

TOWN AND COUNTRY PLANNING ACT 1990

**Heritage South West Ltd
Robert McLennan
26 Beauclerk Green
Winchfield
HOOK
Hants
RG27 8BF**

**Applicant:
Jeremy Plank**

PART I - DETAILS OF APPLICATION

Date of Application

12th December 2013

Application No.

13/03014/FULD

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Erection of new agricultural workers dwelling on an alternative siting from that approved by planning consent ref 13/00331/FULD dated April 2013, and removal of existing temporary timber chalet.

Bushnells Green Farmhouse, Chapel Row, Reading, Berkshire

PART II - DECISION

In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council **GRANTS** planning permission for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-

1. The development hereby permitted 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); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

2. The development hereby permitted shall be carried out in accordance with drawing numbers LOCATION PLAN 1:1250; SITE LAYOUT CS.JP2.07A; SITE PLAN 1322-02; SECTION A-A 1322-02 and PROPOSED PLANS AND ELEVATIONS CS/JP.2/01D received on 2nd December 2014

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority as part of a formal application to discharge this condition - the materials should be available to view on site. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials are of a quality appropriate to the nature of the development, the site and its surroundings within the North Wessex Downs Area of Outstanding Natural Beauty. This condition is imposed to comply with Policies CS14 and CS19 of the West Berkshire Core Strategy 2012.

4. The occupation of the dwelling shall be limited to a person solely or mainly working, in the locality in agriculture or in forestry, or a dependant of such a person residing with that person, on the land identified in this planning permission. The dwelling shall not be sold, leased, rented or otherwise disposed of separately from the agricultural holding described in the approved application documents and plans.

Reason: The Local Planning Authority are concerned to ensure that the dwelling remains available for agricultural use in accordance with the principle of the NPPF and Policy ADPP1 of the West Berkshire Core Strategy 2012 and that there is not pressure for a further dwelling on this sensitive site within the North Wessex Downs Area of Outstanding Natural Beauty due to the separate disposal of the building hereby approved from the agricultural holding it is intended to serve.

5. The dwelling shall achieve Level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme). The dwelling shall not be occupied until a final Code Certificate relevant to it, certifying that Code Level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme) has been achieved, has been issued and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

6. No development shall take place until full details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority as part of a formal application to discharge this condition. 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), Supplementary Planning Document Quality Design (June 2006) and the AONB Management Plan

7. No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

a) Completion of the approved landscape scheme within the first planting season following completion of development.

b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policy CS18 of the West Berkshire Core Strategy July 2012.

8. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837:2012. Such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy CS18 of West Berkshire Core Strategy July 2012.

9. No development shall take place until details of all fencing and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority as part of a formal application to discharge this condition. Such details shall include a schedule of materials and drawings demonstrating the layout and appearance of the fencing and other means of enclosure. The dwelling hereby permitted shall not be occupied until the fencing and other means of enclosure have been erected in accordance with the approved details.

Reason: The fencing and other means of enclosure are essential elements in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters in accordance with Policy CS14 and CS19 of the West Berkshire Core Strategy 2012,

10. Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order, with or without

modification), no additions or extensions to the dwelling shall be built, and no ancillary buildings or structures shall be erected within the curtilage of the dwelling, unless permission has been granted in writing by the Local Planning Authority in respect of a planning application made for the purpose.

Reason: To prevent the overdevelopment of the site, in accordance with Policies ADPP1 and CS19 of the West Berkshire Core Strategy 2012 and the AONB Management Plan.

11. No development shall take place until details of the external hard surfaced areas of the development have been submitted to and approved in writing by the Local Planning Authority as part of a formal application to discharge this condition. Such details shall include a schedule of materials, means of treatment, and drawings demonstrating the layout of the hard surfaced areas. The dwelling hereby permitted shall not be occupied until the hard surfaced areas have been constructed in accordance with the approved details.

Reason: In the interests of visual amenity and surface water drainage, in accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy 2012,

12. The temporary agricultural dwelling on the site approved under application 11/02731 must be removed within 2 months of first occupation of the dwelling hereby approved. All associated plant, materials and equipment associated with or resulting from its removal shall be removed from the site within 3 months from first occupation of the dwelling hereby approved. The site shall thereafter be landscaped in accordance with the landscaping scheme to be submitted and approved.

Reason: In accordance with the NPPF and Policy ADPP1 of the West Berkshire Core Strategy 2012

The decision to grant This decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, South East Plan Regional Spatial Strategy for the south east of England 2009 West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, supplementary planning guidance notes; and in particular guidance notes and policies:

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

1. The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.

2. The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met.

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

4 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 which improves the economic, social and environmental conditions of the area.

5 This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the 24th February 2014. You are advised to ensure that you have all the necessary documents before development starts on site.

6 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.

Decision Date :- 27th February 2014



Gary Lugg
Head of Planning & Countryside

TOWN AND COUNTRY PLANNING ACT 1990

Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.