

| Item No | Application No. and Parish | Proposal, Location and Applicant |
|---------|----------------------------|--|
| (3) | 11/02234/FULD Thatcham | A courtyard development of 5 no. detached houses with garages/home offices similar to the refused application 11/01060/FULD on the site of the previously approved layout for 3 no. detached houses and detached garages/home offices 06/02377/FULD, 07/02497/FULD and 09/00932/FULD. Elizabeth Farm, Thornford Road, Crookham Common, Thatcham Donnington New Homes |

Recommendation Summary: To **DELEGATE** to the Head of Planning and Countryside to **REFUSE PLANNING PERMISSION** given the harmful impact of the scheme on the character of the area and failure to mitigate the impact of the development on local services.

Ward Member: Councillor Boeck
Councillor Croft

Reason for Committee Determination: Called to committee by Councillor Boeck. The applicant's consultant has offered strong arguments why the application should be approved and the applicant has indicated his intention to appeal in case of rejection.

Committee Site Visit: 19th December 2011

| Contact Officer Details | |
|-------------------------|--|
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1. Site History

06/00962/OUTD

Redevelopment of existing plant hire site to provide 5 homes.
Withdrawn

06/02377/FULD

Redevelopment of plant hire site to provide 3 houses.
Approved 22nd December 2006

07/02497/FULD

The replacement of the approved house and integral garage (06/02377/FULD) to plot 1 with a similar sized house with a detached garage on approximately the same footprint.
Approved 8th September 2009

09/00932/FULD

The construction of 3 detached houses and garages. As the previously approved applications (06/02377/FULD and 07/02497) but sited further away from the north and east boundary.
Approved 6th November 2009

10/01361/FULD

Section 73 – removal or variation of condition 6 (Code for Sustainable Homes) of planning permission 09/00932/FULD.
Withdrawn

11/01060/FULD

A courtyard development of 5 detached houses with garages/home offices on the site of the previously approved layout for 3 detached houses and detached garages/home offices (06/02377/FULD, 07/02497/FULD and 09/00932/FULD)
Refused 29th September 2011

2. Publicity of Application

Press Notice Expired: Not required
Site Notice Expires on: 12th December 2011

3. Consultations and Representations

Thatcham Parish No objections raised
Council:

Highways: Concerns for the sustainability of the site given its location. No objections raised with respect to visibility or parking layout.

The applicant proposes to provide a pedestrian footpath linking the site to the A339 along which the bus service operates. The funding provided for these works would need to be agreed and secured.

Thames Water: No objections raised. Informative recommended

Environmental No objections subject to conditions

Health:

Trees: No objections raised subject to conditions.

Environment No objections raised subject to conditions.

Agency:

S106 contributions: Highways: Funding of a footpath from the site to the A339. Amount to be agreed.

Education: £28,926.80

Open Space: to be advised

Libraries: £1,373

Health Care: £1,105

Adult Social Care: £3,795

Neighbour letters:

- 5 letters of objection received as of the 12th December 2011. The planning matters raised relate to:

- Overdevelopment of the site. 5 houses is inappropriate to the character of the area.

- There is a restriction on the number of HGV entering the site.

- Not in keeping with the spirit of the original approved plans 06/02377/FULD.

- 8 letters of support received as of the 7th December 2011. The planning matters raised relate to:

- Farm court yard layout is more appropriate than already approved executive housing.

- Concern for the existing number of large vehicles entering/exiting the site and impact on road safety.

4. Policy Considerations

Planning Policy Statement 1 – Delivering Sustainable Development.

Planning Policy Statement 3 – Housing

Planning Policy Statement 4 – Planning for Sustainable Economic Development

Planning Policy Statement 7 – Sustainable Development in Rural Areas

South East Plan Regional Spatial Strategy, May 2009 – CC1, CC6, CC7, C4, H1
West Berkshire District Local Plan 1991-2006, Saved policies 2007 – OVS1, OVS.2, OVS.3, ENV.1, ENV.18, ENV.20
Supplementary Planning Document ‘Quality Design.’

5. Description of Development

- 5.1 This application seeks full planning permission for the construction of five, 4 bedroom detached houses with associated garaging and office space above. The proposed dwellings are arranged in a court yard layout. Each of the properties is individually designed and the proposed ridge heights vary between 8.4m-8.7m.

6. Consideration of the Proposal

The main issues raised by the proposal are:

- 6.1 The Principle of Development
- 6.2 The Impact on the Character of the Area.
- 6.3 The Impact on Neighbouring Amenity
- 6.4 Highways Matters
- 6.5 Other Matters

6.1 Principle of development

- 6.1.1 The application site lies outside of the defined settlement boundary and is located within the countryside. A certificate of lawful use for plant hire was granted to Elizabeth Farm on 1st October 1996 for the use of the land for the operation of a plant hire business of not more than 8 vehicles operating Monday-Saturday.
- 6.1.2 Policy OVS.1 of the West Berkshire District Local Plan seeks to promote sustainable patterns of development. The application site comprises previously developed land and by virtue of this and its rural location falls to be assessed in accordance with Policy ENV.20 of the Local Plan. Policy ENV.20 promotes the redevelopment of existing buildings in the countryside subject to the relevant criteria being met.
- 6.1.3 Central to this policy is the requirement for the site to be in a sustainable location and where the scheme will assist the diversification of the rural economy and secure environmental improvements. The loss of employment use and its replacement by housing has not been claimed to support the rural economy. The proposals include home offices which are recognised and supported by the guidance within planning Policy Statement 4 however this benefit does not outweigh the loss of the existing employment use.
- 6.1.4 The highways statement submitted in support of the scheme demonstrates that the proposed use will reduce the number of trip movements from the

site compared to what is existing. Notwithstanding this however the site is remote from any public amenities and poorly accessible to the public transport network. The nearest bus stop is over 1km from the site. Furthermore, the adjacent Thornford Road, in view of its high traffic speeds and limited carriageway width is unattractive to cyclists. No amenities, facilities or employment areas are accessible on foot and it is reasonable to conclude that the majority of trips would be made by car.

- 6.1.5 As part of the scheme the applicants propose to contribute £50,000 to fund the construction of a footpath to link the site to the bus stop on Thornford Road, the A339. PPG13 advises at paragraph 83:

Planning obligations may be used to achieve improvements to public transport, walking and cycling, where such measures would be likely to influence travel patterns to the site involved, either on their own or as part of a package of measures. Examples might include improvements to a bus service or cycle route which goes near to the site, or pedestrian improvements which make it easier and safer to walk to the site from other developments or from public transport.

- 6.1.6 It is considered that the construction of such a path will make the site more accessible to public transport. Were the scheme recommended for approval the Council would require either a bill of quantities to substantiate that the amount (£50,000) will be adequate to secure the construction of such a footway or alternatively confirmation that the applicant is prepared to construct the footway under a S278 agreement.
- 6.1.7 While the site is not considered to be in a sustainable location by definition, it is recognised that the scheme will reduce traffic movements and the provision of a footpath will help to facilitate connections between the site and public transport services. It is also a material consideration that there is an extant consent for residential development at the site and the principle of residential development has been previously accepted under applications 06/02377/FULD, 07/02497/FULD and 09/00932/FULD.
- 6.1.8 Planning permission was granted for 3 detached houses under applications 06/02377/FULD, 07/02497/FULD and 09/00932/FULD. Applications 06/02377/FULD and 07/02497/FULD have now expired. Application 09/00932/FULD was also for three dwellings. This consent is extant but the pre-commencement conditions have not been discharged. The site layout plans for these three schemes is contained in Appendix A for reference.
- 6.1.9 This application follows a recent refusal for five houses under application 11/01060/FULD. This was refused under delegated powers on the 17th

October 2011. The only difference between this current application which is now before the committee and application 11/01060/FULD is the addition of two skylights in the garages serving plots 3 and 4. The content and conclusions of this report reflect the concerns and refusal reasons for this earlier submission.

6.2 The Impact on the Character of the Area:

- 6.2.1 Elizabeth Farm is located on the south side of Crookham Common and is accessed off Thornford Road. The site is set back approximately 100m from the road and is well screened by trees and vegetation. There are currently no permanent buildings on the site.
- 6.2.2 The guidance supporting Policy ENV.20 of the Local Plan, paragraph 2.47.2 states that 'Redevelopment would not be acceptable in cases where the existing buildings are in an advanced state of dereliction and vacant, as the introduction of a new use in new buildings would be intrusive in a rural area.'
- 6.2.3 The applicant submits that there will be a substantial environmental improvement though the redevelopment of the site. It is however a concern that the proposal would not make such an enhancement. Much of the present visual impact of the employment site results from the presence of vehicles and equipment, which are transient in nature, and will vary depending on the intensity of the business activity taking place. For this reason little weight is placed on the presence of such items. In the absence of any permanent buildings on the site the presence of new built form will be visually intrusive.
- 6.2.4 The site is well screened, however this does not make the development acceptable. Such justification would undermine the countryside policies of restraint which seek to protect the countryside. Planning Policy Statement 7 seeks to protect the countryside for its own value. While the application site constitutes brownfield land there are no permanent structures on the site. Criteria a) of Policy ENV.20 seeks to ensure that the proposal has no greater impact (in terms of the size and bulk of the buildings or site coverage) than the existing. The proposal strongly fails to meet this objective.
- 6.2.5 Within the vicinity of the site are existing residential properties. These consist generally of detached dwellings situated within large spacious plots. The development, by reason of the proximity of the dwellings and the scale of the built form, creates a markedly more built up feel which is more appropriate to that of a built up area. The separation distances of between 2.5m-4m between the two storey properties creates a tight uniform arrangement which is out of character with the sporadic nature of residential properties in the area. The development is of a scale such that it creates its own character and when viewed from within the site would appear at odds with its rural context. This small cluster of new housing will, for the reasons above appear at odds with the surroundings and will erode

the spaciousness of the site. Criterion b) of Policy ENV.20 of the Local Plan seeks to ensure that the design, form and character of the development is appropriate to the sites rural location and would not be visually intrusive to the surrounding countryside. For the reasons discussed above the scheme fails to comply with criterion b) of Policy ENV.20 of the Local Plan.

6.2.6 The Design and Access Statement accompanying this application states on page 7 that 'In terms of footprint the previous buildings that occupied the site covered approximately 550 sqm and the consented scheme for three large detached dwellings represented a footprint of 512 square metres.' It should be noted that the buildings referred to as originally occupying the site have now been removed. The statement continues to state: 'the scheme now proposes a scheme of 5 dwellings occupying a footprint of approximately 495 sqm, excluding garages. The footprint therefore is similar to that previously approved...' It should however be noted that the garages themselves have a total footprint of approximately 327m². As such the level of development alone is greater than that previously approved.

6.2.7 The visual impact of this additional built form and the reconfiguration in the layout and design of the scheme results in a materially different character and appearance to the extant consent. The extant consent, reference 09/00932/FULD is a material consideration and when assessing the scheme against the requirements of Policy ENV.20 of the Local Plan consideration has been given to this. The layout and scale of the development is significantly greater than previously proposed and for the reasons discussed will have a harmful impact.

6.2.8 The proposal has been assessed against criteria c) to h) of Policy ENV.20 of the Local Plan and is considered to comply with these requirements. These criteria seek to ensure that the style of the buildings, the extent of the residential curtilage, the impact of the scheme of traffic and protected species is acceptable.

6.2.9 For the above reasons the proposal fails to comply with criteria a) and b) of Policy ENV.20 of the Local Plan and Policies OVS.2 and ENV.1 of the Local Plan. The proposal also fails to comply with Policies CC6 and C4 of the South East Plan Regional Spatial Strategy, May 2009. The proposal also fails to comply with the guidance contained within Planning Policy Statement 3 with respect to design and recognising the character of the area and Planning Policy Statement 7 with respect to the impact on the countryside.

6.3 Impact on neighbouring amenity:

6.3.1 There are a number of dwellings within the vicinity of the site however by reason of the separation distances the proposals are not considered to have a detrimental impact on the amenity of the occupiers of these dwellings. A number of letters of support have been received welcoming

the reduction in the number of heavy goods vehicles entering and leaving the site. There is no restriction on the number of vehicle movements associated with the site however the benefits to residents in reducing the number of heavy goods vehicles operating from the site is not sufficient justification to allow the development.

6.3.2 The proposal complies with Policy OVS.2 of the West Berkshire District Local Plan 1991-2006, Saved Policies 2007.

6.4 Impact on Highways:

6.4.1 Concern has been raised as to whether the site is in a sustainable location. No highways objections have been raised with respect to vehicle movements, visibility at the access or the proposed parking. To conclude no objections have been raised to the scheme subject to conditions.

7. Conclusion

7.1.1 The proposed development by reason of its scale, bulk and overall appearance significantly increases the level of built form within the site. The development, by reason of the proximity of the dwellings and the scale and layout of the scheme creates a markedly more built up feel which is more akin to a suburban environment and is inappropriate to this rural area.

7.1.2 Having taken account all of the relevant policy considerations and the other material considerations referred to above, it is considered that with regard to the strong reasons to object to this application, the development is not acceptable and should be refused for the reasons set out below.

8. Recommendation:

To delegate to the **Head of Planning and Countryside** to **REFUSE** the application for the following reasons:

1. Elizabeth Farm is located outside of the defined settlement boundary. There is sporadic residential development within the vicinity of the site and properties are typically contained within large plots. Located within the countryside the site is currently used for the storage of equipment and materials. Much of the present visual impact of the employment site results from the presence of vehicles and equipment, which are transient in nature, and will vary depending on the intensity of the business use taking place. For this reason little weight has been placed on the presence of such items.

The site is well contained and benefits from screening on all boundaries. In the absence of any permanent buildings on site the proposal seeks to introduce five detached dwellings. It is considered that the scale, bulk and overall appearance of the new housing significantly increases the level of built form within the site and would add to the impact of the development

on the site. Furthermore the layout and form of the development fails to reflect the features which define rural residential development, presenting a layout more akin to a suburban environment. The development is of a scale which will create its own character and by reason of the site coverage will significantly reduce the openness seen within the site. While views outside of the site are restricted, planning policy seeks to protect the character of the countryside for its own value.

For these reasons the proposal fails to comply with the design guidance contained in Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Statement 3: Housing and Planning Policy Statement 7: Sustainable Development in Rural Areas which seeks to protect the intrinsic nature of the countryside. The scheme further fails to comply with Policies CC1, CC6 and C4 of the South East Plan, Regional Spatial Strategy, May 2009 and Policies OVS.2, ENV.1, ENV.18 and ENV.20 of the West Berkshire District Local Plan 1991-1006, Saved Policies 2007.

2. The development fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of the development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to government advice and Policy CC7 of the South East Plan Regional Spatial Strategy, May 2009 and Policy OVS3 of the West Berkshire District Local Plan 1991-2006, Saved Policies 2007 as well as the West Berkshire District Council's adopted SPG4/04 - Delivering Investment from Sustainable Development.