thatchers, within a row of large dwellings, situated within spacious plots and screened by mature landscaping on the north side of Broad Lane, to the south the street scene has a more open character with 3 commercial properties adjacent to the junction with Hatch Lane, significant numbers of parked vehicles, and smaller plot sizes with dwellings appearing more visually prominent in the street scene.
- 1.3 The proposed single storey rear extension would measure 10.7m in width and project by 3.5m; it would have a mono-pitch roof measuring 2.2m to eaves height and 3.6m in overall height. An additional bay window is proposed at ground floor level along the west elevation measuring 2.8m in width and projecting by 870mm; it would have a hipped roof measuring 2.2m to eaves and 3.3m to the ridge.
- 1.4 The proposed two-storey side / rear extension would measure 3.1m in width and project by 2.5m; it would have an eaves height of 4.8m and a ridge height of 6.6m, with a hipped roof. The link extension would infill the gap between the proposed garage building and the host dwelling. This gap would measure a minimum of 3m and a maximum of 7m; the link is proposed to be angled rather than a straight corridor between the two structures. It would have an eaves height of 2.4m and a ridge height of 4m, with a dual-pitched roof design.
- 1.5 The proposed garage building would measure 8.5m in width and project by 6m; it would have a dual-pitched roof design measuring 2.4m to the eaves and 5.6m to the top of the ridge. Three dormer windows are proposed in the front roof-slope measuring 1.5m in width and 2.1m in height each; a rear dormer is proposed measuring 1.7m in width and 1.4m in height.

2. Planning History

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

Application	Proposal	Decision / Date
05/00036/HOUSE	Garage, implement shed and log store	Refused 23.03.2005
04/01643/HOUSE	Erect single storey rear extension. Demolish existing garage and stores, erect detached garage additions	Approved 31.08.2004
04/00694/HOUSE	New access to service land to rear of Thatchers	Approved 25.05.2004

04/00060/HOUSE	Two-storey extension and new double garage	Withdrawn 27.02.2004
84/22404/ADD	Conservatory	Approved 02.10.1984

3. Procedural Matters

- 3.1 **EIA:** 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 [Publicity]
- 3.2 **Publicity:** A site notice was displayed at the application site on 28th June 2021, the deadline for representations expired on 19th July 2021.
- 3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floor space (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Initial assessment of the scheme indicates the proposals would, cumulatively, increase the floor space of the existing dwelling by more than 100 sq. m; the proposals are therefore likely to be CIL liable. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil.

4. Consultation

Statutory and non-statutory consultation

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

Bucklebury Parish Council:	<p>Bucklebury Parish Council objects to this application on the grounds of the two storey garage block. BPC has no objection to the extension to the rear of the house.</p> <p>The two storey garage block was not felt to be subservient to the existing house (C6). The building would have a considerable impact on the street scene and from Chapel Row Green. Additionally, it will have a significant impact on the neighbouring property.</p> <p>If WBC is minded to approve this application, it is suggested that a condition be that the garage block must remain ancillary to the main dwelling and not be used for independent living.</p>
WBC Highways:	The highway recommendation is for conditional approval

WBC Rights of Way:	No response
Ramblers Association:	No response
North Wessex Downs AONB:	No response

Public representations

4.2 Representations have been received from three contributors, two of which object to the proposal and one of which remains impartial. 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:

- The new build garage will be only slightly lower than the current house;
- The roof of the garage will be clearly visible from Oaklea, and lit windows will affect the night-time light at Oaklea;
- The new building will be visible from The Avenue and is contrary to the village plan;
- The garage building will impact on the village scene from the green;
- Over-development of the plot;
- The location plan is incorrect and includes land not within the applicants ownership and appropriate notice has not been served;
- Proposed extension will be harmful to the street scene and significantly reduce the gap between the neighbouring property to the east;
- The extension is too large, too prominent and harmful to the AONB.

4.3 The impartial comments stated no objection to a single storey garage and raised no objection to the extensions proposed to the main dwellinghouse.

5. Planning Policy

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

- Policies ADPP1, ADPP5, CS13, CS14, CS14, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C6, 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 2019-24
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Bucklebury Vision Parish Design Statement

6. Appraisal

6.1 The main issues for consideration in this application are:

- The principle of the proposal;
- The impact on the character and appearance of the locality and the wider AONB setting;
- The impact on neighbouring properties.

Principle of development

6.2 The application site is located outside of any defined settlement boundary within the district and it therefore is regarded as 'open countryside' under Core Strategy Policy ADPP1. The policy states that only appropriate limited development in the countryside will be allowed. In the context of this general policy of restraint in the countryside, Policy C6 of the Housing Site Allocations DPD gives a presumption in favour of proposals for the extension of existing permanent dwellings. An extension or alteration will be permitted providing that:

- i. the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling; and
- ii. it has no adverse impact on: the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape; and
- iii. the use of materials is appropriate within the local architectural context; and
- iv. there is no significant harm on the living conditions currently enjoyed by residents of neighbouring properties.

6.3 The application site is also located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy ADPP5 sets out the criteria for the principle of development within the North Wessex Downs AONB and identifies development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB, whilst preserving the strong sense of remoteness, tranquillity and dark night skies. It is also stated that development will respect identified landscape features and components of natural beauty.

Character and appearance

6.4 Broad Lane does not have a uniform street scene and as a consequence of the evolved nature of the built development, dwellings have a largely individual design and appearance. The existing dwelling at the application site is therefore sympathetic to its setting, but does not display any distinct characteristic features. The existing dwelling has two subordinate hip-roofs along the rear elevation, and the proposed two-storey side / rear extension would replicate this design. The proposed two-storey side / rear extension would add a modest amount of additional footprint to the building, infilling an area to the north-east of the existing dwellinghouse. A second ground floor bay window is also proposed to the west elevation of the dwelling, which would match in dimension and design the existing bay window in this elevation.

6.5 The proposed single storey rear extension would have a plain, lean-to style design, and is therefore considered to be in keeping with the host dwelling. Cumulatively, the side/rear extension, the single storey rear extension and the additional bay window would represent an increase in floor area of approximately 41 sq. m, or 20%. Whilst the proposals would increase the spread of the development to the north the resultant dwelling at Thatchers is considered to remain commensurate to the scale of the plot and the surrounding development. The bulk of the extensions would be located to the rear

of the dwelling and due to the scale of the proposed side bay window and the nature and degree of the front boundary screening, the proposals are not considered to appear unduly prominent in the street scene. The extensions to the existing dwelling are therefore not considered to appear obtrusive, or an over development of the site.

- 6.6 The garage building currently proposed would provide a covered parking space, a cycle store and workshop with toilet at ground floor level and a games room, office and additional toilet at first floor level. This nature of use within an outbuilding is not uncommon for large dwellings in rural settings, and appropriate conditions can be attached to any permission that may be forthcoming to ensure that the building remains in ancillary / incidental use to the main dwellinghouse. This proposal is less conventional in that the outbuilding would be attached to the dwelling by a link, however, this would enable access to this incidental / ancillary accommodation year-round. The link is also considered to make any future severance of the outbuilding from the main dwellinghouse less likely.
- 6.7 The eaves height of the link extension and garage building would match the eaves height of the single storey rear extension, and the link would have a clearly subordinate ridge height. Whilst the garage building would be taller than the link extension in order to facilitate the first floor accommodation, it would remain subordinate in height to the host dwelling, which has a conventional two-storey appearance with a deep hipped roof. The link extension and garage building, cumulatively, would further increase the floor area of the resultant dwelling by some 106 sq. m. This would represent an increase of approximately 54% above the existing dwelling, or 45% above the dwelling as extended in the manner of this application. The cumulative impact of the bay window, side/ rear extension, single storey extension, link extension and garage building would be a total increase of approximately 74% above the existing dwelling. In light of this cumulative increase, the spacious nature of the plot, and the spacious character of the surrounding built development, the proposals are considered to appear sufficiently subservient to the host dwelling to accord with policy C6 of the adopted Core Strategy.
- 6.8 An appeal decision for a dismissed appeal for a dwelling to be constructed on land to the west of Thatchers (application reference 18/00295/FULD and appeal reference APP/W0340/W/18/3207331) made reference to the spacious character of the street scene as it progresses to the east of the application site, which in contrast to the smaller plots to the west and at the junction of Hatch Lane, comprises large dwellings in spacious plots. The presence of this ancillary building, linked to the main dwellinghouse, would reflect the more spacious character of these dwellings to the east and would clearly be read as part of the site as a whole, rather than a separate unit, due to the garage doors installed in the front elevation. As a consequence, even if the extension and outbuilding were visible in the street scene, it would not harm the spacious character of the area as identified in the appeal decision.
- 6.9 The proposed extensions and outbuilding would be located within the existing complex of development at the application site, and would remain clearly within single family occupation. The additional accommodation proposed is not considered to intensify the use of the application site, and the extensions have not been designed with excessive expanse of glass that would cause harmful light-spill. In accordance with the Bucklebury Vision Design Statement the proposed extensions at Thatchers are considered to respect the existing pattern of development. The proposals are therefore not considered to harm the character of the locality or the rural character of the North Wessex Downs AONB.

Neighbouring Amenity

- 6.10 The nearest residential property to be affected by the proposals would be the dwelling to the north-east at Oaklea. Whilst it is acknowledged that the proposed garage building

may be visible from the neighbouring dwellinghouse at Oaklea, this neighbouring property comprises a large dwelling situated within a spacious plot, and as a consequence the garage and extensions would be located in excess of 29m from this neighbouring dwelling. Whilst the proposals would be located to the south of Oaklea given the significant distance from the main dwellinghouse they are not considered to have any adverse effect in terms of over-dominance, obtrusiveness or loss of light. The proposed garage would be located 2.5m from the mutual boundary with Oaklea and would have 3 roof-lights in the rear roof-slope, however, the application drawings indicate that these windows would be located 1.7m above the floor level of the room they serve and as a consequence the proposals are not considered to result in any over-looking or loss of privacy.

- 6.11 The adjacent land owner to the west of the application site raises concerns with regards to the red line of the application site and the correct notifications having been carried out, however, these matters are considered to have been resolved and related to the Council's plotting of the application site on the mapping system, rather than the red line of the application.

7. Planning Balance and Conclusion

- 7.1 Whilst there have been objections to this application, it is considered the proposed demolition of existing rear extension, construct new single storey rear extension and 2 storey side/rear extension, construct new garage block with office/games room above and a single storey link to main house are acceptable and would not be harmful to the character and appearance of the application site, the street scene, the wider locality of Bucklebury or the rural character of the North Wessex Downs AONB.
- 7.2 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is acceptable and conditional approval is justifiable.

8. Full Recommendation

- 8.1 To delegate to the Service Director (Development & Regulation) to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. **Commencement of development**

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

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

2. **Approved plans**

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

01A (Existing Plans and Elevations, received on 12th May 2021
02A (Proposed Ground Floor Plans and Elevations), received on 12th May 2021
03A (Proposed First Floor Plans and Elevations), received on 12th May 2021
Block / Site Plan, received on 12th May 2021
Location Plan, received on 12th May 2021

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

3 Materials as specified / match

The materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respond to local character. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

4 Parking (approved plans)

The extension shall not be first occupied until vehicle parking and turning spaces have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private light goods vehicles) at all times.

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

5 Ancillary/incidental use

The garage building and extensions hereby permitted shall not be used at any time other than for purposes ancillary and/or incidental to the residential use of the dwelling known as Thatchers.

Reason: To limit the future use of the building to prevent uses which would not be ancillary or incidental to the main dwelling. This condition is applied in the interests of preventing a change of use which would result in an unsustainable pattern of development, and detract from neighbouring and local amenity. This condition is applied in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, WBC Quality Design SPD (2006), and WBC House Extensions SPG (2004).

Informatives

1. Damage to footways, cycleways and verges

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

2. Damage to the carriageway

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.



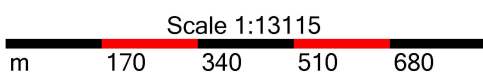
Map Centre Coordinates :

Scale : 1:13114

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	02 September 2021
SLA Number	0100024151



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Agenda Item 4.(3)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	21/01481/HOUSE Pangbourne	21/02/2021 ¹	<p>The proposal consists of two main parts. Firstly, to convert the current indoor pool to create a kitchen, dining and family room area within ancillary storage areas to include boot and utility space. Above a subservient first floor extension, we propose to form two bedrooms with en suites with associated dressing areas and covered balcony. Secondly, we propose a single storey extension to the current outbuilding courtyard to create a gym.</p> <p>Oakingham House, Bere Court Road, Pangbourne, RG8 8JU</p> <p>Mr and Mrs J Ray Snr</p>

¹ Extension of time agreed with applicant until TBC

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01481/HOUSE>

Recommendation Summary: Delegate to the Service Director (Development & Regulation) to grant planning permission

Ward Member(s): Councillor Gareth Hurley

Reason for Committee Determination: Called-in by Councillor Hurley

Committee Site Visit: 8th September 2021

Contact Officer Details

Name: Lucinda Pinhorne-Smy
Job Title: Planning Officer
Tel No: 01635 519111
Email: Lucinda.Pinhorne-Smy1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the conversion of the existing indoor pool to create a kitchen, dining and family room area with ancillary storage areas to include boot and utility space. A first floor extension is proposed above to form two bedrooms with en-suites and associated dressing areas and covered balcony. A single storey extension is also proposed to the current outbuilding courtyard to create a gym.
- 1.2 The application site comprises a large detached dwelling with associated outbuildings located on the south-east side of Bere Court Road; it benefits from spacious grounds and mature landscaping. Bere Court Road is a rural lane with sporadic development, characterised by large detached dwellings of individual design and situated within spacious plots. The dwelling at Oakingham House is a modern replacement dwelling in a neo-classical style.
- 1.3 The proposals would convert a swimming pool in the wing of the existing dwelling to form part of the habitable accommodation. A single storey infill extension is proposed along the north-west corner of the dwelling to facilitate a utility room. This extension would measure 2.85m in width and project by 1.9m; it would have an eaves height of 3.7m and a ridge height of 5m with a hipped roof. A first floor extension is proposed above the converted swimming pool measuring 15.4m in width and projecting by 8.75m; it would have a hipped roof design measuring 6.3m in eaves height and 9.6m in ridge height. The proposed first floor extension includes a covered terrace along the rear elevation. A two-storey rear extension is proposed measuring 6.7m in width and projecting by 2.8m; it would have a hipped design roof measuring 6.3m in eaves height and 8.5m in overall ridge height. The proposed extension to the existing outbuilding to facilitate a gym would measure 6640mm in width and project by 6940mm; it would have a half-hipped roof design measuring 2.6m to eaves height and 4.9m to the top of the ridge.
- 1.4 The application drawings also include 3 dormer windows in the rear roof-slope; these have not been included on the application description. The windows would measure 1.42m in width, 1.3m in height and would project by 2.8m. They would have a slightly domed appearance rather than a conventional flat or pitched roof design.

2. Planning History

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

Application	Proposal	Decision / Date
00/00134/HOUSE	To install all weather Tennis Court	Approved 11.09.2000
97/51205/FUL	Conservatory extension to existing residence	Approved 02.10.1997
95/46974/FUL	Erection of a summerhouse and pergola	Approved 25.08.1995

95/46045/FUL	Alterations to outbuildings for insertion of windows	Approved 28.03.1995
93/43039/ADD	Replacement of existing dwelling	Approved 22.11.1993

2.2 There is a long planning history for this site, the most relevant to this application are detailed above. The historic use of the site as a stables / stud appears to have ceased.

3. Procedural Matters

3.1 **EIA:** Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environment Impact Assessment) Regulations 2017. As such, EIA screening is not required.

3.2 **Publicity:** A site notice was displayed at the application site on 23rd June 2021, the deadline for representations expired on 17th July 2021.

3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floor space (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Initial assessment of the scheme indicates the proposals would, cumulatively, increase the floor space of the existing dwelling by more than 100 sq. m; the proposals are therefore likely to be CIL liable. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

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

Pangbourne Parish Council:	<p>Object on the following grounds:</p> <ol style="list-style-type: none"> 1. The application falls within the AONB, outside the settlement boundary of Pangbourne. The boundary marked on the location plan includes land reserved for equestrian use. 2. The application is for a large and bulky building which will be prominent in the landscape. The previous application was approved having made note of the fact that much of the application was single storey which lessened the visual impact. 3. The drawings are incomplete. There is no existing site plan and it is not clear whether what is being applied for is four
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	<p>separate buildings linked by a single roof, or the extension of the garage to include a gym.</p> <p>4. We believe that two flats have been built in what were originally stables on the previous plans without permission.</p>
Tidmarsh with Sulham Parish Council (adjacent):	No comments to make
Pang Valley Group (Rambler):	The adequacy of the application site should mean that there is no need for encroachment by contractor's materials and vehicles but we do have concerns because the access to the area of the extension for the gym is restricted. There might be a temptation to utilise the Public Footpath for access to the area of the courtyard for the construction of the gym. There is no "Design and Access" Statement attached to the application that would clarify the position. If the Council are minded to grant permission, we would ask for a condition requiring that Public Footpath PANG/13/3 be kept clear of contractor's vehicles at all times and for reinstatement to be required if appropriate.
WBC Highways:	Highways DC have no comments
North Wessex Downs AONB:	No comments returned
WBC Ecology:	No comments returned
Natural England:	No comments returned
WBC Rights of Way:	No comments returned

Public representations

4.2 No representations have been received in response to the application.

5. Planning Policy

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

- Policies ADPP1, ADPP5, CS13, CS14, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C6, 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 2019-24
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Pangbourne Village Design Statement
- West Berkshire Landscape Character Assessment (2019)
- North Wessex Downs AONB Integrated Landscape Character Assessment (2002)

6. Appraisal

6.1 The main issues for consideration in this application are:

- The principle of the proposal;
- The impact on the character and appearance of the locality and the wider AONB setting;
- The impact on neighbouring properties.

Principle of development

6.2 Oakingham House (formerly known as Oakleigh House) is located outside of any defined settlement boundary and is therefore regarded as 'open countryside' under Core Strategy Policy ADPP1. The policy states that only appropriate limited development in the countryside will be allowed. In the context of this general policy of restraint in the countryside, Policy C6 of the Housing Site Allocations DPD gives a presumption in favour of proposals for the extension of existing permanent dwellings. An extension or alteration will be permitted providing that:

- the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling; and
- it has no adverse impact on: the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape; and
- the use of materials is appropriate within the local architectural context; and
- there is no significant harm on the living conditions currently enjoyed by residents of neighbouring properties.

6.3 In addition, Policy ADPP5 of the Core Strategy, which concerns the North Wessex Downs Area of Outstanding Natural Beauty (AONB), requires development to conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night skies, and the development should respond positively to the local context.

Character and appearance

6.4 The original dwelling occupying the application site was replaced as a result of the planning permission granted under application 93/43039/ADD. This replacement dwelling at Oakingham House has a distinctly Neo-classical form, despite its modern appearance. Neo-classical architecture is characterised by grandeur of scale, simplicity of geometric forms, dramatic use of columns and a preference for blank walls. These features are considered to be in particular evidence in the design of the rear elevation

of the proposed extensions with the introduction of a columned and covered terrace linking the proposed two-storey rear extension with the existing dwellinghouse.

- 6.5 The proposed first floor extension would not increase the footprint of the dwelling at Oakingham House, being located above the existing swimming pool wing. The single storey front and two-storey rear extensions would increase the footprint of the dwelling by only a modest amount when considering the overall scale of the host-dwelling. The original dwelling occupying the site in 1992 also comprised a substantial detached dwelling, with the officer report for application 93/43039/ADD observing that the replacement dwelling would represent an approximate increase in floor area of 27%. These current proposals would increase the footprint the main dwellinghouse by approximately 24 sq. m.
- 6.6 Despite the modest increase in the footprint of the host dwelling, it is acknowledged that the proposals would result in a greater increase in floor area. However, due to the grand scale of the existing dwelling, the proposed extensions are considered to remain sufficiently subservient to the host dwelling. At ground floor level the single storey front and two-storey rear extension would increase the floor-space by just 5%; at first floor level the proposals would increase the floor area by approximately 60% and at second floor level this increase would amount to 19% above the existing floor area. These figures show that the first floor element of the proposed extensions would have the greatest visual impact, however, they would measure 5m less in width than the main dwelling and would have a clearly subordinate ridge height.
- 6.7 The first floor extensions would be largely confined within the existing footprint of built development, and would not result in the spread of the dwelling in to more open areas of the application site. The proposed dormer windows are considered to be of a sufficiently modest scale and simple form to harmonise with the existing dwelling. They would be located in the roof-space of the main dwellinghouse and would serve an existing room in the roof-space. Bere Court Road is predominantly characterised by substantial and spacious properties, and Oakingham House already has the appearance of a residential estate, with the grandeur of the existing dwellinghouse and formal landscaped gardens. The proposed extensions to the main dwellinghouse are therefore considered to be commensurate in scale and in keeping with the character of the application site.
- 6.8 The proposed extension to the existing outbuilding to facilitate a gym would be situated within an existing complex of outbuildings in a courtyard setting, and consequently is not considered to push development out in to more open and undeveloped areas of the application site. It would increase the existing outbuilding by approximately 39%. The half-hipped roof-scape and plain design of the proposed gym extension is considered to be in keeping with the subservient character of this outbuilding, and the scale and appearance of this resultant complex, set in a horse-shoe shape in keeping with the historic character and function of the outbuildings at this site, is not considered to compete with the host dwelling.
- 6.9 Given the existing scale of the host dwelling, its symmetrical design with a significant number of French doors, and the existing spacious balcony, the proposals are not considered to result in any greater harm to the rural character of the locality or the North Wessex Downs AONB, or have any greater detrimental impact on the dark night skies, than the existing buildings occupying the application site.

Neighbouring Amenity

- 6.10 Due to the spacious nature of development along Bere Court Road and the significant degree of mature landscaping that characterises the locality, the proposals are

considered to be located too great a distance from adjacent properties to have any adverse impact on their residential amenities.

Other Matters

- 6.11 With regards to other matters raised in the consultation responses, there is a current application, given reference 20/02508/FULD, which is seeking planning permission for the creation of a separate residential unit. This is a separate application and is not considered to affect the assessment of this application for extensions to the main dwellinghouse. Any concerns that existing outbuildings have been unlawfully converted are a separate planning issue.
- 6.12 The red line application site shown on the Location Plan is extensive, and concern has been raised that the red line includes equestrian land. The dwellinghouse occupies the northern corner of the land together with a series of formal gardens immediately to the south-east and south-west. The remainder of the land to the south is open grassland, except for the aforementioned building which is separated by vegetation and accessed via a separate access track to the south-west along Bere Court Road. Since a tennis court was approved in 2000 to the west of the gardens, aerial photography indicates little change to the grassland in the intervening period. The extensions proposed by this application are contained within the existing footprint of the house and long established gardens, and so this application does not raise concerns of extending residential use. Equally, the granting of planning permission does not give tacit approval for an extended residential curtilage beyond the approved footprint. Any unauthorised extension of residential use would be a separate planning issue. It is recommended that an informative is applied to make clear that this decision does not imply agreement as to the residential curtilage.
- 6.13 It is not necessary for the planning system to duplicate other legislation. However, it is also considered reasonable, in response to the Ramblers Association's observations, to include an informative with any permission that may be granted to inform the applicant that the public footpath must not be obstructed.
- 6.14 The permission granted for the replacement dwelling under application 93/43039/ADD restricted permitted development rights for this property, and as a consequence no further conditions are considered necessary in this regard to check the sprawl of the building in the future. A condition was also included on the planning permission requiring the garage to be retained as such and not converted into additional habitable accommodation. In this regard, it is considered reasonable to condition any permission that may be forthcoming to ensure that the gym remains in ancillary / incidental use to the main dwelling at Oakingham House.

7. Planning Balance and Conclusion

- 7.1 It is considered the proposed extensions are acceptable and would not harm the character and appearance of the application site, its setting within the North Wessex Downs AONB, or the rural character of the locality. No material harm is anticipated to neighbouring amenity.
- 7.2 Having taken into account the relevant policy considerations and materials considerations referred to above, it is considered that the development is acceptable and conditional approval is justifiable.

8. Full Recommendation

- 8.1 To delegate to the Service Director (Development & Regulation) to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. **Commencement of development**

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

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

2. **Approved plans**

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

3747/100 (Location Plan), received on 26/05/2021
3747/101 (Existing Ground Floor Layout), received on 26/05/2021
3747/102 (Existing First and Second Floor Layouts), received on 26/05/2021
3747/103 (Existing Elevations), received on 26/05/2021
3747/201 Rev A (Proposed Ground Floor Layout), received on 26/05/2021
3747/202 Rev A (Proposed First and Second Floor Layouts), received on 26/05/2021
3747/203 (Proposed Elevations), received on 26/05/2021
3747/205 Rev A (Proposed Site Plan), received on 26/05/2021

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

3. **Materials as specified / match**

The materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respond to local character. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

4. **Ancillary/incidental use**

The gym extension hereby permitted to the existing outbuilding shall not be used at any time other than for purposes ancillary and/or incidental to the residential use of the dwelling known as Oakingham House.

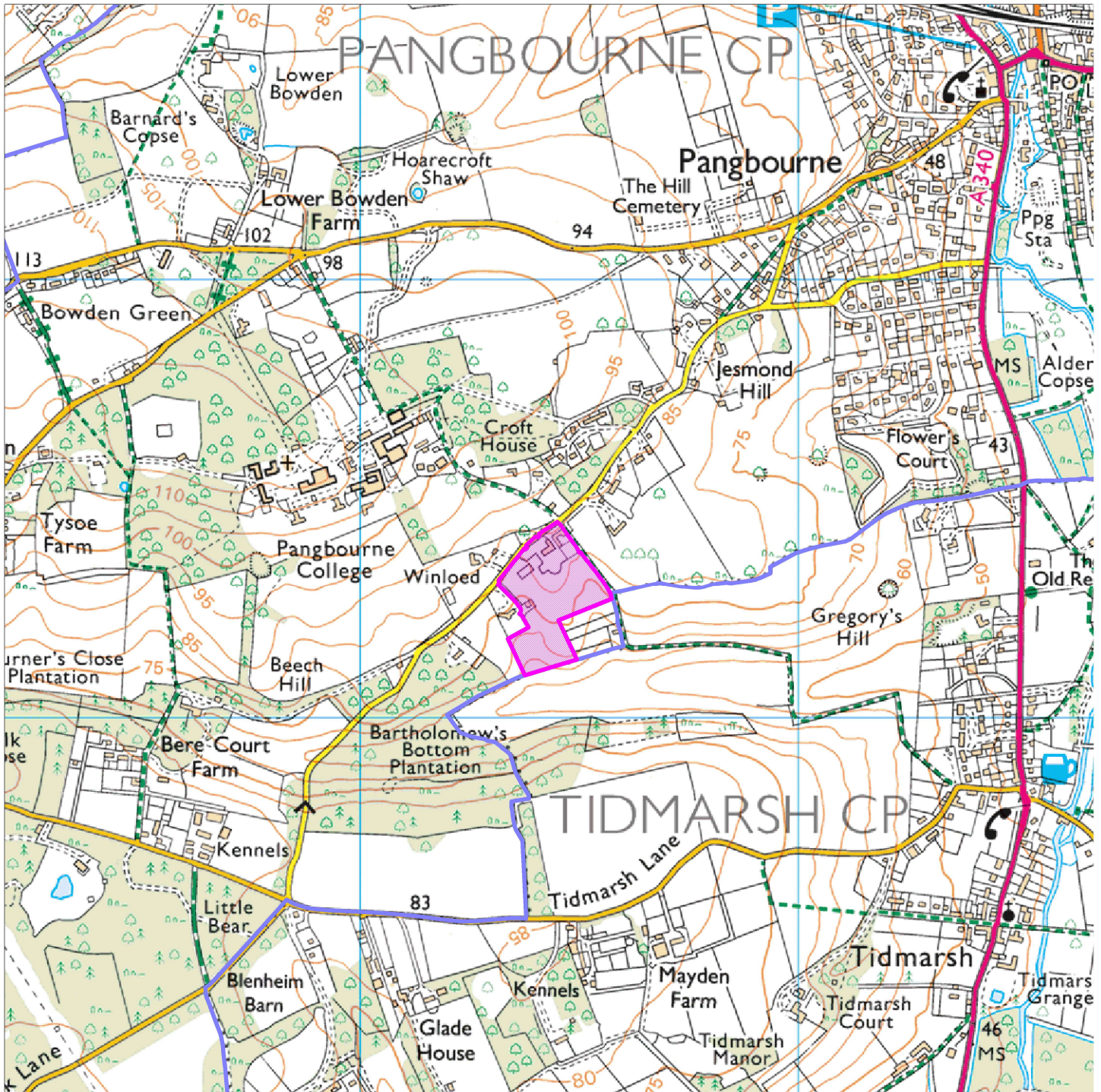
Reason: To limit the future use of the building to prevent uses which would not be ancillary or incidental to the main dwelling. This condition is applied in the interests of preventing a change of use which would result in an unsustainable pattern of development, and detract from neighbouring and local amenity. This condition is applied in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, WBC Quality Design SPD (2006), and WBC House Extensions SPG (2004).

Informatives

1. **Residential curtilage**
The applicants attention is drawn to the fact that the Local Planning Authority does not necessarily accept that the red line plan accompanying the application accurately reflects the size of the lawful curtilage on site.

2. **No obstruction of public right of way**
The applicant is advised that this planning permission does not in any way allow the Public Right of Way to be obstructed at any time during the course of the development.

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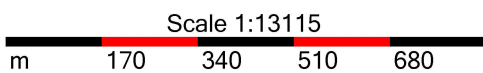
Map Centre Coordinates :

Scale : 1:13114

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	02 September 2021
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