

**Extract from the Minutes of the Western Area Planning Committee on the 20 July 2016**

**Application No. and Parish: 16/00971/OUTD - Delamere Stables, Baydon Road, Lambourn, Hungerford**

*(Councillors Jeff Beck, Billy Drummond and Anthony Pick declared that they had been lobbied on Agenda Item 4(1)).*

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 16/00971/OUTD in respect of an outline application for the demolition of the existing dwelling and erection of three dwellings.

Derek Carnegie introduced the report to Members, and in so doing took account of all the relevant policy and other material considerations. The application had been called in by the Ward Member to enable the Committee to understand the yard's geography in relation to racing facilities and to discuss the viability of the stables as a racing establishment.

There was a lengthy planning history associated with the site and as it was an outline application, access and layout were the only matters requiring consideration. The site's relationship to the defined settlement boundary for Lambourn was crucial to the application as it was just outside the boundary.

No objections had been received from Lambourn Parish Council, who were keen to see some movement with the site. As visibility from the site access had been improved, Highways had said it would be difficult for them to object to the application. Environmental Health had requested a Construction Management Plan to be put in place if the application was approved.

The existing dwelling had a footprint of approximately 154.4 square metres and the combined footprints for the proposed three plots was approximately 164.8 square metres. However, although the increase in the proposed footprint was minimal, there was an overall material increase in the built form of the proposed dwellings. The existing house presented a 10.2 metre front building line, whilst the proposed dwellings would increase this to 20.6 metres,

Therefore the Officers' recommendation was to refuse the application. This was based on a point of principle, as the site was outside the defined settlement boundary and as planning in West Berkshire was plan led, Officers were obliged to follow Planning Policy Area Delivery Plan Policy (ADPP) 1 of the West Berkshire Core Strategy. This stated that only appropriate limited development in the countryside would be allowed, focused on addressing identified needs and maintaining a strong rural economy.

Councillor Adrian Edwards asked when the defined settlement boundary was drawn and Derek Carnegie replied that this was about 12 to 14 years ago. He added that a review of this had been requested and the Policy Team would be undertaking this at some time in the future.

Councillor Paul Bryant commented that whilst the footprint of the proposed dwellings had been provided in the report, the floor space had not. He was advised by Derek Carnegie that the footprint was the same as the floor space.

Councillor Bryant further commented that paragraphs 6.29 and point 2 of the reasons for refusal provided on page 48 of the report stated that the proposed dwellings were inappropriate, unsympathetic and would significantly alter the character and appearance of the area. As this was an outline application, he questioned how the Case Officer could support these comments. Derek Carnegie responded that in the view of the Case Officer, the current dwelling had less impact on the street scene than the proposed dwellings. Councillor Bryant's rebutted this by stating that there was another terrace of houses adjacent to the site and another terrace in the vicinity.

Councillor Bryant went on to note that the report stated that the site was some distance from the local services; however the High Street was only about 200 metres away. Derek Carnegie observed that this was a debatable point, as some people would not be happy to walk the distance.

Councillor Anthony Pick remarked that the report stated the current dwelling was beyond economic repair and enquired what evidence this was based on. Derek Carnegie informed him that officers had to assess whether it was a viable proposition to refurbish it, as a structural report had not been carried out and he suggested that the Agent would be able to advise on this.

Councillor Pick noted that Highways had suggested that the access was moved and asked whether this was important. Paul Goddard, the Principal Development Control Engineer, clarified that the developer had been trying to swap the parking spaces with the dwellings. However, this would have caused a dogleg through the site and caused a problem to any large vehicles accessing the site from the east. He said that a further transport assessment had been undertaken, which had shown there would not be an increase in traffic from the site, so Highways Officers were of the view that the access could remain in situ.

Councillor Howard Bairstow pointed out that a boundary change might put the site within the settlement boundary and therefore enquired why it was excluded. Derek Carnegie answered that there was no known reason for its exclusion and if the boundary was changed, it was likely that the site would be included.

Councillor Garth Simpson asked what a reasonable walking distance would be to amenities. Paul Goddard confirmed it was 2 km and noted that it was less than 2 km to the centre of Lambourn from the site.

In accordance with the Council's Constitution, Mr Mark Campbell, agent, addressed the Committee on this application.

Mr Campbell in addressing the Committee raised the following points:

- One of the reasons for refusal was because the site was outside the settlement boundary and yet the boundary touched the corner of the site. Consequently, the houses in this area had been excluded from the settlement boundary for about 30 to 40 years and the reason for this was unclear. The site formed part of the village and was within the 30 mph speed limit, so he took issue with the assertion in the report that it was within open countryside.
- Policy ADPP1 allowed for sites to be developed adjacent to settlement boundaries, which this complied with.
- He was aware that the Council's 5 year land supply had been questioned by the Inspector in previous appeal decisions.

- It was a sustainable development in a sustainable location and other planning policies would allow for redevelopment of the site.
- National Policy (NP) 20 allowed for the redevelopment of the site in total, but it was a rural policy and this was not a rural site.
- There would be no impact on the Area of Outstanding Natural Beauty (AONB) as the site was within the village and therefore there would be no impact on the scenic beauty of the countryside.
- The development would make better use of the site as the current dwelling was in need of refurbishment.
- It was vital that this part of the site was redeveloped in order to provide the finance required to enable the bottom part of the site to be redeveloped.
- As it was a sustainable development in line with Council policy, there would be no need for the application to be referred to the District Planning Committee if Councillors were minded to approve it.

Councillor Bryant asked for clarification about the distance from the site to the village centre. Mr Campbell replied that he was unsure of the exact distance but thought it was approximately 300 to 400 metres.

Councillor Billy Drummond enquired about the cost of refurbishing the current dwelling. Mr Campbell said he did not know the answer; however there was a limit as to how much anyone would be prepared to invest in such a property. It had been in a dilapidated state for some time and it was very unlikely that anyone would be prepared to undertake the refurbishment.

Councillor Edwards noted that the house was occupied and so he conjectured that it could not be in a very bad state of repair. Mr Campbell acknowledged that it was being rented and so there would be a limit on the return of any investment put into refurbishing it.

There were no comments from the Ward Members.

In considering the above application Councillor Beck noted that they were dealing with a historical envelope with regard to the boundary, which was nonsensical to the reality on the ground. If the site was developed it would enable the stables to be brought up to a better standard and improve the economy in Lambourn. He therefore proposed a recommendation for approval of the application against the Officers' recommendation. This was seconded by Councillor Bairstow.

Councillor Edwards stated that it was "a nonsense" for the settlement boundary to go through the back yard so he was supportive of the proposal.

Councillor Pick expressed concern that no satisfactory evidence had been produced to show that the current dwelling was beyond repair. He was worried that when the full planning application was received the proposed dwellings may not improve the area, but there would be pressure to approve it, if the outline planning permission was in place. Therefore he would be more comfortable if this was a full planning application.

Councillor Bryant noted that the statements in paragraphs 6.2.6 and 6.2.9 could not be supported as this was an outline planning application and he could not agree that the dwellings would be unsympathetic, as there were other rows of terrace houses in the vicinity. When the full application was received, Officers would ensure it met good planning standards and the site was no distance from the local amenities. The

only reason for refusal was policy related, as the site was on the edge of the boundary settlement and there was no evidence as to why it had not been included. The current dwelling could be demolished and a similar size one built, whereas the proposal was for an additional two dwellings on the same footprint and so he supported it.

Councillor James Cole pointed out that no proof had been provided to show that the house could not be refurbished and if it had been 100 yards away in a large garden, he would not support the application. However, due to the location, it would be useful to turn it into three dwellings.

Councillor Simpson noted that Mr Campbell had stated the refurbishment of the stables was reliant on the finance generated from this development. Councillor Pick queried whether the relationship between the finance being raised by the new development and the refurbishment of the stables was a material planning consideration. Derek Carnegie confirmed that the relationship was not central to the planning decision.

The Chairman invited the Committee to vote on the proposal by Councillor Beck, seconded by Councillor Bairstow to refer the application for approval to the District Planning Committee. At the vote, this was carried by a majority with 6 in favour and 2 against.

**RESOLVED that** the Head of Planning and Countryside be authorised to approve the planning permission, subject to conditions, which would be presented to the District Planning Committee for consideration.