

Item No	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(2)	10/01466/FUL Greenham	9 th August 2010	Demolition of existing buildings, erection of replacement dwelling, and garage/plant room. Land at Drake House, Bishops Green 4Tune Property Development and Investments Ltd.

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

Ward Member(s): Councillors Drummond and Swift-Hook

Reason for Committee determination: Call in by Cllr Swift-Hook

Committee Site Visit: 11th November 2010

Contact Officer Details	
Name:	Sue Etheridge
Job Title:	Senior Planning Officer
Tel No:	(01635) 519111
E-mail Address:	setheridge@westberks.gov.uk

1. Site History

Considerable site history - not all listed here. Most recent and relevant:-

129228 (26/06/87) Planning Permission for garage/shed hobbies room (private/ incidental to dwelling

139322 (16/07/91) Planning permission to replace existing flat roof with pitched roof to dwelling

148177 (18/06/96) Retrospective permission for construction of lakes for wildlife and fishing

151285 (03/12/97) Planning Permission for use of garage building for manufacture of garden sheds (use restricted to occupier of Drake House)

157494 (16/11/01) Residential use of 'Flat' Unlawful (CLU not issued)

02/00225/CERT (29/05/02) Residential use of 'Flat/ snooker room' Lawful (used in conjunction with existing dwelling house known as 'Drake House')

09/00227/FUL – Engineering works to re-instate subsided ground levels around pond Approved 27th April 2009

09/01765 – Construction of replacement dwelling, demolition of existing bungalow, annexe, garage and outbuildings. Withdrawn.

2. Publicity of Application

Site notice displayed 29th June 2010. Expiry on the 20th July 2010.

3. Consultations and Representations

Parish Council	Object. Concern at scale (% increase), contrary to ENV23, loss of employment use (facilities and buildings previously used for fisheries), impact on landscape of wider area, Flooding, Drainage issues, discrepancies on application form.
Basingstoke and Deane BC:	No objections
Adj. Parish Ecchinswell Sydmonton and Bishops Green:	Application considered 21 st December 2010. No comment to make.
Highways:	No objections - conditional permission to secure parking and turning within the site, plus informatives in respect of access construction and repairs to any damage caused during construction to carriageway and footways/ verge.
Environment Agency:	No objections on flood risk grounds. Subject to conditions in respect of development in accordance with submitted Flood Risk Assessment: permeable fencing and no raising of land within area liable to flood. No objection to private sewage treatment plant.
Thames Water :	No objections on water or sewerage grounds.

Tree Officer:	No objections to proposal accompanied by Arboricultural Implementation Assessment, Conditions in respect of landscaping, Arboricultural Method Statement, Watching Brief/ Arboricultural Supervision, Tree Protection (during construction and services)
Ecology:	No objections
Public Protection:	No objection subject to condition in respect of unexpected contamination during construction
Enforcement:	No objections
MOD:	No safeguarding objections
Correspondence:	Seven letters of representation plus additional 4 letters from one adjoining owner. Main areas of concern:- Overdevelopment, disproportionate in scale compared to existing, drainage concerns, potential flooding, loss of trees. Dangerous access, potential contamination on site from former use, legality of buildings to be replaced, loss of employment use, loss of parking for fisheries use, discrepancies on application form. Concern over disposal of foul sewerage (one letter). Contrary to policies ENV18 and ENV 23. Site visible from public footpath and housing to the site. Have adjoining Planning Authority and Parish Council been consulted?

4. Planning Policy

Planning Policy Statement 7.

The South East Plan (Regional Spatial Strategy) 2009

Policy H2 which seeks to deliver new housing, including housing in rural areas on previously developed land.

West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

Policies

OVS2 Core Policy

ENV1 The Wider Countryside

ENV18 Control of Development in the Countryside

ENV23 Replacement Dwellings in the Countryside

West Berkshire Council's SPG04/03 – Replacement dwellings in the countryside.

5. Description of Development

- 5.1 The proposal is to replace the existing dwelling, annex accommodation and various outbuildings with a single detached two storey dwelling with attached garage and detached summerhouse (linked to dwelling by covered arbor). The existing buildings to be removed comprise the main single storey flat roofed dwelling within former stables; a single storey annex building located within 5 metres of the main dwelling in the north-western corner of the site; a store and bait shed and an open sided store, both located to the southeast of the dwelling. These buildings have until recently been used and occupied by the former owner of the site and are in varying state of repair. The site was formerly part of a larger site which included use of land

and buildings as a fishery (ponds/ bait sheds etc). The current application site was separated from the fishing lakes and surrounding land during 2008.

- 5.2 The design of the proposed building is influenced by the Arts & Crafts movement, with first floor within the roof space, low eaves, traditional dormers and conservation style roof lights. Materials proposed include orange-red facing bricks, plain tile hanging and plain clay roof tiles. The plan is set around an 'arc' facing toward the fishing lakes. Access to the site would be from the existing road to the east (which would be widened), this would be shared by the adjacent 'Fisheries' use. The siting of the new dwelling takes into account the gently sloping nature of the site and existing trees. Submitted details include levels and sections and an Arboricultural Implication Assessment.
- 5.3 The application includes details of existing floor areas and proposed floor areas within the Design and Access Statement. Based on the calculations submitted the proposal represents a 32.5% increase of floor area based on the existing house, annex and garage. This does not take into account proposed verandas nor the loss of other outbuildings within the site. The existing dwelling, annex and garage building have a combined footprint of 395 sqm (the house and annex alone is 286 sqm). All these buildings have been used as part of the residential/ fisheries use on the site. Other smaller outbuildings on the site comprise a further 84 sqm (approx). It is questionable how long all these buildings have been on the site as none have formal planning permission but are now all immune from enforcement.
- 5.4 The footprint of the proposed replacement dwelling/ garage and summerhouse would be would be 301 sqm (approx) excluding verandas and 336sqm taking account of verandas. The gross floor area of the proposed dwelling is calculated at 523.5 sqm (ground and first floor). The total height of the proposed dwelling would be 7.5 metres, the buildings to be removed vary between approximately 3 and 5 metres high.

6. Consideration of the proposal

- 6.1 The main issues for consideration are:
Principle of proposal
Impact on character of Area
Flooding Issues
Impact on Highway Safety
Other Matters
- 6.2 Principle of proposal
- 6.2.1 The proposal to replace an existing dwelling must be assessed against policy ENV23 of the West Berkshire District Local Plan 1991-2006 (saved policies 2007). The dwelling and annex building to be replaced do not have any formal planning permission however they are all long established and have been there in excess of 10 years. The annex benefits from a CLU issued in 2002 (02/00225), the main dwelling is within former stables. There is no record of when these were erected nor when the conversion took place, although this is likely to be before the CLU for the annex was issued. It is noted that planning permission was granted in 1991 to replace the flat roof on the dwelling with a pitched roof (139322). This was not implemented. The garage building was approved in 1987 (129228). There are no

records regarding other smaller buildings to be removed as part of this application. It is considered that given the planning history relating to these buildings the residential use as a single dwelling with annex is accepted and therefore a replacement dwelling on this site is acceptable in policy terms. The appropriateness of the new building in terms of scale, siting and design are considered below.

- 6.2.2 The new building, with garage and summerhouse would represent an increase of 128.5sqm of additional floor area (32.5%) over the existing dwelling, annex and garage.

This calculation is based on:-

Existing dwelling 235 sqm.

Existing annex 62 sqm (part of dwelling as within 5 metres of main dwelling), existing garage/workshop 98 sqm (which is within the residential curtilage of the dwelling and the use (for shed manufacturing) of the garage being restricted (by condition) to the occupier of the dwelling, Drake House)

Total existing gross floor area - 395sqm

Proposed dwelling/ garage and summerhouse - 523.5 sqm.

- 6.2.3 This increase in floor space would meet with current guidelines set out within SPG04/3 in terms of proportionality (Replacement Dwellings and Extensions to Dwellings in the Countryside). It is acknowledged that normally outbuildings should not be included within this calculation, however the garage/store to be removed does fall within the residential curtilage and it is located close to the proposed summerhouse. The new building has been designed to a high standard, proposing Arts & Crafts architectural influence which would be appropriate to this rural part of Berkshire close to the border with Hampshire. Whilst consolidating the location of the built form within the site and increasing the overall height of buildings, the appearance of the new building is considered appropriate to this rural location. Proposed materials and the plan layout takes account of the rural setting, the wooded backdrop to the North and the fishing lakes and river to the south.

- 6.2.4 The removal of all the existing buildings including unsightly outbuildings will provide the opportunity to enhance the character and nature of the site and create a building which respects the surrounding rural environment and also relates well to other established dwellings within the locality. It is also noted that there is substantial new housing development currently under construction just to the south of the site at Bishop's Green, within Basingstoke and Deane District.

6.3 Impact on the character of the area and amenity of adjoining land owners/users.

- 6.3.1 Concern has been expressed with regard to the impact of the proposed dwelling on the character of the area. It is considered that the current buildings on the site, spread across quite a wide area are rather unsightly and do not positively contribute to the visual character of the area. The proposal would consolidate the built form within the site and relates well to the wooded backdrop to the North and established fishing lakes to the south. The proposal also includes detailed tree protection/retention measures and subject to conditions will be landscaped to further enhance the rural character of the area. The site is not easily visible from open areas of countryside, including Sydmonton Common to the South west. It is 300 metres from a public footpath which crosses between Bishops Green Road and Sydmonton

Common and 500 metres from new housing being built to the South. The site is separated from these public vantage points by fields used for the grazing of horses and tree screens. These areas are elevated from the site, as the land falls toward the river valley, however due to the established tree screen only glimpses of the site are possible. There would be no direct overlooking, given distances involved. The new building would be partially visible (through existing vegetation) when approaching by road from Bishop's Green to the South.

6.4 Flooding Issues

6.4.1 With regard to flooding issues the Environment Agency are satisfied with the details including a Flood Risk Assessment dated June 2010, submitted with the application, including the provision of a private sewage treatment plant. The Agency have confirmed that the siting of the proposed dwelling and plant should not result in any loss of flood storage and impedance of flood flows. Further concern has been expressed regarding this issue. The Environment Agency has commented that if it was not feasible to connect to the mains sewer, as stated within the submitted FRA, the next option available in the hierarchy of foul drainage is a sewage treatment plant. This will need to be registered with the EA and therefore minimum standards will need to be met for discharge. The EA have confirmed that it is confident that any pollution risk would be managed.

6.4.2 The EA have also commented that it is not standard practice for the EA to comment on non-mains foul drainage for a minor development. Public Protection have confirmed that the proposal for the Private Sewage Treatment Plant would be considered under Building Regulations (part H) and agreed by the Environment Agency. Conditions requested to ensure no increase to flood risk include boundary treatments within flood zone 3 (to the South) required to be permeable and no raising of land. Local concern has been raised regarding condition details submitted in respect of the application 09/00227 on land to the south of this application site. This relates to reinstatement of land levels, which has been undertaken and inspected by the EA on site. Formal acceptance of details remains pending. The current application details these new levels and the EA are satisfied with this information.

6.5 Highway Safety

6.5.1 The Highway Officer has raised no objection with regard to the access to the site (a one for one replacement) and proposed parking for the new dwelling. Concern has been expressed regarding the parking displaced by this proposal for the fishing lakes. Revised parking details have been submitted to be secured through the fisheries use subject to alteration to the parking space sizes these are acceptable to the Highway Officer. These details will be considered separately from this current application.

6.6 Other Matters

6.6.1 Contaminants

Local concern has been raised regarding possible contaminants resulting from the authorised use of part of the site and the garage/ store for shed manufacturing. The Public Protection Officer has suggested a condition to secure appropriate mitigation

in the event of unforeseen contamination during site clearance and construction. This can be secured by condition.

6.7 Loss of employment.

6.7.1 Local concern has been raised regarding the loss of employment use. The site has been subdivided from the main fisheries use to the south. The history of the site indicates that this application site is in residential use, for one dwelling, an annex and garage with authorised shed manufacturing use by the occupier of Drake House. Given the original consent for the garage (incidental to dwelling), there is no reason why reversion to the first use would be resisted should an application be submitted. The acceptance of the 'business' use was tied to the occupier of the dwelling. In these circumstances the loss of this 'manufacturing use' resisted by local residents at the time of consideration of the change of use application, could not be objected to.

6.8 Ecology.

6.8.1 The Ecologist has raised no objection to the proposal.

7. **Conclusion**

7.1 Having regard to the relevant planning policies and other material considerations as outlined in Sections 4 and 6, it is considered that there are good reasons to support the proposal insofar as it relates to West Berkshire.

7.2 Conditional approval is justifiable because the proposal for a replacement dwelling within the countryside is acceptable. The new dwelling would in footprint and total floorspace terms be in proportion to the three main buildings which it seeks to replace (representing just over 30% increase). The impact on the character of the area is acceptable in terms of scale, appearance and siting, relating well to the existing landscape. In order to safeguard the rural character of the area and prevent overdevelopment it is suggested that permitted development rights are removed in respect of ancillary buildings. The proposal complies with highway standards in respect of access and parking. It will not increase flood potential of the site nor detract from existing landscape features (including trees) nor adversely affect local ecology. There are not considered to be any substantive material considerations which outweigh the support for the proposal. As such the application is recommended for conditional approval.

7.1 The proposal complies with policy criteria set out in OVS2 and ENV23 of the West Berkshire District Local Plan 1991-2006 (saved policies 2007), advice contained within SPG 04/3 (Replacement dwellings within the Countryside) and advice contained within PPS7.

8. **Full Recommendation**

The Head of Planning and Countryside be authorised to **GRANT** planning permission, subject to the following conditions:

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 should it not be started within a reasonable time.

2. Prior to the commencement of development, samples of the materials to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of amenity and in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007).

3. The development hereby approved shall be carried out in accordance with drawing title number(s) Site Location Plan and Existing Block Plan 8011.10A and 11A; Proposed Elevations 8011.02A; Proposed Floor Plans and Elevations 8011.03A; Proposed Site Layout 8011.04B all received 14th June 2010.

Reason: To ensure that the development is carried out in accordance with the approved plans. In accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

4. Prior to the commencement of development or other operations, a detailed scheme of landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

- a) Completion of the approved landscape scheme within the first planting season following completion of development.
- b) Any trees shrubs or plants that die, become seriously damaged or die within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason; To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives policies OVS2 (a & b) and OVS 3 (b) of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

5. Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837:2005. Such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning

Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figure 2 of B.S.5837:2005.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy OVS 2b of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

6. Prior to the commencement of development or other operations on site, an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy OVS 2b of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

7. Prior to the commencement of development or other operations on site, details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy OVS 2b of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

8. No site works/ demolition/ development shall take place within the application area until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives Policy OVS 2b of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

9. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Dated June 2010, carried out by Mathewson Waters Architects, reference 8011, and the following mitigation measures detailed within the FRA:

1. Construction of a post and rail fence with a permeable hedge design within the area of land liable to flood.
2. There will be no raising of land within the area liable to flood.

Reason: To ensure there will be no impedance of flood flows which may increase flood risk to the site and the surrounding area and to ensure there will be no loss of flood storage

which may increase flood risk to the site and the surrounding area. In accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

10. Prior to the development being brought into use the vehicle parking and/or turning space shall be provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided for adequate parking facilities in order to reduce the likelihood of roadside parking which would be a danger to other road users in accordance with Policy TRANS 1 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

11. Should any unforeseen contamination be encountered during the development, the developer shall inform the LPA immediately. Any subsequent investigation/remedial/protective works deemed necessary by the LPA shall be carried out to agreed timescales and approved by the LPA in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the LPA upon completion of the development.

Reason: In the interests of amenities of neighbouring occupiers. In accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

12. Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revision), no ancillary buildings or structures shall be erected within the curtilage of the dwelling hereby approved, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the over-development of the site and to safeguard the amenities of neighbouring properties in accordance Policy OVS2 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

13. Before any development commences on site details of finished floor levels in relation to existing and proposed ground levels, shown in the form of spot levels on a scaled layout plan shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

14. Before the dwelling hereby approved is first occupied all buildings shown on drawing 8011.04B (as dashed outlines) to be removed from the site shall be taken away from the site and legally disposed of.

Reason: To prevent an excessive number of buildings on the site. In the interests of amenity, In accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

DC