

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(3)	17/01967/FULD Basildon Parish Council	19 October 2017	Demolition of existing house containing 3 units and erection of 3 houses. Knappswood Farm, Pangbourne Road, Upper Basildon, Berkshire RG8 8LN Mr John Wakefield

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/01967/FULD>

Recommendation Summary: To **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION** subject to conditions and the completion of a S106 legal agreement between the Council, the applicant and the owners of Hollins and Southfields.

Ward Members: Councillor Alan Law

Reason for Committee determination: More than ten letters of objection received

Committee Site Visit: 11 October 2017

Contact Officer Details

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1. PLANNING HISTORY

- 1.1** 15/01115/FULD: Demolition of existing barn and dwelling and erection of 3 houses with garages. The existing building being divided into 3 separate council tax units. Withdrawn 13 July 2015.
- 1.2** 15/03168/FULD: Demolish existing buildings and replace with new dwelling. Withdrawn 14 March 2016.
- 1.3** 16/02407/FULD: Demolition of existing house containing 3 units and erection of 3 houses with garages. Withdrawn 23 May 2017.

2. PUBLICITY

- 2.1** A site notice was displayed on 10th August 2017 and expired on 31st August 2017. Neighbour notification letters have been sent to 52 local recipients. The Council has therefore complied with the publicity requirements of the Town and Country (Development Management Procedure) Order 2015 and the Council's Statement of Community Involvement.

2.2 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 2.3** The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The proposed development is not EIA development and therefore an Environmental Statement is not required.

2.4 CONSULTATION

Parish Council: The Parish Council reviewed the application and voted to object on the following grounds:

The new application does not counter those issues raised by the Parish Council in previous applications and as a result the position of the Parish Council remains the same.

Access is still unsuitable for the additional traffic and the design in general is unsympathetic to the local area and swaps over affordable housing (of which there is little) for large properties (of which there are significant numbers). Additionally, the threat to a local business remains and the loss of local lower priced housing would be to the detriment of the area.

Highways

Access

The application follows withdrawn planning application 16/02407/FULD. As part of the highways assessment of the 2016 application, a site visit was undertaken to determine achievable visibility splays at the access.

The Highway Officer was concerned as no reference had been made to the removal of the existing vegetation currently sited within the visibility splays. This is a significant hindrance to the achievability of this splay from the access. Therefore, it must be confirmed that the applicant has control of the land within the visibility splays for the full 43 metres. The existing vegetation within these splays must be removed or reduced to a height of 0.6 metres.

The splay to the west is acceptable.

Whilst the number of dwellings utilising the drive will not increase, the larger dwellings proposed will result in an increase in vehicle movements which, from this access, would be to the detriment of highway safety and the free-flow of traffic without full compliance with the above.

Each of these dwellings in this location must be provided with 3 driveway car parking spaces. This has been proposed.

A shed must be provided within each of the rear gardens for cycle storage provision.

Summary

I have concerns whether the visibility splay to the east can be achieved. It must be confirmed that the applicant now has control of the land within the splay. I would request a more detailed access/visibility splay plan is submitted which details which trees and bushes will be removed. The full 43 metres cannot be achieved without their removal.

Following the submission of a legal agreement between the applicant and third parties, the Highways Officer stated that:

Highways would request confirmation from either Planning or Legal Services as to whether the required visibility can be secured by a legal agreement and condition. This will determine whether the highways recommendation would be for approval

Waste Management

The Waste Management Officer stated that the application raises no concerns with regard to the storage and collection of refuse and recycling. Existing arrangements will remain for the proposed new properties.

Ecology

No comments received from Ecology

Environmental Health

The Environmental Health Officer stated that the site would likely contain:

- Land contamination
- Demolition and construction activities

Conclusion

A former pit approximately 40m to the south of the site has been identified as potentially contaminated. Previous uses of the site could also have caused land contamination. Investigations should be undertaken and any necessary mitigation carried out to make sure the site is suitable for use once developed.

Demolition and construction activities should be controlled to minimise the impact on people living and working nearby.

Recommendation

Environmental Health has reviewed the application and would recommend conditions are attached.

2.5 Representations

Total: 24

Object: 24

Support: 0

Summary of comments:

- Back garden development within Upper Basildon
- Increase in traffic
- urbanising
- reduces the size and type of dwellings
- need for more “affordable” housing
- pressure on schools
- contamination within the field
- over development
- impact on AONB
- Impact on Bats
- Loss of employment
- Noise and disturbance.
- Setting of a precedent

3. PLANNING POLICY

3.1 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.

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

3.3 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).

3.4 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
- ADPP5: North Wessex Downs Area of Outstanding Natural Beauty (AONB)
- Policy CS1: Delivering New Homes and Retaining the Housing Stock
- Policy CS4: Housing Type and Mix
- Policy CS5: Infrastructure Requirements and Delivery
- Policy CS13: Transport
- Policy CS14: Design Principles
- Policy CS15: Sustainable Construction and Energy Efficiency
- Policy CS16: Flooding
- Policy CS 17 Biodiversity and Geodiversity
- Policy CS19: Historic Environment and Landscape Character

3.5 The Housing Site Allocations Development Plan Document (HSA DPD) is the second DPD of the new West Berkshire Local Plan. It allocates non-strategic housing sites and sites for gypsies, travellers and travelling show people, and provides updated residential parking standards and a set of policies to guide housing in the countryside. The following policies from the HSA DPD are relevant to this development:

- C1: Location of new housing in the countryside
- C2: Rural Housing Exception Policy
- C3: Design of housing in the countryside
- C7: Replacement of existing dwellings;
- P1: Residential parking for new development

3.6 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 saved policies from the Local Plan are relevant to this development:

- TRANS.1: Meeting the Transport Needs of New Development
- OVS.5: Environmental Nuisance and Pollution Control
- OVS.6: Noise Pollution

3.7 The following local policy documents adopted by the Council are material considerations relevant to the development:

- West Berkshire Supplementary Planning Guidance: House Extensions (adopted July 2004)
- West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (adopted June 2006)
 - Part 1 Achieving Quality Design
 - Part 2 Residential Development
- Planning Obligations SPD
- The Wildlife and Countryside Act 1981 (as amended).
- The Conservation of Habitats and Species Regulations 2010.
- The North Wessex Downs AONB Management Plan (2014-2019);
- The Basildon Village Design Statement (VDS) 2001

4. DESCRIPTION OF DEVELOPMENT AND THE SITE

4.1 This application seeks full planning permission for the demolition of the existing farm house containing three dwelling units and the erection of three detached houses at Knappswood Farm, Pangbourne Road, Upper Basildon, Reading, Berkshire, RG8 8LN. As part of the proposal, approximately 140 square metres of equine land to the rear of the proposed dwellings would be taken into residential use.

4.2 The existing detached farmhouse is subdivided into three separate dwellings and is located to the rear of the dwellings fronting Pangbourne Road in Upper Basildon. The site is therefore accessed via an access road between the properties at Southfields and Binibeco. The access road runs southwards for approximately 130 metres.

4.3 The existing farmhouse consists of a number of extensions and the site retains numerous farm buildings used for equine purposes. Immediately north of the site is a substantial barn and stables. Another barn and a collection of buildings associated with the equine use of the surrounding land are located to the south east. Land surrounding the site to the south and west is open and rural in character resembling paddocks, while to the north, beyond the existing barn and stables is residential development forming the edge of the area's settlement boundary, and consisting predominantly of detached dwellings in large plots of mixed age and character. The site stands alone to the rear of the properties that front the Highway along Pangbourne Road. The dwellings are all proposed as 2No two storey 4 bedroom detached dwellings and 1No two storey 5 bedroom detached dwelling. The dwellings will have front gable elements, with three parking spaces allocated for each dwelling.

4.4 The existing farmhouse (including the extensions) is approximately 8.7 metres in roof ridge height and measuring approximately 26.5 metres in maximum length and approximately 21.4 in maximum width.

Plot 1 (northern dwelling):

- 4.5** At its highest the proposed dwelling on Plot 1 would be 8.7 metres to the ridge height. Including the chimney the width would be 9.5 metres, and the depth would be 11 metres.

Plot 2 (middle dwelling):

- 4.6** At its highest the proposed dwelling on Plot 2 would be 8.7 metres to the ridge height. Including the chimney the width would be 15 metres, and the depth would be 12.6 metres.

Plot 3 (southern dwelling):

- 4.7** At its highest the proposed dwelling on Plot 3 would be 8.7 metres to the ridge height. Including the chimney the width would be 9 metres, and the depth would be 11 metres.
- 4.8** The external façade of the proposed dwellings would consist of red-brown facing brickwork with white upvc windows and brown clay roof tiles.

5. PROCEDURAL MATTERS AND BACKGROUND

- 5.1** The application is a resubmission of planning application 16/02407/FULD. The application was withdrawn a day before it was due to be heard by the Eastern Area Planning Committee due to an amendment to the red line and the requirement to serve notice on the owners of all of the land required for visibility splays.
- 5.2** The Council outlined that it would need to be demonstrated that the applicant would have control over all of the land required for the visibility splays at the access. It was also advised that a S106 legal agreement with the neighbouring owners would be required to provide assurance that the visibility splays can be cleared and kept free of obstructions.
- 5.3** The applicant has submitted an unsigned legal agreement/covenant between himself and the owners of Hollies and Southfields to the east of the access. The Council's Legal Team has recommended that the Council be made party to the legal agreement to allow the Council access to carry out the works and to be provided with an indemnity as to costs.
- 5.4** There have been two additional withdrawals of the same proposal under references 15/01115/FULD and 15/03168/FULD.

6. APPRAISAL

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

- 6.1** Principle of the development
- 6.2** The impact on the character and appearance of the North Wessex Downs AONB.
- 6.3** The impact on neighbour amenity
- 6.4** On-site amenity and facilities for future occupiers
- 6.5** The impact on Highway safety
- 6.6** The impact on biodiversity
- 6.7** Impact on Flooding and Drainage
- 6.8** Other matters
 - Objections
 - Contamination
 - Community infrastructure levy
 - The presumption in favour of sustainable development

6.1 The principle of development.

6.1.1 Paragraph 9 of the NPPF discusses the need to ensure ‘widening of the choice of high quality homes’. Paragraph 47 of the NPPF focuses on the need to ‘boost significantly the supply of housing’ with paragraph 49 setting out that ‘housing applications should be considered in the context of the presumption in favour of sustainable development’. Paragraph 50 focuses on the delivery of a ‘wide choice of high quality homes’ and creating ‘sustainable inclusive and mixed communities’. With regard to the supply of new homes, paragraph 52 recognises the opportunities to plan for larger scale development including ‘extensions to existing villages’

6.1.2 Policy ADPP1 identifies the District Settlement Hierarchy where new development will be focused, primarily on previously developed land. Policy ADPP1 designates the site as being within the open countryside. This states that only appropriate limited development in the countryside will be allowed. The site, as well as the village of Upper Basildon lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

6.1.3 Policy ADPP5 provides that landscape protection is of paramount importance within the North Wessex Downs AONB. The North Wessex AONB has a statutory designation under the Countryside and Rights of Way Act 2000. Section 82 Countryside and Rights of Way Act 2000 confirms the primary purpose of the AONB designation is conserving and enhancing the natural beauty of the area. The Countryside and Rights of Way Act 2000 places a general duty on public bodies to have regard to the purpose of conserving and enhancing the natural beauty of the AONB in exercising or performing any functions in relation to, or so as to affect, land in the AONB. Specific to planning, the NPPF states that great weight should be given to conserving landscape and scenic beauty in the AONB, which has the highest status of protection in relation to landscape and scenic beauty.

6.1.4 Policy CS1 provides that new homes will be built on suitable previously developed land within settlement boundaries; other suitable land within

settlement boundaries; strategic sites and broad location identified on the Key Diagram and land allocated for residential development in subsequent Development Plan Documents.

- 6.1.5 The application site is located outside of the settlement boundary of Upper Basildon. The boundary runs along the back of the second tier of development along Pangbourne Road. As such, the proposal does not comply with Policy CS1.
- 6.1.6 Policy C1 of the HSA DPD states 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 proposed dwellings are considered to comply with the replacement dwelling exception policy.
- 6.1.7 Policy C7 of the Housing Site Allocations DPD gives a presumption in favour of the replacement of an existing dwelling of permanent construction, subject to a number of criteria.
- 6.1.8 The proposal consists of the demolition of three dwelling units within a single building and the construction of three detached houses, in this respect the principle of three replacement dwellings is acceptable, in accordance with Policy C7, subject to full conformity with other material considerations consistent with the above policies, which are explored below. .

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

- 6.2.1 The Government attaches great importance to the design of the built environment, and securing high quality design is one of the core planning principles of the NPPF.
- 6.2.2 The site is located within a sensitive location within the countryside, as such the proposal has been considered in terms of its potential impact and harm on the character and visual attractiveness of the area. This assessment has been based on the existing built form and the level of harm, if any from the proposed development.
- 6.2.3 The NPPF's Paragraph 17 states that in relation to design, Councils should always seek to secure high quality design which respects and enhances the character and appearance of the area. The NPPF is clear that good design is indivisible from good planning and attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. The NPPF also adds that the visual appearance is a very important factor, securing high quality and inclusive design goes beyond aesthetic considerations.

- 6.2.4 Paragraph 58 of the NPPF states that developments should function well and add to the overall quality of the area, respond to local character and history, and be visually attractive as a result of good architecture and appropriate landscaping.
- 6.2.5 Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 6.2.6 Core Strategy Policy CS19: Historic environment and landscape character also outlines that in order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard has been given to the sensitivity of the area to change and ensuring that the new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.2.7 The Council has adopted a Supplementary Planning Document series entitled Quality Design (SPDQD). Part 2 of SPDQD provides detailed design guidance on residential development. It offers guidance on how to preserve residential character by emphasising that respecting the physical massing of an existing residential area is a critical part of protecting residential character. The physical bulk of the proposed development has been considered in terms of its footprint, length, width and height in line with the guidance within SPDQD part 2.
- 6.2.8 The dwellings have been designed such that their appearance, size and scale do not appear out of context in relation to the adjacent properties to the north. Officers consider that the development sufficiently respects the character and appearance of the specific site and the AONB area.
- 6.2.9 Policy C3 of the HSA DPD is concerned with the design of housing in the countryside. It states that development must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change. Development should be designed having regard to the character of the area in which it is located taking account of the local settlement and building character. It should also have regard to Quality Design – West Berkshire Supplementary Planning Document. The proposed dwellings are consistent with the design and character of the local vernacular and the recent residential developments to the north of the site. It is considered that the development complies with Policy C3.
- 6.2.10 There is a presumption in favour of the replacement of an existing dwelling of permanent construction. The proposed dwellings have been assessed under Policy C7. The policy requires that the replacement dwelling is proportionate in size and scale to the existing dwelling. The site currently comprises of a single dwelling that has been historically subdivided to

create 3 units, and therefore consists of one larger and two smaller dwellings.

- 6.2.11 Whilst percentage increase is no longer a policy requirement, a cumulative floor space assessment has been applied to this application, as an indicator of the overall development and the likely material increase in physical and visual intrusion on the countryside.
- 6.2.12 The existing farmhouse has a floor space of approximately 482 square metres and 1784 cubic metres in volume. The proposed dwellings will collectively result in a total floor area of 706 square metres, which is a cumulative floor area increase of approximately 46%. The proposed dwellings will collectively result in a total volume space of 2375.71 square metres, which is a cumulative volume increase of approximately 33%. This was also confirmed under the previously withdrawn application 16/02407/FULD when the scheme was also substantially revised.
- 6.2.13 The proposed scheme of three replacement dwellings seeks to consolidate the provision of housing on the site into a traditional layout of a main dwelling (Plot 2) and two smaller associated cottages. Visually the dwellings will span over a larger area than the existing farmhouse therefore increasing the built area on the site. However it is considered that the proposed development will upgrade the quality of the residential built form on the site by replacing the highly extended existing house and the three dwelling units within it. It is also considered that there is a drive to modernise the three units on the site, which carries weight as the existing farmhouse is unremarkable in terms of its design. These merits weigh in favour of the scheme as submitted.
- 6.2.14 The proposed replacement dwellings are not considered to entail a disproportionate increase in the amount of residential development on the site, and as discussed, are considered to reduce the visual impact of residential development on the site in the surrounding sensitive landscape of the AONB, as required by criteria 3 of Policy C7.
- 6.2.15 Policy C7 goes on to require that replacement dwellings do not entail an extension of the existing curtilage unless an extension is required in order to provide parking or amenity space to be consistent with dwellings in the immediate vicinity. As noted above the proposed works would entail the change of use of approximately 140 square metres of equine land to residential use. As this additional land is required in order to provide parking and amenity for the dwellings, this is considered acceptable under Policy C7.
- 6.2.16 The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014 – 2019 describes the sense of remoteness and tranquillity associated with the North Wessex Downs as fundamental to the character of the AONB and vital to the enjoyment and appreciation of the landscape, the North Wessex Downs' vision seeks to make the North Wessex Downs AONB a place where development is low-impact. The sensitivity of the site and the development within the AONB is therefore very important. Due to the points raised above it is considered that the proposed

dwelling is of an acceptable standard of design, size and scale within the context of the area adequately respecting and enhancing the distinctive character of the North Wessex Downs AONB.

- 6.2.17 The proposal therefore complies with Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026. The proposal also complies with the West Berkshire Supplementary Planning Document Series: Quality Design, and the Housing Site Allocations Development Plan Document's Policies C1, C3 and C7, and the Basildon Village Design Statement.

6.3 Impact upon 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 NPPF. Core Strategy Policy CS14 further states that new development must make a positive contribution to the quality of life in West Berkshire. The Council's Supplementary Planning Document 'Quality Design' and Supplementary Planning Guidance House Extensions provide guidance on the impacts of development on neighbouring living conditions.
- 6.3.2 The nearest dwellings are located to the north of the site, with the large barn settled between the northern properties and the site. As such there are no material adverse impacts on neighbouring amenity. The relationship between the proposed dwellings themselves has also been assessed. It is considered that due to the proposed layout there are no overshadowing impacts. First floor windows are proposed on the northern and southern elevations of each dwelling, these windows would be required to be top hung and obscure glazed and this can be secured by condition.

6.4 On-site amenity and facilities for future occupiers

- 6.4.1 According to Part 2 of the Council's Supplementary Planning Document "Quality Design (SPDQD)", the Council considers it essential for the living conditions of future residents that suitable outdoor amenity space (e.g. private gardens) is provided in most new residential development.
- 6.4.2 The Council's Supplementary Planning Document "Quality Design" Part 2 suggests a minimum garden size of 100 square metres for houses with 3 or more bedrooms. The three plots will all have garden areas of approximately 190 square metres. These are more than sufficient to comply with the guidance within the SPDQD.

6.5 Impact on Highways (safety and use)

- 6.5.1 Road safety in West Berkshire is a key consideration for all development in accordance with Core Strategy Policy CS13.

6.5.2 Policy P1 of the DPD provides new standards for residential parking for new development. The new parking policy sets minimum standards for residential parking provision based on location. As the proposed development is for 4/5 bedroom dwelling and is located within Zone 3, the minimum parking requirements are set at 3 parking spaces. This standard has been achieved.

6.5.3 A number of letters of objection raise concerns in respect of the impact of the proposed works on highway safety. The previous application was withdrawn due to highway concerns at the access, mainly concerning the maintenance of adequate visibility splays over third party land. As outlined in Section 5 of this report, a legal agreement has been submitted by the applicant to ensure that the required visibility splays are achieved at the access on to Pangbourne Road. Following consultation with the Council's Legal Team the Highway Officer is satisfied that the visibility splays can be achieved and these can also be secured by a S106 legal agreement and a suitably worded condition.

6.5.4 Overall, the proposed works are not considered to result in a significant number of additional vehicle movements utilising the access. Parking provision is adequate to meet levels specified under Policy P1. Therefore, subject to the signing of a legal agreement to secure adequate visibility splays, the proposed works are considered acceptable in terms of their impact from the highway. The application is therefore considered to comply with Core Strategy Policy CS13 and the parking standards are set out within the Housing Site Allocations DPD.

6.6 The impact upon biodiversity

6.6.1 Core Strategy Policy CS17 (Biodiversity and Geodiversity) states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Policy CS17 also states that, in order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.

6.6.2 No adverse comments have been received from Natural England and from the Council's Ecologist. As the dwelling is to be demolished a bat survey accompanies the application. The Council accepts the ecological recommendations of the survey and suggests appropriate conditions are attached.

6.7 Impact on Flooding and Drainage

6.7.1 The application site is located within Flood Zone 1, which is appropriate for new residential development. Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the

implementation of Sustainable Drainage Methods (SuDS). A condition requiring drainage mitigation measures can be attached accordingly.

6.8 Other matters

Objections

6.8.1 The Parish and objectors to this application have raised concerns which are listed with Section 2 of this report. Many of the matters raised by objectors have been addressed within this report, as such these have not been repeated here.

6.8.2 To reiterate the key considerations above, the existing site does include a dwelling and two flats that form extensions to the dwelling and have been historically subdivided from it. The proposed works would result in the loss of small dwellings in this location this is a minor disbenefit of the scheme when compared to the availability of modern family dwellings as proposed. In addition there is the advantage of improving the environmental qualities of the site considerably while retaining the provision of three dwellings on the site. The application will not set a precedent as this proposal replaces existing dwellings as outlined above. It is also considered that while the proposed works would result in the loss of two smaller dwellings from the local housing stock in the area this would not result in sufficient harm to the diversity of housing available in Upper Basildon or the District to result in a reason for refusal of the application.

6.8.3 In consideration of the existing residential uses on the site, the proposed use as dwellings is considered to be compatible with the agricultural and equine uses on the site. The existing agricultural and equine buildings will be retained, indeed these buildings were removed from the scheme as part of the previously withdrawn applications. It has also been considered that there is a lack of tie of the existing dwellings to these agricultural/equine uses and the small scale nature of the businesses on the site. Having considered the above it is considered that there are no adverse impacts on the future on the equine uses on the site.

Contamination

6.8.4 A former pit approximately 40m to the south of the site has been identified as potentially contaminated. Previous uses of the site could also have caused land contamination. Investigations should be undertaken and any necessary mitigation carried out to make sure the site is suitable for use once developed. Environmental Health has recommended a condition requiring site investigation in the event of contamination being discovered on the site.

Community Infrastructure Levy

6.8.5 Core Strategy Policy CS5 (Infrastructure) states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery.

6.8.6 The proposed new build in terms of the gross internal floor space area (GIA) as defined by the Royal Institute of Chartered Surveyors (RICS) is more than 100m². Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations, residential development of 100m² or more will be liable to pay the Community Infrastructure Levy.

6.8.7 The proposal's new GIA is 706 square metres.

6.8.8 As such this application is CIL Liable and the Community Infrastructure Levy Liability Notice detailing the chargeable amount will be sent attached to the decision notice.

The assessment of sustainable development

6.8.9 Paragraph 7 of the NPPF provides a presumption in favour of sustainable development with the social role of the planning system being to ensure that strong, vibrant and healthy communities are supported through 'providing the supply of housing required to meet the needs of present and future generations. When considering development proposals the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

6.8.10 Paragraph 10 states that plans and decisions 'need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas'.

6.8.11 The NPPF requires local authorities to 'approach decision-making in a positive way to foster the delivery of sustainable development' (paragraph 186). Paragraph 187 further stresses that 'decision-takers at every level should seek to approve applications for sustainable development where possible'.

6.8.12 Paragraph 14 of the NPPF sets out the Government's economic, environment social planning policies for England, with the presumption in favour of sustainable development. The NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal.

6.8.13 Economic Dimension: It is considered that the proposal makes a minimal contribution to the wider economic dimensions of sustainable development. There would be a minor benefit in terms of additional employment during the construction period.

6.8.14 Environmental dimension: With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding AONB area has been assessed as part of this application. It is considered that the proposal will sufficiently respect the existing natural and built environment and that the proposal protects and enhances the prevailing pattern of development in the local area and the site specifically.

6.8.15 Social dimension: It is considered that the proposal makes a small contribution to the wider social dimensions of sustainable development, though the provision of three new dwellings.

6.8.16 For the above reasons, it is considered that the proposed development is supported by the presumption in favour of sustainable development.

7. CONCLUSION

7.1 Having regard to the relevant development plan policies, the other material considerations referred to above and the clear reasons in favour, the development proposed is considered to be acceptable and should be approved for the following reasons.

7.2 The proposal will not harm the existing character and appearance of the surrounding AONB area and how it functions. The proposal will not have a material impact on neighbouring amenity, will secure sufficient garden amenity for future occupiers and will not present an adverse impact on highway safety. These considerations carry significant weight and indicate that conditional planning permission should be approved.

7.3 This decision has been considered using the relevant policies related to the proposal. These are; ADPP1, ADPP5, CS1, CS4, CS5, CS13, CS14, CS15, CS16, CS17, C18 and CS19 of The West Berkshire Core Strategy 2006 - 2026, Policy OVS5, OVS7, and TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007, Policy C1, C3, C7 and P1 of the HSA DPD, and the National Planning Policy Framework.

8. FULL RECOMMENDATION

DELEGATE to the Head of Planning & Countryside to **GRANT PLANNING PERMISSION** subject to the conditions recommended below (section 8.1), and the completion of a S106 legal agreement between the Council, the applicant and the owners of Hollins and Southfields.

8.1 Conditions

1. Commencement of development

The development hereby approved shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Approved plans

The development of the replacement dwellings hereby approved shall be carried out in accordance with the application form, the design and access statement and drawing numbers 7756.6; 7756.7; 7756.8 and 7756.9A, received 01 July 2017.

Reason: For the avoidance of doubt, in the interests of proper planning.

3. Schedule of Materials

Irrespective of details given in the approved plans and documents no development of the approved dwellings shall commence until samples of all external materials to be used have been submitted and approved under a formal discharge of conditions application. The approved dwellings shall be constructed in accordance in accordance with the approved schedule of materials.

Reason: In the interests of visual amenity in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

4. Construction Method Statement

No development shall take place until a Construction Method Statement has been submitted and approved under a formal discharge of conditions application. The development shall be carried out in accordance with the approved Construction Method Statement. The Construction Method Statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Delivery, loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the

West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5. Visibility splays before development

No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access and until the Deed of Covenant between the Council, the Applicant and the owners of Hollies and Southfields has been entered into and registered as a local land charge. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

6. Access to Highway

No development shall take place until details of the surfacing arrangements for the vehicular access to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access for a distance of 7 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

7. Parking/turning in accord with plans.

No dwelling shall be occupied until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plans. 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 with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and P1 of the HSA DPD

8. Cycle storage

No dwelling shall be occupied until cycle parking and/or storage space has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy

Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and P1 of the HSADPD.

9. External Lighting

No development of the approved dwellings shall commence until full details of any lighting to be erected, including the complete specification and location of all external lights, has been submitted and approved under a formal discharge of conditions application. Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, no other external lighting shall be erected on the site.

Reason: In the interests of visual amenity and to prevent encroachment of illumination into the night skies in the North Wessex Downs Area of Outstanding Natural Beauty in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

10. Ecological mitigation - Bat boxes

The dwellings hereby approved shall not be occupied until a scheme of bat boxes to be provided on the site has been submitted and approved under a discharge of conditions application. The dwellings shall not be occupied until the bat boxes have been erected in accordance with the approved scheme. The bat boxes shall be retained in accordance with the approved scheme thereafter.

Reason: To conserve and enhance the qualities of the site for local wildlife in accordance with Policy CS17 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

11. Landscaping scheme

No development of the approved dwellings shall commence until details of a scheme of landscaping to be implemented on the site have been submitted and approved under a discharge of conditions application made for this purpose. The scheme of landscaping shall ensure:

- (i) Identification of all trees and shrubs scheduled for retention on the site;
- (ii) Identification of native varieties of trees and shrubs for all new planting;
- (iii) Full implementation of the scheme of landscaping within the first planting season following occupation of the replacement dwellings;
- (iv) That all trees and shrubs that form part of the approved landscaping are retained for a period of five years following planting and that during this period any trees or shrubs that become diseased, damaged or die are replaced with plants of the same species and a similar size during the following planting season.

The landscaping of the site shall be undertaken in accordance with the approved scheme.

Reason: In order to secure the benefits of landscaping to soften the visual impacts of development on a sensitive site within the North Wessex Downs AONB and to provide opportunities for local wildlife in accordance with the NPPF and Policies CS14, CS17 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

12. Hard landscaping

No development or other operations shall commence on site until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the development is commenced because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

13. Spoil

No development shall take place until full details of how all spoil arising from the development will be used or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil (not to be deposited) from the site
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

14. Land contamination 1: site characterisation

The construction of the dwelling hereby permitted shall not take place until a scheme to assess the nature and extent of any land contamination of the site (whether or not it originates from the site) has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment shall be completed as part of this scheme. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced and submitted. The report of the findings shall include:

- (a) A survey of the extent, scale and nature of contamination;
- (b) An assessment of the potential risks to:
 - i. human health,
 - ii. property (existing and proposed) including buildings, pets, and service lines and pipes,
 - iii. adjoining land,
 - iv. groundwater and surface water,
 - v. ecological systems,
 - vi. archaeological sites and ancient monuments; and
- (c) An appraisal of remedial options, and proposal of the preferred option(s).

This report shall be conducted in accordance with CLR11: Model Procedures for the Management of Land Contamination (DEFRA/EA).

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. The approval of this information is required at this stage because insufficient information has been submitted with the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

15. Land contamination 2: remediation scheme submission

The construction of the dwelling hereby permitted shall not take place until a remediation scheme for any land contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- (a) Provide for the removal of unacceptable risks to human health, buildings and other property, and the natural and historical environment;
- (b) Ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation;
- (c) Detail proposed objectives and remediation criteria, all works to be undertaken, a timetable of works, and site management procedures; and
- (d) Include measures for the monitoring and maintenance of the long-term effectiveness of the remediation over a period agreed in writing with the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. The approval of this information is required at this stage because insufficient information has been submitted with the application. This condition is applied in accordance with the

16. Land contamination 3: remediation scheme implementation

The remediation scheme for land contamination approved under condition 15 shall be implemented in full in accordance with the timetable of works thereby approved. Two weeks written notice shall be given to the Local Planning Authority prior to the commencement of the remediation scheme. Following the completion of the measures identified in the approved remediation scheme (except those for the long-term monitoring and maintenance), no dwelling shall be occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

17. Land contamination 4: unexpected contamination

In the event that any previously unidentified land contamination is found at any time during the carrying out of the development, it shall immediately be reported in writing to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of Condition 14, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of condition 15. The investigation and risk assessment, and any remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme, no dwelling shall be occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

18. Land contamination 5: monitoring and maintenance

Following completion of the measures for the monitoring and maintenance of the effectiveness of the land contamination remediation approved under clause (d) of condition 15 (if any), a verification report to demonstrate the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the completion of the measures. These reports shall be conducted in accordance with CLR11: Model Procedures for the Management of Land Contamination (DEFRA/EA).

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition

ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

19. Hours of work (demolition and construction)

The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing is limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays

8.30 am to 1.00 p.m. on Saturdays and

No work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with the NPPF and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

20. Sustainable Drainage

No development shall take place until a scheme of surface water drainage has been submitted and approved under a formal discharge of conditions application made for this purpose. The scheme shall incorporate sustainable drainage principles to deal with surface water run-off from the roof of the dwellings hereby permitted and within the application site. The dwelling hereby permitted shall not be first occupied until the scheme of surface water drainage has been implemented in accordance with the approved details. The approved method of surface water drainage shall be retained thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design - Part 4 Sustainable Design Techniques (June 2006).

21. Windows to be top hung and obscure glazed

The development hereby permitted shall not be occupied until the windows at first floor level in the northern and southern elevations of the dwellings hereby permitted have been fitted with obscure glass and top hung casements. The obscure and top hung glazing shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

22. Restriction on permitted development for windows on side elevation

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows/roof lights (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B or C of that Order shall be constructed on the north and south elevations of the dwellings hereby permitted, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

23. PD Removal – extensions or outbuildings

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions or outbuildings which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C, D and E of that Order shall be constructed on the dwellings hereby permitted, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of visual amenity and to avoid the overdevelopment of a site within the North Wessex Downs Area of Outstanding Natural Beauty, in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy C3 of the West Berkshire Council Housing Site Allocations DPD (2017).

Informatives

1. Proactive action by the local planning authority

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

2. Access construction

The Highways Manager, West Berkshire District Council, Highways & Transport, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 –

519803, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

3. Damage to footways, cycleways and verges

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

4. Damage to the carriageway

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

5. Excavation in close proximity to the highway

In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.

6. Incidental works affecting the highway

Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519169, before any development is commenced.

7. Protected bats

All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). If any signs of bats (bat roosts, bat droppings or any other signs) are discovered on the site at any time then all work must halt and Natural England should be contacted for advice.

8. Construction / demolition noise

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.