

Item No	Application and Parish	No.	8/13 week date	Proposal, Location and Applicant
(2)	18/00072/FULD Brimpton Parish Council		19 th March 2018	Demolition of existing outbuilding and construction of a new single storey self-build dwelling utilising an existing access with associated parking and landscaping provided on site Kiln Cottage, Crookham Common Road Brimpton, Reading Berkshire RG7 4TD Mr and Mrs Hunt

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00072/FULD>

Recommendation Summary:

To **DELEGATE** to the Head of Development and Planning to **REFUSE PLANNING PERMISSION.**

Ward Members:

Councillor Dominic Boeck

Reason for Committee determination:

Requested by Councillor Boeck to allow Members to consider the application. Kiln Cottage is situated on a generous plot on the edge of Brimpton's conservation area. The applicants wish to make use of their land to provide them with a dwelling more suited to their changing circumstances. The proposal has been developed to minimise the visual impact in the light of the refusal of the earlier application.

Committee Site Visit:

4th April 2018

Contact Officer Details

Name: Donna Toms
Job Title: Planning Officer
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1. PLANNING HISTORY

17/00649/FULD - Demolition of existing outbuilding and construction of a new self-build dwelling utilising an existing access with associated parking and landscaping - Refused 02.06.2017

2. PUBLICITY

2.1 A site notice was displayed on 2 February 2018 and expired on 23 February 2018. Neighbour notification letters have been sent to 5 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.

3. CONSULTATION

3.1 Consultations

Parish Council:	Support
Highways	No objection subject to condition
Waste Management	No objection
Ecology	No comments received at time of report
Tree Officer	No objection subject to condition
Environmental Health	No comments
Emergency Planning	No adverse comments to make
Sustainable Drainage	No comments received at time of report
Disability Officer	No comments received at time of report
Conservation Officer	Objection
Thames Water Utilities	No comments received at time of report
Natural England	No comments

3.2 Representations

Total: 8	Object: 2	Support: 6
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Summary of comments:

Supporting:

- There are a shortage of homes in Brimpton
- A new family could support the local business and community
- The location of the proposed bungalow is unobtrusive and not seen from the road
- Current house not suitable for Mr and Mrs Hunt and the new house will enable them to stay within the village

- There used to be two cottages on the site therefore the garden is not intrinsic to the house.
- The rear of the garden is clearly not cultivated part of the garden.

Objecting:

- Impact on open space affecting Grade II listed building and conservation area
- Out of keeping with other nearby properties in regard to spacing and appearance - the development is not respecting neighbouring properties in scale, siting, style and use of materials.
- Impact on the garden of a listed building which is one of the oldest in the village and will be very visible
- Existing house and garden is already a very attractive plot - adding an ordinary new build property to it will not enhance the village or listed building
- The proposed development is not a replacement as it is not the same footprint of the shed it will replace
- The development will be situated extremely close to northern boundary of the plot and will have a dramatic impact on neighbouring properties in The Willows.
- New property will increase density of homes in a rural village
- The gravel drive proposed with parking is close to the homes in The Willows will cause both excessive light and noise pollution from cars entering and leaving proposed property.

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)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

4.2 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).

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
- ADPP6: East Kennet Valley
- CS13: Transport
- CS14: Design Principles
- CS16: Flooding
- CS17: Biodiversity and Geodiversity

- CS19: Historic Environment and Landscape Character

4.5 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:

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

According to Paragraph 216 of the NPPF, decision-takers may also give weight to relevant policies in emerging plans according to:

(1) The stage of preparation,

(2) The extent to which there are unresolved objections to relevant policies and

(3) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF.

The Local Development Scheme (LDS) provides a timetable for the preparation of emerging development plan documents.

4.6 The Housing Site Allocations Development Plan Document (2006-2026) (HSA DPD) is the second DPD of the new West Berkshire Local Plan, and allocates non-strategic housing sites across the district. No specific housing allocations are relevant to this application. The following policies from the HSA DPD is relevant to this development and now carry significant weight.

- C1: Location of New Housing in the Countryside
- P1: Parking Standards for New Residential Development

4.7 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 Guidance: Replacement Dwellings and Extensions to Dwellings in the Countryside (adopted July 2004)
- West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (adopted June 2006)
 - Part 1 Achieving Quality Design
 - Part 2 Residential Development
- West Berkshire Supplementary Planning Document Delivering Investment from Sustainable Development
- The Wildlife and Countryside Act 1981 (as amended).
- The Conservation of Habitats and Species Regulations 2010.
- National Planning Practice Guidance (Use of Planning Conditions reference ID: 21a)

5. DESCRIPTION OF DEVELOPMENT AND THE SITE

- 5.1 This application seeks full planning permission for the demolition of the existing outbuilding and the construction of a bungalow in the garden of Kiln Cottage, Crookham Common Road, Brimpton, Reading, Berkshire, RG7 4TD. The applicant indicates that the proposed dwelling would be a self-build project.
- 5.2 The site is located off Crookham Common Road and will share the existing access with Kiln Cottage. It forms part of the curtilage of Kiln Cottage which is a listed building and also is within Brimpton Conservation Area.
- 5.3 The site is open to view from the road and close to the access to the site and forms open space to the rear of the site which is typical of the character of the area.
- 5.4 Currently an outbuilding is on the site of the proposed new dwelling and is of a lesser height, scale and bulk than the proposed dwelling and it is also partially screened by existing vegetation. The dimension of the outbuilding is 6 m by 10 m and the height of the building is lower than the existing hedge to the rear.
- 5.5 At its highest, the proposed replacement dwelling would be 5.1 metres to the ridge of the main roof. Including the garden room, the width would be 16.5 metres, and the depth would be 8.2 metres. The ground floor will comprise a kitchen, sitting room, dining room, cloak room, utility room, 2 bedrooms and 2 bathrooms and a garden room.
- 5.6 The external façade of the building will be horizontal timber weatherboard with projecting feature brick band course, feature brick arch, cottage style casement windows, white UPVC fascias, soffits and bargeboards, black plastic rainwater goods and plain clay roof tiles.

6. APPRAISAL

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

- Principle of the development
- The impact on the character and appearance of the area
- The impact on the listed building and conservation area
- The impact on neighbour amenity
- The impact on Highway safety
- The impact on biodiversity
- The impact on trees
- Community infrastructure levy
- The presumption in favour of sustainable development

6.1 The principle of development

- 6.1.1 The application site is located within the defined settlement boundary of Brimpton where the type of development proposed is acceptable in principle providing that it also complies with other relevant Development Plan policies and is acceptable when assessed against relevant material planning considerations.

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.
- 6.2.1 The site is located within the garden of Kiln Cottage, an early C17th timber framed grade II building. The site is located within the Brimpton Conservation Area.

- 6.2.2 Paragraph 17 of the NPPF 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.
- 6.2.3 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.
- 6.2.4 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.
- 6.2.5 Core Strategy Policy CS19 deals with historic environment and landscape character and indicates 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.
- 6.2.6 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 increased height in line with the guidance within SPDQD part 2.

6.3 The impact on the listed building and the conservation area

- 6.3.1 The conservation officer made the following comments:
- 6.3.2 A listed building, as a heritage asset, possesses significance which the National Planning Policy Framework (NPPF) defines as its value to this and future generations because of its heritage interest. Significance derives not only from the asset's physical presence, but also from its setting. Setting is the surroundings in which an asset is experienced. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral. Setting embraces all of the surroundings from which the heritage asset can be experienced, or that can be experienced from or with the asset.
- 6.3.3 Kiln Cottage is set within a large plot, which benefits from a good covering of trees and other vegetation. I disagree with the applicant's assertion in their Heritage Statement that the site is experienced as a separate part of the curtilage of the Kiln Cottage. Originally Kiln Cottage was surrounded to the north, east and west by open countryside. Whilst C20th development has encroached to the north and east, the garden area still provides a sense of spaciousness around Kiln Cottage and makes a positive contribution to its setting. The size of the garden surrounding Kiln Cottage, and the presence of trees and other

vegetation, provide a soft, verdant setting around the building, appropriate to its location on the edge of the settlement boundary.

- 6.3.4 The site is typical of the prevailing character of the Conservation Area which is characterised by detached dwellings, mostly listed, set within substantial plots. As with the application site, the Conservation Area has a spacious verdant character, which provides a strong visual connection with the village's agricultural setting.
- 6.3.5 When viewing Kiln Cottage from the road, close to the access into the site, one is fully aware of the open space to the rear of the site and of the contribution it makes to the spatial quality of the building's setting. The erection of a dwelling within this space, albeit single storey, and the associated subdivision of the garden, would materially diminish that experience, to the detriment of the listed building's significance.
- 6.3.6 Whilst I appreciate that existing trees would partially screen the proposed dwelling from the road, this would only be the case when trees are in leaf for approximately 5-6 months in the year. During the winter months the proposed dwelling would become a detracting feature, which would harm the verdant setting of Kiln Cottage. However, notwithstanding the type and quality of public views into the site at various points during the year, the NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced, this can be from within or outside the site, and is not limited to public views. It is the setting of the heritage asset legislation seeks to preserve not merely its appearance from the public domain.
- 6.3.7 The application site not only forms an important element in the setting of Kiln Cottage but, for the same reason, it makes an important contribution to the character and appearance of the Conservation Area. By causing harm to the setting of the listed building the scheme would have a detrimental effect on the character and appearance of the Conservation Area.
- 6.3.8 For the reasons given above I feel that the proposal would fail to preserve the setting of Kiln Cottage and would fail to either preserve or enhance the character and appearance of the Conservation Area. In this way the proposal would have a harmful effect on the significance of this Grade II listed building and on the character and appearance of the Conservation Area. I am of the opinion that this harm would be 'less than substantial' as set out in para.134 of the NPPF. Para.134 states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against the public benefits of the proposal. In this case I am aware of no particular public benefits that would outweigh the harm identified.
- 6.3.9 The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), which seek to protect the setting of heritage assets and the character and appearance of Conservation Areas.

6.4 Impact upon neighbouring amenity

- 6.4.1 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.
- 6.4.2 The nearest dwellings to be affected by the proposal are No 3 and No 4 The Willows, Kiln Cottage and Warren House. The proposed bungalow will have no windows on the first floor level overlooking the neighbouring properties. An existing mature hedge some 3.5m high sits between the properties at The Willows and the proposed bungalow and there will be

some views of its roof from the properties, however there is sufficient distance and screening to prevent any unacceptable overbearing the impact on amenity. It is considered that due to the distances between the dwellings there will not be a significant impact on neighbouring amenity. In terms of disturbance from the existing driveway and hardstanding which is to be retained, it is considered that the hedge to the rear of the property will block out most glare from car light, and the distance between the parking area and the neighbouring properties such that its use is unlikely to cause unacceptable disturbance to neighbouring amenity.

6.5 On-site amenity and facilities for future occupiers

- 6.5.1 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.
- 6.5.2 The Council's Supplementary Planning Document "Quality Design" Part 2 suggests a minimum garden size of 75 square metres for houses or bungalows with 2 bedrooms and 100 square metres for houses with 3 or more bedrooms. A more than sufficient garden area will be provided for both the existing cottage and the proposed new bungalow.

6.6 Impact on Highways (safety and use)

- 6.6.1 Road safety in West Berkshire is a key consideration for all development in accordance with Core Strategy Policy CS13.
- 6.6.2 The Council published its Proposed Submission Housing Site Allocations DPD for consultation. As the DPD has been approved by Council and published for consultation it is now a material consideration and the new parking policy needs to be considered as part of this application.
- 6.6.3 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 a 2 bedroom dwelling and is located within Zone 3, the minimum parking requirements are set at 2 parking spaces.
- 6.6.4 Part IV of Policy P1 states that carports or garages will not be counted as a parking space for the purposes of meeting the required levels of parking set out in this policy. The proposed garage/carport cannot be counted for the purpose of parking provision. The Council's Highways Officer was consulted and has reviewed the application with reference to the new parking guidelines and has raised no objection to the scheme.
- 6.6.5 Overall, it is considered that the proposed development would not have a material impact on highway safety and would be provided with sufficient parking. The application is therefore considered to comply with Core Strategy Policy CS13 and the parking standards as set out within the published Proposed Submission Housing Site Allocations DPD.

6.7 The impact upon green infrastructure and biodiversity

- 6.7.1 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.

- 6.7.2** No objections 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, and has been reviewed by the Ecologist. The Council's ecologist is satisfied with the recommendations of the survey and suggests appropriate conditions.
- 6.7.3 Policy CS18 seeks to protect and enhance the District's green infrastructure. The trees on the site are not subject to any protection by Tree Preservation Orders. It is recognised that the trees on the site may be of value in terms of landscaping within the site. The tree officer assessed the application supported by an arboricultural report by JPH Forestry ref R-Pitcher - 161013 dated 28 November and concluded that while there are no objections to the application conditions would be required.

6.8 Impact on Flooding and Drainage

- 6.8.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS16 (Flooding) applies across the district and highlights the cumulative impacts of development on flooding within the district. The application site is located within Flood Zone 1, which has the lowest probability of flooding. It is essential that Sustainable Drainage Methods (SuDS) are adopted to mitigate the cumulative impacts of development on flooding within the area and the wider district.
- 6.8.2 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). In this case suitable measure can be secured by a condition.

6.9 Other matters

6.9.1 Community Infrastructure Levy

- 6.9.2 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. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st April 2015. Planning applications which have been decided since the 1st April 2015 may be liable to pay the levy.

- 6.9.3 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.

- 6.9.4 The proposal's GIA is 106.9 m²

- 6.9.5** As such this application is CIL Liable and, if planning permission were granted, the Community Infrastructure Levy Liability Notice detailing the chargeable amount will be sent attached to the decision notice.

6.9.6 The assessment of sustainable development

- 6.9.7 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 National Planning Policy Framework.

6.9.8 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.

6.9.9 Economic Dimension: It is considered that the proposal makes no significant contribution to the wider economic dimension of sustainable development. There would be a minor benefit in terms of additional employment during the construction period and the addition of a new dwelling to the housing stock.

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 area has been assessed as part of this application. It is considered that the proposal fails to sufficiently respect and preserve the existing natural and built environment and that the proposal does not protect and enhance the prevailing pattern of development in the local area nor the character of appearance of the site itself and would have a significant negative impact on the setting of the listed building and the conservation area.

Social dimension: It is considered that the proposal makes no significant positive contribution to the social dimension of sustainable development and due to the significant visual intrusion it will cause which will damage the character and amenity of the local area to the detriment of its enjoyment by local residents.

6.9.10 For the above reasons, it is considered that the proposed development is not sustainable development as set out in the NPPF.

7 CONCLUSION

7.2 Having regard to the relevant development plan policy considerations and the other material considerations referred to above it is considered that the proposed development is clearly unacceptable and should be refused for the reasons set out below:

7.3 This decision has been considered using the relevant policies related to the proposal. These are; ADPP1, ADPP6, CS1, CS4, CS5, CS13, CS14, CS15, CS16, CS17, and CS19 of The West Berkshire Core Strategy 2006 - 2026, Policy OVS5, HSG1 and TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007, Policies C1 and P1 of the West Berkshire Council Housing Site Allocations Development Plan Document (2006-2026) (HSA DPD), and the National Planning Policy Framework.

8 FULL RECOMMENDATION

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

8.1 Reasons:

8.2.1 The site is currently a large garden servicing Kiln Cottage, a grade II listed building located in the Brimpton Conservation Area, where there is a sense of open space to the rear of the site. This open space contributes to the special quality of the building's setting and helps to define its historic character. The erection of a dwelling within this space, and the associated subdivision of the garden with fencing, would materially diminish the historic dwelling and experience of the buildings setting, to the detriment of the listed building's significance. In views from the road, the new dwelling would become a detracting feature

within the setting of this historic cottage, harming the spacious and verdant character of the area surrounding it, further diminishing the building's significance. The application site not only forms an important element in the setting of Kiln Cottage but, for the same reason, it makes an important contribution to the character and appearance of the Brimpton Conservation Area. By causing harm to the setting of the listed building the scheme would have a detrimental effect on the character and appearance of the conservation area.

For the above reasons it is considered that the proposal conflicts with the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), which seek to protect the setting of heritage assets and the character and appearance of conservation areas

- 8.2.2 At the heart of the NPPF is a 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. The proposal makes no significant contribution to the wider economic dimensions of sustainable development as there would only be a minor benefit in terms of additional employment during the construction period and the addition of a new dwelling to the housing stock. With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment it is considered that the proposal will significantly harm the existing natural and built environment and will not protect and enhance the prevailing pattern of development in the local area nor the character and appearance of the site itself. The proposal makes no significant contribution to the wider social dimension of sustainable development due to the significant visual intrusion it will cause which will damage the character and appearance of the local area to the detriment of its enjoyment by local residents.

For the above reasons, it is considered that the proposed development is not sustainable development as set out in the NPPF.