

| Item No | Application No. and Parish | 8/13 week date | Proposal, Location and Applicant |
|----------------|--|---------------------------|--|
| (1) | 16/00971/OUTD Lambourn Parish Council | 2 nd June 2016 | Outline application for demolition of existing dwelling and erection of three dwellings. Matters to be considered: Access and Layout. Delamere Stables, Baydon Road, Lambourn, Hungerford Mr A Hallows |

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/00971/OUTD>

Recommendation Summary: To **DELEGATE** to the Head of Planning and Countryside to **REFUSE PLANNING PERMISSION**

Ward Members: Councillor Graham Jones

Reason for Committee determination: Call in by Councillor Graham Jones – Reason: To understand the yard's geography in relation to racing facilities and to discuss the viability of the stables as a racing establishment.

Committee Site Visit: 14th July 2016

Contact Officer Details

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1. RECENT PLANNING HISTORY

- 14/01329/MDOPO** Modification of planning obligation of approved application 154152.
Refused on 29/10/2014,
Appeal Dismissed on 17/12/15
- 14/01328/OUT** Outline application for proposed reconfiguration and refurbishment of yard comprising of demolition of boxes and construction of new stable blocks and horse walker. Matters to be considered: Access and Layout.
Approved on 27/10/2014
- 15/00482/OUT** Section 73: Variation of Conditions (3) - Racing industry use and (4) - Occupation of dwellings of approved reference 14/01328/OUT.
Refused on 19/06/2015,
Appeal Allowed on 17/12/15
- 15/00487/MDOPO** Modification of obligation which relates to 154152 - Clause to be modified: The First Schedule - Increase area of land to house (which is excluded from agreement).
Refused on 19/06/2015,
Appeal Allowed on 17/12/15
- 15/02352/MDOPO** Modification of obligation which relates to 154152 - clause to be modified - the first schedule - Increase area of land to house (which is excluded from agreement).
Refused on 06/11/2015
- 15/02354/OUTD** Demolition of existing house and replacement with four dwellings - matters to be considered access and layout.
Refused on 06/11/2015
- 15/02391/FUL** Redevelopment of Delamere Stables to provide enhanced facilities, generally in accordance with approved outline planning consent 14/01328/OUT.
Approved on 29/01/2016

2. PUBLICITY

- 2.1 The Town and Country Planning (Development Management Procedure) (England) Order 2010 (DMPO) requires that the application be publicised by giving requisite notice.

A site notice was displayed on 4th May 2016 and expired on 25th May 2015. Neighbour notification letters have been sent to ten (10) neighbours.

The authority has therefore discharged and exceeded the statutory requirement to publicise applications in accordance with the DMPO.

3. CONSULTATIONS AND REPRESENTATIONS

3.1 Consultations

Lambourn Parish Council: No objection. Concern over the lack of progress on the comprehensive redevelopment of the site.

Highways:

ACCESS - According to the Technical Note (TN) at Point 3.6, visibility splays of 2.4 metres x 15 metres can be provided to the right when exiting the proposed access to the nearside carriageway edge. An off-set is not considered appropriate in this location due to the potential for cyclists to be utilising this road. According to Table 7.1 *Manual for Streets* a splay of 15 metres is the equivalent of vehicles travelling at 13 mph, a speed which a cyclist could also exceed. Vehicle speeds are clearly significantly greater than this.

To the left, an improved splay of 2.4 metres x 46.5 metres (point 3.9 of the TN) can be provided which is welcomed.

Forward visibility is good in the vicinity of the site.

It is proposed that the access width will be 5.5 metres. This is considered to be appropriate for the vehicles that will be required to utilise it.

Whilst I accept that this layout is as per the approved applications for the stables, this current proposal sees an opportunity to move the access further south-westwards which would improve the splay to the north-east. This is particularly relevant given that vehicles and cyclists approaching from this direction will be approaching on this side of the carriageway. I would still therefore request the applicant considers modifications to the existing access for Delamere House to serve this development to further improve highway safety.

VEHICLE MOVEMENTS - It has been estimated within the TN that each of the proposed dwellings could generate around 7 vehicle movements per day – total of 21. This figure is accepted. This is greater than the vehicle movements would be for Delamere House.

However when considering the site as a whole (blue line plan) and the overall use of the access, I generally accept the figures submitted for the previous and proposed uses as outlined in Tables 1 and 2 of the TN, and accept that the level of movements for the previous use as a fully operating Racehorse Training Establishment (RTE) and the proposed new mixed use are likely to be comparable.

It would be difficult to object on this basis.

CAR PARKING AND CYCLE STORAGE - In accordance with West Berkshire Council's latest guidance note (copy attached), each 3-bed dwelling in this location (Zone 3) must be provided with 2.5 car parking spaces – total 7.5. As 7 spaces are proposed, this is accepted as a slight relaxation on this.

A shed should be provided within each of the rear gardens for cycle storage. Each store must be able to accommodate a minimum of 2 bicycles. This could be conditioned.

SUMMARY - Given the supporting information on vehicle movements for the previous and proposed uses as outlined within the TN I accept that, if the RTE was operating at capacity, the vehicle movements could be comparable. I accept it may therefore be difficult to object to the use of the proposed access as already approved under planning applications 14/01328/OUT and 15/02391/FUL.

I am still concerned about the visibility splay to the north-east. To the nearside carriageway edge a distance of 15 metres is achievable which is the equivalent of vehicles and cyclists travelling at 13 mph. This is clearly not the case in this location. For this site there is an alternative that would improve visibility in this direction. I would request the applicant re-considers the provision of this access further south-westwards, in the location of the existing access for Delamere House, in the interest of highway safety.

Environmental Health:

Even with the revised site layout and for the protection of nearby occupiers, the applicant would need to mitigate against dust during demolition and noise during construction.

No objection subject to either a work to a Construction Management Plan or adhere to conditions relating to working hours and dust mitigation measures conditions.

Ecology:

No comments to date (8/7/16)

Ecology from application 15/02354/OUTD:

received 15/10/15

I have read the Bat Survey Reports dated 20/8/15 and 3/9/15 for this site by Cotswold Wildlife Surveys. I have considered the implications of this application against The Conservation of Habitats and Species Regulations 2010 I consider that subject to the application of the following conditions, the actions authorised will not be detrimental to the maintenance of the species concerned at a Favourable Conservation Status in their natural range. If you have any queries, please get back to me.

Waste Management:

No objection. The application raises no concerns with regard to the storage and collection of refuse and recycling; the proposed new properties have a curtilage on the public highway at Baydon Road.

Thames Water:

No objection subject to informative.

3.2 Representations

One letter of representation was received outlining the following points:

It is acknowledged that the current application relates closely to the details of permission 14/01328/OUT, for the alterations to the stables. The alternations included the removal of the stables nearest to the highway, and new stabling provided to replace the removed element. Should the proposed residential development be allowed, this shall occupy the area where the stables identified for removal stand. It is important that should the removal of the stables take place, that they are fully replaced in accordance with 14/01328/OUT and therefore a condition should be placed on this application that requires the replacement stables to be constructed prior to the implementation of this application to ensure the provision of horseracing industry facilities is retained throughout.

Should planning permission be granted for the proposed development, consideration should be given to the construction phase of the development. Demolition of buildings and construction work will lead to noise, dust and safety concerns, with the training yard being especially sensitive to these matters. A Construction Phase Management Plan should be required by condition, and fully account for the sensitive nature of the wider site.

4. PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan comprises policies in the West Berkshire Core Strategy 2006 – 2026, July 2012 and those saved policies within the West Berkshire District Local Plan 1991-2006, Saved Policies 2007.
- 4.2 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework (March 2012) (NPPF)
 - The National Planning Policy Guidance (March 2014) (NPPG) is as a web-based resource (<http://planningguidance.planningportal.gov.uk/blog/guidance/>). The Planning Practice Guidance is a material consideration for all planning decisions.
 - By Design: urban design in the planning system: towards better practice (DETR/CABE)
 - Manual for Streets (DfT; March 2007)
 - Manual for Streets 2 (DfT; September 2010)
 - The Wildlife and Countryside Act 1981 (as amended).
 - The Conservation of Habitats and Species Regulations 2010.
 - North Wessex Downs AONB Management Plan (2014-2019)
- 4.3 The West Berkshire Core Strategy was adopted on 16 July 2012 and carries full weight in decision-making as a development plan document adopted since the publication of the Framework. The following policies from the Core Strategy are relevant to this application:
- NPPF Policy
 - ADPP1: Spatial Strategy
 - ADPP5: North Wessex Downs Area of Outstanding Natural Beauty
 - CS1: Delivering New Homes and Retaining the Housing Stock
 - CS4: Housing Type and Mix
 - CS5: Infrastructure Requirements and Delivery
 - CS10: Rural Economy
 - CS13: Transport
 - CS14: Design Principles
 - CS15: Sustainable Construction and Energy Efficiency
 - CS16: Flooding
 - CS17: Biodiversity and Geodiversity
 - CS18: Green Infrastructure
 - CS19: Historic Environment and Landscape Character
- 4.4 The following policies from the West Berkshire District Local Plan, Saved Policies 2007 are relevant to this application:
- HSG1: The Identification of settlements for Planning Purposes
 - TRANS.1: Meeting the Transport Needs of New Development
 - OVS.5: Environmental Nuisance and Pollution Control
 - OVS.6: Noise Pollution
 - ENV.23: Replacement Dwellings in the Countryside
- 4.5 According to Paragraph 216 of the NPPF, decision-takers may also give weight to relevant policies in emerging plans according to: (1) the stage of preparation, (2) the extent to which there are unresolved objections to relevant policies, and (3) the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF. The Local Development Scheme (LDS) provides a timetable for the preparation of emerging development plan documents.

4.6 The emerging Housing Site Allocations Development Plan Document (HSA DPD) is the second DPD of new West Berkshire Local Plan. It will allocate non-strategic housing sites and sites for Gypsies, Travellers and Travelling Showpeople, and will provide update residential parking standards and a set of policies to guide housing in the countryside. The Proposed Submission Version of the HSA DPD has been submitted for examination (to commence June 2016). According to the LDS, adoption anticipated for November 2016. It is therefore at an advanced stage of preparation. The following policies from the HSA DPD are relevant to this development:

- C1: Location of New Housing in the Countryside
- C3: Design of Housing in the Countryside
- P1: Parking Standards for New Residential Development

4.7 In addition, the following locally adopted policy documents are relevant to this application:

- West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (June 2006)
- West Berkshire Supplementary Planning Document: Quality Design: Part 1 Achieving Quality Design
- West Berkshire Supplementary Planning Document: Quality Design: Part 2 Residential Development
- West Berkshire Supplementary Planning Document: Quality Design: Part 4 Sustainable Design Techniques
- West Berkshire Supplementary Planning Document: Delivering Investment from Sustainable Development

5. DESCRIPTION OF DEVELOPMENT

5.1 This application seeks planning permission for the demolition of the existing 4 bedroom Delamere house, with the dwelling being replaced by three 3 bedroom dwellings. The only matters to be considered as part of this outline application are: the principle of development, access and layout, with all other matters (appearance, landscaping and scale) reserved for later approval.

5.2 The site is located to the south west of Baydon Road in Lambourn. It is situated outside of the defined settlement boundary for Lambourn, within the open countryside and North Wessex Downs Area of Outstanding Natural Beauty (AONB), open countryside can be viewed to the north, west and south. The existing dwelling is a detached pitched roof property which is characterised by small rear, side and front garden areas with car parking spaces situated within the rear of the site. The properties within Derby Close to the north of the site are located within the defined settlement boundary for Lambourn, whilst the existing properties located to the east of the site Nos. 35 – 45 Baydon Road are also located outside the settlement boundary.

5.3 The proposed development comprises an area of land containing the main Delamere Stables house and existing stables to the west and the east of the site (now partially demolished). It should be noted that application 15/00487/MDOPO was allowed on appeal for the modification of obligation relating to existing stables to the west and the east of the site, (these are now excluded from agreement with the stable yard). The proposed dwellings will face onto Baydon Road and will have access to the rear gardens from a proposed pathway. The outline of the existing dwelling is shown on the Proposed Site Plan, which also shows an outline of the stables to be demolished to the west and east of the main house outline.

- 5.4 It is proposed that the existing access onto the Delamere Stables yard will be widened to provide access onto a new parking area that will serve the proposed dwellings. The layout indicates a total of 7 parking spaces located to the east of the proposed dwellings.
- 5.5 The application follows an approved outline application: 15/02391/FUL which proposed for the demolition/removal of a number of existing loose boxes, reconfiguration of other existing blocks, 8 new stables including 4 stables within a two storey barn. A horse walker is also proposed within the small paddock and internal alteration of the staff flat. The proposals will create a yard with approximately 17 loose boxes. The proposals to the annex and the cottage include a first floor rear extension incorporating two rear gable features.
- 5.6 The area to the south of Delamere house is not being considered as part of this application, however it has been shown on the Proposed Site Plan for the purposes of completeness and to illustrate how the whole site is proposed for redevelopment.

6. CONSIDERATION OF THE PROPOSAL

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

- The principle of the development,
- The impact on the character and appearance of the site and the North Wessex Downs AONB,
- The impact upon neighbouring amenity,
- On-site amenity and facilities,
- Impact on Highways (safety and use),
- Flood risk and drainage,
- Ecological impacts and biodiversity enhancements,
- Community Infrastructure Levy,
- Sustainable Development,

6.1 Principle of the development

- 6.1.1 The application site is located outside the defined settlement boundary for Lambourn, for planning purposes the site is considered to be located in open countryside within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Core Strategy Policy ADPP1 states that only appropriate limited development in the countryside will be allowed focused on addressing identified needs and maintaining a strong rural economy.
- 6.1.2 Planning Policy ADPP1 of the West Berkshire Core Strategy 2006 - 2026 (WBCS) designates Lambourn as a Rural Service Centre with a settlement boundary within its district settlement hierarchy. These are areas suitable for only limited infill development subject to the character and form of the settlement. The site for development is situated outside of the village settlement boundary and is therefore located within the open countryside.
- 6.1.3 Planning Policy ADPP5 of the Core Strategy re-emphasises Policy ADPP1. It sets out the criteria for the principle of development within the North Wessex Downs Area of Outstanding Natural Beauty in which Lambourn is located. Policy ADPP5 permits such development providing it preserves the surrounding environment. It seeks to conserve and enhance the character of the area, ensuring that any development responds positively to the local context.
- 6.1.4 The North Wessex Downs AONB covers 74% of West Berkshire and makes a significant contribution to the uniqueness of the District. The settlement pattern will be maintained as both distinctive and ancient with a small and dispersed population within villages and small towns that have a strong sense of identity.

- 6.1.5 Policy ADPP5 states that Lambourn will be a busy working village that serves as the heart of one of the most important areas for horseracing in the country. As a key service centre for the surrounding rural area it will continue to provide a range of employment, shops and facilities for the local community whilst being well connected via public transport to Swindon and Newbury. A modest level of housing growth will have maintained the viability of services and contributed towards the housing needs of the local people and the local economy whilst respecting the historic built environment and unique character associated with the horseracing industry.
- 6.1.6 Planning Policy CS1 of the WBCS sets out the Council's approach to delivering new homes and retaining the housing stock. It states that provision will be made for the delivery of at least 10 500 net additional dwellings and associated infrastructure over the period of 2006 to 2026. New homes will be located in accordance with the settlement hierarchy outlined in Policy ADPP1. It states that there should be no net loss from the existing stock of homes in West Berkshire whilst new homes will be primarily developed on suitable previously developed land within settlement boundaries
- 6.1.7 Planning Policy HSG1 of the Local Plan states that new housing will normally be permitted within the identified boundary of Lambourn. The development is located outside of a settlement boundary within the open countryside. The development is therefore contrary to Policy HSG1 which states that development outside of settlement boundaries will only be acceptable in exceptional circumstances.
- 6.1.8 Policy C1 of the draft West Berkshire Council Proposed Submission Housing Site Allocations Development Plan Document states that there is a presumption against new residential development outside of settlement boundaries, it is noted the proposed site is still outside of the revised settlement boundaries as a result of housing allocations stemming. Exceptions to this are limited to rural exception housing schemes, conversion of redundant buildings, housing to accommodate rural workers and extensions to or replacement of existing residential units.
- 6.1.9 The first core planning principle in the NPPF is that planning should be genuinely plan-led, empowering local people to shape their surroundings. In view of the above, the principle of development is unacceptable. The site is located within the open countryside which is outside of a defined settlement boundary. The net increase of two additional dwellings is unacceptable in this rural location. The proposed development is therefore considered unsustainable within this rural area and contrary to Policy ADPP1, ADPP5 of the Core Strategy, HSG1 of the Local Plan and Policy C1 the draft Housing Site Allocations DPD.

6.2 Impact upon the character and appearance of the site and conservation area

- 6.2.1 The NPPF states that good design is indivisible from good planning and 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 and that securing high quality and inclusive design goes beyond aesthetic considerations.
- 6.2.2 The NPPF is clear that local planning authorities should look to significantly boost the supply of housing in line with the principles of sustainable development. However the NPPF is consistent with local planning policy in that it advises at Paragraph 55 against new isolated homes in the countryside unless there are special circumstances. Special circumstances could include the exceptional quality of innovative nature of design of the dwellings. To qualify, such a design should:

- Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- Reflect the highest standards in architecture;
- Significantly enhance its immediate setting; and
- Be sensitive to the defining characteristics of the local area.

- 6.2.3 A proposed development must pass all of these tests to qualify as an exception countryside dwelling under Paragraph 55. It is considered that as the proposed development is at outline stage the first two tests cannot be fully assessed as there is insufficient detail with this type of application to assess outstanding or innovative design and high standards of architecture. In terms of the remaining two tests, the proposal is considered to fail to significantly enhance the character and appearance of the immediate area, as the proposed dwellings would significantly alter the character and appearance of the Baydon Road street scene which is located within a designated AONB. The street scene along Baydon Road is well established and defined by the Delamere House and the adjacent cottages. The front elevations of the proposed dwellings will increase the front building line along the street scene creating a visual intrusion to the detriment of the character of the area.
- 6.2.4 Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are also relevant in this instance. 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.
- 6.2.5 Policy CS 19 Historic Environment and Landscape Character outlines that in order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard will be given to the sensitivity of the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.2.6 The Council has adopted a Supplementary Planning Document (SPDQD) series entitled Quality Design. Part 2 of the SPDQD provides detailed design guidance on residential development. The proposed layouts for the 3.No dwellings are considered to be of unsympathetic design that fails to respect and enhance the character of the area which is located within the North Wessex Down AONB. SPDQD part 2 indicates that respecting the physical massing of an existing residential area is a critical part of protecting residential character. The physical bulk of buildings should be considered in terms of their footprint, length, width and height, matters of footprint, length and width are relevant in terms of considering the layout of the development.
- 6.2.7 The existing dwelling has a footprint of approximately 154.4 square metres and the combined footprints for Plot 1, Plot 2, Plot 3 and Plot 4 is approximately 164.8 square metres. Whilst the increase in the overall footprint on the site is only approximately 10.4 square metres, which is minimal, there is an overall material increase in the built form within the street scene along Baydon Road. The existing Delamere House presents a modest 10.2 metre front building line, providing an important hinterland which helps to soften existing built form's transition to the land outside of the settlement boundary and makes a vital contribution to the character and amenity of the AONB. Whereas the proposed dwellings will increase the front building to 20.6 metres. The proposal therefore fails to accord with the Supplementary Planning Document (SPDQD) series entitled Quality Design by failing to respect the physical massing of an existing residential area in terms of the proposed length and width of the built form.

- 6.2.8 Both Planning Policy ENV23 of the WBLP and emerging Policy C7 of the DPD concerns replacement dwellings in the countryside. There is a concern that large scale modern replacement dwellings with standardised design features are having a detrimental effect on the character of the rural area. Policy ENV23 allows for the one for one replacement of existing dwellings in the countryside providing the existing dwelling is long established, the proposed dwelling is not disproportionate in size to the dwelling being replaced, the proposed design is of a high standard and appropriate to the rural character of the area, and the development complements existing buildings within the locality. Such developments must be appropriate and sympathetic in scale, design, materials, layout and siting to the character and setting of adjoining buildings and spaces, and use landscaping to preserve the setting of the surrounding rural area.
- 6.2.9 As the application is for outline consent only the matter of layout can be considered under Policy ENV23 and C7. Whilst Policy ENV23 and C7 allow for replacement dwellings, the proposed dwellings will have an increased front building line within the street scene and will offer a terrace of dwellings that is a departure from the existing form of development and openness within the street scene along this section of Baydon Road. In addition the proposal is for the replacement of one residential dwelling with a total of three dwellings. The proposed dwellings are considered to be inappropriate and unsympathetic in design, layout and siting to the character and setting of adjoining buildings and spaces, and fail to use landscaping to preserve the setting of the surrounding rural area. It is considered that it would harm the distinct character and appearance of the AONB street scene which is defined by open countryside to the north, west and south.
- 6.2.10 In view of the above the proposed development would create a detrimental impact upon the character and appearance of the area and is therefore contrary to Policy CS14 and CS19 of the Core Strategy and Policy C7 the draft Housing Site Allocations DPD.

6.3 Impact upon neighbouring amenity and environmental protection

- 6.3.1 According to the NPPF, planning decisions should ensure that the site is suitable for its new use taking account of ground conditions, including pollution arising from previous uses and any proposals for mitigation including land remediation.
- 6.3.2 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 Framework. Core Strategy Policy CS14 also states that new development must make a positive contribution to the quality of life in West Berkshire.
- 6.3.3 **Noise disturbance, odour and insect nuisance:** The Council's Environmental Health Team has indicated that the revised layout is still in close proximity to residential properties. Therefore there is a likelihood that nearby residents could be affected by dust and noise during the development, however this could be mitigated by way of either a Construction Management Plan or conditions relating to working hours and dust mitigation measures.
- 6.3.4 **Loss of sunlight/daylight:** A loss of sunlight or daylight will not be created in this instance as the proposed dwellings are sufficiently designed in a terrace format, which will not create a harmful impact upon living conditions of neighbouring occupants.
- 6.3.5 **Overbearing impact:** The scale and height of the proposed dwellings will be assessed at the Reserve Matters stage when the matters of appearance and scale will be considered.
- 6.3.6 **Overlooking impact or loss of privacy:** The impact on overlooking and privacy of the proposed dwellings will be assessed at the Reserve Matters stage when the proposed windows and internal layout will be submitted and the appearance and scale will also be considered.

6.3.7 While Environmental Health, objected to the previous application for 4 dwellings (15/02354/OUTD) would impact on the amenity enjoyed by future occupants, it is considered that the current proposed for three dwellings' could be sufficiently controlled by way of conditions.

6.4 On-site amenity and facilities

6.4.1 Policy HSG1 requires all new residential development to have regard to the existing nature of the area surrounding the application site. The NPPF looks for good quality development which has regard to the amenity of surrounding land users and Policy CS14 seeks, amongst other things, to make efficient use of land whilst respecting the density and character of the surrounding area.

6.4.2 The Council's Supplementary Planning Document: Quality Design (SPD) states that it is essential for the living conditions of future residents that suitable outdoor amenity space is provided in residential developments. Depending on the size of the dwelling, a garden should be large enough to accommodate such features as a garden shed, washing lines and other domestic features and should allow for opportunities for sitting outside in comfort and provide reasonable privacy.

6.4.3 In accordance with the application form the proposed dwellings will be 3 bedroom properties. Plots 1 and 2 will have garden amenity space of 100-104 square metres each and Plot 3 will have a garden amenity space of approximately 98.6 square metres.

6.4.4 Although the proposed garden size for plot 3 falls just below the adopted minimum size guidelines in SPD, the regular shape would ensure that they provide sufficient opportunities for outdoor amenity and the shortfall in garden sizes is not considered to be of such an extent as to warrant refusal of the application. Further to this, the amenity space provided for the houses does look to be adequate, private and useable and as such meets the objectives of the SPD.

6.5 Impact on Highways (safety and use)

6.5.1 Road safety in West Berkshire is a key consideration for all development. As with the previous application the Council's Highways Officer expressed concern with regards the visibility splays on the proposed access, however additions information has been submitted in the form of a transport note, and while the officer has raised concern with the visibility splay to the north-east, it is not considered this is significant enough to object to the use of the proposed access as already approved under planning applications 14/01328/OUT and 15/02391/FUL.

6.6 Flood risk and drainage

6.6.1 The Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS16 (Flooding) strictly applies a sequential approach across the district. The application site is located in the Environment Agency's Flood Zone 1, which has the lowest probability of fluvial flooding, and is therefore appropriate for residential development. Consultation with the Environment Agency is not required for minor residential development in Flood Zone 1.

6.6.2 Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS). Detailed proposals will need to be informed by site investigation works and mitigation measures, but can be approved by way of planning condition.

6.7 Ecological impacts and biodiversity enhancements

- 6.7.1 Core Strategy Policy CS17 (Biodiversity and geodiversity) states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Policy CS17 also states that, in order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan. **At the time of writing this report no comments have been received from the Council's Ecologist**, under the previous application (15/02354/OUTD) the comments received (15/10/15) did not raise objection to the proposal subject of conditions.

6.8 Community Infrastructure Levy

- 6.8.1 Core Strategy Policy CS5 (Infrastructure) states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st April 2015. Planning applications which are decided on or after 1st April 2015 may be liable to pay the levy.
- 6.8.2 The proposed new build in terms of the gross internal floor space area (GIA) as defined by the Royal Institute of Chartered Surveyors (RICS) may be more than 100m². Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations, residential development of 100m² or more will be liable to pay the Community Infrastructure Levy. In this instance the site is within Area of Outstanding Natural Beauty Area under which the chargeable rate would be £125 per m².
- 6.8.3 The application will be liable to pay the Community Infrastructure Levy (CIL) for the residential development at the Reserve Matters stage.

6.9 Sustainable Development

- 6.9.1 When considering development proposals the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

At the heart of the NPPF is a presumption in favour of sustainable development, 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 and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal.

Social dimension: It is considered that the proposal makes no significant contribution to the wider social dimensions of sustainable development, however social considerations overlap those of environmental in terms of neighbouring amenity.

Economic Dimension: the proposed redevelopment of the stable yard will maintain the Race Horse Industry and improve the on-site Equestrian facilities. It is considered that the proposed new dwellings would not make a significant contribution to the wider economic dimensions of sustainable development.

Environmental dimension: With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding area has been assessed as part of this application. It is considered that the proposed residential development significantly impacts on the built environment and that the proposal fails to protect and enhance the prevailing pattern of development in the area which is located within the AONB and the site specifically.

For the above reasons, it is considered that the proposed development is not supported by the presumption in favour of sustainable development.

7. CONCLUSION

- 7.1 The principle of the residential development is unacceptable. The site is located within the open countryside which is outside of a defined settlement boundary. The net increase of two additional dwellings is unacceptable in this rural location. There is a lack of services and infrastructure that could support the additional unit. The proposed development is therefore considered unsustainable within this rural area and contrary to Policy ADPP1, ADPP5 of the Core Strategy, HSG1 of the Local Plan and Policy C1 the draft Housing Site Allocations DPD.
- 7.2 The proposal is considered to fail to significantly enhance the character and appearance of the immediate area, as the proposed dwellings would significantly alter the character and appearance of the Baydon Road street scene which is located within a designated AONB contrary to Policies CS14 and CS19 of the Core Strategy and Policy C7 the draft Housing Site Allocations DPD.

8. FULL RECOMMENDATION

DELEGATE to the Head of Planning & Countryside to **REFUSE PLANNING PERMISSION**, for the reasons outlined within the reasons for refusal (Section 8.1).

8.1 Reasons for refusal

1. Principle of residential development within the countryside.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

The site is located outside of a settlement boundary as defined by the Local Plan Proposals Map. The site is therefore within an area of open countryside. The Council is able to demonstrate a 5 year housing land supply in accordance with paragraphs 47-49 of the National Planning Policy Framework. Accordingly the relevant policies relating to the supply of housing are deemed to be up to date and given full weight. The West Berkshire Core Strategy 2006-2026, seeks to direct new development in accordance with the settlement pattern with most development taking place within settlements defined within the hierarchy as directed by Policy ADPP1. The explanatory text to Policy HSG.1 West Berkshire District Local Plan Saved Policies 2007 states that outside settlement boundaries, development will only be acceptable in exceptional circumstances. Policy CS1 of the Core Strategy states that new homes will be primarily developed on: suitable previously developed land within boundaries, other suitable land within settlements, strategic sites and broad locations identified on the Core Strategy Key Diagram and land allocated through the Site Allocations DPD. The Proposed Submission Version of the Housing Site Allocations Development Plan Document has been submitted for examination (commencing June 2016). It is therefore at

an advanced stage of preparation. Policy C1 of the draft West Berkshire Council Proposed Submission Housing Site Allocations Development Plan Document states that there is a presumption against new residential development outside of settlement boundaries, exceptions to this are limited to rural exception housing schemes, conversion of redundant buildings, housing to accommodate rural workers and extensions to or replacement of existing residential units. It is noted the proposed site is still outside of the revised settlement boundaries as a result of housing allocations.

The proposed three dwellings do not meet with these criteria and as such their proposal is not in conformity with the current statutory development plan which comprises policies in the West Berkshire Core Strategy 2006 – 2026, July 2012, those saved policies within the West Berkshire District Local Plan 1991-2006, Saved Policies 2007 and the Proposed the Housing Site Allocations Development Plan Document (submitted for examination June 2016).

2. Impact on the character and appearance of the area (AONB).

The proposal is considered to fail to significantly enhance the character and appearance of the immediate area, as the proposed dwellings would significantly alter the character and appearance of the Baydon Road street scene which is located within a designated AONB. The street scene along Baydon Road is well established and defined by the Delamere House and the adjacent cottages. The front elevations of the proposed dwellings will increase the front building line along the street scene creating visual intrusion to the detriment of the character of the area. The proposed dwellings fail to respect the distinctive character and appearance of this part of the North Wessex Downs Area of Outstanding Natural Beauty.

The proposed three dwellings will be contrary to the NPPF which states that good design is indivisible from good planning and 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 and that securing high quality and inclusive design goes beyond aesthetic considerations. The proposals are also contrary to Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are also relevant in this instance. 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. Policy CS 19 Historic Environment and Landscape Character outlines that in order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard will be given to the sensitivity of the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. As the application is for outline consent only the matter of layout can be considered under Policy ENV23 and C7. Whilst Policy ENV23 and C7 allow for replacement dwellings, the proposed dwellings will have an increased front building line within the street scene and will offer a terrace of dwellings that is a departure from the existing form of development and openness within the street scene along this section of Baydon Road. In addition the proposal is for the replacement of one residential dwelling with a total of three dwellings. The proposed dwellings are considered to be inappropriate and unsympathetic in design, layout and siting to the character and setting of adjoining buildings and spaces, and fail to use landscaping to preserve the setting of the surrounding rural area. It is considered that it would harm the distinct character and appearance of the

AONB street scene which is defined by open countryside to the north, west and south. The proposed dwellings are also contrary to the Supplementary Planning Document (SPDQD) series entitled Quality Design in terms of the footprint, length and width of the proposed dwellings.

DC