

<b>Item No.</b>	<b>Application No. and Parish</b>	<b>8/13 week date</b>	<b>Proposal, Location and Applicant</b>
(1)	16/01603/FULMAJ	19.09.2016	<p>Replacement of redundant barns with a single dwelling, redevelopment of an existing barn to provide garaging, associated landscaping, provision of a community parking area and additional wider landscaping and biodiversity enhancements to an AONB</p> <p>Land North Of Winterbourne Farm Winterbourne</p> <p>PAC Farms Ltd</p>

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/01603/FULMAJ>

**Recommendation Summary:**      **The Head of Planning and Countryside be authorised to REFUSE planning permission**

**Ward Member(s):**                      Councillor Paul Bryant  
Councillor Marcus Franks

**Reason for Committee Determination:**      10 letters of support and the support of the Winterbourne Parish Meeting

**Committee Site Visit:**                      25<sup>th</sup> August 2016.

<b>Contact Officer Details</b>	
<b>Name:</b>	Mrs Sharon Brentnall
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## 1. Site History

15/02923/FULMAJ - Demolition of redundant agricultural barns. Erection of new dwelling with garage and paddock area. Extensive wider landscape and ecological enhancements to the surrounding area. Use of an area of land as an informal car park for the local community.  
Withdrawn

15/00414/FULMAJ: Demolition of redundant agricultural barns. Erection of main dwelling with garage and paddock area. Extensive wider landscape and ecological enhancements to the surrounding area. Change of use of an area of land for use as an informal car park for the local community. Application invalid due to incorrect certificates.

14/00142/COMIND: Formation of bund to provide flood alleviation for the village of Winterbourne. Application approved 31.07.2014.

## 2. Publicity of Application

Site Notice Expired: 14.07.2016

## 3. Consultations and Representations

**Parish Council:** SUPPORT - The redundant farm site is a dangerous, unstable and unsightly area which detracts from the village.

The proposed house is considered a sympathetic and attractive design which will fit well into the landscape.

The additional commitment of the development to turn an area into a managed wild flower meadow, to provide a parking amenity for the village and improve visibility from the access track, as well as substantial landscape enhancements to this AONB area are welcome community benefits that make it a complete scheme that the village endorses.

**Neighbouring Chieveley Parish Council** SUPPORT was confirmed for the application as an adjoining Parish Council consultee.

**Highways:** NO OBJECTION subject to conditions  
It is proposed that the access nearest to the wall to the south-west will be stopped up. The access slightly further north-east of this will be utilised. This is preferable as a greater visibility splay is achievable from this access. This access must be surfaced with a bonded material for a minimum of 5 metres from the edge of the carriageway to reduce the likelihood of the migration of loose material onto the carriageway which would be to the detriment of highway safety.

Will any material need to be removed or transported to the site associated with the landscape and ecological enhancements? Details of type of vehicles and frequency of movement during this period should be submitted if applicable.

Summary: Details of the type of vehicle and frequency of movement of vehicles during the landscaping works must be submitted.

**AONB:**

NO OBJECTION

The agent has closely involved the AONB with the revised application (following or original objection) and have taken comments raised on board in the new proposal, including a reduced scale, use of materials and landscaping to form a development which would sit comfortably within the site whilst respecting the natural landscape which encompasses the village.

The AONB would not object to the proposed development and would support the landscape and ecological enhancement measures included as part of the application.

Clarification has been provided on a number of issues such as the re-use of the existing hay barn, which are in a derelict state and have attracted antisocial behaviour. The barns if converted would detract from the natural beauty of the landscape due to their prominent hillside location and massing. The proposed dwelling has been shifted down the slope to improve its relationship with the historic outbuildings some of which are to be retained, this will fit more comfortably with a farmyard character and appear subservient to the neighbouring Winterbourne Farm House.

The proposed village car park will occupy an area which is currently hardstanding and will be replaced by a grazed area to be reinforced with a mesh/matrix to ensure it is not churned up by vehicles and enclosed by a hedgerow, this is a landscape enhancement.

Overall the proposed development including landscaping works would have an enhancement on the natural beauty and special qualities of the AONB.

**Trees**

NO OBJECTION subject to conditions

Comments:-

There were no significant trees which would be affected by this proposed development. There has been a Landscape Visual Assessment submitted in addition to a detailed landscaping plan of native trees and shrubs included which in the medium to long term will blend with the surrounding landscape.

Further information assessment required regarding the visual impact of the proposal in the setting.

No objection subject to landscaping condition

**Natural England**

NO OBJECTION subject to conditions

Designated Sites

Based on our assessment of the submitted documentation, Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted and the following conditions (n.b.

1 - 2 previously advised, with the addition of condition 3), is not likely to have a significant effect on the interest features for which the above European site has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

To be secured by condition:

1. Discharge from the proposed PTP must be to the ground, via a soakaway, as detailed within the additional information provided. We note that prior to their installation, a bespoke permit will be required from the Environment Agency to ensure a soakaway in this area is appropriate. If it is found that discharge to the ground, for any reason, is not suitable Natural England should be re-consulted with all proposed alternatives, and these should consider the points raised in our previous letter

2. A Management Plan must be devised for the proposed PTP, this must include an assurance that a maintenance contract will be created with a suitably qualified contractor, to manage the PTP. Additionally, a visual and audible alarm system should be installed with the PTP, which would be triggered by a mechanical failure, or a reduction in the effluents quality. Such measures would ensure that the proposed system is appropriate, and would not result in polluted runoff reaching the Winterbourne Stream

3. The car park must be surfaced with an appropriate permeable surface, i.e. details of a Sustainable Urban Drainage System (SUDS) must be submitted and agreed with NE and your Authority, to ensure run-off rates will not affect the Stream. Furthermore, details of how any pollutants from the car park will be captured and prevented from entering the Stream must also be provided in detail.

## Historic England

No comment

## Rights of Way

NO OBJECTION subject to informatives

Pebble Lane (Winterbourne BR14) will form the main and only access to the proposed new house and car park.

The lane is historic. It appears on Johns Roque's 1761 Map of Berkshire as a road (Berks County Surveyor 1951). Under the 1949 National Parks & Access to the Countryside Act it is noted as having part cart track width. This is consistent with the various OS County Series maps which show a width of 5.5m at the current barn. This width is greater to the east and reduces down to ~4m near the road.

I am concerned that no planting occurs within this width as with would constitute obstruction. I am also concerned about visibility splays for vehicles exiting the proposed house and car park being obstructed by planting. I would prefer the current parallel hedge planting to instead have a 5 degree angle to ensure better visibility up and down the bridleway.

I would also want give way/ caution signs to be installed at the exit of

the car park, to warn drivers about the presence of equestrian, pedestrians and cyclists on the path.

Case Officer note:- the above comments have been taken into consideration by the applicant's further details have been provided to satisfy the above response and revised to 'no objection' accordingly.

**Waste Management** NO OBJECTION

The collection point for the proposed new property will be on Winterbourne Road as we provide a curtilage collection - that is the nearest point to the public highway.

Wheeled bins are difficult to manoeuvre on gravel and the distance from the proposed new property to the collection point is in excess of 110 metres. It is recommended that residents have to carry their waste no more than 30 metres (Manual for Streets, Dept. of Transport) and distances greater than this can cause issues for elderly and disabled residents. We would recommend that a flat level surface without gravel is provided to minimise the effect of the distance to the collection point.

**Archaeology** NO OBJECTION subject to condition

The application is of some archaeological interest. The proposed development sits within a historic farmstead documented in 18<sup>th</sup> century sources, as well as an area of historic settlement as defined by historic landscape characterisation. This historic settlement is likely to represent the migrated settlement of Winterbourne, which is of Early Medieval date and originally centred around the Church of St James. It appears to have shifted to the North East at some point during the Medieval period, accounting for the 18<sup>th</sup> century buildings that can be found within the current village.

As such, it is possible that occupation evidence relating to this earlier phase of Winterbourne's history may still exist in the form of buried archaeological features or deposits. - this information could possibly inform as to the development of the settlement from the Medieval period onwards. The proposal involves significant groundworks within this area, and as such has the potential to adversely affect any below ground archaeology.

I would suggest that the applicant(s) be asked to commission a programme of archaeological supervision (watching brief) during the excavation of the foundations and any related groundworks for the new dwelling. This should be secured by applying the following condition to any approval granted

**Correspondence:** 18 letters of support.

Environmental Improvements

The application is adjacent to, and consonant with environmental improvements (inc wild flower planting) associated with the flood prevention bund being constructed to the north of the site.

Will include the planting of 94 new native species of trees and additional planting which would have biodiversity benefits

Extensive planting of hedgerow and nearby meadow land will greatly improve the approach to the village from the north to the benefit of all of us including the local flora and fauna.

#### Improvement to the character and appearance of the area

The application will be an Enhancement to the AONB, by its view, the planting of a wildlife meadow and the sympathetic design of the proposed property

It will replace the existing derelict barns which are a dangerous eyesore by a house whose design fits sensitively into its location.

The proposal will also improve access to the AONB through the provision of a community car park and I'm sure that the remediation of this potentially contaminated site will be of great benefit to villagers and visitors alike.

The scale of the proposed house now seems entirely appropriate for our village. The house itself is now sited where the old medieval barn was, lower down the hill, in fact lower than the existing derelict sheds, and the landscaping now includes replanting of hedges and much else.

The proposed development is reasonably close to existing buildings, is sympathetic and reasonable in its design and scale and in our opinion represents a substantial improvement to the site.

The house that is planned is attractive and will complement the village look and surrounding area.

#### Highways

Safety improvements to walkers using Pebble Lane. It will dramatically improve the safety of the site - I have young children who enjoy cycling and exploring our village

The small informal car park for village events and access to the AONB will reduce parking on the narrow road through the village. Much parking is currently on the street, at village events the street parking becomes extremely dangerous to both locals and passing traffic

#### Land Use

The proposed new home would be a much better use of the site. I would like to see more houses on this site, as it is a large site, and could well take further development, which could only increase the viability of the village, and provide much needed extra housing.

#### Landscape Provision

Our one reservation is that the Council ensures that promises over some of the secondary aspects are honoured and delivered in full. The

proposed planting of both the Meadow and the screening trees. (including those that remain outstanding from prior development of barns on the other side of the road) are considered critical to deliver the 'look and feel' that I would wish.

Noise from the M4 would be reduced as access to the main road would be improved.

The previous planning approval for the barns was accompanied by a plan to plant appropriate trees around it. The Council did nothing to ensure that the previous planting was carried out. I believe that the Council should insist that the previous plan (for trees) is adhered to, as I would like to see the trees soften the industrial look of modern farm buildings.

#### Other Matters

The following matters have been raised which are not considered to be material planning considerations:

The application presents a great opportunity to improve safety - the barns harbour drug users and other undesirables as evidenced by the abandoned drug paraphernalia;

Being a regular dog walker around the village, it is my view that the redundant farm site on which the proposed house is to be built, is an eyesore, a risk hazard (loose asbestos in the roofing) and overall, a very dangerous area for any recreational walker.

## **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 1: Delivering New Homes and Retaining the Housing Stock.
- CS 4: Housing Type and Mix.
- CS 5: Infrastructure Requirements and Delivery.
- CS 13: Transport.
- CS 14: Design Principles.
- CS 15: Sustainable Construction and Energy Efficiency.
- CS 16: Flooding.
- CS 17: Biodiversity and Geodiversity.
- CS 18: Green Infrastructure.
- 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:

- HSG1: The Identification of Settlements for Planning Purposes.
- TRANS1: Meeting the Transport Needs of New development.
- ENV20: Redevelopment of Existing Buildings in the Countryside.
- OVS5: Environmental Nuisance and Pollution Control.

4.3 On the 5th November 2015 West Berkshire Council agreed to the submission of the West Berkshire Housing Site Allocations Development Plan Document (DPD), the document is now considered to be at an advance stage of preparation having recently been through a Public Examination. In light of this due weight should now be afforded to the relevant policies within it. The following policies are relevant to this application:

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

4.4 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 Document Quality Design (adopted June 2006).
- North Wessex Downs AONB Management Plan 2014-2019 (Adopted 2014).
- National Planning Practice Guidance (PPG).

## **5. Description of Development**

5.1 This application seeks permission for the demolition of redundant agricultural barns and erection of new substantial detached dwelling with garage formed from a currently dilapidated barn. The proposal also includes the renovation of a further smaller barn on the south of the site for storage. The application contains a number of significant amendments to the previously withdrawn proposal:

- Sited further towards the road, away from the existing barns and closer to the historic form of development which existed on site.
- Of smaller scale and height than the previous 2 storey building which measured 9.5 metres to the ridge compared to the currently proposed dwelling measuring 8.6 metres to the ridge at the highest point.
- Bounded by substantial hedgerow planting alongside the public bridleway to the east.
- Of a different design and appearance, which has according to the applicant's in their Design and Access Statement has been designed to respond to the adjacent Winterbourne Farm House. The proposed dwelling would have a gross external footprint of 301 sq m (excluding the garage which has a footprint of 77 sq m). The property would be 23m long and 20.5 wide, at its widest point.

5.2 The previously withdrawn application included the transfer of land to Winterbourne Parish Council in order to facilitate the implementation of the proposed flood alleviation scheme. This no longer forms part of this application and the flood alleviation scheme works are already being undertaken.

5.3 The application also includes the creation of a meadow to the south of the proposed dwelling and significant landscaping to the north and west.

5.4 Land to the front of the site bordering the road, will also be available as an informal car parking area.



## 6. Consideration of the Proposal

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

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

### 6.1 Principle of Development

- 6.1.1 The site is located outside of any defined settlement boundary and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The village of Winterbourne does not have a settlement boundary as defined by Policy HSG1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. As such the application site falls within the open countryside as identified within Policy ADPP1 of the Core Strategy where 'only appropriate limited development in the countryside will be allowed, focused on the addressing identified needs and maintaining a strong rural economy'.
- 6.1.2 No evidence has been submitted to demonstrate that the proposed new dwelling or the change of use of an area of land for car parking would address an identified need or maintain a strong rural economy. The proposed new dwelling is not considered necessary to address an identified need as the Local Planning Authority has a sufficient 5 year housing land supply. Moreover the erection of a dwelling as proposed is not considered acceptable as set out in detail below. Therefore it is considered that any contribution towards maintaining a strong rural economy is limited.
- 6.1.3 Policy ADPP5 of the Core Strategy identifies that there will be further opportunities for infill development and for development on previously developed land. New housing allocations will be focused on rural service centres and service villages within the AONB. Annex 2 of the National Planning Policy Framework (NPPF) excludes land that is or has been occupied by agricultural or forestry buildings from being considered as previously developed land. Therefore as the lawful use of the application site and existing buildings is for agricultural purposes, the application site is considered as greenfield land. Furthermore Winterbourne is not a rural service centre or service village as identified in Policy ADPP1 and as such the principle of the proposed dwelling runs contrary to Policy ADPP5 of the Core Strategy.
- 6.1.4 Policy CS1 of the Core Strategy states that new homes will be located in accordance with the settlement hierarchy outlined in Policies ADPP1 and ADPP5. The Policy goes on to state that new homes will be primarily developed on:
- Suitable previously developed land within settlement boundaries.
  - Other suitable land within settlement boundaries.
  - Strategic sites and broad locations identified on the Core Strategy Key Diagram.
  - Land allocated for residential development in subsequent Development Plan Documents. The application site is not located within the any of these categories and as such the proposal runs contrary to Policy CS1 of the Core Strategy.
- 6.1.5 Policy ENV20 of West Berkshire District Local Plan 1991-2006 Saved Policies 2007 permits the redevelopment of existing buildings in the countryside where the proposal is in a sustainable location. The policy goes on to define a sustainable location as one which:
- (a) will minimise the need for travel and be accessible by alternative means of transport other than the private car;
  - (b) is well related to the existing settlement pattern;
  - (c) will not cause material harm to the natural resources and character of the area;

(d) will contribute towards a balanced local community in terms of provision of homes, jobs and services.

- 6.1.6 In respect of criterion (a) the proposal is not considered to minimise the need for travel by virtue of the lack of services within reasonable walking and cycling distance of the site. Furthermore there is only a limited bus service from the village. Moreover there is no formal pavement along the Winterbourne Road from the application site, which is considered to discourage the use of the bus service. As such the application site is not considered to be accessible by alternative means of transport other than the private car.
- 6.1.7 In respect of criterion (b) Winterbourne is a linear village generally defined by dwellings sited reasonably close to the road. The application site is located away from this cluster of development and does not follow the existing layout of the village. The extent of the settlement pattern at the northern end of the village is strongly defined by a flint and brick wall that delineates the extent of the existing settlement pattern. The application site is located to the north and east of this wall. Therefore the proposal is not considered to be well related to the existing settlement pattern.
- 6.1.8 In respect of criterion (c) the proposal is considered to cause material harm to the character of the area as set out later in this report.
- 6.1.9 With regard to criterion (d) no evidence has been submitted to demonstrate that the proposal would contribute towards a balanced local community in terms of homes, jobs and services. The provision of one new dwelling is acknowledged but this is not considered to significantly contribute towards a balanced local community nor outweigh the unsustainable location as identified.
- 6.1.10 As such the proposed new dwelling is not considered to be in a sustainable location and runs contrary to Policy ENV20 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.
- 6.1.11 The NPPF identifies a presumption in favour of sustainable development (paragraph 14), however footnote 9 of the NPPF excludes Areas of Outstanding Natural Beauty from this presumption in favour of sustainable development.

6.1.12 Paragraph 55 of the NPPF states:

‘Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

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.’

6.1.13 The proposed dwelling is not considered to be of innovative or outstanding design, it is of a fairly plain appearance and whilst there is stated to be reference to an Arts and Crafts style and the adjacent Winterbourne Farm House, this is considered to be minimal. Instead the

dwelling has an awkward arrangement, which is presumed to refer to a dwelling evolving over time through extensions. This is not considered to be a successful design approach. It would be viewed as an isolated large dwelling in the countryside given the physical and visual detachment from the existing village. The proposed dwelling is not therefore considered to fall within any of the special circumstances defined above and as such runs contrary to the NPPF.

6.1.14 The emerging development plan document (DPD), Housing Site Allocations, was agreed by the Council on 5th November 2015 and has now been subject to Public Examination. Given the advanced stage of preparation, due weight should be afforded to the policies contained within it. Policy C1 of the DPD refers to the location of housing in the countryside and sets out a presumption in favour of development and redevelopment within a number of specified settlement boundaries. Winterbourne does not have a settlement boundary and the policy goes on to state that 'there will be a presumption against new residential development outside of the settlement boundaries. Exceptions to this are limited to rural exception housing schemes, conversion of redundant buildings, housing to accommodate rural workers and extension to or replacement of existing residential units.' The proposal is not considered to fall within the exceptions identified in this policy.

6.1.15 Policy C1 goes on to state:

'In settlements in the countryside with no defined settlement boundary, limited infill development may be considered where:

- i. It is within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway; and
- ii. The scale of development consists of infilling a small undeveloped plot commensurate with the scale and character of existing dwellings within an otherwise built up frontage; and
- iii. It does not extend the existing frontage; and
- iv. The plot size and spacing between dwellings is similar to adjacent properties and respects the rural character and street scene of the locality.

Planning permission will not be granted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it contributes to the character and distinctiveness of a rural area, including the natural beauty of the AONB or where development would have an adverse cumulative impact on the environment or highway safety.'

6.1.16 It is considered that the proposal would not fall within criteria i, ii, iii or iv and these details are considered further in the sections below. Furthermore, for reasons set out in this report the proposal is considered to harm and undermine the existing relationship of the settlement within the open countryside where it contributes character and distinctiveness of the AONB in which it is located. It is considered that the extent of the existing settlement pattern at the northern end of the village is strongly defined by a flint and brick wall surrounding Winterbourne Farmhouse. The application site is located to the north and east of this wall and whilst historically there have been additional agricultural buildings on this site, these no longer exist and there has been no residential development on the site. Therefore the siting of a dwelling in this location considered not to be visually or physically well related to the existing settlement pattern.

6.1.17 Therefore the principle of the development of a new dwelling and detached garage is not considered acceptable and runs contrary to Policies ADPP1, ADPP5 and CS1 of the Core Strategy and Policies HSG1 and ENV20 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 as well as the NPPF.

6.1.18 In respect of the change of use of a section of land for an informal car parking area at the western end of the application site, the principle of this development is considered acceptable subject to the impact of the change of use on the character and appearance of

the AONB, neighbouring amenities and highway safety amongst other matters being carefully considered.

- 6.1.19 The proposal also contains landscaping elements comprising tree and hedgerow planting to the north of the PRow some 75 metres distant, woodland planting to the west of the site on the opposite side of the road, the creation of a meadow to the south of the proposed dwelling outside of the residential curtilage, and orchard planting to the east some 20 metres from the proposed dwelling. These works could be undertaken without the need for planning permission and although they could represent biodiversity enhancements, are not considered necessary or directly related to the development of a new dwelling. As such these elements are given little weight in the determination of the application.

## **6.2 The impact on the character and appearance of the AONB**

- 6.2.1 The site comprises a number of redundant farm buildings in a highly visible location to the northeast of the village. It is located to the north of Winterbourne Farm House, which is a large farmhouse set in a significant plot, which is set apart from the remainder of the close knit linear form of village to the south west. The proposed site area would extend an additional 70 metres deeper than the adjacent Farm House garden which is clearly defined by a brick and flint wall. It is considered that this walled boundary provides a strong visual edge to the existing settlement when viewed from the north. The proposal would therefore create a new in-depth form of residential development into this open landscape which does not reflect the character of the surrounding development.
- 6.2.2 The existing farm buildings on site are somewhat dilapidated and are most prominent in views from the public right of way, from the north when travelling south on the Winterbourne Road and clear in the wider landscape when travelling along the B4494 to the north. The submitted Design and Access Statement states 'the site is quite exposed and prominent from the close quarters of the PRow and the main road to the village'. Whilst it is acknowledged that these buildings are unsightly, and clearly visible, it is expected that agricultural buildings will be seen in this environment.
- 6.2.3 The site is presently open and rises steadily from the road to the modern agricultural barns to the east. It is proposed to site the new dwelling some 19 metres to the west of the existing modern barns and 8 metres to the east of the existing dilapidated brick building, which is to be utilised as a garage/store. The current proposal would be site some 10 metres further west in the plot than the previous proposed dwelling.
- 6.2.4 The ground level to the south of the existing barns rises steeply which partially obscures the existing barns when viewed from the south and provides a backdrop against which the existing barns are seen when viewed from the north. The proposed dwelling has been reduced in height from the previous proposal from 9.5 metres to 8.7 metres to the highest point. The revised siting would result in a floor level of 97.10 AOD in comparison to the previous application floor level of 98.00 AOD. This, when combined with the revised siting position, would result in a dwelling 1 metre lower than the ridge height of the existing modern barns. A new native hedgerow and standard tree planting will also take place to the north of the bridleway as shown on the submitted landscape plans. The applicant has also submitted photo montages at year 15 to highlight that the proposed planting would provide a significant level of screening. It is however considered that the roof form will still be visible in the landscape although less so than the existing barns. This extensive roof form will be visible to the wider landscape from the viewpoints described above. Therefore whilst the proposal will enable the removal of the barns, the introduction of a new dwelling, is not considered to lead to such a significant change which would justify the proposal.
- 6.2.5 The revised siting of the dwelling would still extend beyond the rear boundary of the neighbouring dwelling to the south by approximately 25 metres. The detached siting of the

proposed dwelling and garage from the existing built form within the village of Winterbourne would result in a layout which does not reflect the settlement pattern, being seen in isolation from the existing residential built form of the village, which is close knit with significantly smaller plot sizes.

- 6.2.6 The residential curtilage of the proposed dwelling as identified is considered to include the garden area and gravel areas bounded on all sides by hedges as confirmed within the Design and Access Statement submitted. The dwelling and outbuildings would however be sited alongside the bridleway and been seen clearly from this location irrespective of any planting.
- 6.2.7 The residential curtilage proposed would extend across an area of approximately 0.298 hectares. The use of a large area for residential purposes would result in a spread of domestic paraphernalia associated with the dwelling. Such a large residential curtilage with a strong formal domesticated boundary formed by the proposed dwelling alongside the public right of way, and level of built form detached from the existing settlement pattern beyond the general building line of the residential properties to the south, is considered to harm the rural character and appearance of the AONB.
- 6.2.8 The previous proposal was considered by the North Wessex Downs AONB in their response to have a greater impact on the surrounding landscape than the existing agricultural buildings and objected to the proposed development. The current application however is supported by the AONB. In their response they state: *'the AONB would not object to the proposed development and would support the landscape and ecological enhancement measures included as part of the application... Overall the proposed development including landscaping works would have an enhancement on the natural beauty and special qualities of the AONB.'* Whilst this is acknowledged, it would appear that the additional landscaping and ecological enhancements which are proposed outside of the proposed curtilage of the dwelling have been taken into consideration. As discussed above, these cannot be considered as being related or necessary to the development and therefore cannot be given weight in the determination of the application.
- 6.2.9 The proposed car parking use to the eastern end of the site would be located on ground that is currently open and void of built form, aside from an existing small single storey barn located adjacent to the boundary of Winterbourne Farmhouse which is to be retained. The proposed car parking use would be able to informally accommodate approximately 18 vehicles as shown on the submitted drawings.
- 6.2.10 Landscaping of this area has been proposed in the form of hedge and tree planting, however this would not prevent views of parked vehicles in this highly visible location outside of the settlement pattern of Winterbourne. A large area of parking in this location is considered to harm the character and appearance of the AONB.
- 6.2.11 The application proposes wide ranging landscaping much of which is detached from the development area. An area of woodland underplanted with shrubs together with riparian planting is proposed on the opposite side of the road from the development area some 65 metres from the proposed dwelling. Further planting and management of woodland is proposed to the west of the development together with the retention of an existing meadow pasture and provision of benches along the public right of way within the meadow. A new general purpose meadow is proposed to the south of the dwelling. Various existing hedgerows are proposed to be strengthened and maintained, with new hedgerows planted around the flood storage area and meadows and on either side of the Winterbourne road when travelling northwards.
- 6.2.12 The landscaping proposed can be implemented without the need for planning permission. It is however acknowledged that the landscaping will improve the appearance of the area.

- 6.2.13 Whilst the intentions of the applicant are noted and the proposed wider landscaping would improve the appearance of the area the majority of it is not related to the development proposed and is not considered necessary to mitigate the harm generated from the development proposed. Landscaping specifically related to the proposed dwelling, garage and car parking area, such as the new hedgerow to the north of the public right of way and along the northern boundary of the car parking area, have been considered and would assist with the assimilation of the development into the landscape. Although the level of landscaping is considered to be significant, landscaping cannot be relied upon to overcome the intrinsic harm to the character and appearance this proposal would still have on the AONB that which has the highest status of protection.
- 6.2.14 Therefore the weight given to the proposed landscaping in the determination of this application is minimal.
- 6.2.15 The provision of a car parking area may bring some benefits to the local community. However this is not considered to outweigh the harm to the character and appearance of the AONB which, as stated in the NPPF, great weight should be given to conserving the landscape and scenic beauty.
- 6.2.16 Policy C3 of the emerging DPD seeks to ensure that the design of new housing must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change. Furthermore the design of new housing should have regard to the character of the area in which it is located taking account of the local settlement and building character. In addition the design principles set out in the North Wessex Downs AONB Management Plan should be considered. For the reasons set out in this report the proposal is not considered to accord with this emerging policy.
- 6.2.17 Therefore the application is considered to detrimentally impact and harm the rural character and appearance of the AONB contrary to Policies ADPP5, CS14 and CS19 of the Core Strategy and Policy ENV20 of the of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 as well as the NPPF, the North Wessex Downs AONB Management Plan 2014-2019 and Policy C3 of the emerging Housing Site Allocations DPD.

### **6.3 The impact on neighbouring amenity.**

- 6.3.1 The proposed dwelling and garage would be located some 47 metres from the nearest neighbouring dwelling to the south-west and as such the proposed dwelling is not considered to introduce any significant impact in terms of neighbouring amenity.
- 6.3.2 The proposed car parking area would be located adjacent to the boundary of the neighbouring property to the south-west. The use of the car park would introduce some noise impact on the neighbouring property however this is not considered to be greater than the noise generated from the use of the site for agricultural purposes.
- 6.3.3 Therefore the application is not considered to introduce any significant detrimental impact on the amenities of neighbouring properties.

### **6.4 The impact on highways and public rights of way.**

- 6.4.1 The existing site currently has two access points from the Winterbourne Road.
- 6.4.2 The proposal seeks to stop up the southern most access point which is of benefit to highway safety as this access point has poor visibility. The existing northern access point, which has sub-standard visibility, will be used to serve the car parking area and the proposed dwelling. It is considered that the number of vehicle movements per annum will

be less than those from the existing use of the site if it were brought back into agricultural use.

- 6.4.3 Furthermore, the car parking and residential dwelling should only generate car movements whereas the agricultural traffic would have included slower moving HGVs that would have taken longer to egress the site and as such be more of a hazard to other road users.
- 6.4.4 In addition the agricultural use would have used both accesses, the southern of which is particularly hazardous. There have been no recorded Personal Injury Accidents on the lane within the vicinity of the farm, since records began.
- 6.4.5 Moreover traffic flows on the lane past the farm are very low and as such will help mitigate the risk of conflicts.
- 6.4.6 As it is not proposed to form a new access or amend an access, only retain an existing access, the proposed change in use of the site including the car parking area should not exacerbate the accident rate and it would be difficult to defend a recommendation for refusal on the grounds of sub-standard visibility.
- 6.4.8 In respect of the public bridleway that runs through the site (WINT/14/1) and the public right of way to the east (WINT/15/1) it is noted that traffic serving the dwelling and the car parking area will be using the public path as an access route. However as previously stated the numbers of vehicle movements are likely to be less than those that could be generated by the existing use. As such the proposal raises no concerns in respect of the safety of users of the public right of way subject to conditions regarding the details of any hard standing proposed for the public right of way and the siting of benches back away from the public right of way. The Rights of Way Officer has been consulted and has suggested a number of elements including signage for bridleway users and ensuring that the proposed planting does not affect the original width of the PRow. These issues have been addressed by the applicant and the Officer raises no objection to the application.
- 6.4.9 Policy P1 of the emerging DPD set the parking levels for new development. The application site is located within parking zone 3 of the DPD. Therefore a minimum of three parking spaces are required for the proposed dwelling. In accordance with this policy garages are not counted as parking spaces. The proposal is considered to provide sufficient parking space for three vehicles excluding the garage proposed. Therefore the application is therefore not considered to introduce any detrimental impact to the highway and public rights of way in accordance with policy.

## **6.5 Other matters**

### **Impact on Biodiversity**

- 6.5.1 The proposed development site is within close proximity of the Winterbourne Stream, which is a tributary of the River Lambourn Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The site is also in close proximity to Snelsmore Common Site of Special Scientific Interest (SSSI).
- 6.5.2 The proposal seeks to utilise a package sewage treatment plan (PTP) to manage foul water from the proposed dwelling. A Foul Sewage and Utilities report has been submitted which details the proposed sewage treatment on site. It is confirmed that the PTP will not discharge into the Winterbourne Stream. Natural England has reviewed the details submitted and raises no objections subject to planning conditions controlling the installation and use of the PTP as well as sustainable drainage for the proposed car park area.

- 6.5.3 A bat roost survey has also been submitted, this was not assessed in the response from Natural England, but has been previously addressed by the Principal Ecologist who considered that, subject to a number of conditions, the proposal will not detrimentally impact on protected species. It is considered that this response remains appropriate to this application.

### **Sustainable Construction**

- 6.5.4 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 Core Strategy Policy CS15 regarding Code for Sustainable Homes.
- 6.5.5 Amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015 removed the relevant sustainable construction and energy efficiency parts of the Planning and Energy Act 2008.
- 6.5.6 These changes in Government policy have meant that the Council are no longer seeking compliance through the planning system. The energy performance part of the Code for Sustainable Homes will still apply in West Berkshire for all developments granted planning permission. Compliance with some elements of the Code for Sustainable Homes will be dealt with through Building Regulations.

### **Impact on Heritage Assets**

- 6.5.7 A dovecote within the curtilage of the nearest neighbouring property to the south-west, Winterbourne Farmhouse, is Grade II listed. The dovecote is approximately 40 metres from the proposed dwelling and approximately 20 metres from the proposed car parking area, with the existing barn to be retained in between.
- 6.5.8 The proposed development is not considered to introduce any significant impact on the historic asset by virtue of the distance and intervening buildings between the development proposed and the listed structure.

### **Planning Balance**

- 6.5.9 Planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The application site is a Greenfield site within the designated countryside and AONB. As previously noted, the application proposes a number of benefits, those such as use of part of the site as car park are considered to be of benefit to the local community. The proposed landscaping works in association with the dwelling are considered to improve the current open and dilapidated site. These however do not entirely mitigate the harm caused by the introduction of a new dwelling into this location. Whilst it is acknowledged that the extensive landscaping works beyond the curtilage of the proposed dwelling would improve the landscape quality, these are not directly related to the application and cannot reasonably be lawfully secured through the use of conditions or a planning obligation. It is understood that the redundant barns currently pose a safety problem for users of the bridleway and give rise to anti-social behaviour issues. The removal of these problems, whilst are understandably considered to be welcome improvements by local residents, are however are not directly material planning considerations. Therefore these elements of the proposal should have no weight in the planning balance and are not considered to outweigh the material harm created by the development proposed, as identified in this report.



## **Presumption in Favour of Sustainable Development**

- 6.5.10 The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals.
- 6.5.11 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.
- 6.5.12 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.
- 6.5.13 The provision of a car parking area may also introduce some economic and social benefit through increased provision for tourism/leisure. However this is also considered to be of limited economic and social benefit in this location.
- 6.5.14 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 replacement of the barns with residential development is not justified and considered to be inappropriate due to the adverse impact upon the character of the area and the AONB contrary to the social and environmental sustainability objectives of the NPPF.
- 6.5.15 As such the proposal is not considered to contribute to the aim of delivering sustainable development contrary to the NPPF.

## **Community Infrastructure Levy (CIL)**

- 6.5.16 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations new dwellings are liable to pay the Community Infrastructure Levy. In this instance the site is within the AONB charging area under which the chargeable rate is £125 per m<sup>2</sup> of gross internal area. A separate Community Infrastructure Levy liability notice detailing the chargeable amount is to be sent with any planning decision notices.

## **7 Conclusion**

- 7.1 Having taken account of all the relevant policy considerations and the other material considerations referred to above, and having regard to the strong 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. The proposal would result in a new dwelling in the countryside in an unsustainable location that would not minimise the need for travel by car and would not be accessible by an alternative means of transport. Furthermore the proposal would not relate well to the existing settlement pattern and is not considered to fall within any of the special circumstances for isolated new homes in the countryside as detailed in paragraph 55 of the NPPF. Therefore the principle of the development of a new dwelling is not considered acceptable and runs contrary to Policies

ADPP1, ADPP5 and CS1 of the Core Strategy and Policy ENV20 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 as well as the NPPF and Policy C1 of the emerging Housing Site Allocations DPD.

- 7.3 The proposed dwelling and public car parking would result in a detrimental impact on the landscape and scenic beauty of the rural character and appearance of the AONB. The detached siting of the proposed dwelling from the existing built form within the village of Winterbourne would result in the development being seen in isolation from the existing residential built form of the village. The scale and siting of the dwelling alongside the public right of way, and associated domestic paraphernalia within the residential curtilage, is considered to significantly harden and domesticate in appearance the existing transition between the built form of Winterbourne Village and the countryside, thereby harming the rural character and appearance of the AONB. The parking of vehicles in this highly visible location outside of the settlement pattern of Winterbourne is also considered to contribute to the detrimental impact on the rural character and appearance of the AONB. Therefore the application is considered to be contrary to Policies ADPP5, CS14 and CS19 of the Core Strategy and Policy ENV20 of the of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 as well as the NPPF, the North Wessex Downs AONB Management Plan 2014-2019 and Policies C1 and C3 of the emerging Housing Site Allocations DPD.

## 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. The proposal would result in a new dwelling in the countryside in an unsustainable location that would not minimise the need for travel by car and would not be accessible by an alternative means of transport. Furthermore the proposal would not relate well to the existing settlement pattern and is not considered to fall within any of the special circumstances for isolated new homes in the countryside as detailed in paragraph 55 of the NPPF.

The proposal therefore fails to comply with Policies ADPP1, ADPP5 and CS1 of the Core Strategy and Policies HSG1 and ENV20 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 as well as the NPPF and Policy C1 of the emerging Housing Site Allocations DPD.

2. The proposed dwelling and public car parking would result in a detrimental impact on the landscape and scenic beauty of the rural character and appearance of the AONB. The detached siting of the proposed dwelling from the existing built form within the village of Winterbourne would result in the development being seen in isolation from the existing residential built form of the village. The scale and siting of the dwelling alongside the public right of way, and associated domestic paraphernalia within the residential curtilage, is considered to significantly harden and domesticate in appearance the existing transition between the built form of Winterbourne Village and the countryside, thereby harming the rural character and appearance of the AONB. The parking of vehicles in this highly visible location outside of the settlement pattern of Winterbourne is also considered to contribute to the detrimental impact on the rural character and appearance of the AONB.

Therefore the application is considered to be contrary to Policies ADPP5, CS14 and CS19 of the Core Strategy and Policy ENV20 of the of the West Berkshire District Local

Plan 1991-2006 Saved Policies 2007 as well as the NPPF, the North Wessex Downs AONB Management Plan 2014-2019 and Policies C1 and C3 of the emerging Housing Site Allocations DPD.

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