

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(2)	17/03553/FULD Chieveley Parish Council	31 st May 2018.	Land east of Curridge Green Riding School. Erection of a three bedroom rural workers dwelling associated with Curridge Green Riding School. Mr & Mrs Dempster.

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03553/FULD>

Ward Member(s):

Councillor Hilary Cole

Reason for Committee determination:

Councillor Cole has called the application to Committee.

Committee Site Visit:

8th March 2018.

Recommendation.

The Head of Development and Planning be authorised to REFUSE planning permission.

Contact Officer Details

Name:

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1. Relevant Site History

- 1.1 75/03997/ADD - Relocation of offices and stables
Approved - 3 March 1976.
- 1.2 83/20626/ADD – Proposed detached bungalow (now known as ‘Solo Chase’)
Approved – 3 April 1984.

Condition no. 6 of this permission restricted the use of the bungalow as follows:

“The occupation of the dwelling shall be limited to a person employed, or last employed at Curridge Green Riding School or a dependent of such a person residing with that person (but including a widow or widower of such a person).

- 1.3 94/45360/FUL – Extension to the existing bungalow to form an additional bedroom, study, dining room and lounge
Approved - 13 January 1995.

2. Publicity of Application

- 2.1 This application was advertised by way of neighbour notification letters which required responses by the 24 January 2018 and by way of Site Notice which expired on 8 February 2018.

3. Consultations and Representations

Consultations

Chieveley Parish Council	<p>Chieveley Parish Council have commented as follows:</p> <p>‘At the Parish Council meeting on Tuesday 10 April 2018 considerable discussion took place regarding this application and the local rural business and social need.</p> <p>In the Public Participation section comments were made, not by the applicant, but by Mr Mills concerning his view of the robustness of the West Berkshire Agricultural Consultant’s Report.</p> <p>During the Parish Council debate on the application comment was made on the fact that the application was not submitted by the business owner as would have been expected.</p> <p>Chieveley Parish Council places high emphasis on national and local policy considerations and this aspect weighed heavily in the debate as did the desirability of a much loved local business being sustainable in the future.</p> <p>In conclusion the Parish Council resolved that on this occasion it could not either object or not object to this application, but would remain silent on the matter explaining the reason for doing so.’</p>
Reading Agricultural Consultants (assessing the	<p>This consultation response is made following a site visit carried out by RAC on 20th March 2018, having had view of the various documents submitted in support of the application, accounts provided by the applicant and subsequent comments and information provided by the</p>

<p>need for the dwelling on behalf of the Council)</p>	<p>agent in their letter dated 11th April 2018.</p> <p>The proposed site for the dwelling is to be sold to the applicant, who is currently working as stable manager at the riding school. Mr Mills, the current owner of the proposed site, riding school and livery business will retain ownership of the business, the land and all other assets associated with them.</p> <p>This gives rise to concerns surrounding succession planning. Following the construction of the proposed dwelling, the only link the applicant and the proposed dwelling will have to the business and land in a different ownership title will be the applicant's employment. Even if the proposed dwelling were to be subject to an occupancy condition, if the applicant terminated her employment at the riding school or was otherwise unable to work, it could result in another house being occupied legitimately connection with the equestrian business but not actually fulfilling any essential need.</p> <p>It is the opinion of RAC that the essential need for a 24 hour onsite presence is currently met by the existing property, Solo Chase. Whilst it is understood that Mr Mills is retiring due to his age and ongoing health issues, he would not be considered physically infirm and unable to call for help or act appropriately in the event of an emergency such as a fire. Information provided by the agent has stated that the applicant, Mrs Dempster, currently moves into Solo Chase to look after the yard whilst Mr & Mrs Mills are away on holiday. It is not unreasonable to assume that this arrangement could continue during Mr Mills' retirement.</p> <p>Five years' of accounts for the period since 2012 have been submitted for both the livery and riding school businesses. These show the business to be profitable, although no full time salary has been shown for the stable manager. However, a suitable projected salary is shown for the stable manager in the financial forecast supplied by the agent, no sound reasons have been provided to demonstrate that the provision of the additional dwelling would increase turnover of an already successful business.</p> <p>For the reasons stated above, it is concluded that the essential needs of the riding school will continue to be met by the current dwelling, Solo Chase and there is no requirement for a second dwelling to supervise this enterprise.</p>
<p>Highways</p>	<p>No objections subject to informative notes to help avoid damage to the local highways infrastructure.</p>
<p>Waste Management</p>	<p>No objections</p>
<p>Archaeology</p>	<p>No objections subject to planning conditions to secure a written scheme of archaeological investigation</p>
<p>PROW, Ecology, Tree officer, Ramblers, SUDS, Thames Water, NWD AONB, Environmental Health, Royal Berkshire Fire and Rescue Service</p>	<p>No objections/comments received as of 26th April 2018.</p>

4. Representations

4.1 A total of 46 representations have been received comprising 39 letters of support (including one from Donnington Grove Veterinary Group), 6 letters of objection and 1 letter of comment.

The letters of support indicate (summarised by officers):

- i. The current owner of the riding school which has operated for over 40 years is due to retire but wishes to remain living at the property at the riding school and remain the owner of the enterprise. The applicant would take over the day to day running of the yard and needs to be on-site 24hrs a day to ensure this.
- ii. The applicant would support the demands of the business, including horse that need care 24hrs a day.
- iii. The riding school and the associated liveries and patrons of the school provide revenue and help support the long term viability of other local businesses and promote growth within the rural economy.
- iv. There are a shortage of such well-established community facilities within the area and therefore the growth of this facility should be supported which would attract investment into the physical infrastructure within the site,
- v. The proposal would help support existing and future generations undertaking such leisure/recreation activities.
- vi. The proposal within an appropriate location and of a sensitive design which would harmonise with the surroundings whereas other new dwellings at Carbrook and Marsh Lane were not in keeping with the area.
- vii. The need for on-site workers is essential due to the daily operational requirements of the enterprise such as the nature of horse injuries and ailments that don't occur during working hours and therefore it provides reassurance for the liveries to have Carol and Stewart on the site 24 hours a day.
- viii. The proposal would be restricted to agricultural related occupation only and would not set a precedent for similar applications elsewhere within the district.
- ix. The proposal would not result in a significant increase in traffic generation with the local roads. In addition, the applicant would repair any damage to the local highways infrastructure e.g. verges as result of the proposed development.
- x. The proposal would not have an adverse impact on the character and appearance of the area and would preserve the scenic beauty of the AONB.
- xi. The proposal would preserve neighbouring residential amenity and the nearby right of way.

The letters of objection indicate (summarised by officers):

- xii. The site is outside the settlement boundary and there are no exceptional circumstances to justify the proposal.
- xiii. The proposal would not meet the criteria/requirements of policy C5 of the adopted Housing Site Allocations DPD, in that the dwelling is not essential for the continuation of the rural enterprise, amongst other reasons, and therefore would be in conflict with relevant development plan policy.
- xiv. Even if the need for the dwelling can be justified, the proposed house, at 220m², is disproportionately large in scale for a rural workers dwelling and could be sited in less sensitive location.
- xv. The proposal would, through increased traffic generation, would have an adverse impact on highway safety of users of the access track into the site, there would insufficient off road parking and would result in damage to the local roads.
- xvi. There is already a residential property for the stables to serve the enterprise – the overnight staff accommodation needs could be provided within this property.
- xvii. The proposal set a precedent for similar applications within the AONB.
- xviii. Lack of public consultation on the application.

Other comments:

- xix. If the application is supported planning conditions should be imposed to ensure appropriate off-street parking areas are provided within the site.
- xx. The existing stables, land and associated infrastructure are in poor condition where investments should be made into the welfare and accommodation of the horses.
- xxi. If the application is approved, it should be restricted to ensure it does not set a precedent for similar applications within the locality designated as AONB.
- xxii. If the application is refused:

- Mr Mills may be able to defer his retirement, but, given his age and state of health, this is unlikely to be for long.
- The Riding and Livery Stables would close, with the loss of a valuable resource for the area.
- The owners may be forced to sell their horses, as there are few livery stables close by and those that exist have few places and long waiting lists.
- The fate of the riding school ponies would be uncertain.
- The stable blocks would fall into disrepair and dilapidation.
- Mr Mills may be forced to realise his assets by selling land for possible redevelopment.

If the application is successful:

- A dwelling would be erected on the part of the paddock close to the stables' yard.
- The Riding and Livery Stables would operate as it does now, with no increase in traffic.
- Car parking facilities on the yard would be improved.
- The stables and associated buildings would be better maintained.

- Well cared for horses and ponies would continue to live in the nearby fields and customers of the stables would continue to be able to take healthy exercise and enjoy the wonderful countryside nearby.

5. Planning Policy Considerations

5.1 The statutory development plan comprises:

- West Berkshire Core Strategy (2006-2026)
- Housing Site Allocations DPD
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

5.2 The following policies from the West Berkshire Core Strategy are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty
- CS 1: Delivering new homes and retaining the housing stock
- CS 5: Infrastructure requirements and delivery
- CS 13: Transport
- CS 14: Design Principles
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

5.3 The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.
- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution

5.4 The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:

- C1: Location of New Housing in the Countryside
- C5: Housing related to Rural Workers
- P1: Residential Parking for New Development

5.5 Other material considerations for this application include:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance
- The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019
- Quality Design Supplementary Planning Document (SPD)

6 Proposal

- 6.1 The application seeks full planning permission for the development of a 3 bedroom rural workers dwelling associated with an existing riding school and livery business 'Curridge Green Riding School'. The supporting plans indicate 1.5 storey 3-bedroom 'L' shaped dwelling with over 220 sq.m of internal floor space and a max height of 6.5m. The proposal would include 4 off road car parking spaces. The external materials include oak timber cladding, brick and render, and slate roof tiles. The proposal would be accessed through an existing shared access track leading into the riding school yard area. The applicant proposes, as this property would be classed as a rural worker's dwelling, to have its occupancy restricted by planning condition.
- 6.2 The applicant intends to sell their existing house in Thatcham and buy approximately 0.94ha of land from Mr and Mrs Mills, the current owners of the riding school and livery business, on which to site the proposed rural workers dwelling. The applicant intends to fund the construction of the proposed workers dwelling.
- 6.3 Mr and Mrs Mills would retain ownership of both the land and buildings associated with the equestrian enterprises as well as the riding school and livery businesses. It also noted that the redline boundary plan extends around the proposed house and curtilage but does not include any land or buildings used by the riding school or livery yard.

7 Site Description

- 7.1 The application site is to the east of the Curridge Green Riding School located within the open countryside designated as AONB. The site comprises approximately 940 sq.m of agricultural land with access via existing shared rural track into the school. To the north and west of the site are 2 existing public rights of ways. The northern boundary of the site is tree lined. To the south-west, approx. 30m away, are the riding schools stables and yard area, beyond which is an existing rural workers dwelling 'Solo Chase' occupied by the current owners and operators of the riding school. To the east, approx. 50m away, there is a small grouping of housing.

8 Applicants Supporting Comments (summary):

- 8.1 'The application for the development of a rural workers dwelling to support the Curridge Green Riding School is necessary to ensure the ongoing operation and vitality of this rural enterprise.
- 8.2 The original consent for the existing rural workers dwelling (Solo Chase) associated with the business establishes the essential need for a dwelling associated with the riding school and livery. There has been no change in the necessity for a rural workers dwelling to support the rural business since.
- 8.3 Mr Mills, the owner of the Riding School, will imminently be retiring in full from any active work associated with the business in light of his age and deteriorating health. Mr Mills will continue to reside at Solo Chase subsequent to his retirement, as permitted by the original consent (83/20626/ADD), thus this property would no longer fulfil the requirements of a rural workers dwelling.
- 8.4 The essential need for the rural workers dwelling is due to the requirement for 24-hour on-site presence. The supporting evidence identifies the need for permanent, on site and skilled presence to ensure the safety and health of horses particularly in the event of an emergency such as a fire.

8.5 There are no existing buildings on site that would be suitable for residential conversion, nor would any property located off-site fulfil the essential needs of the rural enterprise.

8.6 The business is financially viable at present however this is considered to be as a result of Mr Mills continued work with the business which will cease once he retires fully. The onsite presence of a full time worker at the proposed rural workers dwelling would support and ameliorate the financial viability of the business, fulfilling the more active role once fulfilled by Mr Mills prior to the worsening of his health conditions.

8.7 The benefits of the proposal would demonstrably outweigh any arising harm responding positively to the designated landscape setting through a small-scale development, as well as ensuring maximum protection for existing biodiversity, and in turn would ensure the ongoing vitality of an enterprise supporting a prosperous rural economy as guided by the national planning policy framework.'

9 Determining issues:

- The principle of development;
- The impact on the character and appearance of the area including the AONB;
- The impact on neighbouring amenity;
- Highway safety;
- Drainage and flooding;
- Ecology;
- Other matters;
- The assessment of sustainable development;
- Community Infrastructure Levy; and
- Environmental Impact Assessment.

9.1. The Principle of Development

9.1.1 The starting point for all decision making is that applications that accord with the development plan should be approved unless material considerations indicate otherwise. The current development plan for West Berkshire comprises several documents including the West Berkshire Core Strategy (adopted 2012), Housing Sites Allocation DPD and the Saved Policies of the West Berkshire District Local Plan 1991-2006. The NPPF is also an important material consideration.

9.1.2 Core Strategy Area Delivery Plan Policy 1 (ADDP1) sets out a settlement hierarchy for directing development within the District. Within the open countryside, the policy indicates only appropriate limited development will be allowed focused on addressing identified needs and maintaining a strong rural economy. Policy ADDP5 sets out the strategy for development within the AONB, identifying opportunities for limited development to accommodate local needs including housing and employment, within service villages. The policy supports the equestrian and racehorse industry, recognised as contributing to both the local and national economy. Any form of development is expected to conserve and enhance the local distinctiveness, sense of place and remote setting of the AONB.

9.1.3 Core Strategy Policy CS1 sets out a housing target of 10,500 dwellings to be delivered over the plan period (2006 to 2026) in accordance with the settlement hierarchy (set out in Area Delivery Plan Policy 1). The policy states that homes will be primarily developed in the following areas; suitable previously developed land within settlement boundaries; other Suitable Land within settlement boundaries; strategic sites and broad locations identified on

the Core Strategy, and Land allocated for residential development in subsequent Development Plan documents.

- 9.1.4 Core Strategy Policy CS10 seeks to support existing small businesses within rural areas to provide local job opportunities and to support the vitality of small rural settlements. Policy CS12 promotes equestrian related development proposals that strengthen the rural economy and offer increased opportunities for the enjoyment of the countryside in a sustainable manner. In relation to equestrian development, the policy seeks that the re-use of existing buildings is first considered and the scale, form, and siting of the proposals are in line with the area it is situated in. Proposals for new residential development in the countryside will be permitted where genuine need can be demonstrated and where appropriate accommodation could not otherwise be secured within existing settlements.
- 9.1.5 Housing Site Allocations DPD Policy C1 indicates there is a presumption against new residential development outside of defined settlement boundaries. Exceptions to this include, amongst others, housing to accommodate rural workers. All proposals will need to satisfy the other policies in this section of the Plan. The policy goes on to say planning permission will not be granted if the proposal does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB.
- 9.1.6 Policy C5 indicates, in respect of new housing for rural workers within the countryside related to rural enterprises will be permitted where they comply with the following criteria:
- i. It is proven as essential to the continuing use of land and buildings for agriculture, forestry or a rural enterprise;
 - ii. Detailed evidence is submitted showing the relationship between the proposed housing and the existing rural enterprise and demonstrating why the housing is required for a full time worker in that location;
 - iii. It is demonstrated that there are no suitable alternative dwellings available or that could be made available in that location to meet the need. This includes those being used as tourist or temporary accommodation or existing buildings suitable for residential conversion.
 - iv. It must be shown why the housing need cannot be met by existing or proposed provision within existing settlement boundaries;
 - v. The financial viability of the business is demonstrated to justify temporary or permanent accommodation;
 - vi. The size, location and nature of the proposed dwelling is commensurate with the needs of the enterprise; and well related to existing farm buildings or associated dwellings;
 - vii. The development has no adverse impact on the rural character and heritage assets of the area and its setting within the wider landscape. Where it affects the AONB the impact on its special qualities and natural beauty of the landscape will be the overriding consideration;
 - viii. No dwelling serving or associated with the rural enterprise has been either sold or converted from a residential use or otherwise separated from the holding within the last 10 years. The act of severance may override the evidence of need.
- 9.1.7. The policy goes on to say where a new dwelling is essential to support a new rural enterprise, temporary accommodation will normally be sought for the first 3 years. Any permission will be subject to a condition restricting the use of the property to persons employed within the rural enterprise. Agricultural occupancy conditions will be retained unless demonstrated there is no continuing need, that appropriate marketing has been undertaken and that it cannot meet an existing local housing need.
- 9.1.8. Paragraph 28 of the NPPF indicates planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and

neighbourhood plans should support sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings; and promote the development and diversification of agricultural and other land-based rural businesses.

- 9.1.9. Paragraph 55 of the NPPF promotes sustainable development in rural areas that should be achieved by locating housing 'where it will enhance or maintain the vitality of rural communities'. Local planning authorities should avoid new, isolated dwellings in the countryside unless special circumstances apply, including 'the essential need for a rural worker to live permanently at or near their place of work in the countryside'.

9.1.10. Assessment of the Principle of Development:

- 9.1.11. The proposal is located outside of any defined settlement boundary where special justification is required for new housing. The primary test, having regard to the above policies, is whether or not it is essential for a rural worker to live at, or near, their place. In this regard, the Council have sought expert advice from Reading Agricultural Consultants (RAC) to assess the applicant's case for the new dwelling. RAC have advised as follows:
- 9.1.12. The proposed site for the dwelling is to be sold to the applicant, who is currently working as stable manager at the riding school. Mr Mills, the current owner of the proposed site, riding school and livery business will retain ownership of the business, the land and all other assets associated with them.
- 9.1.13. This gives rise to concerns surrounding succession planning. Following the construction of the proposed dwelling, the only link the applicant and the proposed dwelling will to the business and land in a different ownership title will be the applicant's employment. Even if the proposed dwelling were to be subject to an occupancy condition, if the applicant terminated her employment at the riding school or was otherwise unable to work, it could result in another house being occupied legitimately connection with the equestrian business but not actually fulfilling any essential need.
- 9.1.14. It is the opinion of RAC that the essential need for a 24 hour onsite presence is currently met by the existing property, Solo Chase. Whilst it is understood that Mr Mills is retiring due to his age and ongoing health issues, he would not be considered physically infirm and unable to call for help or act appropriately in the event of an emergency such as a fire. Information provided by the agent has stated that the applicant, Mrs Dempster, currently moves into Solo Chase to look after the yard whilst Mr & Mrs Mills are away on holiday. It is not unreasonable to assume that this arrangement could continue during Mr Mills' retirement.
- 9.1.15. Five years' of accounts for the period since 2012 have been submitted for both the livery and riding school businesses. These show the business to be profitable, although no full time salary has been shown for the stable manager. However, a suitable projected salary is shown for the stable manager in the financial forecast supplied by the agent, no sound reasons have been have been provided to demonstrate that the provision of the additional dwelling would increase turnover of an already successful business.
- 9.1.16. For the reasons stated above, and taking into account additional representations from the applicant including those dated 11th April 2018, RAC conclude that the essential needs of the riding school will continue to be met by the current dwelling, Solo Chase and there is no requirement for a second dwelling to supervise this enterprise.
- 9.1.17. On the basis of the above expert professional advice, it is considered the proposed workers dwelling has not been proven as being essential to the continuing use of land and buildings for the rural enterprise taking into account the financial viability of the business contrary to provisions of Housing Site Allocations DPD Policy C5 and Core Strategy Policy CS12.

- 9.1.18. In respect of other assessment criteria set out in bullet point (iii) of policy C5, at the time of writing this report, there are no properties for sale or rent nearby that would facilitate on-site supervision of the enterprise. However, it is understood that the applicant regularly moves into the existing workers dwelling on the site 'Solo Chase' when Mr and Mrs are away to provide a continued on-site presence. It would not be unreasonable for the applicant to stay on the odd occasion that a horse maybe unwell and require overnight care. For this reason, it is considered that the current workers dwelling on site 'Solo Chase' can continue to meet the needs of the rural enterprise despite the owners impending retirement.
- 9.1.19. It is also noted, whilst the location/siting of the proposed dwellings is relatively well related to the stables and paddocks, it would have a gross internal area in excess of 220m² which is considered too large and out of scale with any business need contrary to the provisions of bullet point (vi) of policy C5.
- 9.1.20. In terms of other environmental criteria identified at bullet point (vii) of policy C5, as set out further below, the proposal, subject to appropriate landscaping mitigation and appropriate external materials would not have an adverse impact on the character and appearance of the area, or any heritage assets, and would preserve the special quality and natural beauty of the AONB.
- 9.1.21. In relation to criterion at bullet point (viii), based on the council's records, the proposal would accords with the requirements of this element of the policy in that no dwelling serving or associated with the rural enterprise has been either sold or converted from a residential use or otherwise separated from the holding within the last 10 years.

9.1.22. Conclusion on the Principle of Development:

- 9.1.23. It is considered that the proposed workers dwelling, located within the open country within a unsustainable location, has not been proven as being essential for the rural enterprise known as the Curridge Green Riding School contrary to the overall aims and objectives of Core Strategy Policies ADDP1, ADDP5, CS1, CS12, Housing Site Allocations DPD Policies C1, C5 and Paragraph 55 of the NPPF. For these reasons, and subject to the considerations set out below, the proposal is considered unacceptable in principle.

9.2. The Impact on the Character and Appearance of the Area including the AONB

- 9.2.1. Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. 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. Development shall contribute positively to local distinctiveness and sense of place. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 9.2.2. Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 9.2.3. Paragraph 115 of the NPPF places great weight to conserving the landscape and scenic beauty in AONBs, which is also reiterated by Core Strategy Policy ADPP5.

- 9.2.4. Housing Site Allocations DPD Policy C3 indicates the design of new housing must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change. 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 and the design principles set out in the North Wessex Downs AONB Management Plan and on the rural environment, amongst other criteria.
- 9.2.5. Notwithstanding the principle of proposed dwelling is not considered acceptable, in terms of the general form of the proposed dwelling being limited to 6.5m in height and incorporating a rural vernacular design approach, would mean on balance it would harmonise with the surroundings. Furthermore, whilst outside any defined settlement boundary, subject to suitable landscaping mitigation, the proposal is not considered to cause unacceptable harm to either the character of the area or the AONB.
- 9.2.6. The proposed dwelling would be visible from nearby public rights of way and rural lane to the north of site. However, subject to the retention of the existing tree lined boundary, with additional planting, the proposal would not result in a significant adverse on the visual amenity of the area or have a significant adverse impact on the amenity of users of the public rights of way.
- 9.2.7. It is considered that the proposed development would not adversely affect the character and appearance of the area, the AONB and would not detract from the amenity of users of nearby public rights of way in accordance with the provisions of Core Strategy policies ADPP5, CS14, CS18, CS19 and the NPPF.

9.3. The impact on neighbouring amenity

- 9.3.1. 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. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. SPD Quality Design - West Berkshire outlines considerations to be taken into account with regard to residential amenity, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies considers the potential noise impact of development.
- 9.3.2. The proposed dwelling would be located at least 50 metres from neighbouring dwelling. At this distance, and having regard to the scale and nature of the proposal, it would preserve neighbouring residential amenity. Planning conditions could be imposed to ensure the hours of any construction works are appropriate.
- 9.3.3. The supporting plans show a large dwelling with over 200 sq.m of internal floor space and in excess of 200 sq.m external garden space which would ensure the creation of a good quality living environment for future occupiers.
- 9.3.4. For these reasons, the proposal, in so far as it relates to protecting residential amenity and creating a high quality living environment, would be in accordance development plan policies CS14 and OVS.6, as well as guidance in SPD Quality Design and the NPPF.

9.4. Highway safety

- 9.4.1. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.

- 9.4.2. The proposal would be served by a single point of access on to Curridge Green Road. The access would provide both vehicular and non-vehicular access into the site. The proposed layout also shows a minimum of 4 off road parking spaces.
- 9.4.3. The proposal has been assessed by the Councils Highway Officer, which included a review of the access arrangements and parking provision, amongst other elements, and raises no objection to the proposal subject to informative notes to help avoid damage to footways, cycleways, verges and damage to the carriageway.
- 9.4.4. For these reasons, notwithstanding the principle of development is not considered acceptable as set out above, in terms of proposed site access arrangements and traffic generation, it is considered that the proposal would not have an adverse impact on highway safety or local highways infrastructure having regard to the provisions of Core Strategy Policies CS9, CS13, Saved Local Plan policy Trans1 and the NPPF.

9.5. Drainage and Flooding

- 9.5.1. 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 CS 16 addresses issues regarding flood risk. The application site falls within flood zone 1, and is not within a critical drainage area. Subject to the imposition of conditions to ensure the implementation of appropriate sustainable drainage measures, the proposal would not have an adverse impact on the risk of flooding within the site or the locality.
- 9.5.2. For these reasons, the proposal would be in accordance with policy CS16 of the Core Strategy and advice contained within the NPPF.

9.6. Ecology

- 9.6.1. Policy CS 17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The NPPF supports the overall aims and objectives of this policy.
- 9.6.2. The application site is located within an area of low ecological value with limited potential to support protected species and other biodiversity. Subject to the provision of an ecological mitigation and biodiversity enhancement scheme being secured via planning condition, the proposal would not have an adverse impact on features of ecological importance within the site.
- 9.6.3. For these reasons, the proposal would be in accordance with the provisions of Core Strategy CS17 and advice within the NPPF.

9.7. Other Matters

- 9.7.1. The proposed development is located at distance from any listed buildings or conservation areas such that their settings would be preserved. The Councils Archaeological officer has also assessed the proposal and confirms the proposal is unlikely to have an adverse impact on features of archaeological importance within the site subject to planning conditions to secure a written scheme of archaeological investigation.
- 9.7.2. For the above reasons, the proposal would not have an adverse impact on any heritage assets in accordance with the provisions of Core Strategy Policy CS19 and the NPPF.

9.8. The Assessment of Sustainable Development

- 9.8.1. The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.
- 9.8.2. The proposal would amount to new housing with the open countryside within an unsustainable location without satisfactory justification, including any demonstrable economic benefits, resulting in unacceptable social and environmental harm. For these reasons, the development cannot be considered to be sustainable development.

9.9. Community Infrastructure Levy (CIL)

- 9.9.1. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations the proposal would normally be liable for CIL. However, the applicant has submitted a self-build exemption form and therefore the proposal is not considered to be CIL liable.

9.10. Environmental Impact Assessment

- 9.10.1. In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Local Planning Authority is required to adopt a screening opinion as to whether the proposal constitutes 'EIA development', and therefore whether Environmental Impact Assessment (EIA) is required as part of the above application.
- 9.10.2. The proposed development falls within the column 1 description at paragraph number 10 (b) *Infrastructure Projects* if Schedule 2. It is within a sensitive area, namely the North Wessex Downs Area of Outstanding Natural Beauty. Having regard to the nature and scale of the proposed development it is not considered to be EIA development.

10. Conclusion

- 10.2. The application site is located within the open countryside where special justification is required for new housing. The Council has carefully considered the applicants supporting evidence and sought expert professional advice following which it is concluded that the essential needs of the riding school can continue to be met by the current workers dwelling on the site 'Solo Chase' and there is no requirement for a second rural workers dwelling to supervise this enterprise.
- 10.3. In these circumstances, the proposal would be contrary to the overall aims and objectives of Core Strategy Policies ADDP1, ADDP5, CS1, CS12, Housing Site Allocations DPD Policies C1, C5 and Paragraph 55 of the NPPF. The development has therefore been found to conflict with the policies of development plan when considered as a whole and advice set out in the NPPF. No material considerations of sufficient weight have been put forward that outweigh this conflict and therefore the application is recommended for refusal.

11. Recommendation

The Head of Development and Planning be authorised to REFUSE Planning Permission for the following reasons:

1. The application site is located within the open countryside, outside of any defined settlement boundary where there is a presumption against new housing subject to certain exceptions including, amongst others, housing to accommodate rural workers where genuine need can be demonstrated. In these particular circumstances, the applicant has failed to demonstrate essential need for the proposed house. Furthermore, the size of the proposed house, at 220sq.m is considered too large and out of scale with any genuine business need. In the absence of satisfactory justification, the proposal would amount to

new housing located outside of any defined settlement boundary within an unsustainable location in conflict with the overall aims and objectives of Core Strategy Policies ADDP1, ADDP5, CS1, CS12, Housing Site Allocations DPD Policies C1, C5 and Paragraph 55 of the National Planning Policy Framework.

DC