

Notice of Meeting



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Western Area Planning Committee Wednesday 22nd November 2023 at 6.30pm

In the Council Chamber Council Offices
Market Street Newbury

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If members of the public wish to attend the meeting they can do so either remotely or in person. Members of the public who wish to attend must notify the Planning Team by no later than 4.00pm on Tuesday 21st November by emailing planningcommittee@westberks.gov.uk.

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, 14 November 2023

Further information for members of the public

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

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



**Agenda - Western Area Planning Committee to be held on Wednesday, 22 November
2023 (continued)**

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

Any queries relating to the Committee should be directed to the Democratic Services Team by emailing executivecycle@westberks.gov.uk.



Agenda - Western Area Planning Committee to be held on Wednesday, 22 November 2023 (continued)

To: Councillors Adrian Abbs (Chairman), Clive Hooker (Vice-Chairman), Phil Barnett, Dennis Benneyworth, Patrick Clark, Heather Codling, Carolyne Culver, Tony Vickers and Howard Woollaston

Substitutes: Councillors Antony Amirtharaj, Paul Dick, Billy Drummond, Denise Gaines and David Marsh

Agenda

Part I	Page No.
1. Apologies for absence To receive apologies for inability to attend the meeting (if any).	
2. Minutes To approve as a correct record the Minutes of the meeting of this Committee held on 20 th September 2023.	7 - 24
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 <i>(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).</i>	
(1) Application No. and Parish: 23/02379/COND - Land South of Tower Works, Lambourn Woodlands, Hungerford	25 - 36
Proposal:	Application for Approval of Details Reserved by Condition 9 (Zero carbon) of planning permission 19/02979/OUTMAJ - Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale.
Location:	Land South of Tower Works, Lambourn Woodlands, Hungerford

Agenda - Western Area Planning Committee to be held on Wednesday, 22 November 2023 (continued)

Applicant: Walker Logistics Limited
Recommendation: To delegate to the Development Manager to GRANT APPROVAL OF THE SUBMITTED DETAILS

(2) **Application No. and Parish: 22/02870/FUL - Greengates, Front Street, East Garston** 37 - 54

Proposal: Demolition of existing structurally compromised cottage and provision of a replacement cottage, with provision for access and related landscaping.

Location: Greengates, Front Street, East Garston, RG17 7HW

Applicant: Whittonditch Farm Barns Development Ltd

Recommendation: To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.

(3) **Application No. and Parish: 23/01260/HOUSE - Kates Cottage, Craven Road, Inkpen, Hungerford** 55 - 66

Proposal: Additional vehicular access and new workshop building.

Location: Kates Cottage, Craven Road, Inkpen, Hungerford,

Applicant: Briony Malden

Recommendation: That the Development Manager be authorised to REFUSE 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, correspondence and case officer's notes.
- (e) The Human Rights Act.

**Agenda - Western Area Planning Committee to be held on Wednesday, 22 November
2023 (continued)**

Sarah Clarke.

Sarah Clarke
Service Director – Strategy & Governance
West Berkshire District Council

If you require this information in a different format or translation, please contact
Stephen Chard on (01635) 519462.



West Berkshire
C O U N C I L

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DRAFT

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 20 SEPTEMBER 2023

Councillors Present: Billy Drummond, Patrick Clark, Heather Codling, Carolyne Culver, Tony Vickers, Howard Woollaston, Paul Dick, Billy Drummond and Denise Gaines

Also Present: Sharon Armour (Principal Lawyer - Planning & Governance), Paul Goddard (Team Leader - Highways Development Control), Stephen Chard (Democratic Services Manager), David Cook (Clerk) and Bob Dray (Acting Development Control Officer)

Apologies for inability to attend the meeting: Councillor Adrian Abbs, Councillor Clive Hooker, Councillor Phil Barnett and Councillor Dennis Benneyworth

PART I

4. Election of Chairman for the meeting

As the Chairman and Vice-Chairman had given their apologies Members were asked to elect a Chairman for the meeting.

Motion: Councillor Billy Drummond nominated Councillor Tony Vickers be Chairman for the meeting, this was seconded by Councillor Carolyne Culver.

The motion was **Resolved**.

5. Minutes

The Minutes of the meeting held on 23 August 2023 were approved as a true and correct record and signed by the Chairman.

Councillor Carolyne Culver raised that on page 16 members talked about the discharge of conditions, the Chairman confirmed that this would be discussed at the next PAG meeting.

6. Declarations of Interest

Councillor Howard Woolaston declared an interest in Agenda Item 4(1) as it related to his ward.

Councillor Carolyne Culver declared an interest in Agenda Item 4(2) as it related to her ward.

7. Schedule of Planning Applications

(1) Application No. and Parish: 23/00642/FUL, Cuckoo Copse, Lambourn Woodlands. Lambourn Parish

Councillor Howard Woolaston declared an interest in Agenda Item 4(1) as it related to his ward.

Item starts at 8 minutes and 7 seconds into the recording.

WESTERN AREA PLANNING COMMITTEE - 20 SEPTEMBER 2023 - MINUTES

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 23/00642/FUL in respect of retrospective a two new storage bays utilising existing containers. To be used to house machinery and provide weatherproof cover for existing items within the yard. Martin Collins Enterprises Ltd, Cuckoo Copse, Lambourn Woodlands, Hungerford,
2. Mr Matthew Shepherd introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Head of Planning and Development be authorised to grant planning permission subject to the conditions outlined in the main and update reports.
3. In accordance with the Council's Constitution, Chris Harris Lambourn Parish Council representative, Bridget Jones, objector, addressed the Committee on this application.

Parish/Town Council Representation

4. Chris Harris had informed that the Parish Council had submitted a request for him to speak, the officers had no record of such request but as Members could recall at the site visit that the Parish Council had said they would be speaking, the Committee voted and resolved to allow Chis Harris to speak.

In addressing the Committee Chis Harris raised the following points:

- It was yet another retrospective planning application and he highlighted the sites planning history.
- The Parish Council objected the application.
- The Membury business area had a history of anti-social behaviour.
- The height of the construction was too high and impacted the local amenities.
- If a planning application had been submitted, then the issues could have been resolved via consultation.
- The structures were temporary and thus could be moved to a more suitable location on the site.

Objector Representation

5. Bridget Jones in addressing the Committee raised the following points:
 - Since she moved into the area in 2012 there had been many changes that had impacted on the quality of live for residents. Local residents tried to discuss any issues with businesses and Mr Collins had previously been responsive. This had not happened with this development.
 - The construction could be seen from the driveway. It was a 26 foot structure that dominated the site.
 - There was a history in the area of retrospective planning applications being accepted.
 - Her view would be interrupted for up to 6 months of the year and local trees in the area were dying, she wanted samples to see if this was due to water runoff from the construction.

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- The report said the containers were already on site, but they were in a different location.
- There seemed to be one rule for businesses and another for residents when it came to planning matters.
- She did not object to the construction but to its location and the impact of water drainage was having on local trees and flooding the front of her property.

Member Questions to the Objector

6. Members asked questions of the objector and were given the following responses:
7. The site was large and there was space to move the construction which would minimise its impact.
8. The Committee were informed that just today with the bad weather there had been water runoff into her driveway and that this was not an isolated instance.

Ward Member Representation

9. Councillor Howard Woollaston in addressing the Committee raised the following points:
 - The applicant was a well-respected employer.
 - This committee did not like retrospective applications, also the structure could have been located at a better position on the site.
 - As winter approached the visual impact would become more apparent.
 - He recommended either refusal of the application or amendments to the recommendation.

Member Questions to the Ward Member

10. Members asked questions of the Ward Member and were given the following responses:
 - He had not had a discussion with the applicant about the possibility of moving the construction to an alternative location on site.
 - Replacing the dying trees with new trees would be beneficial in screening the site.
 - The site was large enough to move the structures to another position.

Member Questions to Officers

11. Members asked questions of the Officers and were given the following responses:
 - The structures were below the existing tree line, was within existing boundaries, had limited impact from the public footpath and had limited impact on the AONB.
 - There was no impact on the quality of life of the surrounding area.
 - The ground was an existing gravel site.
 - Although the structures could be moved the application was for a permanent fixture.
 - The neighbouring property may have flooding in bad weather prior to the construction on the site.

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- Officers did not consider the proposed location as harmful therefore there had been no discussion about alternative locations on site.
- The tree officer had not indicated that there was any evidence that the structure had contributed to the death of trees.
- There was a standard condition regarding to SUDS.

Debate

12. The Chairman opened the debate by reminding members that although the Committee did not like retrospective planning applications they needed to focus on the application before them.
13. Councillor Codling mentioned that he had been on the site visit and understood the objector's concerns. He was not convinced that the structure should be moved as it was in the logical position on the site. He recommended that if it was possible that there should be a condition that the colour of the structure should remain as it was and that appropriate trees should be planted to provide year-round coverage.
14. Councillor Gaines said that as a substitute she visited the site today and could see the containers through the gates. She approved the possible condition of having evergreen trees.
15. Councillor Culver said that given how high the structure was she was concerned how any new tree planted as part of a condition would take to grow. She was also concerned about water run off and flooding.
16. Councillor Wollaston suggested that if approved a condition should be added about maintaining tree coverage.
17. Councillor Woollaston proposed refusal of officer recommendations and was seconded by Councillor Culver.
The Motion was put to the vote and **rejected**.
18. Councillor Codling proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report with the addition of tree screening to be supplied within three months and the decision delegated to the tree officer and that the colour of the structures should remain green to reduce the impact on amenities. This was seconded by Councillor Gaines.
19. The Chairman invited Members of the Committee to vote on the proposal by Councillor Codling, seconded by Councillor Gaines to grant retrospective planning permission. At the vote the motion was **carried**.

RESOLVED that the Service Director for Development Control Manager be authorised to grant planning permission subject to the following conditions:

Conditions

	No condition on commencement is needed as the development is retrospective in nature.
1.	Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

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	<p>Site Location & Block Plans. Drawing number P4337.100 Proposed Plans & Elevations. Drawing number P4337.01</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
2.	<p>SUDS Incorporated into the Scheme</p> <p>The development of the site shall incorporate sustainable drainage techniques. These shall ensure that all surface water is contained within the site and that no surface water is directed to existing highway drains nor existing water courses unless through controlled attenuation. The sustainable drainage methods shall be maintained and operated in good working order in perpetuity.</p> <p>Reason: To ensure that the development does not create unsustainable surface water run-off or adversely affects important areas of bio and geo diversity in accordance with the National Planning Policy Framework and Policy CS16 and CS17 of the West Berkshire Core Strategy 2006 - 2026.</p>
3.	<p>Use restriction</p> <p>The development hereby approved shall be used for storage of equipment associated solely with the existing business on site and for no other purposes or business.</p> <p>Reason: It is considered necessary to restrict the use of the storage to the established business on site as it would be compatible with the existing use of the site to the benefit of the rural economy. This use would be considered compatibly with the site and the surrounding uses. This condition is recommended in accordance with the National Planning Policy Framework and ADPP1, CS9, CS10 of the West Berkshire Core Strategy 2006-2026</p>

Informatives

1.	<p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.</p>
2.	<p>SUDS Informative Advice for the Applicant</p> <p>We would hope that consideration would be given to the use of SuDS features that provide a control of rainfall at source. This may include features such as water butts, rain gardens/ raised planters where a small volume of runoff would be contained for use in local irrigation. For more information on SuDS features, reference should be made to PolicyCS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document – Sustainable Drainage Systems (2018). Reference should also be made to the Environment Agency Standing Advice. Further information regarding SuDS can be found in C753 The SuDS Manual which is available for free online. We do not advise infiltration devices in areas where Clay is the underlying geology. To establish the underlying bedrock geology, reference should be made to the British Geological Survey (BGS) website. Where soakaways</p>

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are to be used please carry out an infiltration test prior to construction, investigate groundwater levels and always ensure there is an alternative to discharge surface water runoff from the site (i.e. connection to a watercourse, or surface water sewer) when conceptualising the proposal.
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The Chairman mentioned that the problems with traffic in and around Membury did need to be looked at.

(2) **Application No. and Parish: 23/01686/FUL, Orchard Day Nursery, Everington Bungalow, Everington Hill, Yattendon. Yattendon Parish**

Councillor Carolyne Culver declared an interest in Agenda Item 4(2) as it related to her ward.

Item starts at 56 minutes and 10 seconds into the recording.

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 23/01686/FUL in respect of a single storey extensions, Orchard Day Nursery, Everington Bungalow, Everington Hill, Yattendon.
2. Matthew Shepherd introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Development Control Manager be authorised to grant planning permission subject to the conditions outlined in the main and update report.
3. In accordance with the Council's Constitution, Councillor Bickman Smith Parish Council representative, Marian Spain, objector and Gareth Jones, agent, addressed the Committee on this application.

Parish/Town Council Representation

4. Councillor Bickman Smith, Yattendon Parish Council, in addressing the Committee raised the following points:
 - They were concerned that 17 trees had been felled on the site, they had provided a sound barrier from the M4 motorway.
 - The remaining walnut tree on the southwest boundary should be protected throughout the development. The tree did have a TPO and thus should not be harmed.
 - All existing conditions from the current planning application should be maintained.
 - They were concerned that the current septic tank, shared with neighbouring properties, was too old to meet current and increased demand. It was also located near to the River Pang and thus contamination could occur.
 - There was no mains water at the property. Water was obtained from a borehole which was shared by the neighbouring properties. Increased demand may not be met and the water was contaminated
 - The additional development appears to double the size of the footprint of the existing dwelling.

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- There was a 5-tonne weight limit on the bridge used to access the property. This will create issues with deliveries of materials to the site.

Member Questions to the Parish/Town Council

5. Members did not have any questions of clarification.

Objector Representation

6. Marian Spain in addressing the Committee raised the following points:
 - The application lacks details in regards to screening on the North and East Border.
 - The application lacks detail in regards to the boundary treatments and the steps taken to protect tree roots whilst foundations were carried out.
 - Was this an extension or new building.
 - The number of toilets and showers would increase because of this application putting pressure on available water and waste.
 - The property was accessed via a small bridge that was not suitable for large vehicles.
 - Concern raised in regard to the increase in size of the foot print and the impact this will have on the change to the character and design of the existing property in the AONB.
 - The bungalow is very close to Everington Cottage- two of the walls form the boundary between the two sites. There is not right of access from adjacent land for construction.
 - No landscaping should be removed on neighbouring sites
 - Felled trees should be replaced to screen from the noise of the M4.
 - The existing Cess pit was unlikely to be able to cope with sewage and wastewater given the large increase in the number of bathrooms.
 - The properties at Everington are served by a bore-hole which was under stress and residents had been told to boil water.
 - The proposed materials were not in keeping with the character of the area.
 - A new building would be better located on the large site.
 - There would be increased noise from the increase in residency.

Member Questions to the Objector

7. Members asked questions of the objector and were given the following responses:
 - The planting was on the objector's property and was there when they purchased the house.
 - The septic tank had to support the cottage and neighbouring property. They did not know how long it had been there, but they had concerns about the increased demand that would be made on it.
 - Given weight concerns about the bridge refuge trucks did not use it and bins were taken to the end of the drive.

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- There was no turning space or passing space gaining access.
- The septic tank was on the applicants site and they were obliged to empty and maintain it.
- She had concern about the possibility of the chimneys being removed as this would have a potential negative impact on the roof that was already in need of a inspection.

Agent Representation

8. Gareth Jones in addressing the Committee raised the following points:
- The application seeks planning permission for Change of use of the existing building from a day nursery to a residential dwelling and erection of extensions.
 - The property had already been granted a change of use from nursery to residential dwelling.
 - The proposal was a high quality design with material conditions.
 - The proposed extensions would be subservient in nature to the main building.
 - There would be no harmful impact on the surrounding area and screening had been proposed.
 - There had been no objections raised by the highways officer.
 - The current change of use would require vehicle access across the bridge.
 - The cutting down of trees did not require permission, however the applicant is happy to discuss re-planting as a condition.

Member Questions to the Applicant/Agent

9. In response to members question it was noted that the boundary fence already had planning consent.

Ward Member Representation

10. Councillor Carolyne Culver in addressing the Committee raised the following points:
- Concern had been raised about how close this property was to neighbouring properties.
 - Planting was on the neighbouring property and adding a fence would leave very little space between the fence on the building.
 - Concern about the septic tank and bore hole and would welcome an informative being added. The septic tank needed to be maintained and access available for neighbouring properties.
 - Concern about the cutting down of trees and protecting the Yew tree.
 - A condition about the bridge would be welcome. The extension would require large vehicles accessing the site and the bridge could be damaged.
 - If the bridge was damaged it would impact on all properties and not just the applicant.

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- Biodiversity net gain should use the baseline from January 2022. Specific tree planting should be included.
- The ecology report should be done again as it was a year old.
- Welcome that the conditions from the previous application had been included.
- Welcome the conditions about materials.
- EV charging point was welcome.
- Welcomed the conditions about lighting.

Member Questions to the Ward Member

11. Members did not have any questions of clarification.

Member Questions to Officers

12. Members asked questions of the Officers and were given the following responses:

- The septic tank was not a planning condition, but they could add an informative.
- A landscaping scheme would be required.
- Officers were content with the proposed size and layout, the extensions were subservient to the building. Percentage increase was no longer a planning consideration.
- All windows were currently on the property apart from the addition of a bathroom window.
- As the existing change of use had not occurred it was a planning technicality that the application was for the change in use and extension.
- A construction method statement could be secured to help protect the bridge.
- CS17 would be used for landscaping and biodiversity net gain until a new policy was introduced.

Debate

13. The Chairman opened the debate by saying that it was a large site and the building would have been better placed in another location, however the Committee had to consider what was before them.
14. Councillor Codley mentioned that the building and thus wall next to neighbouring property was already in existence and the proposed extensions were subservient to the building.
15. Councillor Culver said that the site was large and could accommodate the proposed building. She was concerned about the trees being felled, the bore hole and potential damage to the bridge so she would support additional conditions.
16. Councillor Gaines mentioned that there had been a lot of concern raised by the cease pit and the bore hole but they were not planning matters.
17. Councillor Dick proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report with addition of a structure management statement, informatives for the septic tank and bore hole and biodiversity enhancement and tree planting be included. This was seconded by Councillor Woolaston.

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18. The Chairman invited Members of the Committee to vote on the proposal by Councillor Dick, seconded by Councillor Woollaston to grant planning permission. At the vote the motion was **carried**.

RESOLVED that the Service Director for Development and Regulation be authorised to grant planning permission subject to the following conditions:

Conditions

1.	<p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Location Plan Proposed Extensions Floor Plans Drawing number DK/1090/223 Rev B. Proposed Extensions Elevations Plans. Drawing number DK/1090/223 Rev CC Proposed Extensions Sections. Drawing number DK/1090/223 Rev D. Flood Smart Flood Risk Assessment Report Reference 77321R2.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Schedule of materials</p> <p>Prior to the Construction of the hereby approved extensions to the dwelling a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).</p>
4.	<p>Electric Charging Point</p> <p>The extensions hereby approved shall not be occupied until details an of electric vehicle charging point has been submitted to and approved in writing by the Local Planning Authority. The charging points must be a minimum of 7kw.</p> <p>The dwelling shall not be occupied until an electric vehicle charging point has been provided in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric car.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 andCS14</p>

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	of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan1991-2006 (Saved Policies 2007).
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5.	<p>Landscaping</p> <p>No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include:</p> <ul style="list-style-type: none">• schedules of plants noting species, plant sizes and proposed numbers/densities• an implementation programme providing sufficient specifications to ensure successful cultivation of trees, shrub and grass establishment. <p>The scheme shall ensure;</p> <p>a) Completion of the approved landscape scheme within the first planting season following completion of development.</p> <p>b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; landscaping measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies ADPP1, (ADPP5 if within NWDAONB),CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
6.	<p>Tree protection scheme</p> <p>No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include:</p> <ul style="list-style-type: none">- a plan showing the location and type of the protective fencing.- All such fencing shall be erected prior to any development works.- At least 2 working day's notice shall be given to the Local Planning Authority that it has been erected.- It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority.- No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority. <p>Note 1: The protective fencing should be as specified in the BS5837:2012 at</p>

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	<p>Chapter 6 and detailed in figure 2.</p> <p>Note 2: Ground Protection shall be as paragraph 6.2.3.3. of the same British Standard.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> <p>Reason: Required to safeguard and to enhance its setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the NPPF and Policies ADPP1, ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
7	<p>Lighting strategy (AONB)</p> <p>No external lighting shall be installed to the extensions hereby approved until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, isolux contour diagram(s), an operation strategy (e.g. details of timed operation), and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed in the dwelling except in accordance with the above strategy.</p> <p>Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026</p>
8	<p>Obscure Glazing</p> <p>The window(s) at ground floor level in the north elevation shall be fitted with obscure glass to a level equivalent to Pilkington Level 3 or above before the use hereby permitted commences. The obscure glazing shall be permanently retained in that condition thereafter.</p> <p>Reason: In the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Quality Design SPD (2006).</p>
9	<p>Permitted Development Restrictions</p> <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place: Part 1 Class A - enlargement of the dwellinghouse, Part 1 Class AA- Enlargement of a dwelling house by construction of additional storeys, Part 1 Class B - additions to the roof, Part 1 Class C - any other alterations to the roof and Class E - outbuildings. No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission without the prior written permission of</p>

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	<p>the Local Planning Authority.</p> <p>Reason: To ensure adequate planning control over further development having regard to the sites location in the North Wessex Downs AONB and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policies C1, C3 and C4 of the Housing Sites Allocations DPD 2006 - 2026.</p>
10	<p>SUDS Incorporated into the Scheme</p> <p>The development of the site shall incorporate sustainable drainage techniques. These shall ensure that all surface water is contained within the site and that no surface water is directed to existing highway drains nor existing water courses unless through controlled attenuation. The sustainable drainage methods shall be maintained and operated in good working order in perpetuity.</p> <p>Reason: To ensure that the development does not create unsustainable surface water run-off or adversely affects important areas of bio and geo diversity in accordance with the National Planning Policy Framework and Policy CS16 and CS17 of the West Berkshire Core Strategy 2006 - 2026.</p>
11	<p>Flood Risk Assessment Recommendation Implementation</p> <p>The development hereby permitted shall be undertaken in accordance with the recommendations of the Flood Smart Flood Risk Assessment Report Reference 77321R2. The recommendations of the report shall be completed prior to the occupation of the extensions hereby approved.</p> <p>Reason: To ensure that the development is not at flood risk in accordance with the National Planning Policy Framework and Policy CS16 of the West Berkshire Core Strategy 2006 - 2026.</p>
12	<p>Biodiversity measures</p> <p>The development hereby permitted shall be undertaken in accordance with the recommendations of the Ecology Report undertaken by Cherryfield Ecology throughout the construction period of the development.</p> <p>The development hereby permitted shall not be occupied until the recommended mitigation in table 14 of the Cherryfield Ecology report have been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>

Informatives

1.	<p>Proactive</p> <p>This decision has been made in a positive way to foster the delivery of sustainable</p>
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	development having regard to Development Plan policies and available guidance to secure high quality appropriate development which improves the economic, social and environmental conditions of the area.
2.	<p>CIL</p> <p>The development hereby approved may result in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil</p>
3.	<p>Protected Species</p> <p>Prior to the commencement of this proposal you are reminded that if there is any evidence of Protected Species on the site you must consider the implications of the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000 and comply with any necessary additional regulations and licences. For example, you must avoid taking, damaging or destroying the nest built or being used or egg of any wild bird as this would be an offence (with certain exceptions). You must also not intentionally or recklessly damage, destroy or block access to any habitat used by a protected species, such as bats, dormice, reptiles or any other species as listed in The Conservation of Habitats and Species Regulations 2010, Schedule 2 European Protected Species of Animals. Any licensing requirements are in addition to the requirements for planning permission and subject to a separate process. The following website gives further advice on this matter www.gov.uk/guidance/wildlife-licences</p>
4.	<p>Damage to footways, cycleways and verges</p> <p>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.</p>
5.	<p>Damage to the carriageway</p> <p>The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p>
6	<p>Consent to Enter Adjoining Land</p> <p>You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate, or in any other way carry out any works in connection with this development, or to obtain any support from adjoining property. This permission granted by the Council in no way authorises you to take such action without first obtaining this consent.</p>

8. **Application No. and Parish: 23/01116/HOUSE, The Old Post House, Newbury Road, Shefford Woodlands, Hungerford. Great Shefford.**

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1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 23/01116/HOUSE in respect of proposed two storey side and rear extensions. The Old Post House, Newbury Road, Shefford Woodlands, Hungerford.
2. Bob Dray introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was unsatisfactory in planning terms and officers recommended that the Development Control Manager be authorised to refuse planning permission for the reasons listed in the main and update reports.
3. In accordance with the Council's Constitution Caroline Downie, agent, and Ashley Walton, applicant, addressed the Committee on this application.

Agent / Application Representation

4. Caroline Downie and Ashley Walton in addressing the Committee raised the following points:
 - The property has evolved over the years to accommodate past owners the application before the Committee was to allow the growth of the current occupiers and so they could accommodate their disabled father who would move into the ground floor if application approved.
 - The extension would enable a staircase to be moved to allow compliance with current regulations.
 - The design was to be subservient to the existing building.
 - The increase to the existing building would be 28% in floor size. Examples were given of properties that had vastly increased their footage at Committee and also those increased by officer delegated powers. All close to this property.
 - The proposal complies with policy C6.
 - The scheme was on a large plot and the building could absorb the extensions.
 - Was an improvement on a previous submitted scheme, well designed and used quality materials.
 - No negative impact on neighbouring amenities.
 - Family of three who had lived in the property since 2014 and await another addition to their family.
 - After the loss of their mother-in-law they are now the primary carer of the father in law who was in a wheel chair.
 - Lived and worked in the area for a long time but the property was not big enough to meet their needs.

Member Questions to the Applicant

5. In response to Members questions the Committee were informed that the father would be located in the area called 'study' on the plans as it had toilet facilities attached.

Member Questions to Officers

6. Members asked questions of the Officers and were given the following responses:
 - The percentage increase of a property used to be a measure but is no longer policy.

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- Moving the staircase can come under quality of design and thus be a planning consideration.

Debate

7. Councillor Codling said that the plans did not make it obvious that the extension was subservient. It would be a big house when finished but how subservient should an extension be.
8. Councillor Wollaston was mindful of allowing planning permission given the family needs and the general appearance would be an upgrade.
9. Councillor Gaines questioned if the doorways would be able to accommodate a wheelchair and was informed that this would be a matter for building regulations.
10. Councillor Clark proposed to reject Officer's recommendation and grant planning permission subject to the conditions listed below. This was seconded by Councillor Woollaston.
11. The Chairman invited Members of the Committee to vote on the proposal by Councillor Clark, seconded by Councillor Woollaston to grant planning permission. At the vote the motion was carried.

RESOLVED that the Development Control Manager be authorised to grant planning permission subject to the following conditions:

Conditions

Commencement of development

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

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

Approved plans

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

582 Z01 Rev A Existing plans
582 X02 Rev A Existing elevations
582 P01 Rev A Site location and block plans
582 P02 Rev H Proposed plans
582 P03 Rev H Proposed elevations

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

Approved materials

The materials to be used in the development hereby permitted shall be as specified on the plans and 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 respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).

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Ecological Method Statement

The development hereby permitted shall be undertaken in accordance with the method statement detailed in Section 5 of the Ecological Survey Report (Bats) Ref: SPH/ESR-22/17.05 prepared by Urban Tree Experts received by the Local Planning Authority on 11th May 2023. The mitigation and enhancement measures described in the report shall be implemented in full before the development is brought into use, or in accordance with a schedule to be submitted before the development is brought into use and approved in writing by the Local Planning Authority. The measures shall thereafter be carried out and retained in accordance with the approved details.

Reason: To ensure the protection of protected species which are subject to statutory protection under European Legislation and ecological enhancements on site. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

(The meeting commenced at 6.30 pm and closed at 8.55 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	23/02379/COND Lambourn	08/12/2023	Application for Approval of Details Reserved by Condition 9 (Zero carbon) of planning permission 19/02979/OUTMAJ - Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale. Land South of Tower Works, Lambourn Woodlands, Hungerford Walker Logistics Limited

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/00858/COND1>

Recommendation Summary: To **DELEGATE** to the **Development Manager to GRANT APPROVAL OF THE SUBMITTED DETAILS**

Ward Member(s): Councillor Howard Woollaston

Reason for Committee Determination: Development Manager referral following Member interest in previous application to discharge this condition.

Committee Site Visit: Not required

Contact Officer Details

Name: Sian Cutts
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Sian.cutts@westberks.gov.uk

1. Introduction

- 1.1 The purpose of this report is for the Committee to consider the proposed development against the policies of the development plan and the relevant material considerations, and to make a decision as to whether to approve or refuse the application.
- 1.2 This application seeks approval of matters reserved by condition 9 (zero carbon) of planning permission 19/02979/OUTMAJ. This application granted outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping.
- 1.3 The application site is located outside of any defined settlement boundary in land defined as countryside under Policy ADPP1 of the Core Strategy. It consists of an agricultural field that to the west is bordered by a dense boundary of trees separating it from Membury Airfield. To the north and south adjoining the site are industrial buildings within the Membury Protected Employment Area. To the east of the site is Ramsbury Road and open agricultural land.
- 1.4 Condition 9 of planning permission 19/02979/OUTMAJ requires that before development commences a plan would be submitted demonstrating how the approved building would meet the requirement for zero carbon development, which would include construction, monitoring and reporting measures. The condition was imposed to secure zero carbon measures in accordance with Policy CS15 of the Core Strategy. A previous application (22/00858/COND1) to approve these details was refused on 5th September 2023.
- 1.5 The current application has been submitted with the Energy Statement which sets out how the total carbon emissions in regulated and unregulated carbon emissions will be reduced through the use of air source heat pumps and solar photovoltaics to meet the zero-carbon requirements. The Energy Statement is the same as was submitted in the previously refused application and has been supplemented in this application with a Technical Note which sets out how operational energy, built fabric, and construction impacts have been considered within the proposals.

2. Planning History

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

Application	Proposal	Decision / Date
22/00858/COND1	Application for approval of details reserved by condition 9 'zero carbon', 10 'CEMP', 11 'LEMP', 16 'levels' and 18 'travel plan' of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Split decision 05/09/2023

23/01299/COND	Application for approval of details reserved by condition 12 'lighting' of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Approved 10/08/2023
23/00886/COND	Application for approval of details reserved by condition 6 (CMS) of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Approved 15/05/2023
23/00202/COND	Application for approval of details reserved by condition 13 (SuDS) of planning permission 19/02979/OUTMAJ - Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Approved 10/08/2023
23/00011/COND	Application for approval of details reserved by condition 12(Lighting) of approved 19/02979/OUTMAJ - Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Refused 28/03/2023
22/00897/RESMAJ	Approval of reserved matters following Outline application 19/02979/OUTMAJ for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Access, Appearance, Landscaping and Layout.	Approved 14/02/2023

22/00862/COND3	Application for approval of details reserved by condition 13 'SuDS' of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Refused 28/6/2022
22/00861/COND2	Application for approval of details reserved by condition 6 'CMS' of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Refused 9/9/2022
22/00884/NONMAT	Non Material Amendment to planning permission 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale. Amendment: Alter the wording of Condition 8 (BREEAM) of the original approved application.	Refused 28/4/2022
19/02979/OUTMAJ	Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Approved 5/5/2021
19/01123/SCREEN	EIA Screening Opinion made under Regulation 6 of the Town and Country Planning (EIA) Regulations 2017 (as amended)	Not EIA Development Response issued 3/6/2019
17/01175/SCREEN	EIA Screening Opinion made under Regulation 5 of the Town and Country Planning (EIA) Regulations 2011 (as amended)	Not EIA Development Response issued 13/6/2017

- 2.2 This application is seeking approval of details reserved by conditions of the outline planning permission previously granted under 19/02979/OUTMAJ. It is only matters relating to these conditions that are for consideration in the determination of this application.

3. Legal and Procedural Matters

- 3.1 **Environmental Impact Assessments (EIA):** EIA screening opinions were previously sought (ref: 17/01175/SCREEN and 19/01123/SCREEN) and the Council determined that the development proposed in both of those applications was not considered to represent EIA development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. A Screening Opinion has also been issued with reference to the application for approval of reserved matters, as the proposal is classed as Schedule 2 development within the meaning of the EIA Regulations. As was established in the previous screening opinions, taking into account the selection criteria in Schedule 3 of those Regulations, it was again considered that the proposal is not likely to have significant effects on the environment in terms of the EIA Regulations. An EIA screening opinion was also undertaken in assessing the matters seeking approval of conditions. It was again considered that the proposal is not likely to have significant effects on the environment in terms of the EIA Regulations. Therefore, the development proposed is not considered EIA Development within the meaning of the Regulations.
- 3.2 **Publicity:** No formal publication of the application is required the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's Statement of Community Involvement.
- 3.3 **Local Financial Considerations:** Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. No local financial considerations are material to this application.
- 3.4 **Community Infrastructure Levy (CIL):** CIL is a levy charged on most new development within an authority area. CIL will be charged in residential (C3 and C4) and retail (A1-A5) development. CIL is not considered in this report.
- 3.5 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 3.6 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.7 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.8 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular application to approve matters reserved by conditions, and there would be no significant adverse impacts as a result of the development.
- 3.9 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 3.10 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

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.

WBC Environment Delivery	Satisfied that the zero carbon has been met at the design stage for regulated and unregulated energy as set out in the Energy Statement as confirmed 16/08/2023. The Technical Note states an As Built BRUKL will be provided at handover which supports monitoring and reporting measures. Further details of regulated and unregulated energy following assessment of TM54
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	<p>methodology and in the BREEAM assessment required by condition 8.</p> <p>Details of the embodied carbon of construction materials have been provided in the BREEAM Assessment Tracker, as Built BRUKL to be provided, detail of the CIBSE TSM54 methodology will be updated and shared as the BREAM Assessment is progressed, and the BREEAM Post Construction Review Certificate will also provide evidence to support condition 9</p> <p>Satisfied that sufficient evidence has been submitted to meet the condition, including monitoring measures.</p>
WBC Environmental Health:	No comment to make

Public representations

4.2 No representations have been received.

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 CS14, CS15 of the West Berkshire Core Strategy 2006-2026 (WBCS).

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

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

6. Appraisal

6.1 The main issues for consideration in this application are:

- Zero carbon requirements

Principle of development

6.2 The principle of the development has been established through the granting of outline planning permission reference 19/02979/OUTMAJ. This application is seeking approval of details reserved by conditions 9 attached to that permission only.

Zero Carbon

- 6.3 The Condition 9 requires a plan to be submitted before the development commences to demonstrate how the building will meet with the requirement for zero carbon development, including construction, monitoring and reporting measures. The application has been submitted with an Energy Statement which provides baseline information for assessing the energy requirements. The application has also been submitted with a Technical Note which provides additional clarity and explanation of the assessment of how the operational energy, built fabric and construction impacts have been considered. The Energy Statement has discussed a range of renewable energy sources. The primary source of heating and cooling in the building is proposed to be roof mounted air source heat pumps, and electricity is to be provided by photovoltaic panels to be installed on the roof of the building. The Energy Statement indicates that there would be a reduction in 105.63% in savings in carbon dioxide emissions through the use of the air source heat pumps and photovoltaic panels. The report also assessed other sources of renewable technology and assessed why they were not suitable for this development. Policy CS15 requires that the calculations are made after the installation of energy efficient measures have been applied. In this instance the Building Regulations Part L 2021 have been the relevant standard to apply. The Energy Statement has demonstrated how the requirement for zero carbon has been met at the design stage for both regulated and unregulated energy.
- 6.4 The Technical Note supplements this information and sets out measures for the monitoring and reporting measures required by the conditions. The Technical note says that an 'As Built BRUKL,' which is a Building Regulation Output Document for the regulated energy will be provided at the handover of the building to demonstrate that the details of the design match what has been built, and the results of the 'As Built' BRUKL should align with the 'As Designed' BRUKL, even if adjustments are made in the construction process. The Technical note has also highlighted the unregulated energy calculations are provided in the Energy Statement and highlights that these will be assessed in greater detail at a later stage in the construction process following Chartered Institution of Building Services Engineers (CIBSE) TM54 methodology for analysis of energy demand. This is also part of the BREEAM process in order to reach Excellent as required by condition 8 of 19/02979/OUTMAJ. That condition requires approval prior to occupation of the building. However, there are overlaps in the BREEAM assessment with the requirement of this condition for the building to be zero carbon. As this information is being collected for the BREEAM it will also be provided to the planning authority as part of the monitoring for the unregulated energy.
- 6.5 Condition 9 requires that the there zero carbon during construction is demonstrated, and the previous application for approval of these details was refused because insufficient information to demonstrate how zero carbon would be met during construction. As referred to above there is an overlap with the condition 8 BREEAM requirements, and so the Technical Note Appendix B sets out the credits that are being targeted for the embodied carbon of the material in the construction process, to meet *Mat 01 Environmental impacts from construction products - Building life cycle assessment (LCA)* and are aiming to meet 4 out of 6 credits. The BREEAM Issue *Man 03 – Monitoring of Construction Site Impacts* supports the monitoring of the construction as there are requirements for the main contractor to set targets, monitor and record data for energy consumption, transportation of materials and waste to and from site; for the main contractor to operate an Environmental Management System such as ISO 14001 (an internationally recognised standard) for the site; and for the main contractor to appoint a BREEAM Accredited Professional with responsibility for monitoring construction progress against the BREEAM performance targets. This monitoring which is required to meet the BREEAM will also provide sufficient monitoring to meet the requirements of the condition.

- 6.6 The Energy Statement supplemented by the Technical Note provides sufficient information to demonstrate that the requirements of condition 9 to provide a zero carbon development, through the provision of air source heat pumps, and photovoltaics and with the submission of 'As Built BRUKL' for regulated energy and the provision of unregulated energy calculations using the CIBSE TM54 methodology, together with the construction and monitoring information as part of the BREEAM Excellent requirement provide additional information to demonstrate how the carbon requirements will be met in the construction process have been provided This meets the requirements of condition 9 and accords with the requirements of Policy CS15.

7. Planning Balance and Conclusion

- 7.1 The details which have been submitted contained with the Energy Statement and the Technical Note are considered to be acceptable and meet the requirements of condition 9 and accords with the requirements of Policy CS15.

8. Full Recommendation

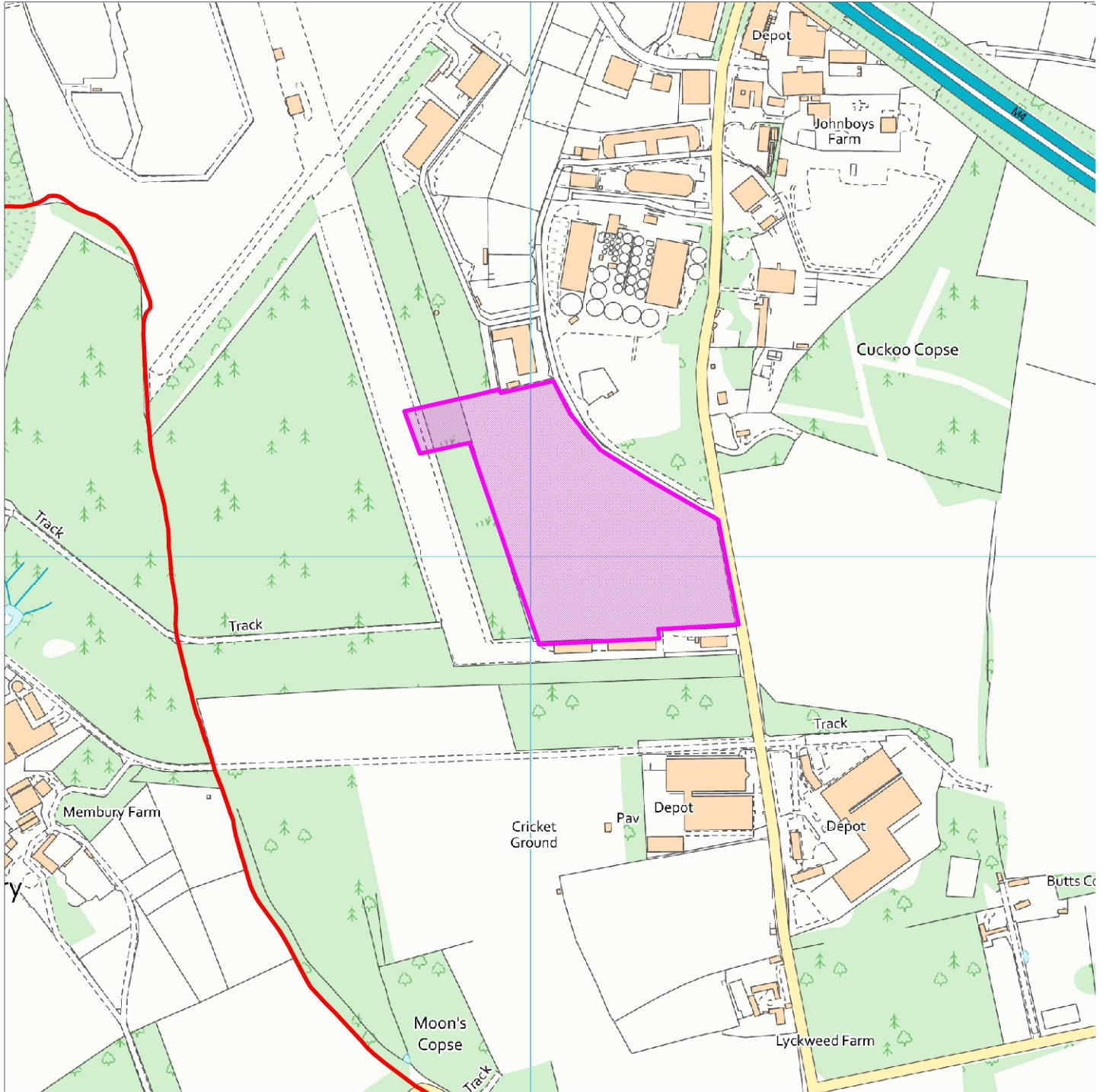
- 8.1 To delegate to the Development Manager to GRANT APPROVAL OF THE SUBMITTED DETIALS as listed below.

Decision Notice Schedule

1.	<p>Condition 9: Zero Carbon</p> <p>The details submitted in relation to Condition 9 are hereby approved by the Local Planning Authority. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice 19/02979/OUTMAJ, and in accordance with the following approved details:</p> <p>Energy Statement prepared by Method Consulting Rev P03 dated 09/08/23 and received on 13th October 2023; and Technical Note Condition 9 – Net Zer Carbon Technical Note prepared by Method Consulting Ref 1801ILW-18-231009 dated 09/11/2023 and received on 13th October 2023</p>
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Land South Of Tower Works, Lamborun Woodlands



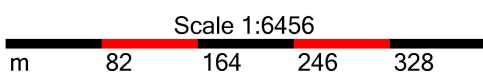
Map Centre Coordinates :

Scale : 1:6455

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	09 November 2023
SLA Number	0100024151



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Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	22/02870/FUL East Garston Parish Council	20 th January 2023 ¹	Demolition of existing structurally compromised cottage and provision of a replacement cottage, with provision for access and related landscaping. Greengates, Front Street, East Garston, RG17 7HW Whittonditch Farm Barns Development Ltd

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/02870/FUL>

Recommendation Summary: To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.

Ward Member(s): Clive Hooker

Reason for Committee Determination: Over 10 objections received

Committee Site Visit: 16th November 2023

Contact Officer Details

Name: Cheyanne Kirby
Job Title: Senior Planning Officer
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Email: Cheyanne.kirby@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for demolition of existing structurally compromised cottage and provision of a replacement cottage, with provision for access and related landscaping.
- 1.2 The application site is an office building located within the settlement boundary of East Garston, within the North Wessex Downs AONB and within the conservation area and the River Lambourn SAC Nutrient Neutrality Zone. The application site is also located adjacent to the River Lambourn SSSI and the Lambourn Valley Biodiversity Opportunity Area as well as adjacent flood zones 2 and 3.
- 1.3 Amended plans were received on the 8th June 2023; to overcome concerns raised by the highways officer in regards to highway safety. The decision is based on these plans.
- 1.4 The proposal seeks the demolition of the existing detached 3 bedroomed dwelling and construction of detached 4 bedroomed dwelling. The proposed dwelling will be situated around 2.45m back from the road compared to the existing dwelling. The proposed dwelling will extend further east into the plot with parking and turning area also further into the plot to allow for safe turning on site. The main entrance will remain to the south-east elevation like the existing dwelling.

2. Planning History

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

N/A

3. Procedural Matters

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 Site notice displayed on 22nd December at the site; the deadline for representations expired on 16th January 2023.
- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). 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.

East Garston Parish Council:	Objection - Whilst this amendment addresses the access issue, by moving the building back this exacerbates the street scene issue (already submitted on previous comments) and impacts residential amenities. Conservation previously commented that the footprint should not move.
Highways:	Conditional Approval
Trees:	Conditional Approval
Archaeology:	No Objections
Conservation:	No Objections to the amended design – concerns raised to the re-positioning of the dwelling and wall. The existing dwelling and front brick boundary wall sit at the back edge of the road and help retain a sense of enclosure to the street scene, in common with the character of the CA along Front Street. Setting back the main building and boundary wall would diminish the positive contribution it makes to the cohesion of the street scene, to the detriment of the character and appearance of the CA.
SUDS:	Conditional Approval
Environment Agency:	No Comments
Public Protection:	No Objections
Thames Water:	No Comments
Ecology:	Conditional Approval
North Wessex Downs AONB:	No Response

Public representations

- 4.2 Representations have been received from 21 contributors, 2 of which support, and 19 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Objection

- Excessive size and scale
- Link extension too large
- Financial viability should not be a planning consideration
- Two separate dwellings
- Not proportionate
- Against local policies
- Impact on character of the area and conservation area
- Flood risk/lack of suds information
- Visibility splays/sight lines not achievable
- Impact on neighbouring dwelling
- Overdevelopment
- Impact on historic street scene
- Dominant modern structure
- No engagement with locals
- Renovation over demolition
- Increase in floorspace
- Design not reflective of area
- Removal of natural pinch point
- No vehicle access to NW side of dwelling
- Damage to landscape
- Encourage on street parking
- Support
 - Improved highways impact from sightlines and visibility splays
 - In keeping with local area
 - Regeneration
 - Improvement from current derelict dwelling
 - Family dwelling to encourage new families.

5. Planning Policy

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

- Policies ADPP1, ADPP5, CS1, CS4, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5, OVS.6, TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Sustainable Drainage Systems SPD (2018)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle
- Design, Conservation, Character and Appearance
- Neighbouring amenity
- Highways
- Flooding
- Ecology
- Trees

Principle of development

6.2 The application site is located within the defined settlement boundary of East Garston the application site is also within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). In accordance with Core Strategy Area Delivery Plan Policy 1 (ADDP1) and the principal guidance in the National Planning Policy Framework (NPPF) new development will be directed to the most sustainable locations and with preference on brownfield sites accessed.

6.3 Planning Policy ADPP5 of the Core Strategy further advocates for the limiting of development within the countryside. It sets out the criteria for the principle of development within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy ADPP5 permits development within AONB providing its impact on the surrounding environment is acceptable. It seeks to conserve and enhance the character of the AONB, ensuring that any development responds positively to the local context.

6.4 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan provides an up-to-date framework for determining applications/appeals for residential development in West Berkshire. Relevant policies for the supply of housing are contained in the West Berkshire Core Strategy 2006-2026 and the Housing Site Allocations (HSA) DPD 2006-2026. These policies attract substantial weight in the determination of applications for new residential development.

6.5 The proposed development at Greengates, Front Street, East Garston, RG17 7HW, is within the settlement boundary of East Garston, as defined within The West Berkshire Core Strategy (2006- 2026) and the West Berkshire Housing Site Allocations DPD.

6.6 Being within the settlement boundary the principle of the proposed development is acceptable. This is subject to the proposal otherwise being in accordance with development plan policies on design, impact on the character of the area, and impact on the amenity of neighbouring land uses.

Design, Conservation, Character and Appearance

6.7 The NPPF is clear that good design is indivisible from good planning, it attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. The NPPF also adds that the visual appearance is a very important factor, securing high quality and inclusive design goes beyond aesthetic considerations.

- 6.8 Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 6.9 The existing dwelling is an attractive historic cottage, displaying a traditional character reflective of the rural vernacular. It is a modest structure of 1 and half storeys, constructed of red bricks with vitrified blue headers laid in a Flemish bond. The roof is of half-hip construction with traditional clay tiles. It is prominently located on one of the main thoroughfares that run through the CA.
- 6.10 It is likely to date to the early C19th, however, it could be slightly earlier. Rocque's map of 1761 shows buildings lining the main thoroughfares through East Garston. However, it is difficult to say for sure whether the existing dwelling is shown as Rocque's maps are largely schematic, so it is difficult to identify the existing dwelling with any certainty.
- 6.11 Regardless of whether the building dates to the early C19th or the late C18th, it is clearly of local historic and architectural interest. Its interest, or significance, lies in the combination of the building's age, modest vernacular appearance, use of traditional materials and techniques, its communal/social value as the former post office, and the positive contribution it makes to the historical and architectural unity of the East Garston Conservation Area. Therefore, whilst not currently included in West Berkshire's Local List of Heritage Assets (which is currently in its early stages), the building is a non-designated heritage asset within the meaning and definition contained within the NPPF.
- 6.12 The application has been accompanied by a Structural Report by Andrew Waring Associates, which concludes that the building is beyond reasonable or practicable repair due to excessive lean and instability in the walls and roof and would need to be rebuilt. Whilst the loss of this attractive vernacular cottage is extremely regretful however the council accept the findings of the Structural engineer's report and consider that the rebuild of this cottage is justified in this instance.
- 6.13 While the demolition of this building will result in harm to the significance of a designated heritage asset, it is considered that provided historic fabric from the existing building (namely the bricks) is salvaged and re-used in the new building, the harm is justified as it would provide public health and safety benefits.
- 6.14 The proposed replacement building is effectively in two parts. The front building, referred to as the 'main' dwelling, and a timber clad building to the rear linked to the main building by a small single storey glazed link, referred to this as the 'link' building.
- 6.15 The main dwelling is to be constructed of brick and is to replicate the form, design, detailing and appearance of the existing building, albeit with very slight differences in height:
- Ridge height - proposed 6.6m, existing 6.2m
- Eaves height along the S/E elevation - proposed 3.7m, existing 3.5m
- Eaves height N/W elevation - proposed 2.2m, existing 2.1m
- 6.16 Two sets of amended plans were received to address concerns the conservation officer had regarding design of the 'link' building. The first set received 13th February 2023 addressed the concerns raised by the conservation officer in terms of the 'link' building

and the location of the proposed replacement dwelling which the conservation officer requested that the proposed dwelling move closer to the road to match the footprint of the existing dwelling.

- 6.17 The second set of amended plans which are the plans subject of this application were received 8th June 2023; this moved the proposed replacement dwelling further into the plot to provide improved visibility splays for the existing access which would improve public/highway safety.
- 6.18 The proposed plans which set the replacement dwelling back from the highway is considered to have a less than substantial harm on the conservation area. Where a proposal would cause less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the NPPF requires that in determining the application the less than substantial harm must be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use. Highways safety is a public benefit, so should be weighed against the less than substantial harm.
- 6.19 The proposed replacement dwelling will be situated 2.4m further into the site than the existing dwelling. The dwelling will also be moved 0.5m to the south-east to allow for enough space for cars to pass to the north-west of the dwelling to access the new parking area located to the north-east.
- 6.20 Overall, whilst there is the loss of a non-designated heritage asset set back from the road suitable justification has been submitted in the form of a structural viability report. The structural viability of a building for re-use is a material planning consideration in considering its replacement, including in a conservation area. It is accepted that the setting back of the proposed replacement dwelling would have an impact on the conservation area, but this impact would be less than substantial and is therefore not considered to result in significant or overwhelming harm to the character of the conservation area. Therefore the proposed works are considered to comply with the NPPF and policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

Neighbouring amenity

- 6.21 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the National Planning Policy Framework.
- 6.22 West Berkshire Core Strategy Core Strategy Policy CS14 states that new development must make a positive contribution to the quality of life in West Berkshire.
- 6.23 The proposed replacement dwelling will be situated further into the plot and moved to the south-east closer to the neighbouring dwelling known as Larkspur. The proposed dwelling will be located 0.5m closer to the neighbouring dwelling than the existing dwelling. An additional first floor window is proposed to the south-east elevation however this will face the neighbouring dwelling (Larkspur) front garden.
- 6.24 There is current existing boundary fence and mature screening with further soft planting proposed the soft landscaping can be secured via condition.
- 6.25 Due to the location of the proposal whilst would be located closer to the neighbouring dwelling (Larkspur) whilst the additional window and location of the dwelling would increase the overlooking to this dwelling. This would be to the front amenity space which would be reduced by the existing mature boundary screening and the existing rear amenity space would not be altered and remain private. Overall, there is not considered to be a signification impact on neighbouring amenity and the proposal complies with the NPPF and Policy CS14 of the Core Strategy.

Highways

- 6.26 Policy CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to access, parking and turning and highways impacts of development. The NPPF indicates development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.27 During the previous application the Council's Highways Officer was consulted and raised an objection to the application being amended in accordance with the conservation officers request for the replacement dwelling to be located close to the road like the existing dwelling. This setting forward did not improve the visibility splays/sight lines which caused concern due to the intensification of use of the access. Concern was raised as vehicles would be required to edge out into the carriageway without being able to see whether it is safe to do so. The carriageway is relatively narrow and so vehicles exiting the access could be a hazard to vehicles travelling in either direction. There are also no footways in this location and so the increased use could also be a compromise to pedestrian safety. The highways officer noted that the amendments have been provided in response to comments from the Conservation team, this is now compromising highway safety to an unacceptable level. This development will result in the increased use of an access which is provided with sub-standard visibility which would be to the detriment of highway safety and the free-flow of traffic along Front Street.
- 6.28 The amended scheme which altered the location of the proposed replacement dwelling was supported by the highways officer as it allowed for improvements to the access in which the use would be intensified due to the creation of an off-road parking area to the rear of the dwelling. The re-positioning of the proposed dwelling allows for adequate room for cars to pass to the north-west of the site to access the rear parking area and allow for safe turning on site.
- 6.29 Policy P1 Residential Parking Standards for New Development. Each 4-bed house within Zone 3 must be provided with a minimum of 3 off road car parking spaces which has been provided.
- 6.30 The highways officer has recommended approval subject to conditions such as provision of electric vehicle charging point, parking in accordance with plans, works to be carried out in accordance with the submitted construction method statement, provision of visibility splays/sight lines and stopping up of temporary access; these conditions have been deemed acceptable.
- 6.31 The proposed replacement dwelling accords with the NPPF, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy P1 of the West Berkshire HSA DPD (2006-2026).

Flooding

- 6.32 The application site is located partially within an area that is at risk of surface water flooding and fully within an area of groundwater flood risk and therefore a flood risk assessment is required as part of Policy CS16 and the NPPF.
- 6.33 Policy CS16 states that the sequential approach in accordance with the NPPF will be strictly applied across the District. Development within areas of flood risk from any source of flooding, including Critical Drainage Areas and areas with a history of groundwater or surface water flooding, will only be accepted if it is demonstrated that it is appropriate at that location, and that there are no suitable and available alternative sites at a lower flood risk. When development has to be located in flood risk areas, it

should be safe and not increase flood risk elsewhere, reducing the risk where possible and taking into account climate change.

- 6.34 A flood risk assessment was submitted and reviewed by the drainage engineer who deemed the flood risk assessment acceptable, however some of details were not deemed acceptable and further information was requested.
- 6.35 An amended SUDS Statement dated June 2023 was submitted and deemed acceptable by the drainage engineer. Further comments from the drainage engineer stating that whilst there may be residual risk associated with groundwater flooding, discharging surface water to ground remains the best option in this location. The applicant has provided good use of SuDS and the proposed solution will provide betterment over the existing situation. There is no way for this development to be 100% compliant with best practice due to the lack of nearby surface water sewers and the difficulty/costs associated with connecting to the nearest watercourse. However, the applicant has done as much as possible to provide a viable surface water drainage scheme.
- 6.36 For a development of this scale the applicant has provided appropriate surface water drainage details. A condition ensuring that the proposed development is carried out in accordance with the measures stated within the assessment has been added to the decision notice to secure this.
- 6.37 The proposed replacement dwelling accords with the NPPF and Policy CS16 of the West Berkshire Core Strategy (2006-2026).

Ecology

- 6.38 The proposed development falls within the catchment of the River Lambourn SAC and therefore within the Nutrient Impact Zone for this Habitat Site. All new development that would result in a net increase in phosphorous must take into account Natural England's Advice on Nutrient Neutrality dated 16th March 2022. West Berkshire Council will need to be certain that the submitted plans will not adversely affect the integrity of the River Lambourn SAC in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), before considering granting planning permission.
- 6.39 The submitted application seeks a replacement dwelling for that which currently exists following its demolition. A Nutrient budget statement has been submitted with the application. The ecologist has reviewed the statement and advise and agrees with its assessment and conclusions. The application if approved will not result in new or additional overnight accommodation but a like for like replacement of the existing accommodation. As the current dwelling has generated foul waste in the past the replacement dwelling will not be additional to that, and indeed could result in a betterment based on the treatment at East Shefford WwTW compared to a septic tank.
- 6.40 Therefore, the application as submitted is not likely to have a significant effect on the River Lambourn SAC and will not need to be subject to Appropriate Assessment by the Council.
- 6.41 The council ecologist reviewed the ecological information submitted and advised that additional information is sought. As a result of reviewing the data available to the ecologist (including aerial imagery and biological records) and the information submitted with the planning application, it was advised that further information is sought with regards to the potential for ecological impacts to arise because of the proposed development. This included further surveys along with any necessary mitigation measures for bats.

- 6.42 A Bat Surveys report has been submitted with this application. The report details internal and external inspections of the buildings and the results of a single dusk emergence survey for bats. However, the report does not provide sufficient information to provide sufficient certainty as to the likely absence of bats.
- 6.43 Surveys should be undertaken prior to the determination of the planning application. However, there are circumstances in which it is permissible to condition such surveys and this current application is one of those. BS42020:2013 Biodiversity — Code of practice for planning and development, advises that conditioning further surveys for legally protected species is acceptable for several reasons, this application meets the criteria and therefore a relevant condition requesting further bat surveys and mitigation as well as ecological enhancements has been recommended to ensure that this is secured.
- 6.44 The proposed development would therefore be in accordance with Policy CS17 of the West Berkshire Core Strategy Development Plan Document (2006-2026).

Trees

- 6.45 Policies CS18 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are also relevant in this instance.
- 6.46 The Council's Tree Officer was consulted and commented; the application is accompanied by an Arboricultural Impact Assessment and Method Statement including tree protection details. The report provides comprehensive details of existing trees on site, mitigation measures for the protection of existing trees on site and justification for the removal of smaller trees. No objections to the proposed works providing works being carried out as stated in the report. Therefore, the proposal is deemed acceptable subject to condition securing the works are carried out in accordance with the submitted information.
- 6.47 The proposed development would therefore be in accordance with Policies CS18 and CS19 of the West Berkshire Core Strategy Development Plan Document (2006-2026).

7. Planning Balance and Conclusion

- 7.1 The proposal has been carefully assessed to ensure that the replacement dwelling is appropriate in scale and design whilst taking into consideration the impact on the character and appearance of the area including the conservation area.
- 7.2 The altered position of the replacement dwelling has been carefully considered and given that the re-positioning would allow for improved visibility splays and sight lines which in turn would improve overall highway safety compared to the less than significant harm of re-positioning of the replacement dwelling would have on the conservation area. Therefore, when assessing the application as a whole the planning balance weighs more favourably to the overall improvement in highway safety given the likelihood of the increased use of the access.
- 7.3 For the reasons given above it is considered that the proposal does accord with the criteria of the National Planning Policy Framework and development plan policies and is therefore recommended for APPROVAL.

8. Full Recommendation

- 8.1 To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Construction Method Statement Dated November 2022 received 22nd November 2022; Location Plan 210343-01 Rev B received 25th November 2022; Tree Survey, Arboricultural Impact Assessment and Tree Constraints Plan 22.1549 Dated December 2022 received 13th December 2022; SuDS Statement 3908 Rev C dated June 2023 received 6th June 2023; Proposed Plans 210343-03 Rev F received 8th June 2023.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Brickwork</p> <p>Existing bricks, which are to be removed as part of the proposal, shall be reused in the proposed works. Where the use of new/reclaimed bricks are required to be used where insufficient numbers of salvageable bricks are available, no development shall take place until a sample of the new/reclaimed brick has been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
4.	<p>Roof details</p> <p>No works shall take place to the roof until full details of the eaves, fascia, verges and ridge, at a minimum scale of 1:20, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.</p> <p>Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
5.	<p>Doors and windows</p> <p>No new external doors and windows shall be fitted until working drawings (scale 1:20, 1:10, 1:5, half or full size etc.) fully detailing the new / or replacement windows and/or external doors (cross sections for full glazing bars, sills, heads etc.) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved specification and retained thereafter.</p>

	<p>Reason: To ensure that the proposed works can be affected without detriment to the special architectural and historic interest of the heritage assets and to ensure a satisfactory appearance to the development and to comply with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
6.	<p>Materials</p> <p>No above ground development shall take place until a schedule of all materials and finishes visible external to the building have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site or by arrangement with the Planning Officer. All materials incorporated in the work shall match the approved samples.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
7.	<p>Services</p> <p>No above ground development shall take place until details of services visible external to the building, to include, drainage pipework (including soil vent pipe terminations) and accessories, rainwater goods, boiler flues, extract vent grilles, meter cupboards, external lighting etc. have been submitted to and approved in writing by the Local Planning Authority. Thereafter the new or modified external services shall be installed in accordance with the approved details.</p> <p>Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
8.	<p>New Brickwork</p> <p>All new facing brickwork (including the main dwelling and the front boundary wall), including works of making good, shall match the existing brickwork in terms of bricks (size, colour and texture); mortar (mix, colour and texture); joint profile; and bond.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
9.	<p>Roof Tiles</p> <p>Existing roof tiles from the main roof, which are to be removed as part of the proposal, shall be reused in the proposed works. Where insufficient numbers of salvageable roof tiles are available, new handmade/reclaimed roof tiles to match the existing roof tiles shall be used.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
10.	<p>EVCP</p> <p>The dwelling shall not be occupied until details an of electric vehicle charging point has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until an electric vehicle charging point has been provided in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric vehicle.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site</p>

	Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
11.	<p>CMS</p> <p>The development shall be carried out in accordance with the approved Construction Method Statement and site set-up plan.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
12.	<p>Vis Splays</p> <p>The dwelling shall not be occupied until the visibility splays at the access have been provided in accordance with drawing number 210343-03 Rev F dated 07/06/2023. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.</p> <p>Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026)</p>
13.	<p>Parking</p> <p>The dwelling shall not be occupied until the vehicle parking and turning space have been surfaced and provided in accordance with the approved plan(s). The parking and turning space shall thereafter be kept available for parking at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
14.	<p>Temporary access</p> <p>The temporary vehicular access(es) at the site shall be stopped up on completion of works and be reinstated to the satisfaction of the Local Planning Authority.</p> <p>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).</p>
15.	<p>SUDS</p> <p>The development hereby permitted shall be undertaken in accordance with the SuDS Statement dated June 2023 prepared by EAS Transport Planning Ltd received by the Local Planning Authority on 6th June 2023. The strategy and maintenance measures described in the statement shall be implemented in full before the development is brought into use. Thereafter the drainage measures shall thereafter be carried out and retained in accordance with the approved details.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018).</p>
16.	<p>Bat Surveys and Mitigation</p> <p>Prior to the commencement of development (including site clearance), updated bat emergence/return to roost surveys shall be carried out and the results shall be submitted to and approved in writing by the Local Planning Authority. The surveys will</p>

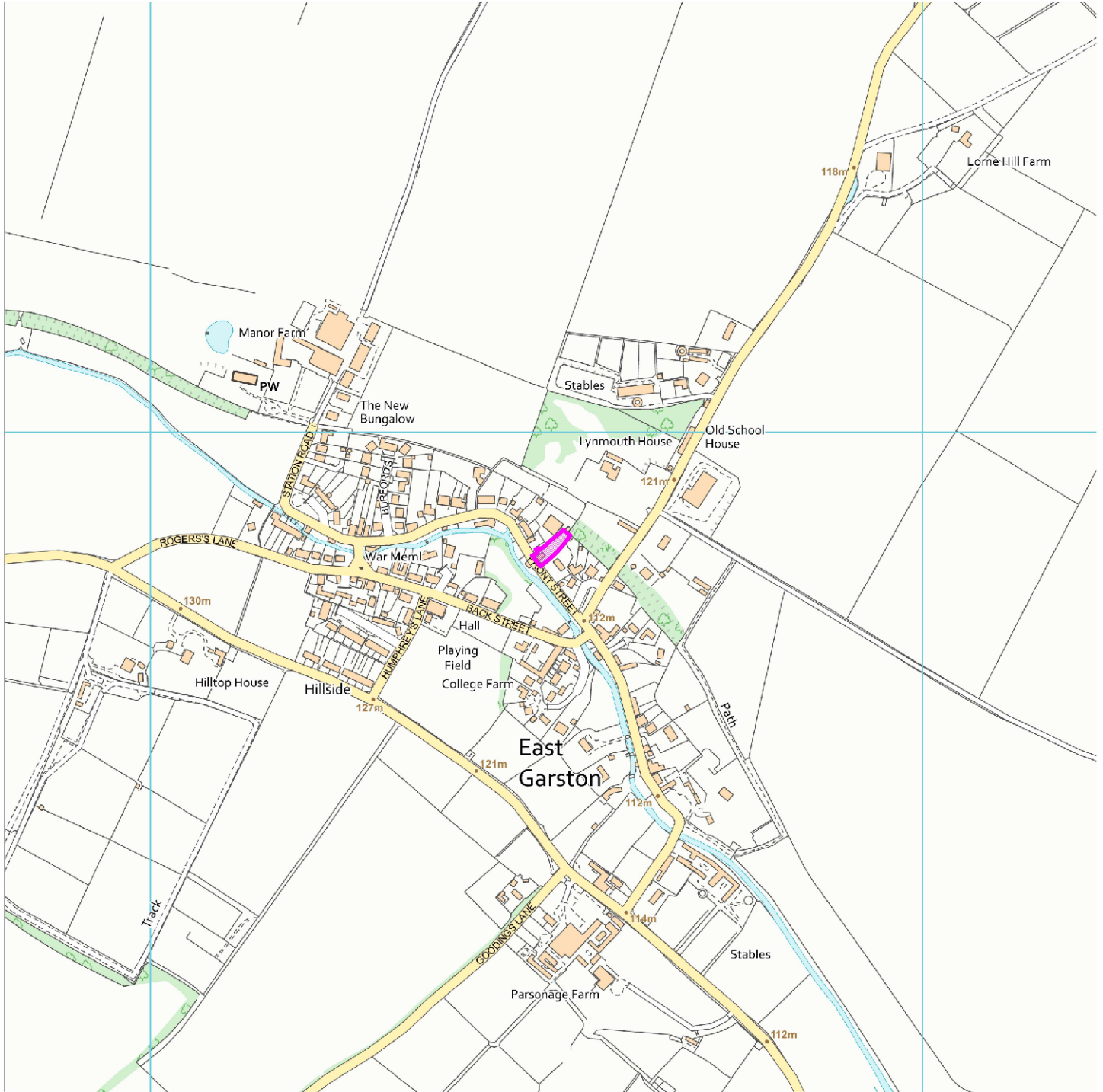
	<p>be undertaken between April to September and in accordance with professional practice guidance (Bat Surveys for Professional Ecologists – Good Practice Guidelines, 3rd ed. Bat Conservation Trust, 2016). If bats are confirmed to be roosting:</p> <p>a) a bat mitigation strategy along with measures to enhance the sites for bats shall also be submitted to and approved in writing by the Local Planning Authority; and</p> <p>b) a Regulation 55 licence from Natural England will be required under the Conservation of Habitats and Species Regulations, 2017 (as amended) for the proposed building works to be undertaken lawfully. A copy of such a licence must be provided to the local planning authority before any works commence.</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required due to the original survey work needing to be repeated because the survey data being out of date before commencement of development and to confirm the continued absence of a protected species or to establish the status of a mobile protected species that might have moved, increased or decreased within the site.</p>
17.	<p>Ecological Enhancements</p> <p>Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with provision of generous native species planting where possible. The approved details will be implemented and thereafter retained.</p> <p>Reason: To minimise impacts on and provide net gains for biodiversity in accordance with the requirements of the NPPF and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
18.	<p>AIA, Tree Survey and Method Statement</p> <p>The Arboricultural Impact Assessment, Tree Survey and Method Statement by WH Landscape ref: 22.1549 dated December 2022 shall be implemented in full and tree protection measures and works carried out in accordance with the Assessment. No changes shall be made to the works unless amendments have been submitted to and approved in writing by the Local Planning Authority and shall include details of any changes to the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies ADPP1, ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
19.	<p>External lighting</p> <p>No external lighting shall be installed to the dwelling until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, isolux contour diagram(s), an operation strategy (e.g. details of timed operation), and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed to the dwelling except in accordance with the above strategy.</p> <p>Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
20.	<p>Soft Landscaping</p> <p>The dwelling shall not be occupied until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping</p>

	<p>works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.</p>
21.	<p>Hard Landscaping</p> <p>The dwelling shall not be occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.</p> <p>Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.</p>
22.	<p>Permitted development restriction (extensions/outbuildings)</p> <p>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 or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, AA, B and C of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>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), and Quality Design SPD (June 2006).</p>

Informatives

1.	Proactive
2.	CIL
3.	HI 1 Access Construction

	The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or highwaysassetmanagement@westberks.gov.uk should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.
4.	<p>HI 3 Damage to footways, cycleways and verges</p> <p>The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge arising during building operations.</p>
5.	<p>HI 4 Damage to the carriageway</p> <p>The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p>
6.	<p>HI 8 Excavation in close proximity to the highway</p> <p>In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority. Written approval would be obtained from the Asset Manager, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD or highwaysmaintenance@westberks.gov.uk</p>
7.	<p>HI 9 Incidental works affecting the highway</p> <p>Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 503233, before any development is commenced.</p>



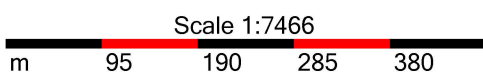
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	09 November 2023
SLA Number	0100024151



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Agenda Item 4.(3)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	23/01260/HOUSE Inkpen	1 st August 2023	Additional vehicular access and new workshop building Kates Cottage, Craven Road, Inkpen, Hungerford, Briony Malden
¹ Extension of time agreed with applicant until 01.12.2023			

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/01260/HOUSE>

Recommendation Summary: That the Development Manager be authorised to REFUSE permission.

Ward Member(s): Councillor Benneyworth
Councillor Gaines
Councillor Vickers

Reason for Committee Determination: Call in by ward member where application recommended for refusal.

The number of objections exceeds 10.

Committee Site Visit: 16th November 2023

Contact Officer Details

Name: Helen Robertson
Job Title: Assistant Planning Officer
Tel No: 01635 519111
Email: Helen.robertson@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for an additional vehicular access and a new workshop building. The proposal description was amended from 'relocation of vehicular access' to 'additional vehicular access' to better reflect the proposal.
- 1.2 The application site lies outside the defined settlement boundary, in the open countryside, in policy terms. It also lies in the North Wessex Downs Area of Outstanding Natural Beauty. A public right of way (INKP/17/1) runs past the application site to the north. The existing vehicular access to the site is from the public highway to the west.
- 1.3 The cottage sits towards the centre of the long narrow site. There is a change in the levels at the site which increase in height from north to south.
- 1.4 The proposed additional vehicular access is from the public right of way to the north that currently provides access to Hunters Way and Crows Nest. The proposed workshop building is set to the south of the site and would replace two smaller buildings; a garage and a cabin. The use of the building was confirmed as a workshop for private cars kept as a hobby.
- 1.5 The existing access is to remain. It would be re-laid with permeable gravel. New gates are proposed at a height less than one metre which would not require planning permission. The plans state that the existing access would only be used occasionally.
- 1.6 During the course of the application amended plans were submitted as follows:
 - The proposed workshop building was reduced in height. This has resulted in the loss of the first floor room and associated external stair and door.
 - The red line on the location plan was amended to exclude land outside of the Applicant's ownership.
 - An area of vegetation adjacent to the proposed access to be cleared is shown on the Block Plan
 - The new gates at the existing access are to be no more than one metre high.
 - A swept path analysis has been included to show turning is possible in front of the proposed workshop.
 - Timber boarding is shown to the workshop walls (to replace timber effect boarding originally proposed)

2. Planning History

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

Application	Proposal	Decision / Date
80/13305/ADD	Replacement of existing tile and corrugated iron lean to by brick and tile study store	Approved 11.07.1980

3. Procedural Matters

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

3.2 Site notice displayed on 23.06.2023; the deadline for representations expired on 14.07.2023. Public Rights of Way Affected site notice displayed on 14.09.2023; the deadline for representations expired on 05.10.2023.

Advertised in the Newbury Weekly News on 21.09.2023.

3.3 CIL: Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).

3.4 Pre-Commencement Condition (Tree Protection Scheme) Agreed on 11.08.2023.

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.

Inkpen Parish Council:	The above planning application was considered at the planning meeting on 27th June 2023. Councillors recorded: Unanimous objection Concerns raised were: - the increased height of the workshop impacts on the street scene giving greater visibility and dominates the adjacent dwelling and their privacy. - the proposed building which is sited on high ground, is out of character with the AONB area -the proposed construction of the driveway will impact on the septic tank soakaway. - the probability of accidents, where 3 driveways converge on a blind bend, will increase the likelihood of further accidents at this point. Amended Plans: No further comments received
WBC Highways:	Craven Road is a classified road, on-site vehicle turning must be retained/provided from the existing access. Can this be achieved? It is stated on the submitted plan that this access will only be used for occasional access to the new workshop. This is quite a large building, is there a specific intended use for the workshop? I would query the requirement for two accesses and

whether this could lead to this becoming two separate curtilages at some point?

No highway objections to the proposed access onto the PRow. The following informatives are requested on any planning approval which may be given:

HI 3 Damage to footways, cycleways and verges

HI 4 Damage to the carriageway

Further comments:

The amended plans and letters from the local people have been viewed.

The vehicular access from the PRow onto the highway is existing, serving existing dwellings. This application will result in the increased use of this access. The highway authority can only insist upon on-site turning where there is an access onto a classified road, therefore whilst we can ask the applicant to provide it onto the PRow, we would be unable to insist upon it. It was queried previously whether this is provided from the existing access. The site plan is annotated to state that the vegetation on the corner between the proposed drive and carriageway will be removed to improve visibility. It would be appropriate for a greater level of detail to be provided as to the extent of this removal. The likely level of additional vehicle movements generated from the proposed access could be in the region of 3 in and 3 out per day; this level would be too low for the Highway Authority to be able to substantiate an objection to in this instance. What is also noted is that this house is existing and already generates these vehicle movements plus any associated deliveries to this site and so these are not new movements on Craven Road.

The proposed gates should be set-back a minimum of 5 metres from the edge of the carriageway to enable a vehicle to pull off the carriageway whilst opening the gates. This should have been requested previously.

Some letters from the public mention Road Traffic Accidents. The accident statistics reported by Thames Valley Police to West Berkshire Council's Traffic and Road Safety team only include Personal Injury accidents. They will not include damage to vehicles. Records have been checked for the last 5 years up to December 2022 and it would seem that the accidents identified within the representation letters did not fall into this category and so are not recorded in the records held.

Further comments:

The amended plans and additional information have been noted. The gates must not be set further forward than the existing ones. The turning area relies on the workshop being included within this. The whole of the driveway area should be kept available for parking and turning and this should be conditioned as such. The extent of vegetation removal noted and this is conditioned to be provided below. For the reasons given previously, the highway

	<p>authority would be unable to substantiate an objection to this application.</p> <p>Conditions: HIGH12 Parking/turning in accord with plans</p> <p>Visibility</p>
AONB Board	No response received
WBC Public Rights of Way	<p>Inkpen footpath 17/1 (Inkp/17/1) runs along part of the access track to the houses at this location. Please note the following map and informatives:</p> <p>No obstruction of PROW</p> <p>Private rights of vehicle access</p> <p>Visitors to the site made aware of PROW</p> <p>No obstruction of PROW</p> <p>Laying of Services</p> <p>Notification of development</p> <p>Surface of PROW</p>
Ramblers	No response received
WBC Tree Officer	In Block plan KTCP.P01 the new workshop is shown to be in close proximity to a tree that is to be retained, the following condition for a Tree Protection Scheme is therefore necessary.
WBC Ecology	No response received
WBC Land Drainage	The BGS geology viewer indicates the site is underlain by clay so we would require evidence (i.e. infiltration test results) that a soakaway solution is feasible in this location, or than an alternative means of discharge is available. We expect all new development (or where there is an increase in the footprint of the building) to utilise SuDS where feasible.
Berkshire Newt Officer	No response received

Public representations

- 4.2 Representations have been received from 12 contributors, 0 of which support, and 12 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. These comments were made before the submission of amended plans. In summary, the following issues/points have been raised:
- Highway safety/parking and access issues
 - Impact on the character of the area, AONB, visual impact, topography of site and the scale of the proposed building
 - Overlooking/loss of privacy
 - Overbearing to neighbours
 - Invalid application

- Soakaway and sewage treatment plant regulations/contamination
- Impact on a neighbour's cables below the proposed driveway
- Noise disruption from gravel driveway
- Proposed removal of hedge increases visibility of the cottage
- Potential business use/noise
- Building could be converted to a dwelling
- Impact on tree

A further comment was made after the submission of amended plans regarding the proposed new access. Reiterating previous objections and querying the requirement for two accesses.

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, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C6 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

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

- National Planning Policy Framework 2023 (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Sustainable Drainage Systems Supplementary Planning Document (2018)
- Planning Obligations SPD (2015)
- Inkpen Village Design Statement

6. Appraisal

6.1 The main issues for consideration in this application are:

- The impact on the character of the area
- The impact on neighbouring amenity
- Highways matters
- The impact on trees
- The impact on land drainage
- The impact on protected species

Principle of development

6.2 Whilst development is to be limited in the open countryside (ADPP1), there is a presumption in favour of extensions to existing permanent dwellings (C6 of HSA DPD), provided that the design, scale and impact on the setting, character and neighbouring residents is appropriate and respectful (CS14, CS19, C6).

- 6.3 The site is also located within the AONB, where development must respond positively to the local context, and respect landscape features and components of natural beauty in accordance with Policy ADPP5. The conservation and enhancement of the AONB is therefore of particular importance.

Character and appearance

- 6.4 Through the provisions of the NPPF the government outlines the importance of the design of the built environment. Policy CS14 of the Core Strategy states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area.
- 6.5 Policy C6 allows for a presumption in favour of proposals for the extension of existing permanent dwellings in the countryside provided that (amongst other criteria):
- the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling.
 - It has no adverse impact on the setting, the space occupied within the plot, on the rural, the historic interest of the building and its setting.
 - The use of materials is appropriate within the local context.
- 6.6 In appeal ref: APP/W0340/W/22/3311315 which included the erection of a new outbuilding it was questioned whether DPD Policy CS6 was relevant to the appeal scheme, as the proposed development was for a separate freestanding outbuilding rather than an extension or alteration to the dwellinghouse on site. However, the Inspector was not convinced that the policy is so prescriptive as to not include extensions or alterations to the wider residential built form of a dwelling (e.g. associated outbuildings). It is therefore considered relevant to this application.
- 6.7 The amended plans show the proposed workshop building to be reduced in scale to a single storey building measuring 7.35 metres (approx.) in width by 6.45 metres (approx.) in depth and 4.2 metres (approx.) in height. It would sit on the higher ground to the south of the site where it would replace two existing smaller outbuildings and be partly screened by the vegetation on the south and east boundaries. The scale of the building is now considered appropriate given the topography of the site. The site is long and narrow and the proposed building sits comfortably at the southern end in an area that is currently already occupied by buildings and parked vehicles. The proposal would result in a more cohesive, less cluttered appearance than the existing arrangement. The materials have been amended to timber boarding and tile to match the existing house which is appropriate to the AONB countryside.
- 6.8 The use is stated as a workshop for private cars kept as a hobby.
- 6.9 The existing gates at the access here are to be replaced with gates no more than one metre in height which would not require permission. New permeable gravel is proposed to be laid.
- 6.10 The proposed new access appears to be in use informally, the proposed laying of permeable gravel would have little effect on the character of the area. Whilst the loss of a relatively small area of vegetation on the boundary is regrettable it is necessary to facilitate visibility and the site is otherwise well screened from the highway view.

Neighbouring Amenity

- 6.11 The proposed workshop building is sited adjacent to the boundary with Saplings the garden of which wraps around the site. Given the reduction in scale of the building and the boundary screening there is not considered to be any significantly harmful visual impact or overshadowing impacts. The potential for overlooking has been removed in the amended scheme.
- 6.12 The new access/driveway is located to the west of Crows Nest. The boundary here is well screened and there should not be any significantly harmful effect to the amenity of the occupants of Crows Nest due to vehicle movements. It is noted that the driveway to Crows Nest is to the front of the property near to the proposed drive at the application site and that the principal garden area is set to the rear.
- 6.13 There are two properties situated on the other side of Craven Road, Moss Cottage and Honeysuckle Cottage. Due to the degree of separation to the proposals the amenities of the occupiers of these properties are not considered to be affected.

Highways Matters

- 6.14 For the reasons given above the Highways Authority are unable to substantiate an objection to the application and have recommended conditional permission.

The Impact on Trees

- 6.15 The Tree Officer has raised no objections and has recommended conditional permission, an agreed Tree Protection scheme would be required before the commencement of the proposed workshop building to ensure the protection of a nearby tree.

The Impact on Land Drainage

- 6.15 The Council's Land Drainage Engineer has provided clarification of the consultation response and has confirmed to the Applicant that they cannot recommend approving/conditioning the application unless evidence supporting the proposed surface water drainage is submitted prior to approval.

In this instance the proposal to use infiltration devices (permeable paving, soakaways, etc.) might not be acceptable due to the underlying geology (clay). In addition, it is highly likely any exceedance from failed private drainage would find its way into the highway drainage system due to the steepness/location of access to the property from Craven Road. The highway drainage system is located along Craven Road which is on a hill, and it drains to a watercourse approximately 70m north of the proposal. The watercourse is highlighted as being at risk of surface water flooding, therefore we (WBC) must ensure that only the road is drained by this system and that we do not increase flood risk. Private connections, or exceedance from private systems cannot be permitted to enter the highway drainage system. Existing surface water drainage provision within the site extent should also be determined (location, size, condition, etc.) and if there is any risk of clashes/conflicts this needs to be addressed as part of the application.

Given that there are no public sewers identified in this location (based on records available to WBC) and the only drainage connecting to the watercourse is the highway drainage, the applicant may not be able to implement adequate surface water drainage should ground investigations rule out infiltration as a viable means to drain the site.

To summarise - based on the information submitted this proposal may increase flood risk to the highway drainage and, consequently, the watercourse 70m north of the property. It may also incorporate surface water drainage solutions for access and a small building that will not comply with current design standards as provided in WBC SuDS SPD and C753 The SuDS Manual.

From our perspective as the LLFA, the following are required to progress this application:

- If it is intended to discharge surface water runoff to ground (infiltration) carry out ground investigations (BRE365 methodology preferably, however ground investigations will be permitted if the area drained is small/<25m²) and/or provide evidence that a viable solution can be implemented.
- Determine an alternative proposal that does not require discharging runoff into the ground (infiltration) – though this might not be possible as discussed above.

The Applicant has declined to submit the additional information requested.

Comments regarding the sewage treatment plant are noted however this is a matter for the Building Regulations.

The Impact on Protected Species

6.16 The Berkshire Newt Officer has been consulted but has not commented on the proposals.

The Council's Ecologist has also been consulted; no comments have been received. However, if the application were approved an Informative is recommended to remind the Applicant of the legal responsibility towards protected species.

7. Planning Balance and Conclusion

7.1 The amended design of the proposed outbuilding has been assessed to ensure that the replacement building is appropriate in scale, design and materials taking into consideration the impact on the character and appearance of the area and that of the wider AONB and the impact on the amenity of neighbours. The impact is considered acceptable for the reasons outlined above.

7.2 The proposed new access has been carefully considered by the Highways Authority and found to be acceptable.

7.3 However, the application fails to provide sufficient information with regards to the potential impact on increase flood risk to highway drainage and, consequently, to the watercourse 70m north of the property.

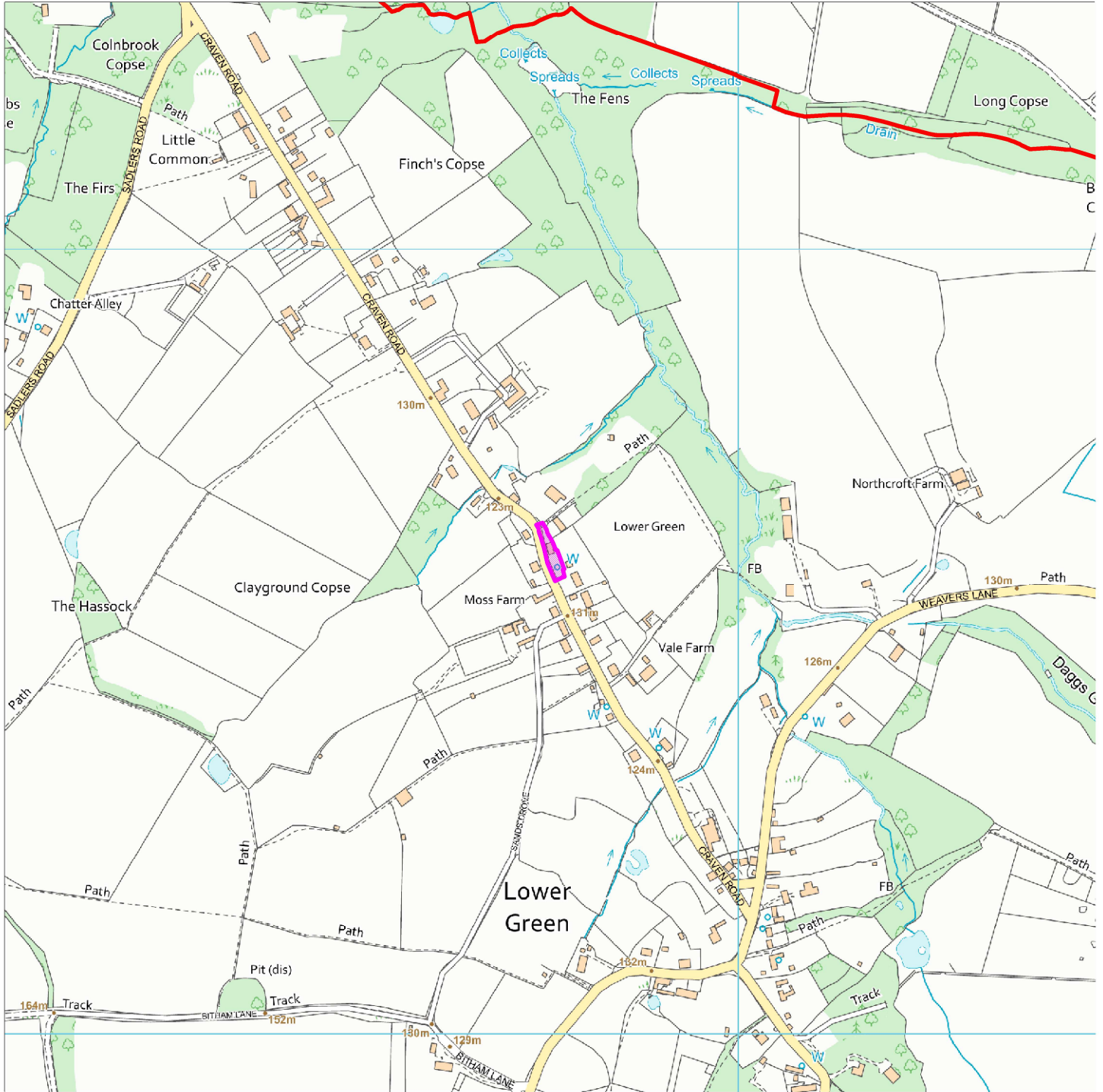
7.4 For the above reason it is considered that the proposed development is not supported by the presumption in favour of sustainable development

8. Full Recommendation

8.1 To delegate to the Development Manager to REFUSE PLANNING PERMISSION.

Refusal Reason

1.	<p>Title</p> <p>Insufficient Information SuDs</p> <p>Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of sustainable drainage methods in accordance with best practice and the proposed national standards. It is considered that there is insufficient information submitted with the scheme to assess the proposed development's impact on flooding and how surface water will be managed with particular regard to the increased flood risk to highway drainage and, consequently to the water course 70m north of the property.</p> <p>Accordingly, it has not been demonstrated that the proposed development complies with Policy CS16 of the West Berkshire Core Strategy (2006-2026) or the Sustainable Drainage Systems Supplementary Planning Document (2018).</p>
	Informative
1.	<p>In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has also been unable to find an acceptable solution to the problems with the development so that the development can be said to improve the economic, social and environmental conditions of the area.</p>



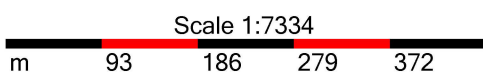
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