

Item No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(2)	15/00277/FUL Inkpen Parish Council	30 th March 2015	Demolish an existing bungalow and detached garage and replace with new house. Hunters Way, Craven Road, Inkpen, Hungerford, Berkshire, RG17 9DY. Nicholas And Emma Featherstone.

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=15/00277/FUL>

Recommendation Summary: To **DELEGATE** to the Head of Planning and Countryside to **REFUSE** Planning Permission for the reason set out in section 8.2 of this report.

Ward Member(s): Councillor James Cole
Councillor Anthony Stansfeld

Reason for Committee Determination: The application was called in by Councillor Andrew Rowles as the previous application had been refused partly due to positioning. There is a controversial history to the site and the application was called partly at the request of the applicant and Parish Council.

Committee Site Visit: 4th June 2015.

Contact Officer Details

Name: Jake Brown
Job Title: Senior Planning Officer.
Tel No: (01635) 519111
E-mail Address: jpbrown@westberks.gov.uk

1. Relevant Site History

70/153: Two bed ground floor extension.
Application approved 1970.

72/119: Double garage and workshop.
Application approved 1972.

73/107: Two bed ground floor extension.
Application approved 1973.

107251: Addition of two bedrooms bathroom and self contained flat to existing bungalow.
Application approved 30.11.1977

153042: Single storey detached double garage.
Application approved 21.01.1999

11/00892/CERTE: Confirmation/approval for the extent of the existing garden/residential curtilage, the area of which is shown hatched on the drawings included with the application.
Application refused 08.09.2011. Appeal dismissed 30.12.2011

12/01709/FUL: Demolish the existing bungalow and detached garage and replace with a new house and garage.
Application withdrawn 22.08.2012

12/03163/FUL: Demolish the existing bungalow and detached garage and replace with a new house and garage.
Application withdrawn 08.03.2013

13/02266/FUL: Demolish the existing bungalow and detached garage and replace with a new house and garage.
Application Invalid 26.11.2013

13/03005/FUL: Demolish the existing bungalow and detached garage and replace with a new house and garage.
Application refused 13.03.14. Appeal dismissed 22.10.2014

2. Publicity of Application

Site Notice Expired: 12/3/2015.
Neighbour Notification Expired: 06/03/15.

3. Consultations and Representations

Parish Council:

Object: the effect of the proposed development will have a negative effect on the character and appearance of the North Wessex Downs AONB and the adjacent footpath, which is used by many ramblers and visitors to the area; the current dwelling has been extended substantially in previous years and the further percentage increase in volume and area is substantial and unacceptable - the scale and height does not compliment and is not sympathetic to the adjacent dwellings bordering the site, all of which are bungalows or below the proposed roof height; the bungalow replacement as proposed, is not located on the existing footprint but has been re-located in a more sensitive and dominant position adjacent to the Footpath; the impact of a two storey dwelling on the footpath will be substantial and detrimental; it will give a more suburban feel to the site and be visually unsympathetic; the outdoor space proposed fronts the dwelling which means that there will be a propensity to locate peripheral buildings e.g garden shed, dustbins, store, recreational area etc at the back of the property and encroach on the Wildlife Heritage site. The occupier will use the open countryside as the garden area, which the Inspector previously dismissed on Appeal; the North Wessex Downs AONB landscape and the AONB should be maintained at the same level and status of those of National Park; the rear of the site is of historical importance to the village and provides a continuous wildlife corridor which has allowed undisturbed grassland to be home to much of the valued and protected wildlife; the line of the Heritage Wildlife Site is not defined on the map provided by the applicant; planning permission should be refused for development because of the resulting loss or deterioration of irreplaceable habitats, including ancient woodland and the SSSI should be given the same protection as European sites; the conclusion that the Planning Inspector recorded on 22nd October 2014 was ' any such benefits would not be sufficient to outweigh the harm that I have identified above with regard to the character and appearance of the AONB.

If the application is granted the Parish request conditions requiring: mature landscaping to diffuse the negative impact on the footpath as the proposed dwelling is adjacent to the walkers; noise control during construction and development - construction hours to be limited to say 8 - 5pm Mon/Fri and 8 - 1pm on Saturday and no working on Sunday and Bank Holidays to protect the amenity of the area; no construction vehicles to block the rural road, which is a bus route and the main entrance/exit route for vehicles leaving and entering the village; unhindered access to village footpaths and byways; light pollution should be minimized in this dark area – no security lighting to illuminate the dark sky; protection of the hedge and vegetation in the front of the site to diffuse the impact of a new construction from the road and the adjacent building - the tree officer to visit and note the protection of the mature trees; the area designated as the SSSI should be clearly indicated by fencing to prevent encroachment; maintenance and management of the Wildlife Heritage Site is essential - the site has been neglected by numerous tenants who have lived in the current bungalow. Grants are available for this work.

Highways:	No objections subject to a condition requiring a temporary parking area within the site for construction vehicles.
Drainage Officer:	No response received.
North Wessex Downs AONB:	No response received.
Archaeological Officer:	No objections.
Public Rights of Way Officer:	Inkpen Footpath 17 is adjacent to the main access to the site: It is noted that development traffic will be using this public path as an access route, and so drivers will need to exercise care when entering and exiting the site. The screening planting is welcome, and due to the rural nature of the path, we request native mixed hedging is planted. No objections, however the alignment of public footpath Inkpen 17 shown in figure 5 of the Design and Access Statement is incorrect, plan of recorded alignment supplied by Public Rights of Way Team.
Ramblers' Association:	No response received.
Principal Ecologist:	No objections subject to a condition requiring a detailed site management plan to maintain and enhance the designated wildlife site to the rear of the site.
Tree Officer:	No response received.
Thames Water:	No objections.

Representations:

One representation received supporting the proposal citing: the proposed design and appearance of the dwelling is of high quality and will complement existing dwellings in the area; the existing dwelling is an eyesore; no overlooking would be introduced; the proposal is only a 35% increase over the existing dwelling which has existed for more than 20 years.

15 representations received objecting to the proposal citing: the size of the proposed house is more than twice the area of the existing building and is higher; the proposal would be obtrusive for immediate neighbours and devalue properties; the proposal would be prominent in Craven Road; the proposed dwelling would be located away from original footprint of existing dwelling close to agricultural land; there would be a precedent for other large house developments; the proposal would be out of character with the area; dominant development; impact on dark skies; the proposal would be more visible from the footpath than the existing; loss of ancient hedgerow to front; impact on designated wildlife site; more intrusive when viewed from footpath; there is no habitation upstairs in existing bungalow; size of proposal is 125% larger than existing which has been extended from originally 74sqm; garage is not attached to existing house and should not be included in the calculations; proposal is out of proportion with surrounding properties; impact on the character and appearance of the AONB; the position of the footpath in the application documents is incorrect; the proposal would directly face neighbouring properties; overlooking of neighbours; gable ends would dominate and increase the visual impact of the building; proposal extends beyond boundary of existing bungalow an garden; proposal is disproportionate to both existing and original dwellings; would extend built form of the village deeper into the countryside closer to the wildlife area and away from the longstanding existing footprint; the proposal would have a significantly greater visual impact on the footpath than the existing dwelling; the proposal does not comply with the Local Plan; use of agricultural land as garden area including garden paraphernalia as identified in the previous appeal; impact on and loss of trees; loss of bungalow contrary to current Government guidance.

4. Policy Considerations

4.1 The statutory development plan comprises the saved policies in the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP), and the West Berkshire Core Strategy 2006-2026. The policies from the West Berkshire Core Strategy 2006-2026 relevant to this application are:

- NPPF Policy.
- Area Delivery Plan Policy 1: Spatial Strategy.
- Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty.
- CS 13: Transport.
- CS 14: Design Principles.
- CS 15: Sustainable Construction and Energy Efficiency.
- CS 16: Flooding.
- CS 17: Biodiversity and Geodiversity.
- CS 19: Historic Environment and Landscape Character.

4.2 The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should

be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.
- ENV23: Replacement Dwellings in the Countryside.
- OVS5: Environmental Nuisance and Pollution Control.

4.3 Other material considerations for this application which includes government guidance are:

- The National Planning Policy Framework (March 2012) (NPPF).
- The Wildlife and Countryside Act 1981 (as amended).
- The Conservation of Habitats and Species Regulations 2010.
- Supplementary Planning Guidance SPG 04/3 Replacement Dwellings and Extensions to Dwellings in the Countryside (adopted 2004).
- Supplementary Planning Document Quality Design (adopted June 2006).
- North Wessex Downs AONB Management Plan 2014-2019 (Adopted 2014).
- National Planning Practice Guidance (PPG).
- Inkpen Village Design Statement.

5. Description of Development

5.1 This application seeks permission for the demolition of the existing bungalow and garage and the erection of a two storey dwelling. In addition the access arrangement to the site is to be altered.

5.2 The height of the proposed dwelling, to the main ridge, would be 7.8 metres. The height of the previously refused application, also dismissed at appeal, was 8.5 metres.

6. Consideration of the Proposal

The main issues for consideration in the determination of this application are:

- Principle of the development and impact on the character and appearance of the area and AONB;
- The impact on neighbouring amenity;
- Highway matters;
- Other matters.

6.1 Principle of the development and impact on the character and appearance of the area and AONB.

6.1.1 The site is located outside of any defined settlement boundary. The principle of development is acceptable provided the proposal complies with the development plan and in this case particularly Local Plan Policy ENV23, and Core Strategy Policies CS14 and CS19. The site also lies within the North Wessex Downs AONB, which the National Planning Policy Framework (NPPF), and Policy CS19 of the Core Strategy affords the highest level of protection.

6.1.2 Local Plan Policy ENV23 details the following criteria against which applications are assessed:

- a) The existing dwelling is long established and is not the result of a temporary or series of temporary permissions;
- b) The proposed dwelling is not disproportionate in size to the dwelling being replaced;
- c) The proposed design of the new dwelling is of a high standard and appropriate to the rural character of the area;
- d) The development where appropriate, incorporates or complements other existing buildings or features in the locality;

- e) The development is appropriate and sympathetic in scale, design, materials, layout and siting to the existing character and setting of adjoining buildings and spaces;
- f) The development includes an acceptable landscape scheme to retain and improve the rural nature of the locality.

- 6.1.3 In respect of criterion a) the existing dwelling is considered to be long established.
- 6.1.4 In respect of criterion b) Supplementary Planning Guidance SPG 04/3 'Replacement Dwellings and Extensions to Dwellings in the Countryside' provides descriptive advice on the consideration of a disproportionate replacement dwelling whereby under 50% increase is unlikely to be considered disproportionate; more than 50% increase would generally be regarded as disproportionate and more than 100% increase would normally be regarded as disproportionate.
- 6.1.5 It is important to note that criterion b) of Policy ENV23 specifically refers to the dwelling being replaced and not the original dwelling. As such it is the existing dwelling upon which the following calculations are based. However, it is considered that the extensive extensions to the existing dwelling are a material consideration in the planning balance of the application.
- 6.1.6 It is considered that the existing dwelling forms the ground floor of the bungalow presently occupying the site. This is approximately 255 square metres in floor area. The application documents refer to a first floor area of the bungalow. It is acknowledged that planning permission for extensions to the dwelling, including a usable first floor area, was granted in 1977 (ref: 107251). However, as seen on site, the first floor has not been implemented and as such is not considered to contribute to the floor area of the existing dwelling.
- 6.1.7 The floor area of the proposed dwelling, including covered areas, is considered to be approximately 586 square metres. This would result in a replacement dwelling of approximately 130% increase upon the existing dwelling. With the loft area of the existing dwelling converted as per permission 107251 (20 square metres) included in the calculations (although not normally included in such calculations as detailed in Supplementary Planning Guidance SPG 04/3 Replacement Dwellings and Extensions to Dwellings in the Countryside) the percentage increase would be approximately 113%.
- 6.1.8 In respect of the percentage increase in volume of the proposed dwelling upon the existing dwelling it is considered that the volume of the existing dwelling is approximately 1061 cubic metres. The volume of the proposed dwelling is approximately 1853 cubic metres. This would represent a percentage increase of approximately 75%.
- 6.1.9 The application documents refer to an existing garage that is to be demolished to enable the erection of the replacement dwelling. The loss of an existing outbuilding is a material consideration that would weigh in favour of the proposal. However as the outbuilding is located approximately 10 metres from the existing dwelling this outbuilding would not be included in the calculations for percentage increase, in accordance with the SPG 'Replacement Dwellings and Extensions to Dwellings in the Countryside'. The SPG does note that careful consideration should be given to the removal of existing outbuildings in respect of the potential effects on neighbouring properties and on the character and appearance of the area.
- 6.1.10 Irrespective of this the application documents identify an additional floor area of approximately 57 square metres for the ground floor of the existing garage. The application also claims a first floor area for the garage; however, as seen on site no such first floor area exists. For reference only, should the ground floor area of the garage to be demolished be included in the calculations for percentage increase, the proposal would result in an increase of floor area of approximately 88%. If the volume of the built form of the garage to

be demolished is included in the calculations the proposal would result in an increase of volume of approximately 41%.

6.1.11 Section 3.3 of the Supplementary Planning Guidance: Replacement Dwellings and Extensions to Dwellings in the Countryside states:

‘Policy ENV.23 is not prescriptive in setting precise limits on what is or is not disproportionate, as each proposal needs to be considered individually in terms of its actual impact on the site and the surrounding rural environment. A new dwelling should not have a materially larger impact than the dwelling it replaces and this impact will be assessed on a number of factors. The percentage increase in volume or floor area is a useful indicator of what may be disproportionate, but it is only one matter to be taken into account. Other factors which are likely to be key determinants are indicated in the supporting text to Policy ENV.23 and include:-

- (i) the overall size, scale and massing of the replacement dwelling compared to the original; and
- (ii) the site characteristics and visual prominence of the existing and proposed replacement dwellings. Visual prominence / intrusion may be reduced or increased by design factors; and
- (iii) the impact on and relationship to adjoining buildings and uses in rural areas; and
- (iv) whether on balance the proposed development maintains/enhances or detracts from the inherent character and nature of the site and the surrounding rural environment (this is a judgment which can only be made on the merits or otherwise of each case).’

6.1.12 As previously mentioned the existing dwelling has been extensively extended upon the original. The original dwelling is considered to have been approximately 74 sqm in floor area and as such the proposal would result in an increase in floor area of approximately 692% upon the original dwelling. Therefore in consideration of key determinant (i) the proposed dwelling is considered to be a significant increase in size, scale and massing when compared to the original dwelling.

6.1.13 In consideration of key determinant (ii) the proposed dwelling would be more visually prominent from the road and adjacent public right of way due to the new access in front of the dwelling, and, the siting of the dwelling closer to the public right of way. It is acknowledged that the siting of the proposed dwelling further into the site would help reduce the visual impact from the road but this in turn increases the impact from the public right of way. The design of the proposed dwelling includes large gabled features to the front elevation which is not considered to reduce the visual prominence of the proposal. Landscaping may be used to soften the proposed development however this would take a significant amount of time to mature and cannot be relied upon to mitigate the disproportionate visual impact of the proposed dwelling or harm to the intrinsic rural character of the AONB.

6.1.14 It is important to note the previous appeal decision for application 13/03005/FUL a full copy of which is provided in Appendix 1 together with the previous plans dismissed at appeal. The Inspector considered the impact on the public footpath in paragraphs 10 and 11 which stated:

‘10. Crucially, the proposed dwelling would be sited further back into the site than the existing bungalow, close to its rear boundary. As such, it would extend the built form of this part of the village more clearly into the views from the footpath referred to above, to an extent that the dwelling would be a dominant and jarring feature that would result in an uncharacteristically hard edge to the settlement at this point.

11. The dominance would be further increased due to the proposed three large gable features on the rear elevation. There would also be the added likelihood of garden paraphernalia being more visible from the footpath, through the utilisation of the lawn area

outside of the site to the rear of the proposed dwelling, albeit that it is not lawfully residential land. This would be due to the limited space there would be between the rear of the proposed house and the site boundary. Even if that land outside of the site were to be segregated off with a strong boundary treatment, such a structure would further accentuate the hard settlement edge referred to above.'

- 6.1.15 The proposal here has been reduced by approximately 0.7 metres in height, approximately 69 square metres in floor area and approximately 217 cubic metres in volume from that previously dismissed at appeal. In addition the proposed siting of the dwelling has been rotated from that previously dismissed at appeal such that the distance between the rear of the proposed dwelling and the rear residential boundary has been increased by 5 metres at the closest point.
- 6.1.16 The proposed dwelling would still be sited further back into the site than the existing bungalow, closer to the rear boundary. Whilst the rotation of the siting of the proposed dwelling from that previously refused is acknowledged, it is still considered that the proposal would extend the built form of this part of the village more clearly into views from the public right of way, to an extent that the dwelling would be a dominant and jarring feature that would result in an uncharacteristically hard edge to the settlement at this point.
- 6.1.17 Moreover the dominance of the proposal is maintained by the three large gable features on the rear elevation identified by the Inspector above. Whilst the space between the proposed dwelling and rear boundary would be increased from that dismissed at appeal it remains that there would also be the added likelihood of garden paraphernalia being more visible from the footpath, through the utilisation of the lawn area outside of the site to the rear of the proposed dwelling, albeit that it is not lawfully residential land. As considered by the Inspector even if that land outside of the site were to be segregated off with a strong boundary treatment, such a structure would further accentuate the hard settlement edge referred to above.
- 6.1.18 In consideration of key determinant (iii) the ridge height of the proposal would be lower than the neighbouring dwellings on Crows Nest and Honeysuckle Cottage due to the localised change in ground levels. No information in respect of the neighbouring property to the north-west, Ford Lynn, has been submitted however this property comprises a single storey building that would be lower in height than the dwelling proposed. Moreover the siting of the proposed dwelling close to the rear boundary of the residential area of the site, away from the road, would not relate well to the neighbouring properties. The immediate neighbouring properties along Craven Road follow a general building line and the proposed replacement dwelling would be set further into the site than the neighbouring properties. This is considered to weigh against the proposal.
- 6.1.19 Lastly in consideration of key determinant (iv) the proposed dwelling due to its siting to the rear of the site and close to the rear boundary of the residential curtilage, together with the increase in scale and massing of the proposed dwelling, is not considered to maintain or enhance the inherent character and nature of the site and surrounding rural environment.
- 6.1.20 Taking into consideration the key determinants of Policy ENV23 outlined above together with the percentage increase of the proposed dwelling upon the existing dwelling, it is considered that the proposal would result in a dwelling disproportionate in size to the dwelling being replaced, contrary to criterion b) of Policy ENV23. The changes to the proposal from that previously dismissed at appeal are acknowledged however they are not considered to be sufficient to overcome the previous concerns raised by the Inspector.
- 6.1.21 In respect of criterion c) of Policy ENV23 the design of the dwelling is considered to be of high standard however the design is a sharp difference to the modest bungalow it would replace. The main ridge would extend across a large section of the site between mature trees reducing the sense of space to the sides of the proposed building. The gabled

features fronting the highway and overall depth of building at approximately 18 metres are not considered to be sympathetic to the street scene. As such the proposal is not considered appropriate to the rural character of the area and AONB.

- 6.1.22 In respect of criterion d) it is acknowledged that there is a variety of local vernacular architecture within Inkpen. However the siting of the proposal close to the rear boundary of the residential curtilage, outside of the general building line of surrounding properties, and with little room between mature trees and the side elevations of the proposed building, together with the large gabled features, is not considered to incorporate or complement other existing buildings or features in the locality.
- 6.1.23 With regard to criterion e) of Policy ENV23 as acknowledged above the siting and layout of the proposal is not considered to be sympathetic and appropriate to the existing character and setting of adjoining buildings and spaces. The immediate adjoining buildings are generally set close to the highway with low height built form towards the side boundaries of the plots upon which they are located.
- 6.1.24 In respect of criterion f) some landscaping details have been indicated on plans. Landscaping can be controlled by condition however it cannot be relied upon to remain in perpetuity. It is considered that the proposal would likely result in pressure from future occupants for the removal of the mature Scots Pine closest to the north west elevation of the proposed dwelling to the detriment of the rural nature of the locality and character of the AONB. Should the application be approved a condition requiring details of a suitable strong boundary treatment would be required, such as a post and rail fence, to clearly demarcate the residential use from the non-residential use and further protect the designated Local Wildlife Site. However as identified by the Inspector above, even if that land outside of the site were to be segregated off with a strong boundary treatment, such a structure would further accentuate the hard settlement edge to the detriment of the character and appearance of the AONB.
- 6.1.25 Paragraph 3.4.1 of Supplementary Planning Guidance: Replacement Dwellings and Extensions to Dwellings in the Countryside requires replacement dwellings to be located on the site of the existing dwelling it is to replace. However it identifies limited circumstances where a positive environmental or road safety benefit may be achieved by relocation to an adjacent or nearby position within the established curtilage. The guidance goes on to state that development should generally be located in the least conspicuous position within the established curtilage subject to the new dwelling having a satisfactory relationship with any surrounding development. The proposal here would relocate the dwelling to a nearby position within the residential curtilage although it is not for any road safety benefit. It is acknowledged that the proposed siting would help reduce the visual impact from the road but this in turn increases the impact from the public right of way. Furthermore the siting of the proposed dwelling close to the rear boundary of the residential area of the site, away from the road, would not relate well to the neighbouring properties. The immediate neighbouring properties along Craven Road follow a general building line and the proposed replacement dwelling would be set further into the site than the neighbouring properties to the detriment of the character of the AONB.
- 6.1.26 Overall, it is considered that the replacement dwelling is disproportionate in size to the dwelling being replaced, even if it is accepted that the existing loft space should be incorporated into the calculation of the floor space of the original dwelling. Whilst this is one aspect to be considered, the design and massing of the building proposed, and the set back of the building beyond the general building line are considered to contribute to an inappropriate development to the detriment of to the character of the area. The large gabled features on the front elevation are also not considered sympathetic to the street scene. Furthermore it is considered that views into the site from the public highway would be opened up as a result of the proposed new access arrangement and rotation of the siting of the proposed dwelling from that previously refused, thereby increasing the visual

prominence and intrusion of the proposed replacement dwelling. The siting of the replacement dwelling toward the north-eastern edge of the site would also introduce built form into views from the public right of way that runs along the south-eastern boundary of the site further harming the rural character and appearance of the area and AONB.

- 6.1.27 As such it is not considered that the proposal complies with Policy ENV23 of the Local Plan, or guidance contained within Supplementary Planning Guidance: Replacement Dwellings and Extensions to Dwellings in the Countryside as well as Policies CS14 and CS19 of the Core Strategy, the Inkpen Village Design Statement, the NWDAONB Management Plan, Supplementary Planning Document Quality Design and the NPPF and National Planning Practice Guidance.

6.2 The impact on neighbouring amenity

- 6.2.1 Due to the distance of the proposed dwelling from neighbouring properties and taking into consideration the localized ground levels it is not considered that the proposed replacement dwelling would result in an overbearing impact on neighbouring amenities.
- 6.2.2 In respect of the neighbouring property to the south-east, Crows Nest, the proposal is not considered to introduce any significant overshadowing or loss of light. It is noted that, due to the rotation of the siting of the dwelling from that previously refused and the introduction of first floor roof lights serving an ensuite bathroom and dressing room to the front elevation and first floor windows on the south elevation, some overlooking and loss of privacy would be introduced. Given the distance of these openings, in excess of 21 metres from the rear elevation of the neighbouring property and the private garden area to the rear of the neighbouring dwelling, and the angle of view together with existing landscaping it is not considered that the proposal would result in any significant overlooking or loss of privacy. It is acknowledged that the mature conifers may not remain in perpetuity however even without this landscaping views from the proposed openings would be at such an angle and distance as not to warrant a refusal in respect of overlooking into the neighbouring property of Crows Nest.
- 6.2.3 In respect of the neighbouring property to the west, Ford Lynn, the proposed dwelling would be located over 30 metres from this neighbouring dwelling and as such is not considered to introduce any significant loss of light, overlooking or overbearing impact.
- 6.2.4 In respect of the neighbouring property to the south, Honeysuckle Cottage, the proposed dwelling would be located over 45 metres from this neighbouring dwelling and as such is not considered to introduce any significant loss of light, overlooking or overbearing impact.

6.3 Highway matters

- 6.3.1 As this application is for a replacement dwelling, the principle of residential use here is acceptable. Vehicle movements may marginally increase as a result of a larger dwelling but not sufficiently to raise highway concerns.
- 6.3.2 The proposed access is considered to improve visibility and reduce vehicle movements on the public right of way which is welcomed.
- 6.3.3 Construction vehicles should park within the site therefore the Highways Officer requests an appropriate condition be included on any planning approval to ensure this is the case.

6.4 Other matters

Impact on Biodiversity

- 6.4.1 The north-eastern part of the site, as shown on the plan in Appendix 2 is classified as a Local Wildlife Site. The Council's Principal Ecologist has been consulted and raises no objections subject to a condition requiring a detailed site management plan to maintain and enhance the Local Wildlife Site in accordance with Policy CS17 of the Core Strategy.

Sustainable Construction

- 6.4.2 Policy CS15 of the Core Strategy requires all residential development to meet Code Level 4 of the Code for Sustainable Homes. The Design and Access statement confirms that the proposal will be designed to comply with and exceed the West Berkshire policy regarding Code for Sustainable Homes. As such a condition would be suitable to ensure that the proposed dwelling achieved Level 4 of the Code for Sustainable Homes.

Representations

- 6.4.3 It was raised in representations received that the Design and Access Statement submitted with the application incorrectly depicts the line of the public right of way (INKP/17/1) in figure 5. Your Officer has taken into account the definitive line of the public right of way in the assessment of the application which is provided in Appendix 3.
- 6.4.4 It is noted that the Inspector considered the existing bungalow to be dated however it was not considered to be visually harmful to the surrounding area and is fairly well screened from public vantage points.

Presumption in Favour of Sustainable Development

- 6.4.5 The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals.
- 6.4.6 The NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.
- 6.4.7 In contributing to the economic role the development proposed would aid in providing short term economic benefits during the construction phase. However this is of limited economic benefit.
- 6.4.8 Contributing to protecting and enhancing the natural, built and historic environment is fundamental to fulfilling the environmental role of planning. As explained in the report the design of the development is inappropriate and would have an adverse impact upon the character of the area and the AONB contrary to the social and environmental sustainability objectives of the NPPF.
- 6.4.9 As such the proposal is not considered to contribute to the aim of delivering sustainable development contrary to the NPPF.

Community Infrastructure Levy (CIL)

- 6.4.10 This application is CIL liable because it is creating a new dwelling, however, based upon the method used to calculate CIL, which differs from that used to establish the percentage increase for planning purposes detailed earlier in this report, no contributions will be

payable as the amount of internal floor area to be demolished (including the garage) exceeds the internal floor area to be erected.

7. Conclusion

- 7.1 Having taken account of all the relevant policy considerations and the other material considerations referred to above, it is considered that, having regard to the clear reasons to object to the proposal the development proposed is considered to be unacceptable and should be refused for the reasons set out below.
- 7.2 The application site lies outside of any defined settlement boundary, as defined by the West Berkshire District Local Plan Saved Policies 2007. It is considered the proposed dwelling will result in an approximate increase of 130% in floor area and 75% in volume upon the existing dwelling. With regard to the guidance given in the Council's Supplementary Planning Guidance 04/3 'Replacement Dwellings and Extensions to Dwellings in the Countryside' the proposed scheme would result in a dwelling that is disproportionate in size to the dwelling being replaced therefore harming the character of the area. The proposed siting of the dwelling would extend the built form of this part of the village more clearly into the views from the footpath (INKP/17/1), to an extent that the dwelling would be a dominant and jarring feature that would result in an uncharacteristically hard edge to the settlement at this point. The siting of the proposed dwelling close to the rear boundary would increase the likelihood of garden paraphernalia being more visible from the footpath. The introduction of a strong boundary treatment to prevent such paraphernalia would further accentuate the hard settlement edge harmful to the character and appearance of the AONB.
- 7.3 Furthermore the design and massing of the building proposed, and the set back of the building beyond the general building line and at an angle are considered to be inappropriate to the character of the area. The large gabled features on the front and rear elevations are also not considered to be sympathetic to the street scene and increase the dominance of the proposal. In addition views into the site from the public road would be opened up as a result of the proposed new access arrangement thereby increasing the visual prominence and intrusion of the proposed replacement dwelling.

8. Full Recommendation

- 8.1 **DELEGATE** to the Head of Planning & Countryside to **REFUSE PLANNING PERMISSION** for the reason set out in Section 8.2.

8.2 Reason for Refusal

1. The application site lies outside of any defined settlement boundary, as defined by the West Berkshire District Local Plan Saved Policies 2007. It is considered the proposed dwelling will result in an approximate increase of 130% in floor area and 75% in volume upon the existing dwelling. With regard to the guidance given in the Council's Supplementary Planning Guidance 04/3 'Replacement Dwellings and Extensions to Dwellings in the Countryside' the proposed scheme would result in a dwelling that is disproportionate in size to the dwelling being replaced therefore harming the character of the area. The proposed siting of the dwelling would extend the built form of this part of the village more clearly into the views from the footpath (INKP/17/1), to an extent that the dwelling would be a dominant and jarring feature that would result in an uncharacteristically hard edge to the settlement at this point. The siting of the proposed dwelling close to the rear boundary would increase the likelihood of garden paraphernalia being more visible from the footpath. The introduction of a strong boundary treatment to prevent such paraphernalia would further accentuate the hard settlement edge harmful to the character and appearance of the AONB. Furthermore the design and massing of the building proposed, and the set back of the building beyond the general building line and at an angle are considered to be

inappropriate to the character of the area. The large gabled features on the front and rear elevations are also not considered to be sympathetic to the street scene and increase the dominance of the proposal. In addition views into the site from the public road would be opened up as a result of the proposed new access arrangement thereby increasing the visual prominence and intrusion of the proposed replacement dwelling.

The proposal therefore fails to comply with guidance contained within the National Planning Policy Framework (March 2012), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV23 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), West Berkshire Council's Supplementary Planning Document Quality Design (Part 2) (June 2006), West Berkshire Council's Supplementary Planning Guidance 'Replacement Dwellings and Extensions to Dwellings in the Countryside' (July 2004), the North Wessex Downs AONB Management Plan 2014-2019 and the Inkpen Village Design Statement (2002).

DC

Appendix 1 – Previous Appeal Decision for application 13/03005/FUL and Plans



Appeal Decision

Site visit made on 27 August 2014

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 October 2014

Appeal Ref: APP/W0340/A/14/2220950

Hunters Way, Craven Road, Inkpen, Hungerford RG17 9DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nicholas & Mrs Emma Featherstone against the decision of West Berkshire Council.
 - The application Ref 13/03005/FUL, dated 29 November 2013, was refused by notice dated 12 March 2014.
 - The development proposed is to demolish the existing bungalow and detached garage and replace with a new house and garage.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. I have taken into account the Government's Planning Practice Guidance (PPG), issued on 6 March 2014, in reaching my decision but in light of the facts of the case this has not altered my conclusions.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Reasons

4. The National Planning Policy Framework (the Framework) indicates that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
5. The Framework, in paragraph 115, states that with regard to AONBs great weight should be given to conserving the landscape and scenic beauty of these areas. Paragraph 28 of the Framework highlights the need to support a prosperous rural economy but states that development should respect the character of the countryside.
6. Hunters Way is a bungalow set towards the front of a fairly large plot, with a detached garage set further back on the south-eastern side, and there is a garden area to the front, side and rear. The rear garden extends someway back in between trees which form part of a designated Wildlife Heritage Area

although I understand that a large proportion of that part of the rear garden is not lawfully residential land. Beyond this are fields and meadow land.

7. The village is characterised by a sense of openness and spaciousness with a variety of designs of generally detached dwellings set within large plots, some more visible than others depending on the proximity to the road or amount of intervening vegetation, this being a distinctive feature of the street scene.
8. There is a public footpath which runs to the side of the site and then continues eastwards round to north-eastwards. On approaching the site from the north-east along that path, the site is visible albeit through intervening trees which provide varying degrees of filtering and screening. The existing bungalow, in being set towards the front of the site, is not a prominent feature from that direction and the garage is fairly well screened and not a dominant structure. That approach to the village is therefore characterised by its open and vegetated rural surroundings dominated by surrounding trees and vegetation, without any significant sense of being impeded upon by development within the village. There is a distinctly soft edge to the village on that approach.
9. There is dispute between the parties as to the percentage increase of the volume and floor area of the proposed dwelling over that of the existing bungalow. Nevertheless, the proposed house would be noticeably larger than the existing building, particularly with the introduction of the significant proposed first floor accommodation, albeit that this would be partially within the roof space. Whilst the existing garage would be removed, the volume of this, being noticeably detached from the main dwelling, does not have the same visual or massing effect as would be the case with that volume being consolidated in the one proposed building.
10. Crucially, the proposed dwelling would be sited further back into the site than the existing bungalow, close to its rear boundary. As such, it would extend the built form of this part of the village more clearly into the views from the footpath referred to above, to an extent that the dwelling would be a dominant and jarring feature that would result in an uncharacteristically hard edge to the settlement at this point.
11. The dominance would be further increased due to the proposed three large gable features on the rear elevation. There would also be the added likelihood of garden paraphernalia being more visible from the footpath, through the utilisation of the lawn area outside of the site to the rear of the proposed dwelling, albeit that it is not lawfully residential land. This would be due to the limited space there would be between the rear of the proposed house and the site boundary. Even if that land outside of the site were to be segregated off with a strong boundary treatment, such a structure would further accentuate the hard settlement edge referred to above.
12. In terms of the visual effect on the street scene, although the house would be set further back than other houses, the surrounding dwellings are well spaced without any distinct building line. Furthermore, although it would be a larger dwelling on the plot, the site would continue to be well screened at the front by existing boundary vegetation, and the building would also be softened by trees within the site in front and to the side of it. The dwelling would also be located on a slightly lower part of the site than currently and would be lower than the neighbouring property known as Crows Nest. Additionally, whilst there would

be a clear view of the dwelling via the proposed vehicle access, that would only be from directly in front of that access.

13. Whilst the design of the dwelling would include a large front gable, this would be seen in the context of the significant variety of building designs in the vicinity and village generally. Although it would be close to trees either side of it, I consider that in this respect, given that it would still be set well away from the side boundaries of the site, it would also not appear unduly cramped on the plot. For these reasons, together with the degree of set back from the road, the proposed dwelling would not be a dominant or obtrusive feature within the street scene.
14. The appellant draws attention to a number of planning permissions granted by the Council for replacement dwellings with over a 50% increase in floor space. However, I do not have full details of those cases before me and in any case have determined this appeal on its merits. Furthermore, it is claimed that the proposed dwelling would be an improvement to the area in terms of replacing the existing bungalow described as being rundown. Whilst that bungalow is dated, I saw that it was not visually harmful to the surrounding area, and in any case is fairly well screened from public vantage points.
15. Whilst I have found that the proposed development would not cause unacceptable harm to the street scene, this does not outweigh the unacceptable harm that, for the above reasons, it would cause to the character and appearance of the AONB in terms of its visual impact from the public footpath referred to. As such it would be contrary to Area Delivery Plan Policy 5 (ADPP5) and Policies CS14 and CS19 of the West Berkshire Core Strategy (the Core Strategy), and Policy ENV23 of the West Berkshire District Local Plan.
16. It would also be contrary to the Council's Supplementary Planning Document (SPD): Quality Design – West Berkshire (Part 2 – Residential Development) and its SPD: Replacement Dwellings and Extensions to Dwellings in the Countryside; the AONB Management Plan 2009-2014; and Supplementary Planning Guidance (SPG): Inkpen Village Design Statement. I have applied substantial weight to these documents due to their adopted status and, in the case of the Quality Design SPD, the SPG, and the AONB Management Plan, the reference to them in the Core Strategy as being relevant.
17. These Policies and other documents require, amongst other things, that development conserves and enhances the local distinctiveness, sense of place and setting of the AONB; that it must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area; that it is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character; and that development involving the replacement of an existing dwelling in the countryside is not disproportionate in size to the dwelling being replaced, has a high standard of design which is appropriate to the rural character of the area, and is appropriate to the character and setting of adjoining spaces.
18. The development would also be contrary to paragraphs 28 and 115 of the Framework in respect of this issue.

Other matter

19. It is claimed that the development would represent an improvement on the existing bungalow in respect of privacy to neighbours and residents of the site. However, I have insufficient substantive evidence before me to support this claim and so have applied little weight to this factor.

Conclusion

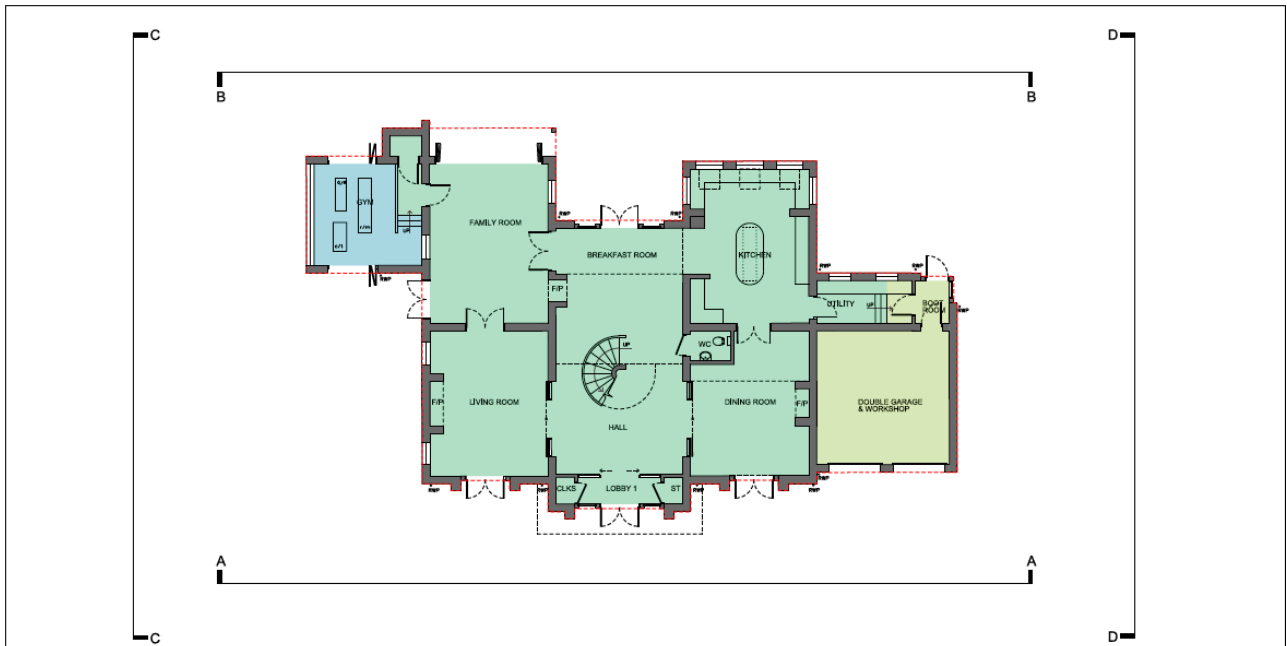
20. There would be some economic benefits in terms of short term construction jobs and I acknowledge that it is intended to utilise high standards of sustainability in respect of construction methods and the operation of the dwelling, and thereby improve on the existing bungalow in this respect. It is also claimed that the development would represent an improvement in respect of pedestrian and vehicular access and noise from vehicles in relation to the residents of Crows Nest. However, any such benefits would not be sufficient to outweigh the harm that I have identified above with regard to the character and appearance of the AONB.
21. Therefore, for the above reasons, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR

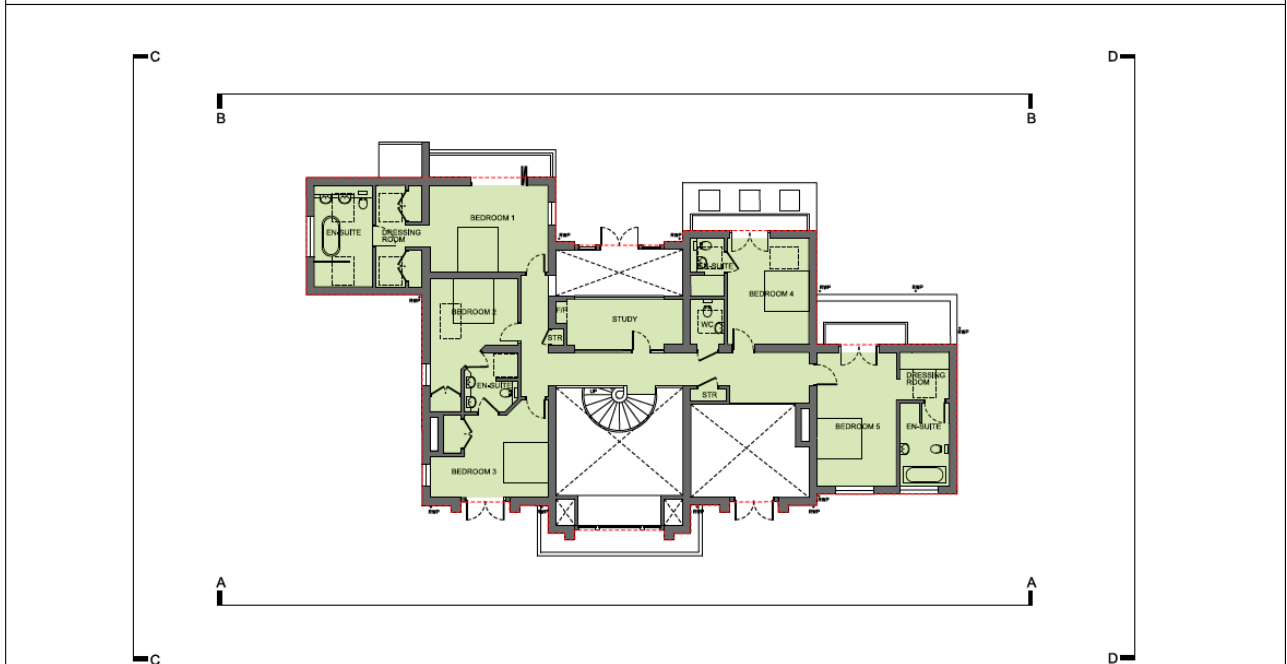
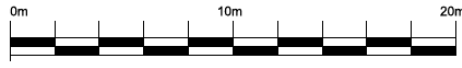


Drawing Name: PLANNING Job No.: H-042 Client: HUNTERS WAY Date: 10/06/15		Scale: 1:500 Drawing No.: PLANNING Date: 10/06/15	Drawing No.: PLANNING Date: 10/06/15
Job No.: H-042 Client: HUNTERS WAY Date: 10/06/15		Drawing No.: PLANNING Date: 10/06/15	Drawing No.: PLANNING Date: 10/06/15
Job No.: H-042 Client: HUNTERS WAY Date: 10/06/15		Drawing No.: PLANNING Date: 10/06/15	Drawing No.: PLANNING Date: 10/06/15
Job No.: H-042 Client: HUNTERS WAY Date: 10/06/15		Drawing No.: PLANNING Date: 10/06/15	Drawing No.: PLANNING Date: 10/06/15



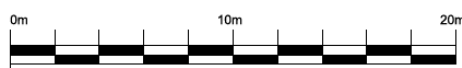
GROUND FLOOR

	GF+1 - +050MM (NET INTERNAL AREA - 19 sq m)
	GF0 - 000MM (NET INTERNAL AREA - 233 sq m)
	GF+1 - +050MM (NET INTERNAL AREA - 41 sq m)
TOTAL NET INTERNAL AREA - 293 sq m	
	GROSS EXTERNAL AREA - 340 sq m



FIRST FLOOR

	FF - +3150mm (NET INTERNAL AREA - 187 sq m)
	GROSS EXTERNAL AREA - 308 sq m
COMBINED GROUND AND FIRST FLOOR GROSS AREA	
	TOTAL GROSS EXTERNAL AREA - 340 + 308 = 648 sq m



<table border="1"> <tr><th>Rev</th><th>Date</th><th>Description</th></tr> <tr><td>1</td><td>11/10/13</td><td>PLANNING ISSUE</td></tr> </table>	Rev	Date	Description	1	11/10/13	PLANNING ISSUE	<table border="1"> <tr><th>Design</th><th>Checked</th><th>Rev</th><th>Date</th></tr> <tr><td>AJS</td><td>AJS</td><td></td><td></td></tr> </table>	Design	Checked	Rev	Date	AJS	AJS			<table border="1"> <tr><th>Design</th><th>Checked</th><th>Rev</th><th>Date</th></tr> <tr><td>AJS</td><td>AJS</td><td></td><td></td></tr> </table>	Design	Checked	Rev	Date	AJS	AJS			<p>Drawing Status: PLANNING</p> <p>Job Title: HUNTERS WAY</p> <p>Drawing Title: GROUND AND FIRST FLOOR PLANS</p> <p>Date: NOV '13</p> <p>Scale: 1:100 @ A1</p> <p>Drawn: AJS</p> <p>Checked: AJS</p>	<p>Job No.: HL-02</p> <p>Drawing No.: PL01-001</p> <p>Drawing and design copyright of:</p> <p>split architects</p> <p>21 THE PARKWAY PLACE</p> <p>BRISTOL</p> <p>BS2 3PH</p> <p>Telephone 01225 464 565</p>	<p>Rev: PL4</p>
Rev	Date	Description																									
1	11/10/13	PLANNING ISSUE																									
Design	Checked	Rev	Date																								
AJS	AJS																										
Design	Checked	Rev	Date																								
AJS	AJS																										

NORTH ELEVATION C/C

SOUTH ELEVATION D/D

Materials Key

Clay roof tiles

Handmade red brick

These houses look like:

- ① Handmade red brick
- ② Clay roof tiles
- ③ Timber framed gable placed walls
- ④ Copper metal canopy
- ⑤ Triple glazed windows
- ⑥ Three gables and horizontal/vertical timber cladding

These houses look like:

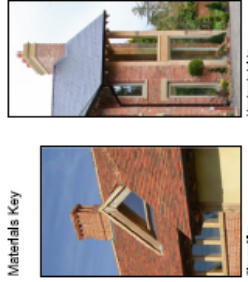
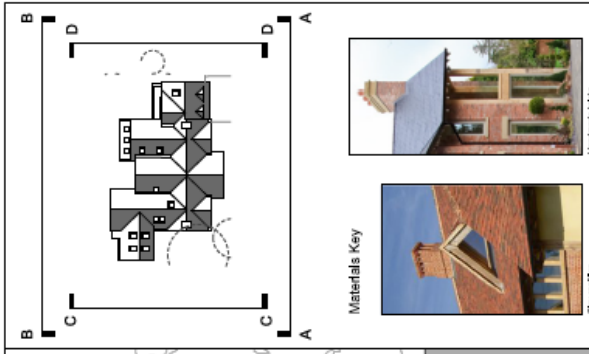
- ⑦ Timber framed gable
- ⑧ Timber framed gable

Materials Key

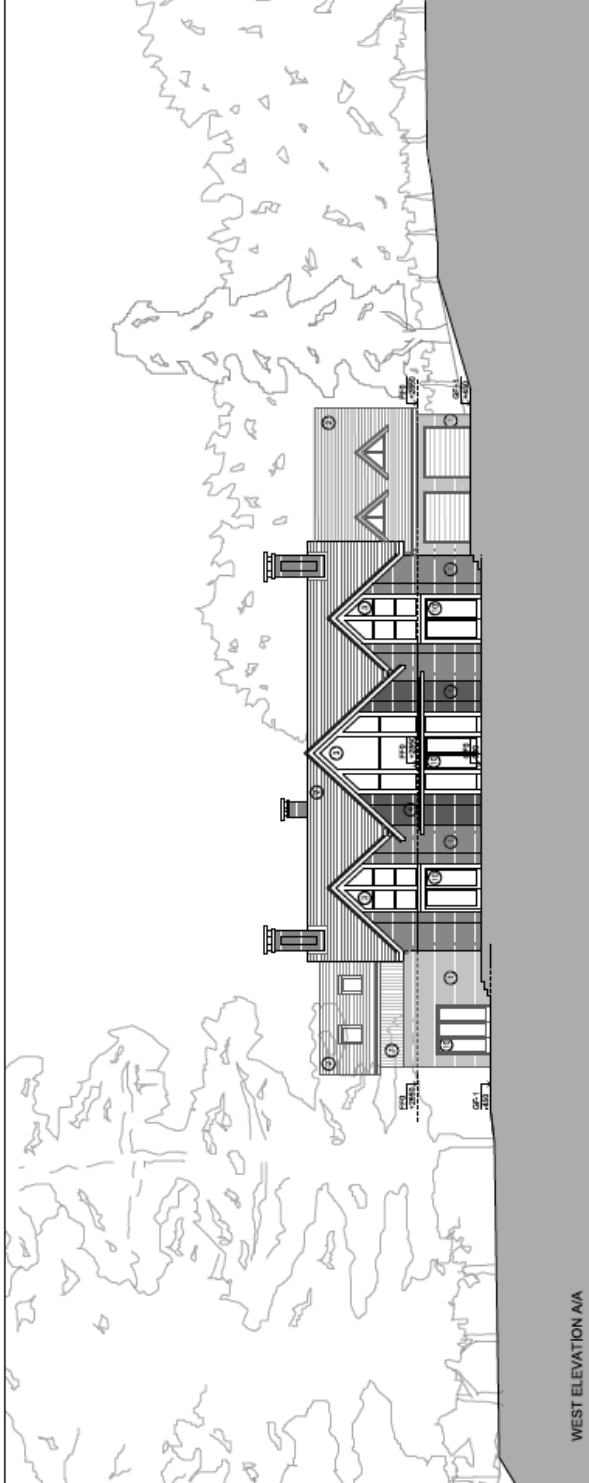
- ① Timber framed gable
- ② Clay roof tiles
- ③ Timber framed gable placed walls
- ④ Copper metal canopy
- ⑤ Triple glazed windows
- ⑥ Three gables and horizontal/vertical timber cladding

Scale: 1:100

Client Name	PLANNING	Drawing No.	HL-02	Revision No.	PL1
Client Ref	HUNTERS WAY	Drawn and design copyright by			
Project Ref	PROPOSED NORTH AND SOUTH ELEVATIONS C/C & D/D	Architect	4 111 111 111 111 111		
Issue No	1	Address	111 111 111 111 111 111		
Issue Date	11/11/11	Location	111 111 111 111 111 111		
Author		Notes			
Checker		Scale			
Approver		Notes			
Issue No		Notes			
Issue Date		Notes			
Author		Notes			
Checker		Notes			
Approver		Notes			



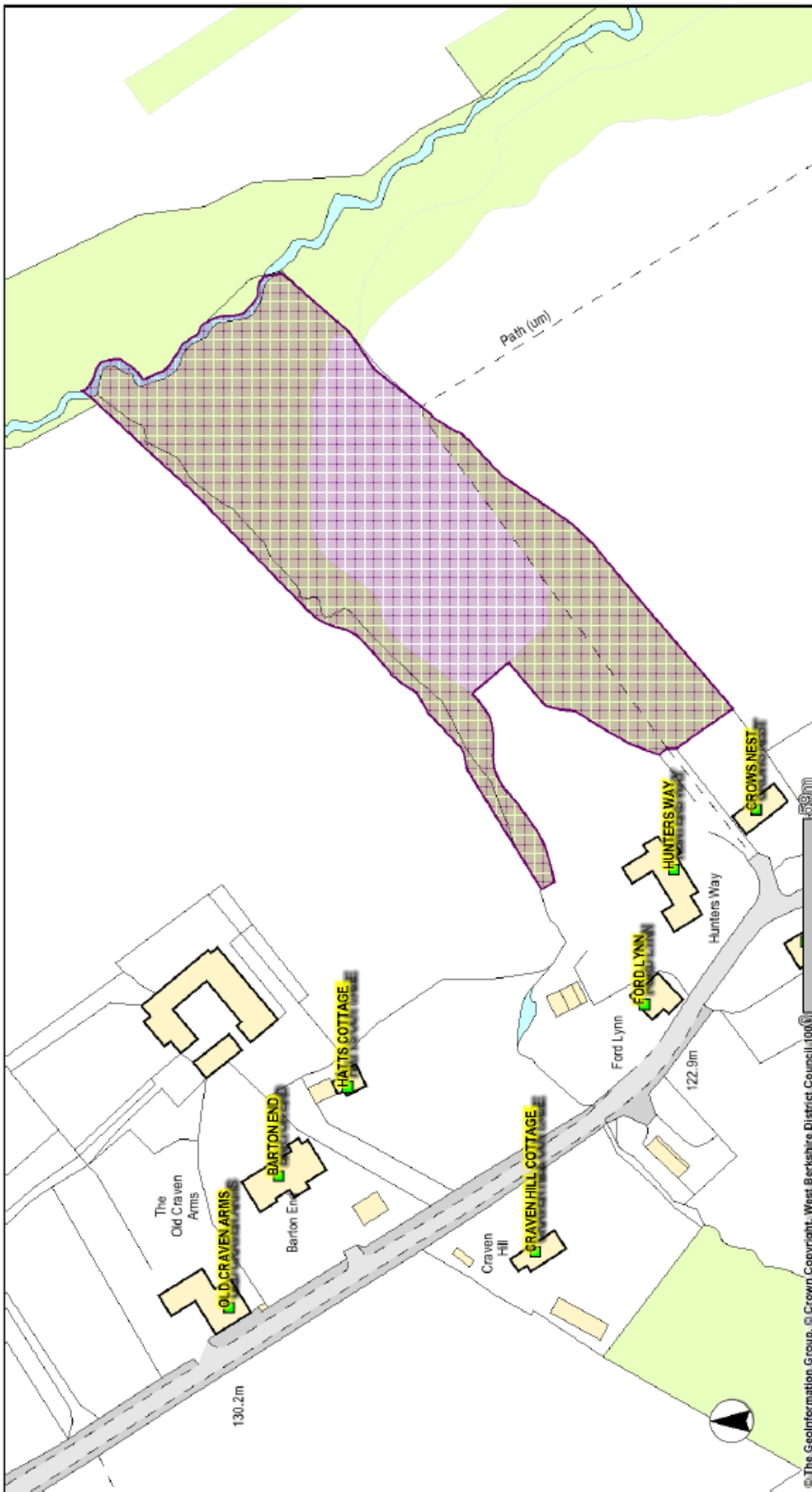
- ① Handmade red brick
- ② Clay roof tiles
- ③ Timber framed glazing
- ④ Copper roof tiles
- ⑤ Timber framed glazing
- ⑥ Timber framed glazing
- ⑦ Handmade red brick
- ⑧ Timber framed glazing



Project No.	PLANNING	Phase	PLS
Client	HUNTERS WAY	Date	18/07/13
Project Name	HUNTERS WAY	Drawn	JAB
Project Address	PROSPECT WEST, A15 HUNTERS WAY EAST ELEVATIONS A/A & B/B	Checked	JAB
Project Location	PROSPECT WEST, A15 HUNTERS WAY EAST ELEVATIONS A/A & B/B	Scale	1:100
Project Status	PLANNING	Author	JAB
Project Description	Architectural drawings for the proposed development.	Client	PLS
Project Notes		Project Manager	JAB



Appendix 2 – Area of Designated Local Wildlife Site



Appendix 3 – Designated Route of Public Right of Way

Recorded Public Footpath Inkpen 17, by Hunters Way, Craven Road, Inkpen

