

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(2)	17/00472/FULMAJ Crookham Common	28 th July 2017	Development of five live/work units. Land North of Travellers Friend, Crookham Common Road, Crookham Common. Ressance Land No.12 Limited

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/00472/FULMAJ>

Recommendation Summary: To **DELEGATE** to the Head of Development & Planning to **REFUSE PLANNING PERMISSION** for the reasons set out in section 8.1 of this report.

Ward Member: Councillor Denton-Powell

Reason for Committee determination: The application has been called to committee by Councillor Boeck on the basis that the scheme will make use of previously developed land in a setting adjacent to some 160 homes. The proposal for 5 live/work units is intended to address members' concerns previously raised in respect of an earlier application

Committee Site Visit: 19th July 2017

Contact Officer Details

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1. RELEVANT PLANNING HISTORY

14/02998/FULD Development of four live/work dwellings
Refused 8th April 2015 and dismissed at appeal on 11th May 2016.

A copy of this appeal decision is attached with the proposed plans at the back of this report.

The appeal was dismissed for the following reason:

- 1) The site lies within the open countryside in an unsustainable location. Notwithstanding the proximity of the site to a pub, shop and its location on a bus route the site would be isolated to some degree and would result in an unacceptable likely reliance on the private car for future occupiers. In summary the Inspector concludes that the site is not deemed to be an appropriate location for new residential development.

2. PUBLICITY

Site notice expired on 24th May 2017
Neighbour notification letters expired on 11th May 2017
Advertised in the Newbury Weekly News on the 27th April 2017

3. CONSULTATIONS AND REPRESENTATIONS

3.1 Consultations

Thatcham Town Council	No objections subject to safeguards to ensure compliance with mixed live/work units in perpetuity.
Highways	Objection raised on the basis that the site is within an unsustainable location as concluded by the Inspector in respect of application 14/02998/FULD. For full details please see the main report. In regards to the design of the access and proposed parking the scheme is considered to be acceptable. Amended plans have been submitted to demonstrate that the required visibility splays can be achieved.
Drainage	No comments received at the time of writing
Waste	No objections subject to conditions. Highways have confirmed the access is acceptable for refuse vehicles to turn.

Public Protection

No objections subject to conditions regarding unforeseen contamination, hours of work, dust minimisation and a noise informative.

Thames Water

No comments received at time of writing.

3.2 Representations – As of 13th July 2017

Object: 3 letters and a further letter containing 24 signatures.

Support: 15 letters and a petition signed by 41 residents in support of the scheme.

Summary of support:

- Bring jobs to the area
- The design of the houses are in keeping with the area
- Live/work units will minimise commuting
- Access to shop and pub
- Development will enhance the area
- NPPF seeks a wide choice of homes to be available
- Will support existing rural facilities
- Example of small scale infill development
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Summary of objections:

- Earlier schemes refused and see no change in circumstance
- Environmental and highway concerns
- Impact on neighbour amenity particularly with respect to an increase in noise
- Use is out of character with the rural area
- The houses would harm the character and appearance of the area
- While businesses are initially small they may grow
- Highways impacts due to increased traffic movements, makes pedestrian routes more dangerous.
- Impact on air quality
- Footpath THAT/21/6 can get very muddy and not safe
- The road is very fast and busy

4. PLANNING POLICY

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

- West Berkshire Core Strategy (2006-2026)
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Housing Site Allocations Development Plan Document

4.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. The NPPF is supported by the Planning Practice Guidance (PPG).

- 4.3 According to paragraph 215 of the NPPF, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 4.4 The West Berkshire Core Strategy (2006-2026) is the first development plan document (DPD) within the new West Berkshire Local Plan. It sets out a long term vision for West Berkshire to 2026 and translates this into spatial terms, setting out proposals for where development will go, and how this development will be built. The following policies from the Core Strategy are relevant to this development:
- NPPF Policy
 - ADPP1: Spatial Strategy
 - ADPP3: Thatcham
 - CS1: Delivering New Homes and Retaining the Housing Stock
 - CS6: Affordable Housing
 - CS9: Location and Type of Business Development;
 - CS10: Rural Economy
 - CS13: Transport
 - CS14: Design Principles
 - CS17: Biodiversity and Geodiversity
 - CS19: Historic Environment and Landscape Character
- 4.5 The Council Housing Site Allocations Development Plan Document (DPD) was adopted on the 9th May 2017. Policy C1 defines the settlement boundaries, replacing Policy HSG.1 of the Local Plan. The application site is located approximately 1.5km west of the settlement of Brimpton and is 3km from central Thatcham (figures taken from the Inspector's decision). In planning policy terms the site is within the open countryside.
- 4.6 A number of policies from the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) remain part of the development plan following the publication of the Core Strategy. The following are relevant to this application:
- OVS.6: Noise Pollution
 - TRANS.1: Meeting the Transport Needs of New Development
- 4.7 The following local policy documents adopted by the Council are material considerations relevant to the development:
- Supplementary Planning Document, Quality Design SPD (2006)
 - Delivering Investment for Sustainable Development (June 2013)

5. DESCRIPTION OF DEVELOPMENT AND PROPOSAL

- 5.1 The application site is a parcel of agricultural land to the north of the Travellers Friend public house most recently used for the grazing and stabling of horses. To the south of the site is the public house, shop and B&B

accommodation associated with the Travellers Friend. To the west is an existing mobile home park and to the east are four detached residential dwellings.

- 5.2 The proposal seeks full planning permission for the erection of five 4 bedroom dwellings with an attached work space linked to the main house by an integral door. Parking is proposed on the driveways.

6. APPRAISAL

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

- The Principle of Development and site sustainability
- The Impact on the Character and Appearance of the Area
- Impact on Neighbour Amenity
- Highway Matters
- Flood Risk & Drainage
- Affordable Housing
- Community Infrastructure Levy
- Presumption in Favour of Sustainable Development

6.1 The Principle of Development

- 6.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

- 6.1.2 The Council is able to demonstrate a 5 year supply of housing and as such in accordance with paragraphs 14, 49 and 215 of the NPPF the policies within the Core Strategy and Housing Site Allocations Development Plan Document (HSA DPD) provide an up to date framework for housing development. The key spatial policies that are relevant to this application are Core Strategy Policies ADPP1, ADPP3, CS1 and Policy C1 of the HSA DPD.

- 6.1.3 The spatial strategy for West Berkshire district (as set out in Core Strategy policy ADPP1) is clear that development will follow the existing settlement pattern and comply with the relevant spatial strategies (policy ADPP3 relates to the Thatcham area in which the site falls). The spatial strategy also sets out that most development will be within or adjacent to the settlements included in the settlement hierarchy, and related to the transport accessibility of settlements, their level of services and the availability of suitable sites for development. Within the open countryside only appropriate limited development will be allowed that focuses on addressing identified needs.

- 6.1.4 The application site lies outside of any defined settlement boundary. The site is located some 1.5km to the west of Brimpton, a small village which is not defined within the settlement hierarchy due to its small scale and level of facilities. The site is 1.5km from Thatcham train station and some 3km to central Thatcham. The site is situated within a fairly isolated location and thus falls within an area where development is strictly controlled.

- 6.1.5 The site does not constitute previously developed land and is neither within or adjacent to a settlement within the hierarchy. Consequently the proposal would be contrary to Policies ADPP1, ADPP3 and CS1 of the Core Strategy and a significant degree of weight is afforded to this conflict.
- 6.1.6 Consideration is given to the nature of the proposed units and their combined live works use. It is recognised that paragraph 21 of the NPPF supports the principles of such properties and states that 'Local authorities should facilitate flexible working practices, such as the integration of residential and commercial uses within the same unit.' This however does not negate the need to meet with the strategic policies within the local plan and the objectives of the NPPF which ultimately aims to steer new development to those locations which are most sustainable.
- 6.1.7 The application has been supported by a live/work viability report which seeks to set out the benefits of such forms of development and highlights the growing trend for home working within the UK. It is understood that within West Berkshire home working is higher than the national average with more than 1 in 8 people working in this way (page 18 of the report) and the application seeks to demonstrate the presence of an existing demand for this type of property. While ADPP1 allows for limited development in the countryside which focuses on addressing an identified need, it is considered that such a need could be better met through new development within a more sustainable location. Ultimately the issue here is one of location and the benefits of home working described in the accompanying report do not address the fundamental concerns held with the isolated and unsustainable characteristics of this site.
- 6.1.8 The applicant has sought to draw the council's attention to some appeal decisions which conclude that live/work units would be likely to enable some, even if modest, reductions in carbon emissions from transport compared with if the uses were located separately. While it is not disputed that there maybe a reduction in commuting due to the nature of the properties the Inspector states at paragraph 29 of the appeal decision that "the proposal would be likely to give rise to day to day travel needs for all members of the household that would outweigh the lack of commuting." Officers continue to share these conclusions.
- 6.1.9 Policy CS10 of the Core Strategy encourages proposals to diversify the rural economy but states that such proposals should be particularly located in or adjacent to Rural Service Centres and Service Villages. The location of this site does not meet with these criteria. The Inspector in reaching his conclusions with respect to the appeal scheme recognised the general benefits of live/work units and these are not disputed however such uses must be suitably located. It is the precise location of the proposed development which is of concern here.
- 6.1.10 As part of this proposal the applicant has promoted two key changes to the scheme since the previous appeal. Firstly, the provision of a shared electric car which will be available to future occupiers through the provision of a Car

Club, thereby removing the reliance on unsustainable transport. This is a welcomed facility however it is not considered that it would be sufficient to reduce the reliance on the private car to a level that would overcome the Inspector's decision to dismiss any appeal on the grounds of sustainability. Residents in this location would still be required to use their car for a large percentage of their journeys and the availability of such a vehicle would not reduce this. Furthermore there is no guarantee that future occupants would want to make use of this facility.

6.1.11 Secondly, the proposal seeks to make improvements to the footpath running west from the site along Crookham Common Road to link with public footpath THAT/26/1. Footpath THAT/26/1 runs along the western boundary of the mobile homes park and links into THAT/26/2 which connects with Chamberhouse Mill Lane, a main road into Thatcham. This network of footpaths does not facilitate commuting by reason of their design. They are unlit, potentially muddy routes most commonly used by recreational walkers. Furthermore at some 3km from central Thatcham these walking distances greatly exceed the CIHT guidelines (Table 3.2, "Guidelines for Providing for Journeys on Foot" 2000) which recommends a 'preferred maximum' walking distance of 800m to town centres and 2km for commuting. In conclusion these works are not considered to address the inspectors concerns for the reliance of future residents on the private car.

6.1.12 As recognised by the Inspector within his report, the site is adjacent to a small shop and also a public house containing a restaurant, bed and breakfast and community meeting room facilities. There is also a bus route that runs along Crookham Common Road with stops in front of the public house. The buses however run on a two hourly service and do not operate on a Sunday. Furthermore the 40 mph speed limit, which increases to 60 mph just west of the site would deter people from walking and cycling. The inspector concludes on these points that overall the location is not well served in terms of provision for either walking or cycling, particularly for more vulnerable groups of road users such as children. These conclusions remain relevant to this application.

6.1.13 Whilst recognising the changes that have been made to the proposal by the applicant as a means to address the Inspectors concerns it is considered that while the proposal would provide employment opportunities and a likely reduction in commuting patterns for those employed in the office space, its location would give rise to an overall unacceptable likely reliance on the private car for future occupiers. Also due to the size of the properties, which are family homes the proposal would be likely to give rise to day to day travel needs for all the members of the household and this would outweigh the lack of commuting. Furthermore five dwellings are now proposed instead of 4, as was presented under the appeal and as such these impacts and the unsustainable nature of the site are even more significant.

6.1.14 In conclusion the proposal is contrary to Policies ADPP1, CS1 and CS13 of the Core Strategy and the guidance within the NPPF which seeks to promote sustainable development.

6.2 Impact on the Character and Appearance of the Area

- 6.2.1 The proposed development is for five large dwellings. While the dwellings and their attached live work units are substantial, sited as proposed, behind the far larger public house and its B&B wing and shop, the dwellings would not be prominent in views from Crookham Common Road. The site itself is well contained and surrounded by existing development to the west, south and east, and the layout of the development would space the proposed live/work units well, both in terms of their relationship to each other and the layout of development surrounding the site.
- 6.2.2 The compact and low rise nature of the dwellings on the adjacent mobile home site are noted however there are a variety of house types, including a number of larger dwellings in generous plots scattered along Crookham Common Road between the site and the Brimpton settlement boundary. As such dwellings of this size would not be totally out of character. The site is considered to be of a suitable size to accommodate the amount of development proposed without having an undue impact on the character and appearance of the surrounding area. The design of the dwellings themselves, while somewhat suburban in character, is considered to be of sufficient quality of design so as to not result in a harmful visual impact and due to the varied character of the nearby residential development, is not considered to be such as to appear alien in the local context.
- 6.2.3 The NPPF places a great importance on delivering high quality design and similarly Policy CS14 of the Core Strategy aims to achieve this. Policy CS19 seeks to protect and conserve the character and appearance of the area. For the reasons set out above the proposal is considered to meet with the requirements of these policies.

6.3 Impact on neighbouring amenity

- 6.3.1 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the Framework. Core Strategy Policy CS14 states that new development must make a positive contribution to the quality of life in West Berkshire.
- 6.3.2 The front elevations of plots 1 to 3 are set back in excess of 25m from the edge of the site and some 48m from the side elevations of the nearest properties within the mobile home site. A similar relationship exists with Model Cottage, there is approximately 45m between the rear elevation of plot 3 and the side of this existing dwelling.
- 6.3.3 Plot 5 is located at an angle facing towards the mobile home park. The orientation is such that any overlooking from the front windows would be oblique. Habitable room windows are proposed at a first floor level in the side elevation however at a distance of in excess of 20m from the side elevation of the nearest mobile home property this is not considered to result in a harmful overlooking impact.

6.3.4 With respect to plot 4 the orientation of this property and the separation distances are such that it would not result in any adverse impacts on the amenity of the occupiers of Hideaway, the nearest neighbouring dwelling.

6.3.5 To conclude the proposal is considered to accord with Policy CS14 of the Core Strategy and the guidance within the NPPF with respect to having regard to the amenity of neighbouring lands users.

6.4 Highways Matters

6.4.1 With reference to the recent appeal decision in respect of application 14/02998/FULD, the Inspector made the following comments:

- The appeal site would not benefit from a regular bus service;
- The location is not well served in terms of provision for either walking or cycling, particularly for more vulnerable groups of road users such as children;
- *“Whilst the proposal would provide employment opportunities and a likely reduction in commuting patterns for those employed in the office space, its location would give rise to an overall unacceptable likely reliance on the private car for future occupiers. Therefore I conclude that the proposal would be contrary to CS Policy CS13 that seeks, among other matters, to reduce the need to travel, facilitate sustainable travel and demonstrate good access to key services and facilities.”*

6.4.2 When taking all matters into consideration, Highways object to the proposal on the basis that the issue of poor sustainability remains. Furthermore, as the current proposals are for five live/work units whereas the appeal application was for only four units, it is considered that the current proposals lend more weight to the issue of lack of sustainability on the grounds of trip intensification due to the one additional unit. As such the proposal fails to comply with Policy CS13 of the Core Strategy which seeks to, amongst other things, reduce the need to travel, facilitate sustainable travel and demonstrate good access to key services and facilities.

6.4.3 In regards to other matters the road layout provides for a 4.8m wide carriageway, which is appropriate for this scale of development. The site plan shows adequate parking, and a turning head for emergency and service vehicles. Waste vehicles would not be expected to enter the site as it would remain private. Following the receipt of an additional plan it is been demonstrated that the required visibility splays of 2.4m x 160m can be achieved. Although no cycle stores are shown in the rear gardens, this issue could be controlled by a condition.

6.5 Flood Risk and Drainage

6.5.1 The site lies within Flood Zone 1. The NPPF seeks to direct new development to such sites which are deemed to be at a low risk of flooding. No objections have been raised by the drainage officer.

6.6 Affordable Housing

6.6.1 In accordance with Policy CS6 of the Core Strategy 20% of the units should be provided as affordable housing. In accordance with this policy the applicant seeks to provide 1 affordable unit.

6.7 Community Infrastructure Levy

6.7.1 The proposed development is CIL liable and the relevant forms have been completed.

6.8 Presumption in favour of sustainable development

6.8.1 The NPPF places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal.

6.8.2 In terms of the benefits, the proposal would increase the supply of housing by a modest amount and thus in turn may well provide a degree of construction employment and patronage for the adjacent public house and local store. In addition the work element of the proposal would be likely to decrease the need for commuting and may provide additional security and employment opportunities for residents in the locality.

6.8.3 However in terms of negative aspects, the proposal would mean that future occupiers of the housing would primarily be dependent on the private car to access most of the services and facilities required for day to day living. While an electric car share scheme is being offered this does not improve the sustainability attributes of the site to a significant degree and the concerns for travel remain. Furthermore the distance and nature of the footways and nearby roads make walking and cycling to Brimpton and Thatcham unattractive options. The proposed works to footpath THAT/26/1 are not considered to alter this viewpoint.

6.8.4 The site is in an open countryside location outside of any settlement boundary. As such the proposal would be contrary to policies ADPP1, ADPP3, CS1 and CS13 of the Core Strategy and to paragraph 55 of the NPPF and it is not considered that there are any considerations which outweigh this conflict.

7. Conclusion

7.1 For the reasons set out above it is recommended that the application be refused.

8. Recommendation

To **DELEGATE** to the Head of Development and Planning to **REFUSE PLANNING PERMISSION** for the reasons set out in section 8.1 below.

8.1 Refusal reason

- 1 The proposed development conflicts with the up-to-date housing supply policies of the statutory development plan in terms of the location and scale of new housing. The proposed development of five live/work units would result in the siting of new residential development within the open countryside in a location that is poorly served by access to local services and amenities and would result in an increase in the use of the private motor vehicle. Accordingly, the application is contrary to the National Planning Policy Framework, Policies ADPP1, ADPP3, CS1 and CS13 of the West Berkshire Local Plan Core Strategy (2006-2026), and Policy C1 of the Housing Site Allocations Development Plan Document (2006-2026).

- 2 The development fails to provide a planning obligation to deliver affordable housing. The application is therefore contrary to the National Planning Policy Framework, the Planning Practice Guidance, Policy CS6 of the West Berkshire Core Strategy (2006-2026) and the Planning Obligations SPD.