

Item No.	Application and Parish	No.	8/13 Week Date	Proposal, Location and Applicant
(1)	18/02975/FUL Streatley Parish Council		22 nd January 2019	The Swan at Streatley High Street Streatley Berkshire Application for planning permission for the formation of overflow car parking area and associated landscaping at The Swan at Streatley. CCO Cygnet Ltd

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/02975/FUL>

Ward Member(s): Cllr Alan Law

Reason for Committee determination: The application has been called to Eastern Area Planning Committee regardless of Case Officer recommendation

Committee Site Visit: 13th March 2019.

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

Contact Officer Details	
Name:	Mr. Matthew Shepherd
Job Title:	Senior Planning Officer
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1. Relevant Site History

- 1.1. 16/02364/FUL. Proposed alterations and redevelopment works, including remodelling and extensions to the existing hotel reception, bar, restaurant, function rooms and guest rooms. Approved 21.10.2016
- 1.2. 16/02366/LBC2. Proposed alterations and redevelopment works, including remodelling and extensions to the existing hotel reception, bar, restaurant, function rooms and guest rooms. Approved 21.10.2016.
- 1.3. 17/00014/COND1. Approval of details reserved by Conditions 3: Samples and Schedule of Materials, 4: Window details, 9: Dust Mitigation and 10: Construction Method Statement of planning permission 16/02364/FUL: Proposed alterations and redevelopment works, including remodelling and extensions to the existing hotel reception, bar, restaurant, function rooms and guest rooms. Approved 14.03.2017.
- 1.4. 17/00016/COND1. Approval of details reserved by conditions 3: Samples and materials, 4: Schedule of works, and 6: Window details, of planning permission 16/02366/LBC2: Proposed alterations and redevelopment works, including remodelling and extensions to the existing hotel reception, bar, restaurant, function rooms and guest rooms. Approved 06.03.2017.
- 1.5. 17/00018/COND2. Approval of details reserved by condition 5: Details of awning, and 6: Dormer details, of planning permission 16/02364/FUL: Proposed alterations and redevelopment works, including remodelling and extensions to the existing hotel reception, bar, restaurant, function rooms and guest rooms. Approved 23.02.2017.
- 1.6. 17/00020/COND2. Approval of details reserved by Conditions 5: Details of services, 7: Retractable awnings, 8: Signage, 9: Dormer details of planning permission 16/02366/LBC2: Proposed alterations and redevelopment works, including remodelling and extensions to the existing hotel reception, bar, restaurant, function rooms and guest rooms. Approved 06.03.2017.
- 1.7. 17/01562/FUL. Section 73A: Variation of condition 2: Approved plans, of planning permission 16/02364/FUL: Proposed alterations and redevelopment works, including remodelling and extensions to the existing hotel reception, bar, restaurant, function rooms and guest rooms. Approved 15.08.2017.
- 1.8. 17/01572/LBC2. Proposed alterations and redevelopment works, including remodelling and extensions to the existing hotel reception, bar, restaurant, function rooms and guest rooms. Approved 15.08.2017.
- 1.9. 18/00241/COMIND. Reconfiguration of existing car parking area and new additional overflow car parking area to provide up to 106 additional car parking spaces (including disabled car parking provision) and associated landscaping at The Swan. Refused 11.09.2018.
- 1.10. 18/00969/FUL. Erection of single-storey porch extension to hotel bar entrance with associated alterations to existing facade treatment and landscaping enhancements. Approved 29.08.2018.
- 1.11. 18/00970/LBC2. Erection of single-storey porch extension to hotel bar entrance with associated alterations to existing facade treatment and landscaping enhancements. Approved 29.08.2018.
- 1.12. Planning History quote from the remodel. Full planning history available on file.

2. Publicity of Application

2.1. This application was advertised by way of a site notice which was posted at the front entrance of the site on 19th December 2018 and expired on 9th January 2019. The application was advertised in the Newbury Weekly News on the 13th December 2018.

3. Consultations and Representations

Consultations

Streatley Parish Council	<p>Following debate about the risk of creating a precedent to breaching the settlement boundary and the benefits of the proposal to the village, Council resolved that: The Swan has adequately addressed the issues from the previous application therefore Streatley Parish Council SUPPORT this application, in the following terms:</p> <p><i>“Streatley Parish Council would normally object to any breach of the settlement boundary, for fear of creating a precedent. Exceptionally in this case, Council does not object to the application, as it is recognised that the development would accommodate the additional parking generated by the enlarged hotel, which would otherwise be displaced onto the already crowded High Street, and the depth of feeling from residents in favour of this development.</i></p> <p><i>“However, Streatley Parish Council would urge West Berkshire Council forcefully to express the view that approval does not set a precedent for further development on the car park site, that is, no further expansion or building of housing or hotel structures, nor for any alternative access to or egress from the hotel car park.”</i></p> <p>Streatley Parish Council would also request that this application is considered in open Committee.</p>
Highways	<p>This planning application follows from planning application 18/00241/COMIND. This previous application was assessed by Highways officers who raised no issues with the proposal.</p> <p>According to the Transport Assessment the proposal will not increase traffic generation from what already takes place but should lead to less on street parking in Streatley in a location that can be congested.</p> <p>Therefore no objections are raised to the planning application however amended plans were requested showing the proposed gate to the overspill car park to line up with the existing car park aisle.</p> <p>The gate alignment issue was queried with the highways officer as the current proposed arrangement avoided a conflict with the bin store present on site. Officers noted that an improved alignment would allow two cars to pass much easier thus avoiding any congestion within the car park.</p> <p>Some of the issues in regards to Highways were raised by a local councillor and the Highways Officer was asked to provide an additional response. This is as follows</p>

	<p>In response to the email from Councillor Alan Law the following response is provided:</p> <p><i>One or two local Streatley residents have asked me why no comprehensive / full traffic study has been requested by the Council's Highways dept. They also comment that such a study was not asked for with the earlier applications that significantly increased the usage of the hotel, particularly the 5 fold increase in covers for the restaurant / Coppa Club.</i></p> <p>The current planning application and the previous 18/00241/COMIND has a Transport Statement (TS) submitted by consultants Glanville. From viewing the TS, no objections were raised to the previous planning application, and now with what seems to be an identical planning application, it would be difficult to take a contrary view. Also it is understood that the restaurant extension, etc, are already approved. As such this application is assessed on the basis of an overspill car part only.</p> <p><i>A number of supporters have commented on the problems / impact of parking on the High Street and the general lack of parking in the village.</i></p> <p>That is correct, parking can be limited in Streatley, which is the purpose of the proposed overspill car park.</p> <p>It is understood that the restaurant extension, etc has been approved. This planning application is for an overspill car park that will be used by the existing and already consented facilities. The current TS is therefore correct when its states that the car park "will not increase the facilities that will be available at the hotel or how intensively the facilities are used"</p> <p>It would seem that the <i>"proposed alterations and redevelopment works, including remodelling and extensions to the existing hotel reception, bar, restaurant, function rooms and guest rooms"</i> were all approved with planning application 16/02364/FUL in October 2016 and from viewing the representations not many seemed to have any issues with it, including the Parish Council</p> <p>It is officers opinion that it would be difficult to ask for a TS on uses that already have consent. It also could be mentioned that the highway authority also had no objection to planning application 16/02364/FUL as the uses being expanded were generally uses that occurred outside peak travel hours.</p>
<p>Sustainable Drainage Team</p>	<p>The proposals can avoid changing the topography of the site overall and hence not adversely affect flood storage. For this reason the development could be approved with conditions..</p> <p>The Applicant's Flood Risk Assessment (FRA) deals with flood risk to the site (albeit not to the satisfaction of the EA) and it acknowledges that much of the area is vulnerable to be inundated as would be expected for a FZ3b area (FRA paras 3.4.3-3.4.6). However the layout plan and FRA state that there will be no net increase in ground levels</p>

	<p>(FRA para 5.1.3), thus there will be no overall loss of flood storage. However, design details so far submitted do not fully show that this will be achieved so provision of further information such as site-specific cross sections and cut/fill maps should be conditioned.</p> <p>The FRA also states that use of the new development (the car park) will be limited to use outside of periods of flood which are advised by the EA, with the car park cleared and gate locked when flood is expected or in progress. Furthermore, the car park is only proposed as an overflow car park for special events at the hotel when hotel usage is expected to be high (FRA para 5.4.2). Limiting the periods on which the car park can be used can be conditioned to restrict overall use not only to times outside of expected flood or flood risk, but also from a planning point of view as well if desirable.</p> <p>In order to protect water quality, porous surfacing is proposed for the car park using 'no fines' gravel and French drains with no outlets (Portus Whitton drawing 1550/A/4/C) to encourage infiltration of surface water run-off into the ground much as that which occurs currently. Again, conditions to ensure construction in accordance with these principles can be imposed.</p>
Environmental Health	<p>The submitted Lighting Equipment Schedule report C7361-LES-0001 dated 2nd November 2018 is acceptable provided the lighting schedule is carried out in strict accordance with the details stated on this report.</p>
Conservation Officer	<p>The application seeks consent for the reconfiguration of the existing car park and a new additional overflow car park to provide 91 spaces. The over flow car park is to be located to the north of the existing car park in an area which is currently an open field. The site is not located within the Conservation Area but does sit adjacent to its boundary.</p> <p>The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. In essence, if the development proposed could be seen from, or in conjunction with, any of the heritage assets that surround the application site, then there would be an impact on their setting</p> <p>The application follows the recent refusal for a similar application (18/00241/COMIND). The differences between the 2 applications are as follows:</p> <ul style="list-style-type: none"> • Reduction in the proposed parking spaces from 112 to 94 • Provision of additional tree planting along south east boundary (I note that this planting has recently been carried out) • Removal of timber bollards with lighting • Inclusion of a management and lighting strategy, lighting to be ground recessed 'drive over' lights and floor mounted lighting • Heritage Statement <p>Having taken the above into account my comments are as follows:</p>

Impact on the Significance of Streatley Conservation Area

Paragraphs 189 and 190 of the Framework require an assessment of the significance of heritage assets that might be affected by a development proposal, including any contribution to their significance made by the setting of those assets. Paragraph 194 adds that heritage assets can be harmed or lost through development within their setting, it states that 'Any harm to, or loss of, the significance of a designated heritage asset (from alteration or destruction, or from development within its setting), should require clear and convincing justification'.

The Conservation Area's significance is derived from the interaction or interrelationship between the river, the surrounding open countryside, the linear pattern of historic development, and the open spaces and vegetation within the Conservation Area. There are frequent views throughout the Conservation Area into the surrounding countryside. This constant visual link with the countryside makes a significant contribution to, and is an important component of the character and appearance of the Conservation Area. Whilst some of these views are limited to narrow glimpses, they are nevertheless part of the cumulative appreciation of the way in which the village has developed and how it remains linked to its countryside hinterland. Indeed, the village's character owes much to the mix of buildings and open spaces, and the soft boundary between the village and its rural surroundings.

The Streatley Conservation Area Appraisal (SCAA) classifies the application site as a water meadow and notes how it forms part of the setting of the Conservation Area (Appendix VIII). Indeed, the SCAA comments that notable views out of the conservation area, include views from the grounds of The Swan Hotel to the river, water meadows and Goring (para. 4.3).

The applicant's Heritage Statement agrees that the site makes a positive contribution to the riparian setting of the Grade II listed hotel and the Streatley Conservation Area, however, it argues that this contribution is minor, because it only makes up a small part of a more extensive setting of the Conservation Area. I do not accept this argument. The size of the site in relation to the rest of the setting of the Conservation Area is irrelevant, as the significance of a Conservation Area, or listed building, can be harmed by the cumulative impact of smaller developments within in its setting.

The proposed overspill parking area would be visible from the Streatley and Goring Bridge to the south, and from the vicinity of Goring Lock to the east. It would have a harmful urbanising impact on the character of the site, both from the visual impact of the cars, as well as the noise and light associated with the cars. The Heritage Statement argues that the use of the use of 'softer' surfacing materials (grassed gravel), and screen planting would help mitigate this urbanising impact. Officers do not agree with this assessment. When the area is filled with cars, the surfacing material is irrelevant, as the overriding visual impact would be from the cars.

Moreover, the additional planting (which has already been carried out) would take at least 15 years to mature. It is not considered to be

appropriate to rely on new planting, which will take many years to mature, to screen a harmful proposal. Furthermore, during the winter months, when the trees have lost their foliage (not all the trees are native evergreens), the car park will be visible. Historic England's guidance entitled '*The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning: 3*' advises that the permanence and longevity of the screening needs to be taken into account, in this case the screening on site would only be seasonal.

The proposal would result in the urbanisation of this water meadow which would have a harmful impact on the setting of the Conservation Area. The proposal therefore conflicts with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), which seeks to protect the setting of heritage assets.

Impact on the Significance of Grade II Listed Swan Hotel

The existing site makes a positive contribution to the rural and riparian setting of the Grade II listed Swan Hotel. When viewing The Swan and its environs from the Streatley and Goring bridge one is fully aware of the open space, and the contribution it makes to the rural spatial quality of the buildings' setting. The setting of this Grade II listed building owes much to the harmony produced by the buildings and the river, and the quality of space created between, and around them. Whilst the site is separated from the listed hotel by modern extensions and the existing customer car park, wider views over the river from the south and the east, would take in both the Swan and the application site. The proposal would result in the urbanisation of this water meadow which would have a harmful impact on the setting of the listed building. In terms of the proposed mitigation measures (screen planting, grassed gravel etc), the above comments apply.

The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and conservation Areas) Act 1990, the NPPF and Policy CS19 of the West Berkshire Core Strategy (2006-2026), which seeks to protect the setting of heritage assets.

Weighing the balance

Paragraphs 194 – 196 of the revised NPPF have retained the distinction between substantial and less than substantial harm to a heritage asset, however, significantly, paragraph 193 (previously para. 132) includes additional text confirming that when considering the impact of development on the significance of a designated heritage asset, 'great weight should be given to the asset's conservationirrespective of the degree of potential harm to its significance'.

The guidance makes it clear that the more important the asset, the greater the weight should be. This is all irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. This emphasises the position that when considering the impact of development, great weight should be given to the asset's conservation regardless of the degree of harm that will be involved. This now brings the NPPF in line with statute which does not refer to

	<p>varying levels of harm.</p> <p>In this instance, the degree of harm would be less than substantial in the context of paragraph 196. This is due to the fact that the impact of the proposal would be localised in relation to the whole of the Conservation Area. However, though less than substantial, there would, nevertheless, be real and serious harm which requires clear and convincing justification for it to be overcome in my view. Furthermore, paragraph 193 of the NPPF clearly states that irrespective of the level of harm, great weight should be given to the heritage asset's conservation.</p> <p>Having considered the benefits of the proposal as outlined in the Heritage Statement, namely that the proposal will help remove parking from surrounding roads, thereby improving the visual appearance of the area these public benefits are at best modest, particularly as restrictions on the ability of the public to park in the Swan could easily come into force in the future. It is therefore considered that the limited (and mostly private) benefits of the proposal do not outweigh the harm to the designated heritage assets.</p>
<p>Public Rights of Way Officer</p>	<p>Streatley Byway 12/1, Footpath 5/1 and 5/3 and Streatley Footpath 25/3 - this latter section is not named on the map but it is the section of footpath running immediately alongside the River Thames. These rights of way comprise part of the Thames Path National Trail, a very well used, and nationally important route. Footpath 5/1 and 5/3 run immediately adjacent to the western and northern edges of the proposed development site.</p> <p>There has been substantial vegetation clearance next to the part of Footpath 5/1 closest to the hotel accommodation buildings in recent times.</p> <p>Streatley Byway 12/1 is currently being used as a vehicular access to the hotel whilst extensive building work is carried out and there are traffic lights in place</p> <p>Comments are made particularly in the context of the NPPF paragraph 98: Planning policies and decisions should protect and enhance public rights of way and access.</p> <p>Impression from footpath walking south to north east. As one walks along the footpath from the south, one's eye is first drawn across the site though the recent significant vegetation clearance, and the view from this angle is pleasant and unspoilt, across a meadow, with the trees of the River Thames area as a backdrop.</p> <p>As one walks further, the site is less visible due to different sorts of vegetation appearing, including a wide belt of vegetation, a line of trees, a tall bramble thicket and an evergreen hedge. The eye is therefore drawn much more to the north and west, over the adjacent meadow and Wildlife Heritage Site wetland, and straight on to the river.</p> <p>Impression from footpath walking north east to south.</p>

From this direction, the eye is drawn to the Riverside and also to the west for the reasons described above. The site is, however, visible from the east-west section (Footpath 5/3), but this view is dominated by the buildings of the hotel, and the meadow appears only as a section of grass, very much subservient to the feeling of a built up area.

Assessment of visual effect from footpath.

The introduction of regular car parking on the meadow would amount to a significant change of character of the pleasant view as seen from the southern part of Footpath 5/1 through the recent vegetation clearance and from the footbridge on Footpath 5/3. It is not clear whether proposed planting in the north eastern corner of the site will act as a screen for the parked vehicles at this point. There is an informal link from the site onto the footpath at the moment, but I note it is proposed to close this off if the development is given permission.

I do not consider that the visual intrusion would be unduly significant from any other section of the footpath.

Noise.

I do have some concerns about possible noise intrusion. The footpath runs through a quiet area of countryside and the sound of the weir can be heard.

The car parking is set away from the footpath, however, and there would be the additional planting as a screen.

External lighting.

The new external lighting is not appropriate in this setting.

The proposed lighting is to be at a low level. However, even if sensor-controlled, the car park will be busy and there will be a glow. In my view this aspect of the application is potentially the most significant in terms of intrusion into the experience of a walker in the countryside.

Conclusions

On balance, I do not object to the application because I think that the worst effects can be ameliorated by conditions and alteration to the plans as follows:

- Screening of the development kept at a low level, so that views towards the tree line along the river are retained, but vehicles hidden. A condition that only cars use the area, and not larger more visually intrusive vehicles; maybe a height barrier could be added at the entrance.
- Amendments are made to the external lighting plan, preferably to remove all external lighting, but if lighting is required then all steps taken to retain the evening/night time experience of a walker along this presently dark, rural footpath.
- Consideration given to replacing the five bar gate (between the hotel site and the southern end of Footpath 5/1) with a pleasing visual screen, for instance a tall wicker fence, in order to screen the hotel bin area from the Thames Path.

I agree with all the comments made by the Pang Valley Group of the Ramblers' Association in their consultation response.

<p>Pang Valley Ramblers Association</p>	<p>This is a resubmission following refusal of Planning Application 18/00241/COMIND for the reconfiguration of the existing car parking provision and an additional 112 spaces in an overflow car park. The current application proposes a reduction in proposed parking area (from 112 to 91 spaces), provision of additional screening to public viewpoints, revised surfacing to reduce obvious visual appearance, omission of fixed parking furniture (bollards, signage, etc), omission of ambient illumination and inclusion of a management and lighting strategy to control use of car park and lighting. Previously permission was granted for alterations to the hotel following Planning Application 17/01572/LBC2 and previous to that Planning Application 17/01562/FUL sought a section 73A variation of planning permission 16/02364/FUL.</p> <p>At the time of that latter application, Streatley Parish Council commented that the roadway along the Western boundary of the site, which doubles as BOAT/STRE/12/1 and the Thames Path should be kept clear. There is no specific reason it should be used in connection with the works at The Swan but there is a vehicle gate at the bottom of the Swan Car Park and we request that a suitable condition is attached to any permission that this gateway is not used in connection with the works and that BOAT/STRE/12/1 is kept clear at all times.</p>
<p>North Wessex Downs AONB Board</p>	<p>The current application appears to have been designed to merely hide the car parking rather than to conserve or enhance the natural and scenic beauty of the AONB. The character of the water meadow will be lost as a result of the proposed development to the detriment of the local landscape character and to the experience of users of the Thames Path.</p> <p>The parking will nearly double that of the existing car park which appears excessive. Streatley benefits from its proximity to Goring station, an asset for this locality and the hotel should be utilising it and encouraging this sustainable means of travel above that of a car park.</p> <p>I have concerns over the level of works required to create the parking area which could upset the current role of the site as a water meadow (floodplain).</p> <p>There are no measures to protect the rest of the site from further encroachment of vehicles.</p> <p>Landscape buffers should not be used to make a development acceptable. Development should be appropriate in its own form and any planting proposed be for enhancement measures.</p> <p>The lighting measures follow best practice and minimise light spill upwards but will still result in a ground glow which would be visible from the local vicinity and it would also change the character of the water meadow. Sensor lighting is encouraged where lighting is appropriate but it is difficult to control as when required for safe access, lighting will need to be on during opening hours which would be worse in winter months, alternatively sensor lights to movement in</p>

	<p>a car park of this size could result in multiple triggers for when the lights are active, they would then need to be on for a sufficient amount of time to allow a member of the public to reach their vehicle. Either way lighting of the site is still an issue and would suburbanise the field and its relationship with the wider natural landscape, to the detriment of the AONB.</p> <p>I would agree with WB landscape consultant in her assessment of the LVIA and concerns raised surrounding the loss of character of the site.</p> <p>The proposed development would be contrary to para 8, 127, 170 and 172 of the NPPF and the objectives/policies of the NWD Management Plan.</p>
Environments Agency	<p>The site is located within Flood Zone 3b – The Functional Floodplain defined in Table 1 of the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) and West Berkshire Borough Strategic Flood Risk Assessment (SFRA) as where water has to flow or be stored in times of flooding. The additional information noted in the Peter Brett letter dated 15th January does not change this.</p> <p>We consider the proposed development of a car park to be ‘Less Vulnerable’ in relation to the development types as set out in Table 2 of the PPG. In accordance with Table 3 of the PPG, ‘Less Vulnerable’ development within Flood Zone 3b should not be permitted.</p> <p>Our policy objection remains as per our previous response (7th January 2019). If you are minded to grant this planning application contrary to our advice, the following conditions are necessary and should be imposed on any planning permission granted.</p>
Ecology Officer	<p>Need to condition the 5m works buffer (avoidance of pollution) and the lighting (bats) as per para 4.3.1</p> <p>Enhancement – 2 bat boxes also need to be conditioned as per 5.2.3 and 2 bird boxes as per 5.2.5</p>
Natural England Tree Officer	<p>No comment</p>
	<p>The plans provided have identified the trees at the site as indicative circles only, and provided no further supporting information on the trees, therefore the potential impact on trees was determined during my site visit.</p> <p>The proposed changes within the existing car park area have no direct impact on trees, the area of the proposed new overspill car park contains very little vegetation, although the boundary of the site, does contain a number of trees and hedges, which would appear to not be affected by the proposed changes.</p> <p>The new surface type is a mix of grass and a gravelled access road, which is a significant distance from any trees, the site has been</p>

	<p>recently landscaped along the riverside boundary and the area adjacent to the existing car park, this landscaping will help reduce the visual impact from views across the river, there is also additional landscaping proposed along the public right of way to the north, which will benefit the site in the long term.</p> <p>Whilst the boundary trees are unaffected by the works and there is sufficient space at the site for the storage of materials within the existing parking area, the level of engineering works and movements at the site, adjacent to the trees to be retained, may inadvertently mean some encroachment in the RPA's occurs, which could easily be prevented.</p> <p>Therefore, it would be prudent to ensure the trees are provided with a suitable level of protection throughout the works, this can either be as a works exclusion zone, but the details contained within the tree informative, should be sufficient to cover this requirement.</p> <p><u>Conclusion</u> No objections raised to the application, no trees are to be lost to facilitate the works and additional landscaping is to be planted which should ensure an improved level of screening. The following tree informative should be attached to any formal consent.</p>
Archaeology Officer	<p>As well as the landscape and historic land-use aspects to this proposal, it is also possible that there are archaeological issues relating to groundwork. The Thames has been an important routeway throughout millennia of human history, and there are instances of prehistoric activity along its banks, as well as settlement and burials. I do not have any known records for anything on this plot of land, and possibly there may have already been some disturbance from the agricultural activities (our characterisation considers it to probably have been open land, then meadow, and then enclosed through Parliamentary act). The presence of a former channel across the site however might also mean that there is good environmental evidence.</p> <p>An Archaeological written scheme of investigation has been submitted and no further information is required.</p>
South Oxfordshire District Council	No response 05.03.2019.

1. Representations

- 1.1. The Local Planning Authority received 4 letters of objection and 46 letters of support to the proposed development.
- 1.2. The matters raised in the letters of objection (summarised by officer) are:
 - Objection raised in regards to the light pollution from both the car park lights and the car headlights at night.
 - If the projections of cars for the car park are as high as anticipated there will be near constant levels of traffic in the late evenings following events.

- The application has adverse implications in relation to the local Conservation Area, AONB, SSSI, Archaeology and flood area.
- The application is totally insensitive to its surroundings
- The present arrangement for the site, utilising the site for car parking 28 days a year as permitted, is more than adequate.
- Although documents submitted with the application would argue that the overspill car park would be rarely used and only for events days but the application proposes no way to control this.
- Those supporting the current proposal, for example gym and Morrell Room users and church-goers, comment on the shortage of parking on the site at the moment but over half the parking spaces the hotel currently benefit from are not in use because of the remodelling work
- The use of the car park by non-hotel users is used to justify the application but provides no guarantees of this use.
- Concerns that the case for increasing parking capacity is not proven. The Design and Access Statement (25.8.16) accompanying the agreed planning application for the remodelling (16/02364/FUL) says: "*It is considered that the works proposed as part of this application will not materially affect the number of visitors to the site and as such will not have any impact on the local road network.*" Nothing has changed since the remodelling and as such this overspill car park is unnecessary.
- No trip generation data is provided to support the case, but no sensible business would make a major business investment without careful thought about their capacity to manage the obvious consequences, such as traffic generation.
- This would be a major incursion into a protected landscape and would set a precedent for the future.
- There is little doubt that the gravel parking lanes will be visible all year round from the Thames Path (north and east of the site) and in longer distance views from Lardon Chase.
- The natural characteristics of the water meadow and its riparian character will be lost.
- Indeed, the Heritage Statement states: "*The harm caused by the proposals to the water meadow character would be appreciable close-up, but would not be considerable.*" As 'appreciable' and 'considerable' are synonyms, it is obvious that appreciable/considerable damage to the landscape, environment and close up views from the Thames Path is expected and acceptable to the applicant.
- The development would be against the Streatley Conservation Area Appraisal.
- Planting to mitigate visual damage has been undertaken but it will take many years to mature. Valuable views will be damaged.
- The Applicants LVIA's opinion is disagreed upon in terms of the impact and the level of change.
- The photographs in the LVIA were taken with trees in leaf, but a site visit this month will reveal the clear inter-visibility of the site to and from Streatley and Goring Bridge. Likewise, a visit to Lardon Chase will show vehicles glinting in the sun.
- This is a proposal for significant development of a water meadow within the North Wessex Downs Area of Outstanding Natural Beauty (AONB); agreement would set a precedent for development of other sites in the AONB.
- The impact on the AONB and the water meadow should be minimised by limiting the area of parking (and the number of vehicles) to one permeable grassed gravel access lane with a single grassed parking strip each side.
- More parking at The Swan will result in more trips being generated in the area
- The hotel's entrance is inadequate and too small
- The Swan's developers state in a recent public letter that if they are not granted permission for more spaces, non-customers will instead park on Streatley High Street however this already happens.
- It is not the Swan's responsibility to provide a public car park and the majority of residents can and should be able to walk to the facilities. Church services and events at the village hall are not an all-day/everyday occurrence.

- The development would be seen from surrounding area in the AONB, river, Thames path and bridges having a detrimental impact on the AONB.

1.3. The matters raised in the letters of support (summarised by officer) are:

- The parking in the village is already limited and The Swan Owners kindly allow many visitors and walkers to park there.
- The development deals with the issues previously raised with the proposal
- The new scheme is designed to blend in beautifully with the surroundings
- The planting has already protect the setting
- This will be a huge bonus to the community who needs more parking
- The opening of the Coppa club will bring lots more visitors as will the continued use of the gym.
- The development will be an improvement over the current messy field
- The number of car parking spaces has been reduced to reduce visual impact.
- Planting of native woodland trees and shrubs has been well designed to protect the view from the bridge.
- The new lighting scheme which will satisfy the safety of users and minimising any negative impact on night views.
- Visual impact and heritage statements that justify the impact of the car park.
- The attendance at Church Services will be severely affected if the application is not improved and the site is not altered.
- If the application is refused it may lead to an increase in parking on the high street of Streatley.
- The extra parking will allow users to park more easily and remove on street parking
- The plans are sympathetic to the environment and will be of great benefit to locals and visitors alike
- The parallel parking on the High Street detracts from the beauty of the village and results in regular bottle necks particularly at peak times of the day where parking is already congested and dangerous.
- A lack of parking also discourages visitors thus reducing local trade and commerce.
- The development will support the use of local facilities and attractions
- The development does not set precedent for future unwelcome developments
- The parking problem resolved from this application will be of wider public benefit
- It is difficult to understand how the future parking requirements of the Hotel can be satisfied without the addition of extra parking. The area proposed is discrete and with the trees now planted will not spoil the current views.
- The hotel management will be obliged to withdraw a vital community service which is that users of the Morrell Room, Church and YMCA, YHA, are permitted, free of charge, to park in The Swan Hotel car park if this application is refused. The proposed plans, using gravel as hardstanding and with plentiful tree planting would not seem to obtrude on the view from the bridge or the Thames Path. The end result will arguably look better rather than worse than the current situation.
- Through this development Streatley would be gaining a valuable facility for free which the council is unable to provide.
- The development will not detract from the historic nature of the site or hotel
- As local residents we are keen that any additional parking is provided in a way that is sympathetic to the beautiful setting of the hotel within an AONB.
- By not granting this application the result would be a devastating impact on the viability of The Swan.
- The development would only be acceptable with a condition that would restrict the precedent for further redevelopment on the site which could be handled by planning condition.
- The landscaping scheme would mitigate the cars parked in the AONB
- The impact on the landscape would be similar to that of the local allotments
- No objection was raised to an application in South Oxfordshire for the Goring Weir Hydro Scheme but the Conservation Officer is objecting to this application

- The refusal of this planning application will lead to significant congestion and parking on Streatley High Street
- The refusal of the application will mean that the current applicants/owners will withdraw any public parking in the Swan car park.
- The Swan has in the past provided parking for coaches using the Streatley YMCA and last summer these have been parked on the High Street, blocking both the road and the pavement and the view over Streatley Meadows, which is central to the ambience of the village.
- Providing a carpark with restrictions on future expansion is an ideal way of creating a planning buffer between the hotel and green belt. The buffer can still allow for animal migration.
- Future conditions can be put in place within the consent to restrict future development therefore protecting both the Carpark and the green belt beyond. This will act as a protective zone
- Planning Laws are put in place to ultimately serve a community and to respect the environment.
- This is desperately needed.
- The changes made by the applicants in response to the previously refused application deal effectively with the landscape and conservation issues.
- The value of this investment to the local community into an asset of this quality should not be underestimated and it creates many job opportunities in the village. The successful completion and safe long term operation of whole project will be satisfactorily achieved with the appropriate level of parking and this revised application responsibly meets all previous objections.
- The alternative of not approving this application would have consequences that would be unacceptable to the village the views and landscaping including lighting and materials have been addressed in a sensitive manor.
- This application would achieve better aesthetics by removing cars parked on Streatley High Street.

2. Planning Policy Considerations

2.1. 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)

2.2. The following policies from the West Berkshire Core Strategy carry full weight and 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 5: Infrastructure requirements and delivery
- CS 9: Location and Type of Business Development
- CS 10: Rural Economy
- CS 11: Hierarchy of Centres
- 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

2.3. 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 future 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
- RL.5A the River Thames

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

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- P1: Residential Parking for New Development

2.5. Other material considerations for this application include:

- The National Planning Policy Framework (2018), (NPPF)
 - Planning Practice Guidance (PPG)
 - Quality Design Supplementary Planning Document (SPD)
- Streatley Village Design Statement
Streatley Parish Plan Area of Outstanding Natural Beauty Management Plan

3. Proposal

3.1. The proposal will result in the replacement of a field defined as a water meadow with a car park constructed from aisles of gravel and reinforced gravel with grass seed allowing car parking for up to 87 cars. The field subject to this proposal sits to the north of the existing car park which currently serves The Swan. Access will be achieved via a new gate in the northern boundary fence thus allowing the existing parking arrangements to be retained. The site currently benefits from some recent tree planting along the site boundary which will separate the existing and proposed parking areas. This belt of planting continues eastwards and wraps around the eastern boundary. Further planting is proposed within the borders of site.

3.2. The proposal has been amended during the course of the application to reduce the size of the development from 91 spaces to 87 spaces.

3.3. The report below includes references to two appeals at the Great House (3198114 and 3198115), these have been included as appendices. Their relevance to this application is high as both hotels are run by the applicant of this application. As explained later in the report in both situations the growth of the business has outstripped the parking provision.

Determining issues:

- The Principle of Development;
- The Impact on AONB
- The Impact on the Setting of the Listed Building
- The impact on neighbouring amenity
- The Impact on Highway safety;
- The Impact on Flooding and Drainage
- Trees and Ecology of the Site;
- Archaeology of the Site;
- Community Infrastructure Levy;
- Other Matters;

4. The Principle of Development

- 4.1. The application site is situated outside of any defined settlement boundary and is within the open countryside within the AONB where, in accordance with policy ADPP1 development is strictly controlled and only appropriate limited development will be allowed, focused on addressing identified needs and maintaining a strong rural economy. Policy ADPP5 says that development will respond positively to the local context and respect identified landscape features and components of natural beauty, and that development will respect and respond to the historic environment of the AONB.
- 4.2. Small, local businesses will be supported, encouraged and protected within the AONB providing local job opportunities and maintaining the rural economy. Positive management of the AONB will take place through partnership working to ensure its continuation as a location for leisure and green tourism. The AONB will continue to play an important role in attracting visitors and investment. The landscape and recreational role of the waterways, which make a positive contribution to the character and cultural heritage of the AONB, will be strengthened as part of this.
- 4.3. The proposal constitutes development within the open countryside, and as such must be justified. New development must demonstrate that it meets an identified need. It is recognised that the proposed development would be an economic benefit to The Swan, an established local business by providing an additional parking facility to serve its customers. This benefit however needs to be weighed against, and work with the sustainable management of the AONB and the rural and historic qualities of the wider landscape.

5. The Impact on AONB

- 5.1. Paragraph 172 of the National Planning Policy Framework (2019) states
“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.”
- 5.2. The Local Development plan policy ADPP5 North Wessex Downs AONB states that development will support appropriate and sustainable growth that conserves and enhances its special landscape qualities.
- 5.3. By recognising the area as a national landscape designation, development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night skies, particularly on the open down land. The landscape and recreational role of the waterways, which make a positive contribution to the character and cultural heritage of the AONB, will be strengthened as part of this.
- 5.4. The Local Planning Authority has instructed a Landscape Consultant to review the landscape Visual Impact Assessment submitted as part of the application. A meeting was subsequently held on the 14th February 2019 between the two parties and amended documents were submitted to the council in response to this meeting. .
- 5.5. The LPA’s Landscape Consultant provided a number of additional document references for consideration in regards to development within the AONB
- 5.6. Streatley Village Design Statement was adopted by West Berks Council in 2006. The statement describes that *“open spaces are a dominant feature in the amenity of the village and the well-being of the local community”*. Under the section *Open spaces*, it concludes the chalk

grasslands, woodlands and meadows provide the unique setting of the village. More specifically to the site, the Village Design Statement states *"The flood meadows to the north of the Swan Hotel are abundant with wildlife and tree types sympathetic to this often-flooded landscape. These meadows are a key feature appreciated by both local residents and the many visitors who make frequent use of the Thames Path."*

- 5.7. According to the North Wessex Downs AONB Landscape Character Assessment 2002 the site lies within the Landscape Type 6: The Vales, of the North Wessex Downs Area of Outstanding Natural Beauty. For this area the overall management objective is to conserve and enhance the Vales' rural, agricultural character. This includes the pattern of hedgerows, streams, remnant waterside pastures and wet meadows. The site further forms part of a sub area of the Character Area 6D Thames Valley Floodplain, identified as 6D (iii) Streatley and Basildon; where key management requirements state ... *"the overall management objective is to maintain the character of these floodplain landscapes on the edge of the AONB, with their comparative remoteness and to enhance their ecological character through restoration of waterside pasture and riparian vegetation"*.
- 5.8. The site is also visible from key protected areas within the adjacent landscape. The key management requirements are to conserve the character of the Blewbury Downs with their special qualities of remoteness and openness.
- 5.9. The applicant provided 12 photographic viewpoints as part of their LVIA. The photos show the trees still in leaf and therefore still provide screening and enclosure compared to the winter months where the landscape would be more open allowing potential views towards the site. The LPA's Landscape Consultant reviewed the viewpoints in January 2019. An additional submission in response to the LPA's LVIA was submitted in April this included six additional winter photographs of various viewpoints.
- 5.10. The proposal will result in the replacement of an area of grass defined as water meadow with a car park constructed from aisles of gravel and reinforced gravel with grass seed allowing car parking for up to 87 cars (reduced from 91 in the amendments); although due to the design and open aspect of the layout more cars could be accommodated off the designated reinforced grass areas and across the rest of the meadow. As evidence of this reasonable consideration point 5.16 of the original planning statement would argue that the surface of the car parking areas would not appear substantially different from the existing grassland therefore making it difficult for users to stay within the relevant areas.
- 5.11. The changes proposed are considered to intrinsically change the riparian nature of the site. The site would change from a grass water meadow to one dominated by cars with an urban feel. Additionally the proposed planting will have an adverse impact on the character of the riparian vegetation by diluting its character as riparian vegetation is predominantly deciduous. The applicant has sort to argue that the car park is unlikely to ever be used to full capacity and therefore the assessment of a full car park is overly onerous. However it is argued that the car park could well be used to its full capacity and to neglect to assess the harm of 87 cars would not be appropriate.
- 5.12. The LPA's Landscape Consultant disagrees with the submitted landscape visual impact assessment by the applicant. This document presents the harm as "slight to negligible" to which in the LPA's consultants opinion is that, given described as a water meadow, the parking of 87 cars across this area would be a significant change of character. It is considered to have an adverse impact on the character of the existing riparian meadow in the AONB, not a slight to negligible harm.
- 5.13. The applicants intend to attempt to screen the development with landscaping but this would obscure views across the riparian meadow towards the River Thames from viewpoints. They note that the landscaping by the Thames Path is "gappy" and the proposal is to infill these gaps to reduce the impact of the car parking in the adjacent water meadow.

- 5.14. The North Wessex AONB who have objected to the application noting that Landscape buffers should not be used to make a development acceptable but development should be appropriate in its own form and any planting proposed be for enhancement measures. From many of the view points from the Thames Path (Viewpoints 1 to 5) as a result of the landscaping there could be glimpsed views of the proposed car parked in the meadow. This will be at the expense of the current views enjoyed by National Pathway users across the Goring Gap towards the River, the Lock and Weir, the Church and Lardon Chase. The applicant has sort to hide the development but this will change the character of the area and have a detrimental impact on the significant views of and across the site. From views further north of the site along footpaths in the AONB the LPA's Landscape Consultant comments that the area of the proposed parking as being considered a 'green lung' as referred to in local documents. The Village Design Statement and Conservation area appraisal both identify these water meadows as essential to framing Streatley's beauty. The LPA's LVIA has assessed that the loss of inter-visibility and the introduction of a car park will urbanise this area. The resultant affect is considered to be demonstrably harmful to the detriment of the setting of Streatley within the AONB and would have a significant harm to the AONB's landscape.
- 5.15. The existing view from Streatley and Goring bridge shows how the open meadow character of the site and the rest of the field provides an undeveloped setting for the adjacent island which forms part of the Conservation Area. The applicant has proposed planting along this boundary to screen any potential views of the car park. Although the planting might eventually screen the views of the proposed car park, the planting will also block views of the meadow and its role in the setting for the Conservation Area. While the applicant has sort to remove designated parking from this view point in amended plans without deterrent or a clear separation between areas that are designated parking spaces and not, cars could still park in the location detrimental of the landscape value enjoyed from the Bridge across the River Thames.
- 5.16. Where there are views of the site, the applicant has proposed to screen these views resulting in a loss of a view of meadow, the Grade II listed Church, the valley sides of the Goring Gap and the River Thames. Where views remain of the site, the parked cars will urbanise the site, the setting of the River Thames and the Conservation Area.
- 5.17. The mitigation proposals are not in line with the objectives within the Landscape character assessments. As stated for the AONB, the overall objective is to maintain the character of these floodplain landscapes and to enhance their ecological character through restoration of waterside pasture and riparian vegetation. The proposals make no reference to the AONB's objectives with the mitigation measures provided to solely screen potential views and to reduce inter-visibility between the site and surrounding area. The mitigation measures themselves will therefore also have an adverse effect on the AONB.
- 5.18. Policy CS14 considers design principles, stating that "*new development must demonstrate high quality and sustainable design that respects and enhances the character of the area*". Although the design has avoided a traditional tarmac car park by using areas of reinforced grass, it will still potentially contain parking for 87 cars, which will not enhance or conserve the site's riparian water meadow character. The proposed planting is to screen views of the site from the surrounding area; screening views of the site will erode the inter-visibility it shares with the other water meadows, the open setting it provides for the northern edge of Streatley, the grade II listed church, the River Thames and the Conservation Area. Additionally, policy CS14 states that "*Development shall contribute positively to local distinctiveness and sense of place*". This area of water meadows is a distinct area which within the village statement summarises the site "*as a key feature appreciated by both local residents and the many visitors who make frequent use of the Thames path*".
- 5.19. Policy CS19 considers the conservation and enhancement of the local Landscape Character Areas of West Berks. As stated within the North Wessex Downs AONB Landscape Character Assessment 2002 and the Berkshire Landscape Character Assessment 2003 the key

management objective is to maintain the character of this floodplain landscape, the quality of the views to the river and to the valley sides. The car parking proposals do not achieve any of these objectives, but sub-urbanise and dilute the rural character of the floodplain by permanently allowing the parking of cars.

- 5.20. As stated within the NPPF (2018), under the heading of achieving sustainable development: *an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment*. As shown the proposal are not in line with the landscape character assessments main objectives.
- 5.21. The North Wessex Downs AONB boards response to the LPA's consultation was that the current application has been designed to merely hide the car parking rather than to conserve or enhance the natural and scenic beauty of the AONB. The character of the water meadow will be lost as a result of the proposed development to the detriment of the local landscape character and to the experience of users of the Thames Path. The amendments did not change this opinion.
- 5.22. The NWD AONB Officer noted that parking will nearly be double that of the existing car park which appears excessive. Streatley benefits from its proximity to Goring station, an asset for this locality and the hotel should be utilizing it and encouraging this sustainable means of travel above that of a car park. Landscape buffers should not be used to make a development acceptable. Development should be appropriate in its own form and any planting proposed be for enhancement measures. There are no measures to protect the rest of the site from further encroachment of vehicles.
- 5.23. The lighting measures follow best practice and minimise light spill upwards but will still result in a ground glow which would be visible from the local vicinity and it would also change the character of the water meadow. Sensor lighting is encouraged where lighting is appropriate but it is difficult to control as when required for safe access. Lighting of the site is an issue and would suburbanise the field and its relationship with the wider natural landscape, to the detriment of the AONB. The LPA's PROW officer raised that the lighting was a concern to them also.
- 5.24. Whilst the appearance of the parking area has been mitigated to a degree with the use of sensitive materials, there will still be harm to the character and appearance of the AONB, through the introduction of developed form into the open countryside, and harming the visual appearance of the setting of the Thames, views from the Thames, and also the views and enjoyment of the Thames National Trail within the AONB. The proposal is considered to be significantly harmful to the character and appearance of the North Wessex Downs AONB. It is considered to negatively affect the setting of the River Thames through the introduction of developed urban form. The proposal will have a negative and urbanising effect on the water meadows riparian character of the site. The development will not conserve and enhance the AONB as required by the NPPF which gives greatest weight to the conservation and enhance of the AONB. The development fails to respond to the Village design statement which actively seeks to preserve these Riparian meadows that frame Goring within the Goring Gap.
- 5.25. The proposal is therefore contrary to the NPPF. It is also contrary to local plan policies CS14, CS19 and ADPP5 as stated above. The North Wessex Downs AONB board, to which are a statutory consultee for applications in the AONB, responded to this application agreeing with the LPA's Landscape consults assessment and concerns raised in regards to the LVIA. They found the proposed development would be contrary to para 8, 127, 170 and 172 of the NPPF and the objectives/policies of the NWD Management Plan.

6. The Impact on the Setting of the Listed Building and Conservation Area

- 6.1. The over flow car park is to be located to the north of the existing car park in an area which is currently an open field. The site is not located within the Conservation Area but does sit adjacent to its boundary. The NPPF defines the setting of a heritage asset as the surroundings in

which it is experienced. In essence, if the development proposed could be seen from, or in conjunction with, any of the heritage assets that surround the application site, then there would be an impact on their setting

- 6.2. Paragraphs 189 and 190 of the Framework require an assessment of the significance of heritage assets that might be affected by a development proposal, including any contribution to their significance made by the setting of those assets. Paragraph 194 adds that heritage assets can be harmed or lost through development within their setting, it states that 'any harm to, or loss of, the significance of a designated heritage asset (from alteration or destruction, or from development within its setting), should require clear and convincing justification'.
- 6.3. The Conservation Area's significance is derived from the interaction or interrelationship between the river, the surrounding open countryside, the linear pattern historic development, and the open spaces and vegetation within the Conservation Area. There are frequent views throughout the Conservation Area into the surrounding countryside. This constant visual link with the countryside makes a significant contribution to, and is an important component of the character and appearance of the Conservation Area. Whilst some of these views are limited to narrow glimpses, they are nevertheless part of the cumulative appreciation of the way in which the village has developed and how it remains linked to its countryside hinterland. Indeed, the village's character owes much to the mix of buildings and open spaces, and the soft boundary between the village and its rural surroundings.
- 6.4. The Streatley Conservation Area Appraisal (SCAA) classifies the application site as a water meadow and notes how it forms part of the setting of the Conservation Area (Appendix VIII). Indeed, the SCAA comments that notable views out of the conservation area, include views from the grounds of The Swan Hotel to the river, water meadows and Goring (para. 4.3).
- 6.5. The applicant's Heritage Statement agrees that the site makes a positive contribution to the riparian setting of the Grade II listed hotel and the Streatley Conservation Area, however, it argues that this contribution is minor, because it only makes up a small part of a more extensive setting of the Conservation Area. The Conservation Officer does not accept this argument. The size of the site in relation to the rest of the setting of the Conservation Area is irrelevant, as the significance of a Conservation Area, or listed building, can be harmed by the cumulative impact of smaller developments within in its setting.
- 6.6. The proposed overspill parking area was considered to be visible from the Streatley and Goring Bridge to the south, and from the vicinity of Goring Lock to the east. The amended plans have reduced its visibility from these areas. However the Conservation Officer has commented that the revised amendments do not overcome the original concerns raised. The Heritage Statement argues that the use of the use of 'softer' surfacing materials (grassed gravel), and screen planting would help mitigate this urbanising impact. The Conservation Officer does not agree with this assessment. When the area is filled with cars, the surfacing material is irrelevant, as the overriding visual impact would be from cars.
- 6.7. Moreover, the additional planting (which has mostly already been carried out) would take at least 15 years to mature. The Conservation Officer does not consider it appropriate to rely on new planting, which will take many years to mature, to screen a harmful proposal. Furthermore, during the winter months, when the trees have lost their foliage (not all the trees are native evergreens), the car park will be visible. Historic England's guidance entitled '*The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning: 3*' advises that the permanence and longevity of the screening needs to be taken into account, in this case the screening on site would only seasonal. This view is backed up by the LPA's Landscape Consultant and the North Wessex Downs AONB officer.
- 6.8. The proposal would result in the urbanisation of this water meadow which would have a harmful impact on the setting of the Conservation Area. The proposal therefore conflicts with the

NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), which seeks to protect the setting of heritage assets.

- 6.9. The site makes a positive contribution to the rural and riparian setting of the Grade II listed Swan Hotel. When viewing The Swan and its environs from the Streatley and Goring bridge one is fully aware of the open space, and the contribution it makes to the rural spatial quality of the buildings' setting. The setting of this Grade II listed building owes much to the harmony produced by the buildings and the river, and the quality of space created between, and around them. Whilst the site is separated from the listed hotel by modern extensions and the existing customer car park, wider views over the river from the south and the east, would take in both the Swan and the application site. The proposal would result in the urbanisation of this water meadow which would have a harmful impact on the setting of the setting of the listed building. In terms of the proposed mitigation measures (screen planting, grassed gravel etc).
- 6.10. The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Policy CS19 of the West Berkshire Core Strategy (2006-2026), which seeks to protect the setting of heritage assets.
- 6.11. Paragraphs 194 – 196 of the revised NPPF have retained the distinction between substantial and less than substantial harm to a heritage asset, however, significantly, paragraph 193 (previously para. 132) includes additional text confirming that when considering the impact of development on the significance of a designated heritage asset, "great weight should be given to the asset's conservation", Irrespective of the degree of potential harm to its significance'.
- 6.12. The guidance makes it clear that the more important the asset, the greater the weight should be. This is all irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. This emphasise' s the position that when considering the impact of development, great weight should be given to the asset's conservation regardless of the degree of harm that will be involved. This now brings the NPPF in line with statute which does not refer to varying levels of harm.
- 6.13. In this instance, the degree of harm would be less than substantial in the context of paragraph 196. This is due to the fact that the impact of the proposal would be localised in relation to the whole of the Conservation Area. However, though less than substantial, there would, nevertheless, be real and serious harm which requires clear and convincing justification for it to be overcome in the Conservation Officers view. Furthermore, paragraph 193 of the NPPF clearly states that irrespective of the level of harm, great weight should be given to the heritage asset's conservation.
- 6.14. The conservation officer has considered the benefits of the proposal as outlined in the Heritage Statement, namely that the proposal will help remove parking from surrounding roads, thereby improving the visual appearance of the area. However the public benefits are at best modest according to the Conservation Officer's perspective, particularly as restrictions on the ability of the public to park in the Swan could easily come into force in the future. The Conservation Officer therefore does not feel that the limited (and mostly private) benefits of the proposal outweigh the harm to the designated heritage assets. This will be factored into the planning balance discussed later.

7. The Impact on Neighbouring Amenity

- 7.1. The development is not expected to have a detrimental impact on the neighbouring amenity. The development is not considered to create undue overshadowing, overlooking, or an unaccepted level of noise. This is due to the distance between the development and neighbouring amenity. Letters of objection have noted the disturbance to neighbouring amenity from car head lights using the proposed development. However the neighbouring dwellings are some distance away from the development and car headlights are not permanently on therefore the disturbance will be minimal and variable. The development is not considered to have an

adverse impact on the neighbouring amenity and in that regards the development is in accordance with the SPG 'Quality Design' and CS14 of the Development Plan.

8. The Impact on Highway safety;

- 8.1. When the planning permission was granted for the extensions and alterations to the hotel which increased the number of hotel rooms and floor area, the impact on parking provision was considered, and it was concluded that the increase in the number of rooms, and additional floor space would not have a significant impact on highway safety or parking provision, due to the limited increases in floorspace provision. It was noted explicitly in the design and access statement for application 16/2364/FUL that "It is considered that the works proposed as part of this application will not materially affect the number of visitors to the site and as such will not have any effect on the current parking provision on site." As such the overspill car park is an addition to a development that has previously been argued has adequate parking numbers. Contrary to many of the objections raised the LPA has properly assessed previous applications and parking was adequate for what was approved. The recently proposed increase in intensity of use of the approved floorspace is a result of the applicants own, more detailed business plan for the site.
- 8.2. The applicants are now expressing how they have learnt from the example of their facilities at The Great House at Sonning, that they require extra parking. They have expressed how the 46 room hotel and restaurant will now outstrip the 117 parking spaces on site, despite previously explaining that the physical extensions to the building would not materially affect the number of visitors to the site and as such, would not have any impact on the local road network or on the parking provision on the site.. What they neglect to express is that they have introduced a gym with a 550 user membership, coffee shop, coaching in paddle boarding, yoga and open water swimming among other services and uses. An example of how the applicant has chosen to expand the business unsustainably is through the comparison of licensing numbers for the venue. The previous license that the Swan held at the time of application 16/02364/FUL and 17/01562/FUL allowed 160 people seated in a composite use, this has increased to 450 people in the 'Coppa Club Restaurant and Bar', 250 in the events space and 76 in the hotel bar. The increase in numbers of people in the license application shows how the intensification of the use of the site has been promoted by the owners regardless of the limited amount of on-site, (or even on-street) car parking provision. They have now sought to resolve the problem they have created but at the expense of the countryside.
- 8.3. A similar process has occurred at the Great House Sonning which the applicants created unauthorised development in the form of a car park to facilitate extra parking for the hotel and restaurant uses in this area. The applicants have acknowledged how the Great House at Sonning has informed their predicted level of car parking need at The Swan and as previously explained the applicants have chosen to intensify the use of the site creating this problem. This same situation occurred at the Great House Sonning and the inspector noted in appeals (3198114 and 3198115) that ;

"Inconsiderate and uncontrolled parking has the potential to undermine the character of the surrounding area including the conservation area. But the demand for additional parking is being created by the Hotel exacerbating an existing situation. The car parking will not alleviate the existing parking situation but is responding to the extra demand being created by the Hotel. I recognise the social and economic benefits of business growth but on balance I conclude that the identified harm outweighs the benefits."

- 8.4. The above description of the situation at The Great House at Sonning aligns very closely with the current situation at The Swan at Streatley, whereby the parking is responding to the extra demand being created by the way that the hotel itself is used. The applicant confirms that

they now conscious that the current redevelopment works will “notably increase parking demand”.

- 8.5. The Council has requested that the applicants produce a formal assessment of the expected impact on the local road network in respect to safety, flows and convenience from successful and unsuccessful attempts to park at the site. The increased intensification beyond that approved in applications 16/02364/FUL and 17/01562/FUL and the increase in vehicle trips to the site from the extra car parking needs to be assessed, however the applicant has responded to the council's requests by saying “the surveys requested are unlikely to notably further understanding, they would though mean considerable expense and delays to the application.”. The applicants are happy to accept that the Great House has helped inform their predicted need for car parking but does not wish to provide traffic surveys to back this claim up. Although the Highways officers have previously given favourable comments, the true intensity of the use of the site has slowly been revealed since their comments have been made.
- 8.6. Despite the agents arguing this proposal and the Great House appeals (3198114 and 3198115) are very different the council does not accept this argument. There are identifiable similarities between the two situations mainly that the applicant has sought to increase the intensification of the use of the site before securing adequate car parking. Then they seek to argue that the extra cars will cause parking chaos and avoiding this issue should overrule all other materials considerations.
- 8.7. The applicants have identified that should this proposal not be approved the displaced cars are likely to park on Streatley High street causing congestion. The applicants have provided an assessment of parking provision on Streatley High Street which states that there are around 10/11 free spaces at their survey times. They argue that this would be clearly insufficient to make up for the shortfall in parking on site arising from the chosen intensification of the use of hotel and restaurant that the applicants have created from such a large bar, hotel, restaurant and gym. A similar argument that a lack of parking would cause on street parking to increase was used in the Great House at Sonning Appeal (3198114 and 3198115) to which the planning inspectorate noted

“The Appellant argues that the closure of the car park will not reduce the demand for parking created by the Hotel and that customers will park instead on the surroundings streets causing highway safety issues, a harmful impact to the conservation area and increased harm to local residents as noise is displaced towards the centre of Sonning. But this is speculative. There is no quantitative evidence before me as to the likely effect of the closure of the car park on highway issues. The availability of car parking might attract visitors who would otherwise choose an alternative venue.”

Whilst every proposal must be, and is here assessed on its individual merits, this final comment by the Sonning Inspector does relate equally well to the same applicant's situation at The Swan.

- 8.8. The arguments presented to the LPA do not provide quantitative evidence in a similar manner to the above referenced appeal. When asked to provide traffic surveys to quantify the impact on the highways network in regards failed attempts to park at the site the applicants decline to submit the information, stating that the information would be “unlikely to notably further understanding”. Notwithstanding that response, Officers are of the view that a greater understanding of the impact of additional, permanent, on-site parking, is essential. That information may illustrate the need for different considerations to be applied by the Highway Officers and in the Planning consideration in terms of traffic generation, safety and flow in the area, and specifically related to the activity generated by that provision being made to serve the now intended (and known) combination and intensity of uses.
- 8.9. Given the information surrounding the appeals at the Great House Sonning informs the applicant of their predicted need for parking it also informs the LPA of the inspectors opinions on the similar arguments made. As a result of the predicted intensification of the use created by

choice by the applicant, officers have justifiably sought for the applicant to quantify this increase they are convinced of through traffic surveying as explained above. The applicant has declined to provide these and as such the local authority has a lack of information to judge impacts on the local highways. Additionally in line with the inspectors view in the Great House appeals (3198114 and 3198115) there is insufficient quantitative data that shows that just because the 10 available spaces on Streatley High Street are likely to fill up there is no evidence to say this will lead people to park illegally or unsocially. In conclusion there is insufficient information to come to a firm conclusion of the implications of the application on the local highway network despite requests made for documents. As such there is insufficient information in that respect, to determine the application against CS13 of the West Berkshire Local Plan 2006-2026.

9. The Impact on Flooding and Drainage

- 9.1. The Core strategy describes in CS16 the local development sequential approach in accordance with the NPPF will be strictly applied across the District. Development within areas of flood risk from any source of flooding, including Critical Drainage.
- 9.2. Areas and areas with a history of groundwater or surface water flooding, will only be accepted if it is demonstrated that it is appropriate at that location, and that there are no suitable and available alternative sites at a lower flood risk. When development has to be located in flood risk areas, it should be safe and not increase flood risk elsewhere, reducing the risk where possible and taking into account climate change.
- 9.3. The Environment Agency has objected to the application as the site is located within Flood Zone 3b it would therefore be defined in Table 1 of the PPG and NPPF as Functional Floodplain. Additionally the West Berkshire Borough Strategic Flood Risk Assessment (SFRA) notes that the area of development is where water has to flow or be stored in times of flooding. The additional information noted in the Peter Brett letter dated 15th January does not change this. The Environment Agency considers the proposed development of a car park to be 'Less Vulnerable' in relation to the development types as set out in Table 2 of the PPG. In accordance with Table 3 of the PPG, 'Less Vulnerable' development within Flood Zone 3b should not be permitted. The Environment Agency in consultation with the Local Authority has suggested that the decision remain with the LPA. The Environment Agency has suggested a number of conditions that should be applied should the LPA wish to overrule the Environment Agency's objection.
- 9.4. The LPA's Land Drainage Officer is of the opinion that despite the EA's refusal reason there is no reason to refuse the Application other than the formal EA Policy Objection. This is because in practice the proposals can avoid changing the topography of the site overall and hence not adversely affect flood storage. The development could therefore be approved with planning conditions. The Land Drainage Engineer would therefore be happy to accept this approach.
- 9.5. The Applicant's FRA deals with flood risk to the site (albeit not to the satisfaction of the EA) and it acknowledges that much of the area is vulnerable to being inundated as would be expected for an FZ3b area (FRA paras 3.4.3-3.4.6). However the layout plan and FRA state that there will be no net increase in ground levels (FRA para 5.1.3), thus there will be no overall loss of flood storage. However, design details so far submitted do not fully show that this will be achieved so provision of further information such as site-specific cross sections and cut/fill maps should be conditioned.
- 9.6. The FRA also states that use of the new development (the car park) will be limited to use outside of periods of flood which are advised by the EA, with the car park cleared and gate locked when flood is expected or in progress. Furthermore, the car park is only proposed as an overflow car park for special events at the hotel when hotel usage is expected to be high (FRA para 5.4.2). Although the Land Drainage Engineer was of the view that restrictions to the use of the site could be applied outside of those times whereby high flood risk is to be expected the

case officer is of the opinion that this suggested condition would be overly onerous, difficult to enforce and imprecise.

9.7. In order to protect water quality, porous surfacing is proposed for the car park using 'no fines' gravel and French drains with no outlets (Portus Whitton drawing 1550/A/4/C) to encourage infiltration of surface water run-off into the ground much as that which occurs currently. The suggest conditions by the Land Drainage Engineer would result in a development that is in accordance with CS16 of the West Berkshire Core Strategy (2006-2026).

10. Trees and Ecology of the Site;

10.1. Policy CS17 refer to the need to conserve and enhance biodiversity assets across West Berkshire. The application was submitted with an ecological assessment report, which indicates that the site, would have a negligible impact on the habitats of bats, greater crested newts, otters, and water voles, badgers, breeding birds or other reptiles. The proposal is not considered to be harmful to any habituates or species of principal importance, and accords with policy CS17 subject to conditions.

10.2. The councils ecologist notes that there is a need to condition the 5m works buffer (avoidance of pollution) and the lighting (bats) as per para 4.3.1 and additionally it is necessary to condition the enhancements. These include 2 bat boxes as per 5.2.3 and 2 bird boxes as per 5.2.5 of the submitted ecological assessment report.

10.3. The Tree Officer has noted that the plans provided have identified the trees at the site as indicative circles only, and provided no further supporting information on the trees, therefore the potential impact on trees was determined during the tree officer's site visit.

10.4. The proposed changes within the existing car park area have no direct impact on trees, the area of the proposed new overspill car park contains very little vegetation, although the boundary of the site does contain a number of trees and hedges, which would appear to not be affected by the proposed changes.

10.5. The new surface type is a mix of grass and a graveled access road, which is a significant distance from any trees, the site has been recently landscaped along the riverside boundary and the area adjacent to the existing car park. Whilst the boundary trees are unaffected by the works and there is sufficient space at the site for the storage of materials within the existing parking area, the level of engineering works and movements at the site, adjacent to the trees to be retained, may inadvertently mean some encroachment in the RPA's occurs, which could easily be prevented.

10.6. Therefore, it would be prudent to ensure the trees off the site are provided with a suitable level of protection throughout the works. The details contained within the tree informative, should be sufficient to cover this requirement.

11. Archaeology of the Site;

11.1. The Archaeologist noted that there may be archaeological issues relating to groundworks and requested clarification on the degree of disturbance involved. An Archaeological written scheme of investigation was subsequently submitted alleviating the Archaeologists concerns and removing the need for any pre commencement conditions. The application is considered to be acceptable in regards to the impact on the archaeology of the site.

12. Community Infrastructure Levy.

12.1. The proposed works are not within a category of development which is liable for CIL payment.

13. Other Matters

- 13.1. Paragraph 54 of the NPPF is clear that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. The NPPF goes on to state at paragraph 56 that conditions should only be imposed where they are necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects. It is also clear that whether it is appropriate for the Local Planning Authority to impose a condition on a grant of planning permission will depend on the specifics of the case.
- 13.2. A Management Plan for the car park has been suggested by the applicants but not submitted. Although this document could be conditioned for the effective management of the car park it would not overcome the refusal reason of harm to the AONB. There would still be 87 cars parked damaging the Riparian Nature of the site next to the Thames in AONB. The management of how and when the cars are park is not considered to overcome the harm to the AONB, which is afforded the highest level of protection as per paragraph 172 of the Framework. Additionally there are concerns that such a condition would not meet all the tests set out in paragraph 56 as discussed above.
- 13.3. Planning conditions cannot be used to restrict parking or allow parking only by a certain group. Advice is given with the National Planning Practice Guidance that permission runs with the land and it is rarely appropriate to provide otherwise. Additionally the PPG goes onto state that *“a condition limiting the benefit of the permission to a company is inappropriate because it shares can be transferred to other persons without affective the legal personality of the company”*.
- 13.4. In light of this the LPA cannot stipulate that the parking be retained for public benefit. The application is not personal to the applicants who currently allow the public to utilise parking at The Swan. However this could be sold, or another operator brought in who could change this arrangement as per the example given in the PPG. Given the existing parking is dedicated to the hotel and outside of the red line it cannot be restricted or stipulated that it is retained for public benefit. Given this issue the public benefits of the application as expressed by the letters of support cannot be guaranteed through planning conditions.
- 13.5. It should also be noted in response to the Parish Council’s comments that restrictions to the use of the land or any further development would not meet the six tests of the planning practice guidance. The land could, if permission is granted, be considered as previously development land in the future therefore reducing the LPA’s ability to resist future development.
- 13.6. It is therefore considered that the refusal reasons in regard to the impact on the AONB and the setting of the listed building and conservation area cannot be overcome by conditions.

14. The Planning Balance and Assessment of Sustainable Development

- 14.1. The NPPF states there is 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.
- 14.2. Being a proposed overspill car park for a business, the scheme has economic considerations in conjunction with the short term benefit of construction and long term benefit to the community, however as discussed in the report above the identified benefit to the community in terms of providing additional parking isn’t be guaranteed or secured. The Environmental considerations have been assessed in terms of design, amenity and impact on the historic character of the area and the AONB. The social considerations overlap those of the environmental in terms of amenity.

- 14.3. As discussed within this report above there is clear harm to the riparian water meadow nature of the site. The consultees such as the North Wessex Downs AONB officer are concerned in regards to the harm to the AONB that this development will bring. The applicants have argued that the development will support the business at its peak times however these would coincide with the peak times of use of the Thames Path. Additionally the harm to the AONB would be constant. The applicants have expressed how there is public benefit to this application given that The Swan allows members of the public to park free of charge and without approval this benefit would be withdrawn. The development is not considered to conserve or enhance the AONB as required by both local and national policy. The public benefit is at best modest and without guarantee. As a result of this the benefit does not outweigh the permanent and tangible harm to this important part of the AONB. The Conservation Officer has noted that the development would have an adverse and urbanising impact on the setting of the Conservation area which the Village Design Statement and Conservation Area actively seek to preserve. The proposed development is within a flood plain but although the Environment Agency have concern the Lead Local Flood Authority is content that the development could be controlled in such a way as to not compromise the flood plain. The site can be conditioned to protect the ecology of the site and the trees but by doing this the landscaping compromises the nature and character of the riparian site with little securable public benefit.
- 14.4. The physical extensions to the hotel have already been approved with regard to a level of activity envisaged at the site and this is unaffected by the desire for overflow parking. The applicant contends that if the parking is not approved customers are likely to park on the street. With regard to relevant considerations relating to this specific application, although judged on its own merits, reference is made here to the appeal decisions attached (which relate to another of the applicant's hotels), and specifically paragraphs 16 and 17 of that Inspector's decision. The applicant has also noted that they would likely restrict the existing car park to customers of the hotel if this application is not approved. This is for the applicant to decide but displays how the public benefit claimed for this application is easily withdrawn and difficult to secure long term. This report shows how the need for car parking at the site has resulted from the applicants desire to intensify the use of the existing hotel permission beyond its parking provision capabilities. The proposal then argues that without this extra parking, congestion and parking chaos will result in the immediate vicinity. The level of parking spaces on Streatley High Street has been assessed at around 10/11 spaces. Once these have filled up there is no evidence customers will park illegally or unsocially. Given the location the opportunities to do so are minimal as well. As with the very similar appeal at the Great House in Sonning the applicant argues the harm found to the AONB and Conservation area should be outweighed by the very problem it has created itself by targeting unsustainable growth in terms of a mismatch between hotel/restaurant capacity and parking provision.
- 14.5. Although West Berkshire Policies support business growth it must be sustainable and balanced against the protection of the AONB and West Berkshires Conservation Areas. It would appear that the hotel intends to grow unsustainably without the necessary parking in place and its overspill parking solution, to enable this growth, would have a demonstrable negative impact on the AONB and Conservation area making it unsustainable.
- 14.6. In the planning balance the case officer notes the NPPF gives great weight to the conservation and enhancement of the AONB. The case officer can give only limited weight to the public benefit expressed by supporters and the applicant as this provision is uncertain in the long term. The case officer gives weight to the intended business growth, assisted by this development, and also gives weight to the need to protect the AONB, the landscape and conservation matters.
- 14.7. Therefore in weighing the two issues of harm to the AONB and Setting of the Conservation area against the limited public benefit and business growth benefit, it is considered that the harm to the AONB and setting of the Conservation area outweigh the benefits of the application in the planning balance. The application is therefore recommended for REFUSAL on those grounds, and also with regard to uncertainty arising from the lack of an opportunity to fully assess the

highway impacts because of the lack of information provided to allow that up to date assessment.

14.8. In light of the above and in consideration the proposed development is found to note be in accordance with of The National Planning Policy Framework (2019) and Policies ADPP1, ADPP5, CS13, CS14, and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 Policies RL5A of the West Berkshire District Local Plan 1991-2006 (Saved Polices 2007). Additionally the Streatley Conservation Area Appraisal, Streatley Village Design statement and the AONB NWD Management Plan.

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

Impact on the North Wessex Downs Area of Outstanding Natural Beauty

In accordance with Paragraph 172 of the National Planning Policy Framework Great weight should be given to conserving and enhancing the landscape and scenic beauty in Areas of Outstanding Natural Beauty, which are afforded the highest status of protection. This objective is supported by the Core Strategy where Policies ADPP5, CS14 and CS19 similarly seek to ensure that appropriate and sustainable development conserves and enhances the special landscape qualities of the area. The application site is sensitively located and visible from a number of public vantage points to include prominent views from the Thames National Trail and other public rights of way (Streatley Byway 12/1, Footpath 5/1 and 5/3 and Streatley Footpath 25/3), the river Thames itself which is a well navigated river, its lock and wiers and Streatley and Goring Bridge. The water meadow and its riparian character is important to the setting of this part of Streatley. The loss of this field to a car park, thus allowing for up to 87 cars to be parked will have an urbanising and significantly detrimental impact on the setting and rural character of the area. Furthermore the need for external lighting, while kept to a minimum, will have an adverse impact on the dark night skies. While mitigation measures are proposed these itself would result in a reduction of inter-visibility between Thames Path users and the AONB and change the landscape character of this area.

The benefits of the proposal do not outweigh the harm to the landscape character of the area and the detrimental visual impact of the development. The proposal is therefore contrary to the NPPF, specifically para 8, 127, 170 and 172. It is also contrary to local plan policies ADPP5, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026) and policy RL.5A of the West Berkshire Local Plan 1991-2006 (Saved policies 2007). Additionally the development is contrary to the objectives/policies of the AONB NWD Management Plan and the Streatley Village Design Statement (adopted 2006) which specifically recognises the meadows as a key feature appreciated by both local residents and the many visitors who make frequent use of the Thames Path.”

Conservation Area and Setting of the Listed Building Refusal Reason

The Conservation Area’s significance is derived from the interaction or interrelationship between the river, the surrounding open countryside, the linear pattern historic development, and the open spaces and vegetation within the Conservation Area. There are frequent views throughout the Conservation Area into the surrounding countryside. This constant visual link with the countryside makes a significant contribution to, and is an important component of the character and appearance of the Conservation Area. Whilst some of these views are limited to narrow glimpses, they are nevertheless part of the cumulative appreciation of the way in which the village has developed and how it remains linked to its countryside hinterland. Indeed, the village’s character owes much to the mix of buildings and open spaces, and the soft boundary between the village and its rural surroundings. When the area is filled with cars the overriding visual impact would be from cars.

The proposed overspill parking area would still be visible from the vicinity of Goring Lock to the east. Although the planting might eventually screen the views of the proposed car park, the planting will also block views of the meadow and its role in the setting for the Conservation Area.

The proposed development would have a harmful urbanising impact on the character of the site, both from the visual impact of the cars, as well as the noise and light associated with the cars. The benefits of the application do not outweigh the harmful impact the proposed development would have. The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and conservation Areas) Act 1990, the NPPF, para 189, 190, 194 - 196 and Policy CS19 of the West Berkshire Core Strategy (2006-2026), which seeks to protect the setting of heritage assets.

Lack of Information on Traffic and Highway Implications

The Council has requested that the applicants produce a formal assessment of the expected impact on the local road network in respect to safety, flows and convenience from successful and unsuccessful attempts to park at the site. The increased intensification of use beyond that revealed in the extension applications 16/02364/FUL and 17/01562/FUL, and the increase in vehicle trips to the site and the extra car parking, should be assessed. The applicants have however responded to the Council's requests by saying "the surveys requested are unlikely to notably further understanding", and have declined the opportunity to provide that additional and up to date information for due consideration.

There is therefore insufficient information to fully assess the implications of the application on the local highway network despite requests made for documents. As such there is insufficient information to satisfactorily determine the application against CS13 of the West Berkshire Local Plan 2006-2026 and the National Planning Policy Framework (2019).

The Great House appeals (3198114 and 3198115)



Appeal Decisions

1. Site visit made on 13 February 2019 by **Sandra Prail MBA, LLB (Hons), Solicitor (non-practising)**

an Inspector appointed by the Secretary of State

Decision date: 04 March 2019

2. **Appeal A Ref : APP/Q3115/C/18/3198114**

Land at Frizers Farm, Sonning Eye, Reading, Oxfordshire, RG4 6TN.

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by The Great House at Sonning Ltd against an enforcement notice issued by South Oxfordshire District Council.
- The notice was issued on 1 February 2018.
- The breach of planning control as alleged in the notice is without planning permission, the construction of a car park comprising an area of hard surfacing, an earth bund, bollard lighting and a customer waiting shelter.
- The requirements of the notice are to (i) dig up and/or otherwise remove from the land all the features described in paragraph 3 of the notice above, including all materials arising therefrom, (ii) reseed with grass the areas affected by the works described in (i) above.
- The period for compliance with the requirements is three months.
- The appeal is proceeding on the grounds set out in section 174(2) (a), (c), (f) and (g) of the Town and Country Planning Act 1990 as amended.

3. **Summary of Decision: the appeal is dismissed and the enforcement notice is upheld with variation**
Appeal B Ref : APP/Q3115/C/18/3198115
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Land at Frizers Farm, Sonning Eye, Reading, Oxfordshire, RG4 6TN.

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by The Great House at Sonning Ltd against an enforcement notice issued by South Oxfordshire District Council.
- The notice was issued on 1 February 2018.
- The breach of planning control as alleged in the notice is without planning permission, the material change of use of the land from agriculture to use as a car park.
- The requirements of the notice are to stop using the land as a car park.
- The period for compliance with the requirements is two months.
- The appeal is proceeding on the grounds set out in section 174(2) (a) and (g) of the Town and Country Planning Act 1990 as amended.

4. **Summary of Decision: the appeal is dismissed and the enforcement notice is upheld**

Appeal A

5. **Ground (c) appeal**

1. This ground of appeal is that there has not been a breach of planning control. A breach of planning control is development without the required planning

permission. Development is defined in section 55 of the 1990 Act to include a building, engineering, mining or other operation in, on, over or under land. Planning permission is granted for certain permitted development by virtue of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (the GPDO).

2. The Appellant argues that, with the exception of the installation of the bollard lights and shelter, enforcement action cannot be taken because the works have been carried out by virtue of agricultural permitted development rights.
3. Agricultural permitted development rights are set out in Schedule 2 Part 6 Class A of the GPDO subject to certain specified conditions and limitations. Class A Part 6 applies to the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of works for the erection, extension or alteration of a building or any excavation of engineering operations which are reasonably necessary for the purposes of agriculture within that unit.
4. The evidence before me is that the hard surfacing the subject of the notice has been laid for the purposes of providing a car park. There is no evidence that the hard surfacing is reasonably necessary for the purposes of agriculture. The hard surfacing does not therefore benefit from agricultural permitted development rights and requires planning permission.
5. The Appellant argues that the earth bund does not comprise development and is merely a pile of earth.
6. The earth bund forms one side of the car park and separates the car park from the agricultural yard and barns. It is significant in size and has a degree of permanence. It is more than de minimis in scale. I consider that it is reasonable on the facts of this case to consider the construction of the earth bund to comprise development being a building, engineering or other operation for the purposes of section 55 of the 1990 Act as amended. It does not enclose the car park and therefore cannot benefit from permitted development rights which apply to a means of enclosure.
7. I conclude as a matter of fact and degree that the earth bund comprises development and requires planning permission.
8. For the reasons given above I conclude that the ground (c) appeal does not succeed.

Ground (a) appeal and deemed planning application

6. Main Issues

9. The main issues in the determination of this appeal are the effect of the development on (i) the character and appearance of the area (ii) agricultural diversification.

7. Character and appearance

10. The development plan (including the South Oxfordshire Core Strategy and the South Oxfordshire Local Plan) mirrors the National Planning Policy Framework (the Framework) in emphasising the importance of development that respects its setting. Policy C4 of the Local Plan states that development which would damage attractive landscape settings will not be permitted. The development plan reflects the legislative duty that special regard must be paid to the desirability of preserving or enhancing the character or appearance of a conservation area and the importance of the setting of listed buildings. Policy CON7 states that proposals for development outside a conservation area which would have a harmful effect on the conservation area will not be permitted. Policy CON5 states that development which would adversely affect the setting of a listed building will be refused. Policy CSEN3 provides that heritage assets and their settings should be conserved and enhanced.
11. The appeal site sits within the settlement of Sonning Eye and is adjacent and opposite the Sonning Eye Conservation Area which covers much of the wider village setting. A grade two listed building, Frizers Farm Barn, is located opposite the access to the car park. The site is bounded to the southeast by residential development, to the northeast by agricultural land and to the northwest by agricultural hardstanding and barns. It is accessed from the B478 from an existing junction to the farmyard. The site is some 500m from the Great House Hotel (the Hotel) which lies across the River Thames and is within the boundaries of the neighbouring Wokingham Borough Council.
12. The notice the subject of Appeal A concerns an area of hard surfacing, an earth bund, bollard lighting and a customer waiting shelter. Although the shelter was not in place at the time of my site visit I must consider the development at the time of the issue of the notice.
13. The site sits between the settlement edge of Sonning and the agricultural buildings of Frizers Farm. Whilst I acknowledge that the site is screened behind existing trees and vegetation it is visible from public viewpoints. I agree with the landscape and visual impact assessment presented by the Appellant that the significance of the development is highly localised confined to the immediate context of the site but I consider that the localised impact creates harm to the character and appearance of the area. It fails to conserve or enhance the setting of the Conservation Area. It introduces an urban, commercial element which is alien to its setting. The bollard lighting and waiting shelter in particular are features which are not in keeping with or characteristic of the surrounding area. They represent incongruous features which are not characteristic of the wider conservation area or the agricultural surroundings.
14. I have considered the effect of the development on the listed building nearby. The car park is not in sufficiently close proximity to affect its setting.
15. As a matter of fact and degree I conclude that the development causes harm to the character and appearance of the surrounding area and fails to conserve or enhance the setting of the conservation area. It does not accord with relevant policies in the development plan, including policy CON7 and CSEN3 of the Local Plan.
16. I have weighed this harm against the benefits of the development and other material planning considerations. There is no doubt that there is a lack of onsite parking for the continued expansion of business at The Hotel and that onstreet parking is not widely available. Inconsiderate and uncontrolled parking has the potential to undermine the character of the surrounding area including the conservation area. But the demand for additional parking is being created by the Hotel exacerbating an existing

situation. The car parking will not alleviate the existing parking situation but is responding to the extra demand

being created by the Hotel. I recognise the social and economic benefits of business growth but on balance I conclude that the identified harm outweighs the benefits.

17. The Appellant argues that the closure of the car park will not reduce the demand for parking created by the Hotel and that customers will park instead on the surrounding streets causing highway safety issues, a harmful impact to the conservation area and increased harm to local residents as noise is displaced towards the centre of Sonning. But this is speculative. There is no quantitative evidence before me as to the likely effect of the closure of the car park on highway issues. The availability of car parking might attract visitors who would otherwise choose an alternative venue.
18. The Appellant also argues that permitted development rights would allow the continued use of the car park for not more than 28 days in total in any calendar year. But I am not persuaded on the evidence before me that this is likely to be implemented as it would not meet customer needs. This reduces the weight I attach to it as a fall-back position.
19. I have considered whether conditions could overcome the identified harm. I have taken into account the Planning Practice Guidance. The Appellant proposes landscaping and hours of operation conditions or a temporary time limited consent. I do not consider that such conditions would overcome the identified harm.

8. Agricultural diversification

20. Policy A3 of the Local Plan provides that proposals to diversify the agricultural industry will be permitted provided certain specified criteria are met. These criteria include that there are no overriding amenity, environmental or highway objections.
21. In this case I have found harm to the character and appearance of the area and therefore the criteria in policy A3 are not met on the facts.
22. The benefits in favour of the development do not outweigh the identified harm. There is no compelling justification before me as to why the policy should be set aside in this case. To do so without adequate justification would undermine the Council's objectives of ensuring that agricultural diversification is warranted.
23. I conclude that the development fails to accord with policy A3 of the Local Plan and material planning considerations do not indicate that the development should be permitted contrary to the development plan.

Conclusion

24. For the reasons given above I conclude that the ground (a) appeal should not succeed and planning permission should not be granted on the deemed planning application for the development already carried out.

9. Ground (f) appeal

25. This ground of appeal is whether having regard to the purpose for which the notice was issued, the steps exceed what is necessary to meet that purpose.
26. There are two purposes which the requirements of an enforcement notice can seek to achieve. The first is to remedy any breach of planning control that has occurred. The second is to remedy any injury to amenity which has been caused by the breach.

27. The Appellant argues that the steps required are excessive and go beyond what is required to remedy the breach of planning control. The Appellant argues that the majority of the development could have been undertaken as agricultural permitted development and that therefore it is reasonable to retain most of the stone on site for agricultural purposes either as a hardstanding in its current position or for use elsewhere on the farm. A lesser step is proposed of reducing the site's size at the north eastern end restoring to grass only that area within 25 metres of the road. The Appellant also argues that the seeding of grass will have no material impact on the reasons given for issue of the notice.
28. In this case the notice provides for removal of the unauthorised development and reseeded. Its purpose is to remedy the breach and restore the land to its condition before the breach took place. The photographic evidence before me is that the site was grass prior to the breach. No lesser steps would satisfy the purpose of the notice.
29. But an enforcement notice should not be punitive and therefore I have considered whether the lesser steps proposed by the Appellant would remedy the injury to amenity caused by the breach. I conclude that they would not.
They would not remove the injury caused by bollard lighting or the shelter. There is no evidence before me that hardstanding is reasonably necessary for the purposes of agriculture and therefore I cannot be satisfied that the fall back position is likely to be implemented and therefore this limits the weight that I have attached to it. I consider that reseeded would return the land to its condition before the breach took place and remedy the injury to amenity.
30. I consider that the requirements of the notice are not excessive and the ground (f) appeal does not succeed.

10. Ground (g) appeal

31. This ground of appeal is that the period for compliance with the notice is unreasonably short.
32. The notice has a compliance period of three months. The Appellant argues that it would be more appropriate to wait for the optimum grass planting season (early Autumn).
33. The first requirement of the notice is not seasonally dependent. I consider three months to be a reasonable period in which to remove the operational development and there is nothing before me to suggest that this is not achievable.
34. I agree that the requirement to re-seed should reflect the planting season. I consider that varying the notice will not cause injustice to either party and I shall amend the compliance period to 6 months to align with the optimum time for reseeded. To this limited extent the ground (g) appeal succeeds.

Appeal B

Ground (a) appeal and deemed planning application

11. Main Issues

35. The main issues in the determination of this appeal are the effect of the development on (i) highway safety, (ii) the living conditions of occupiers of nearby residential properties with particular regard to noise and disturbance, (iii) the character and appearance of the area and (iv) agricultural diversification.

12. Highway safety

36. The development plan mirrors the Framework in emphasising the need to maintain highway safety. Policy T1 of the Local Plan requires development where appropriate to meet specified criteria including providing safe and convenient routes for pedestrians.
37. The route between the car park and the Hotel is along the B378. This route has no street lighting and a 30 mph speed limit. A section of the route has no footpath. The road is busy and includes a bridge and sharp bend.
38. On site car parking at the Hotel is insufficient to meet business needs. The Appellant uses the unauthorised site as an overflow car park and operates a mini-bus service to transport customers between the car park and the Hotel. The mini-bus service operates every 15 minutes Wednesday to Sunday primarily when the Hotel is hosting events such as weddings. The Appellant continues to investigate other parking solutions and considers the development a temporary solution pending a permanent scheme but nevertheless argues that the service provides safe and convenient access between the car park and the hotel.
39. But I have no reason to doubt the representations from local people and the Parish Council who describe customers regularly walking in the carriageway between the car park and the Hotel. The mini-bus service cannot be enforced and there is a real likelihood of customers making the journey by foot. I agree with the Local Highway Authority that the route is unsuitable for pedestrians and comprises a risk to highway safety not only for the pedestrians but for other highway users in the vicinity. Pedestrian facilities are below current design standards in terms of width and a section of the route has no footway. The route is unlit and the inadequate footway along a busy road encourages walking in the carriageway. The car park has space for approximately 60 cars and therefore the potential for a significant volume of pedestrian activity. The route is particularly unsafe for people with mobility difficulties or with pushchairs and the risk is exacerbated by the fact that use will potentially be during hours of darkness and following the consumption of alcohol. I acknowledge that there is no evidence of accidents before me but this is not a positive argument in favour of the development and local people describe incidents where people have been hit by wing mirrors of passing cars.
40. I find the development to be contrary to policy T1 of the development plan and the Framework. It causes harm to highway safety.
41. I have taken into account the benefits of the scheme including the economic benefits and the potential for further on street parking but these factors do not outweigh my concerns.
42. I have considered whether conditions could overcome the identified harm. I have taken into account the Planning Practice Guidance and the conditions proposed by the parties in the event that the appeal is allowed. I do not consider that planning conditions could overcome the identified harm. Whilst I note that the Appellant is actively pursuing an alternative permanent solution there is no agreed scheme in place and I cannot be certain that one will be available. Planning permission should not be granted.
43. The Appellant has advised that agreement for a footpath on neighbouring land has been secured. But there is limited detail before me. I cannot be certain on the limited information before me that such a scheme would overcome the harm to highway safety. Without more certainty as to the proposed scheme it would not be reasonable to rely upon conditional planning permission to remedy the identified harm.

13. Living conditions

44. Policy EP2 of the Local Plan provides that development which would by reason of noise or vibrations have an adverse effect on existing or proposed occupiers will not be permitted unless effective mitigation measures will be implemented.

45. The site is located opposite and adjacent to residential dwellings. The Appellant says that there have been no complaints lodged with the Hotel during the 18 months that the car park has been in operation but there are objections before me in this appeal. Whilst I recognise that local residents can expect more noise and disturbance than would be appropriate in a wholly residential area and that there is another hotel restaurant nearby local residents express concern about noise from cars and people using the car park and the closure of the metal gates which affects the quiet enjoyment of their properties. Whilst I note that the Appellant asks its customers to leave quietly this is not a matter within its control and this disturbance often occurs late at night when it has most adverse impact on the living conditions of residential neighbours.
46. I conclude that the development causes undue harm to the living conditions of occupiers of nearby residential properties with regard to noise and disturbance contrary to policy EP2 of the Local Plan.
47. I have considered whether conditions could overcome this harm but I do not consider any would do so.

14. Character and appearance

48. The use of the site as a car park for as many as 60 cars changes the character of the land. Such a large scale expanse of vehicles is not in keeping with the character and appearance of the area. It is alien to its surroundings and causes harm to the adjoining conservation area.
49. I have considered the effect of the development on the listed building nearby. I agree with the parties that it does not as a matter of fact and degree affect its setting.
50. As a matter of fact and degree I conclude that the development causes harm to the character and appearance of the surrounding area. It does not accord with relevant policies in the development plan.
51. I have considered whether conditions could overcome the identified harm. I have taken into account the Planning Practice Guidance. The Appellant proposes landscaping and hours of operation conditions or a temporary time limited consent but I do not consider this would remedy the identified harm including the serious risk to highway safety.

15. Agricultural diversification

52. Policy A3 of the Local Plan provides that proposals to diversify the agricultural industry will be permitted provided certain specified criteria are met. These criteria include that there are no overriding amenity, environmental or highway objection.
53. In this case I have found harm to the living conditions of local people by reason of noise and disturbance, highway safety and the character and appearance of the area and therefore the criteria in policy A3 are not met on the facts.
54. There is no justification before me as to why the policy should be set aside in this case. To do so without adequate justification would undermine the Council's objectives of ensuring that agricultural diversification is warranted.
55. I conclude that the development fails to accord with policy A3 of the Local plan and there are no material planning considerations that indicate that the development should be permitted contrary to the development plan.
56. I have considered whether there are material considerations that indicate that permission should be granted. The Framework objective of building a strong competitive economy attracts considerable weight and I have taken into account the Appellant's arguments that the car park is necessary to support business expansion. But this development is not sensitive to its surroundings and does not have an acceptable impact on local roads. There is no doubt that there is a lack of onsite parking for the continued

expansion of business at The Hotel and that onstreet parking is not widely available. The car parking will not alleviate the existing parking situation but is responding to the extra demand being created by the Hotel. I recognise the social and economic benefits of business growth but on balance I conclude that the identified harm outweighs the benefits.

57. For the reasons given above I conclude that the ground (a) appeal should not succeed and planning permission should not be granted on the deemed planning application for the development already carried out.

16. Ground (g) appeal

58. This ground of appeal is that the period for compliance with the notice is unreasonably short.

59. The notice has a compliance period of two months. The Appellant argues that this is too short as it does not provide sufficient time to secure alternative parking arrangements and the loss of parking will severely damage the business. A period of 12 months is proposed.

60. I have balanced competing interests. The private interest of the Appellant in running a successful business and the public interest in not allowing the identified harm to continue for longer than is necessary. There is no argument before me that the Hotel is unviable without the off site car parking provision. Whilst business growth is a material consideration it does not outweigh the identified harm, in particular the serious risk to highway safety. On balance I find that a two month compliance period strikes an appropriate balance.

61. For the reasons given above the ground (g) appeal fails.

Formal Decisions

17. Appeal A

62. It is directed that the enforcement notice be varied by substituting the following for the time for compliance in paragraph 6 of the notice ` Step (i) three months; step (ii) six months after this notice takes effect'. Subject to this variation the appeal is dismissed and the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

18. Appeal B

63. The appeal is dismissed and the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

S.Prair

19. Inspector