

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(3)	19/01171FULD	21/06/2019	Demolition, salvage and rebuild of the existing buildings to create three live-work units together with access, landscaping and associated works.
	Extension of time	14/08/2019	
	Brimpton Parish Council		Blacknest Farm, Brimpton Common, Reading, Berkshire, RG7 4RN Feltham Properties

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/01171/FULD>

Recommendation Summary: **The Head of Development and Planning be authorise to REFUSE planning permission**

Ward Member(s): Cllr Dominic Boeck

Reason for Committee Determination: Called-in the Ward Member should the application be recommended for refusal – “Local residents and Brimpton Parish Council have expressed concerns about the condition of the existing buildings.”

Committee Site Visit: 31.07.2019

Contact Officer Details

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1. Site History

Demolition, salvage and rebuild of the existing buildings to create three live-work units together with access, landscaping and associated works.

Ref. No: 18/02134/FULD | Status: Refused

Outline planning permission for erection of replacement dwelling. Matters to be considered: Access, Scale and Layout.

Ref. No: 17/01844/OUTD | Status: Approved

Conversion of the existing buildings to three live-work dwellings.

Ref. No: 17/01857/FULD | Status: Approved

Outline planning permission for five dwellings following demolition of the existing buildings. Matters to be considered: Access and Layout.

Ref. No: 16/02916/OUTD | Status: Withdrawn

Section 73: Removal of conditions under approved application 112555:

Removal of agricultural occupancy.

Ref. No: 11/01960/FUL | Status: Approved

Modification of the obligation of approved application 112555

Ref. No: 11/01655/MDOPO | Status: Approved

2. Consultations

Parish Council	The Parish Council resolved to support the application as long as the buildings are single storey only and on the same footprint as the existing buildings.
Highways	No objections subject to planning conditions.
Drainage	No comments received with 21 day consultation period.
Countryside and Environment (Public Right of Way)	No comments received with 21 day consultation period.
Ecology	Object and recommend refusal.
Waste Management	No objections.
Natural England	No comments to make on this application.
Archaeology	This applications follows previous ones where the archaeological interest of the site has been discussed. I do not believe there will be a major impact on any significant archaeological features from this proposal to rebuild the existing buildings.

Environmental Health	No objections.
AWE Blacknest	No response received within the 21 day consultee period.
Emergency Planning	No adverse comments to make.
Ministry of Defence	No comments received with 21 day consultation period.
Access Officer	No comments received with 21 day consultation period.
Basingstoke and Dean Borough Council	No objections.
Tree Officer	<p>The application has considered the trees at the site as part of the re-development, and whilst a number of low grade trees need to be removed, this is fully supported in the arboricultural report, and the loss is considered acceptable, new landscaping will mitigate the losses.</p> <p>No objection to the application subject to the recommended conditions being attached.</p>
Planning Policy	The case officer has discussed the application with planning policy who remain of the view that the proposed scheme is not for a genuine live/work development, but rather mixed use B1 office and C3 residential. The new residential development would be outside of a settlement boundary with no justification or exceptional circumstances and is therefore contrary to planning policies, ADPP1, CS1 and C1.
Officer for Nuclear Regulations	The proposed development does not present a significant external hazard to the safety of the nuclear site. Therefore, ONR does not advise against this development.
Thames Water	No objections.
Minerals and Waste	No comments received with 21 day consultation period.

3. Publicity of Application and Representations

- 3.1 The application was advertised by way of a site notice posted on the telephone post at the entrance to the site on Hockford Lane on 29/05/2019, expiring on 19/06/2019.

As yet no letters of representation have been received either supporting or opposing the proposal.

4. Policy Considerations

- 4.1 The policies relevant to this application are:

The National Planning Policy Framework 2019;

Policies ADPP1, ADPP6, CS1, CS8, CS9, CS10, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

Policies C1, C3, C4, C7 and P1 of West Berkshire Council's Housing Site Allocation DPD (2017).

West Berkshire District Local Plan 1991-2006 (Saved Policies 2007): OVS5, OVS7 and TRANS1

Additional guidance on design is supplied in:

West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (June 2006)

West Berkshire Supplementary Planning Document: Quality Design: Quality Design: Part 1 Achieving Quality Design

West Berkshire Supplementary Planning Document: Quality Design: Part 2 Residential Development

West Berkshire Supplementary Planning Guidance: Planning Obligation

West Berkshire Supplementary Planning Document: Community Infrastructure Levy: Charging Schedule

5. Description of Development

- 5.1 The site is located outside of a defined settlement boundary along Hockford Lane, west of Brimpton Common and adjacent to Scion Business Park (occupied by AWE Blacknest). Directly to the west of the

site is an open agricultural field, to the south (opposite side of Hockford Lane) are two dwellings known as Blacknest Cottage and Blacknest Lodge.

- 5.2 The site is currently contains six buildings and hardstanding with a number of trees and hedges. The storage units appear to be in a poor state of repair, whereas the larger units (proposed for housing) have previously been assessed as structurally sound and benefit from an extant planning permission 17/01857/FULD. The site is currently used by one commercial tenant. The surrounding land is rural in character, there are a small number of dispersed dwellings in the larger area. The storage units appear to have been used for purposes ancillary to the authorised use of the site rather than for separate storage use that would fall under class B8 of the use Classes Order.
- 5.3 The buildings on site are of a single storey, with the larger buildings having full height roofs capable of containing a second floor with accommodation in the roof space. The design of the buildings on site is mixed; the smaller storage units are a mixture of a converted stables with some walls of large grey brick and a half-hipped tile roof (H1 workspace), a breeze block and corrugated iron structure (H3 workspace) and a large grey brick and corrugated iron roof building (H2 workspace). Proposed dwelling H1 which is a single storey building extending the height in the centre, with a half-hipped roof, the building is a red brick with some timber detailing and a tiled roof. Existing building H2 is fully timber clad with a half-hipped tile roof. Proposed dwelling H3 is a pitched breeze block structure with a lean-to red brick extension with corrugated roofing.
- 5.4 Three buildings on site have an approved light industrial (Class B1c) use and ancillary storage buildings which appear to have originally been stables. The proposed works are for the demolition and redevelopment of the three light industrial buildings on the site to form dwellings and the conversion of the existing stables into office accommodation to form a mixed residential and associated office use of the site.

- 5.5 The site is located outside of the North Wessex Downs AONB and in flood zone 1. Inwood Copse, a local wildlife site is located approximately 300m west of the proposal site, the site is situated within a Biodiversity Opportunity Area, with a known presence of bats. The site is also located within the middle zone of the Atomic Weapons Establishment (AWE) Aldermaston.
- 5.6 The buildings on site were/are used for storage and light industrial purposes, the majority of the buildings are currently vacant.
- 5.7 The site currently benefits from extant planning permission 17/01857/FULD, for the conversion of the existing buildings on site to a mix of dwellings (C3) and office units (B1). This permission was granted as the proposal scheme was found to comply with Housing Site Allocations DPD policy C4. The current scheme does not comply with policy C4 as it does not relate to the conversion of the existing buildings on site, rather it is for the demolition and construction of new dwellings, retaining the buildings proposed for office use. There is no policy in the HA DPD which allows for the demolition of existing buildings in the countryside and their replacement with new dwellings.
- 5.8 The description of the application has been submitted as three 'live/work units', the proposed scheme includes six separate buildings, three dwellings and three B1 office units. The proposal scheme does not constitute an authentic live work development, rather it is a mixed use scheme comprising of C3 (residential) and B1 (office) units. This approach is consistent with the view taken on previous 'live/work' schemes submitted on site.
- 5.9 The agent has proposed that the application should be considered favourably when measured against the extant conversion consent as the overall sustainability of the proposal scheme would result in a more sustainable development than 17/01857/FULD by way of energy efficiency, this is discussed later in this report.
- 5.10 It is also stated by the agent that consent 17/01857/FULD has created a 'fall-back' position for the site, this is also assessed later in this report.

- 5.11 This application is for the demolition of three of the existing structures on site, and the rebuilding of these structures salvaging the majority of the materials of the original buildings. The design of the proposal in terms of layout, scale, mass height, windows and door placement and the internal design is the same as that approved under 17/01857/FULD. The external design, by way of façade, cladding, windows, doors and some materials, of both 17/01857/FUL and the current scheme differ to that currently on site.
- 5.12 To the north of the site is extant outline planning consent 17/01844/OUTD for the demolition of the existing bungalow and erection of a two storey replacement dwelling. This permission was granted in accordance with policy C7 of the Housing Sites Allocation DPD which relates to replacement dwellings in the countryside.

6. Consideration of the Proposal

- 6.1 The principal matters in considering this application are:
- I. Refused application 18/02134/FULD
 - II. The principle of development
 - III. Extant consent 17/01857/FULD
 - IV. Energy efficiency Levels
 - V. Ecology
 - VI. Design and impact on the character of the surrounding area
 - VII. Parking and highway safety
 - VIII. Impact on neighbouring amenity

7. Refused application 18/02134/FULD

- 7.1 A previous application of the same description on the site was refused under delegated powers on 19 October 2018 for the reason set out below:

The application site is located outside of the defined settlement boundary and within the open countryside as defined under Policy ADPP1 of the West Berkshire Local Plan Core Strategy (2006-2026) and Policy C1 of the West Berkshire Housing Site Allocation Development Plan Document 2017. The site comprises three buildings that have an approved light industrial (Class B1c) use and stables and a storage building. The proposed works are for the demolition and

redevelopment of the three light industrial buildings on the existing site to form dwellings and the conversion of the existing stables into office accommodation to form a mixed residential and associated office use of the site. The proposed works are located in a location with poor access to local services, amenities and public transport and would result in the development of three new dwellings on a site in the countryside, contrary to the provisions of Policy C1 of the Housing Site Allocations Development Plan Document 2017 which states that there shall be a presumption against new residential development outside of the settlement boundaries defined earlier in the policy. Furthermore the proposed works fail to identify any local need for live-work accommodation in the form to be provided such as would justify an exception to policy in this respect, and therefore are considered to fail to address an identified need or benefit the local rural economy contrary to the provisions of Policy ADPP1 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012, and to paragraph 77 of the National Planning Policy Framework (2018) that states that planning decisions should be responsive to local circumstances and support housing developments that reflect local needs, and that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.

The housing supply policies of the statutory development plan provide an up-to-date framework for the determination of housing applications within West Berkshire, and the Council can demonstrate a five year housing land supply. The application conflicts with the housing supply policies - Policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policy C1 of the Housing Site Allocations DPD 2006-2026. The proposal does not fall within any of the defined exceptions to the presumption against new residential development outside of the settlement boundaries, where only appropriate limited development is allowed. The housing supply policies of the development plan attract substantial weight, and the modest benefits of the proposal do not outweigh this conflict with policy.

- 7.2 There have been no material changes in the Local Development Plan since the refusal of 18/02134/FULD. The NPPF was up-dated February 2019, but its revisions do not affect the above reason for refusal.
- 7.3 This decision and reason for refusal was issued after the extant consent for the conversion of the existing buildings on site and is material consideration in determining the current application. The applicant had the opportunity to challenge this refusal but chose not to.

8. The principle of development

- 8.1 Policy ADPP1 states that new development should take place within or adjacent to settlements within the settlement hierarchy, the application site is neither within or adjacent to a settlement within the settlement hierarchy. The application is located outside of a defined settlement boundary, in accordance with policy ADPP1 it is located within the open countryside.
- 8.2 Policy CS1 is clear that new homes will be primarily built on suitable previously developed land or other suitable land within settlement boundaries or on land allocated in the Housing Site Allocations DPD. Whilst the site is considered to constitute previously developed land, it is not included as an allocated site or within a settlement boundary.
- 8.3 The site is situated in the East Kennet Valley, as such policy ADPP6 is considered when assessing the application. This policy strictly controls the development of new dwellings in the open countryside, the proposal is not considered to comply with ADPP6.
- 8.4 Under policy C1 there is a presumption against new dwellings in the open countryside unless specific criteria are met. In accordance with policies ADPP1, CS1 and C1 new dwellings in the countryside will only be permitted under the following exceptions; rural exception housing schemes, conversion of redundant buildings, housing to accommodate rural workers, extensions to or replacement of existing residential units and limited infill in settlements in the countryside with no defined settlement boundary. Policy C1 lists the criteria under which limited infill development in the countryside outside of a settlement boundary could be acceptable:
- i. It is within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway; and
 - ii. The scale of development consists of infilling a small undeveloped plot commensurate with the scale and character of existing dwellings within an otherwise built up frontage; and
 - iii. It does not extend the existing frontage; and

- iv. The plot size and spacing between dwellings is similar to adjacent properties and respects the rural character and street scene of the locality.

- 8.5 The site is not within a closely knit cluster of 10 or more existing dwellings or adjacent to or fronting an existing highway.
- 8.6 The proposed development would not constitute infill development, the definition of infill development, is one which fills a small area of land between two adjacent buildings. The site not located along a built-up frontage and it is not an infill site.
- 8.7 The site does not extend the existing frontage, rather it would replace the current buildings.
- 8.8 The design of the scheme would not alter the street scene of the locality. The proposed amenity spaces is not considered as being similar to the adjacent dwellings (Blacknest Lodge and Blacknest Cottage), being significantly smaller in the case of units H1-H3.

External Amenity Area Measurements	
Dwelling/Proposed Dwelling	Approximate Area – Sq.m
Blacknest Lodge	2,394
Blacknest Cottage	1,794
H1	359
H2	1,092
H3	640
Consent 17/01844/OUTD	1,163

- 8.9 The proposal does not achieve all of the criteria required under policy C1 and therefore the principle of new residential development on this site is unacceptable and contrary to policies ADPP1, CS1 and C1.
- 8.10 The proposed development would result in the loss of the existing light industrial buildings as they would become residential use and the creation of new office units through converting the existing storage units. Office use is a main town centre use, no sequential test or evidence avoided of

need has been submitted for granting a town centre use in the open countryside. There has been no substantive evidence provided of need or justification for the new office space in this location.

9. Extant planning consent 17/01857/FULD - “Fallback Position”

- 9.1 The site benefits from extent planning consent 17/01857/FULD for the conversion of the existing buildings to three dwellings (C3) and three work areas (B1).
- 9.2 In determining 17/01857/FULD, the proposal was assessed against policy C4 of the Housing Site Allocation DPD which allows for the conversion of existing buildings into dwellings in the countryside.
- 9.3 In assessing the extant consent, the proposed scheme was found to be compliant with policy including policy C4. The supporting text of policy C4 is relevant to this application; “The policy only allows for the conversion and adoption of sound permanent structures not the redevelopment of derelict buildings, which would be classed as new residential development in the countryside and assessed against Policy C1.” The current proposal has been assessed against and found to conflict with policy C1.
- 9.4 As per the requirements of policy C4, the building(s) proposed for conversion must be genuinely redundant and structurally sound. The agent has confirmed via email (24 June 2019) that there is a commercial tenant on site, as such the building(s) is not redundant and the weight afforded to planning consent 17/01857/FULD is significantly reduced as the buildings are not surplus to requirement for the existing use.
- 9.5 The current planning application has been called-in to Committee due to “local residents and Brimpton Parish Council have expressed concerns about the condition of the existing buildings”. As part of 17/01857/FULD the agent submitted a structural survey report which was used as evidence to prove that the existing buildings are structurally sound and capable of conversion. Following these findings there has been no evidence submitted to suggest that the current buildings are not structurally sound and capable of conversion and in the officers’ opinion

their current condition is not significantly prejudicial to the amenity of the area.

9.6 There are no local plan policies which allow for the demolition of existing non-residential buildings in the countryside and the construction of new dwellings. The agent has argued that extant consent could be implemented and then submit a new planning application for new dwellings which could then be assessed against policy C7 (replacement dwellings in the countryside). It is the case officers view that this would be a contrivance and manipulation of the planning system. Additionally, should this course of action be taken, without prejudice, it would be unlikely to receive support from the LPA. Accepting the argument that granting permission to convert existing rural buildings to residential use provides justification for their demolition and replacement would have the affect of strategically undermining the policies on housing in the rural area contained in the development plan.

9.7 The agent has referenced planning case law in terms of the “fallback position”. The case officer has carefully considered this argument and given it due weight in the decision making process. The proposition of the “fallback” does not outweigh the fundamental conflict of the proposed development with planning policies. Additionally, an application for a similar development was refused on the site (18/02134/FUL) on 19 October 2018, this decision is also a material consideration in determining the current application. The “fallback” position was considered under application 18/02134/FUL. There have been no material changes to national or local planning policies since this previous decision that would alter the Councils position on applications for new residential dwellings in the countryside (including the NPPF update of 2019).

10. Energy Efficiency Levels

10.1 It has been submitted by the agent that the energy efficiency level of the proposed development would be higher than what would be achieved by the current conversion planning consent, and that this should be a material consideration in determining the current application.

- 10.2 A number of documents have been submitted praying in aid of the improved sustainability measures (energy efficiency) contained in this application, these have been taken into consideration by the case officer and weighed in the planning balance.
- 10.3 The salvage and building scheme applies only to proposed residential buildings H1, H2 and H3 (C3 element), and specifically excludes the work elements (B1). The Council does not have a planning policy that requires new residential development to be constructed to a specific energy efficiency level. Policy CS15 of the Core Strategy does require that all new build non-residential development to be built to a level of zero carbon and BREEAM Excellent, as the work units (B1) have been excluded from the new build element, policy CS15 cannot be applied. The work element of the scheme would be no better than that approved under 17/01857/FULD in terms of sustainability and energy efficiency levels.
- 10.4 The sustainability report submitted with the application provides an assessment of the ways in which a new dwelling may be more energy efficient than the conversion of the existing buildings. A number of the proposed energy saving solutions can be applied and incorporated into the conversion scheme.
- 10.5 The agent has proposed to salvage much of the materials from the demolition of the existing building and re-use them as part of the new building, this would save a certain amount of the materials from landfill, but not all of the materials. The description of the materials approved under the extant consent are the same as proposed by the current application.
- 10.6 Should it be accepted by the Council that the proposed development could result in more energy efficient dwellings, there would be no planning mechanism under which the Council could enforce or measure such levels of sustainability. Since the Governments withdrawal of CfSH (Code for Sustainable Homes), there is no policy requirements that could enable to Council to require the development to be built to a set standard of energy efficiency.

- 10.7 It would not be possible for the Council to apply a planning condition to require the dwellings be built to a certain standard of energy efficiency such a condition would fail when assessed against paragraph 55 of the NPPF (2019). There would be no guarantee that the new build dwellings would be built to a higher level of energy efficiency than that which is required as a minimum under Building Regulations.
- 10.8 Notwithstanding the above, the Sustainability Statement submitted with the application has been reviewed by the case officer. It is the view of the case officer that the proposed benefits of the application scheme in terms of energy efficiency are not substantial and are not always an improvement when compared to the conversion approach (structural shell/internal fabric). In short, the minor improvements in energy efficiency offered by the proposal scheme are that, the new floors would be timber rather than concrete, and the energy source would be a heat pump rather than electric. No evidence has been submitted to state that it would not be possible to install a heat pump or timber floors for the consented conversion scheme.
- 10.9 The NPPF (2019), paragraph 79 does allow for new isolated residential development in the countryside where the design is of exceptional quality in that: it is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting and be sensitive to the defining characteristic of the local area. The proposed scheme is not considered to come anywhere near to meeting the high standards of design envisaged in the NPPF.
- 10.10 The agent has claimed that the NPPF (2019), paragraph 79 should be considered applicable to the scheme in reference to section (c); the development would re-use redundant or disused buildings and enhance its immediate setting. The application is not to re-use the existing buildings (as per the extant consent) but rather to demolish them, additionally it does not enhance the immediate setting. The proposal scheme fails to comply with paragraph 79 on both these fronts.

11. Ecology

- 11.1 The site is within a Biodiversity Opportunity Area, there is also a known presence of bats on the site.
- 11.2 A Phase 1 Ecological Assessment (survey works September 2016) and Bat Survey Report (survey works September 2016) have been submitted with the report. The submitted Bat Survey Report is dated May 2018, however the survey works were undertaken in September 2016.
- 11.3 Due to the age of the survey works the reports are based on, an update report for each document was requested by the case officer on 29 May 2019, 5 June 2019 and 5 July 2019, these documents have not been submitted.
- 11.4 The Phase 1 Ecology Survey submitted with the application is dated September 2016, Natural England standing advice is that surveys should not be more than 2-3 years old. This survey confirmed the presence of European Protected Species (EPS) namely brown long eared bats (*Plecotus auritus*) in buildings 1 and 2 and additional impact caused to buildings 3 and 4. Where EPS are concerned the standing advice states that surveys should be from the most up to date survey season. In addition to the Phase 1 survey a second bat survey was produced in May 2018, which established that both brown long-eared bats and common pipistrelle are roosting in the buildings at Blacknest Farm and this report was based on survey data from September 2016. ODPM Circular 06/2005 [para 99] states that *"It is essential that the presence or otherwise of protected species, and the extent to which they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*
- 11.5 The ODPM Circular 06/2005 [para 116] requires Planning Authorities to *"give due weight to the presence of a European protected species on a development site to reflect these requirements, in reaching planning decisions, and this may potentially justify a refusal of planning permission"*. In the absence of up-to-date survey data, the applicant is

unlikely to be unable to satisfy the requirements of the three derogation tests as set out within the EC Habitats Directive, these are tests that must be passed in order to obtain a protected species licence from Natural England. A licence is required for any potentially damaging activities such as development works where bats may be present. The applicant would be unable to demonstrate that the activities which are sought to be licensed would not be detrimental to the maintenance of the population of the EPS concerned at a favourable conservation status (i.e. the third of the 3 tests). It is therefore uncertain as to whether the impact on the both the Brown Long Eared bat (*Plecotus auritus*) and the Common pipistrelle (*Pipistrellus pipistrelles*) is still low as stated in the reports and that the roosts are still only day roosts.

- 11.6 Due to the above the Council cannot undertake its duty to have regard to the conservation of biodiversity as required by the Natural Environment and Rural Communities Act of 2006 and it would be contrary to the Core Strategy Policies.
- 11.7 Insufficient information has been submitted with the application to allow a comprehensive assessment of the current ecological state of the site to take place and therefore what mitigation levels are required.

12. Parking and highway safety

- 12.1 The highway recommendation for previous applications 17/01857/FULD and 18/2134/FULD was conditional approval
- 12.2 It is proposed that the existing access to the east will be utilised, the access to the west serving the existing dwelling is proposed to be stopped up.
- 12.3 The achievable visibility splays do not comply with standards as set out in Design Manual for Roads and Bridges (DMRB). On this, the Transport Statement (TS) notes:
 - 4.3.3 In terms of visibility splays, Drawing J322090-001 D provided at Appendix C, identifies the achievable splays from the existing access arrangement, with both tangent splays and also splays to reflect the

curvature of the carriageway alignment. Given the Hockford Lane carriageway width, which narrows down to 2.5 metres to the west, vehicular speeds in this location will be significantly below the derestricted speed limit permitted in this location. The forward visibility on the carriageway is likely to result in actual vehicle speeds within the 20-30 mph zone.

4.3.4 The theoretical visibility as shown on the attached plan identifies splays of 101 metres to the east in the trailing direction and 94 metres to the west in the leading direction. The tangential splays are 30 metres to the east and 37 metres to the west, which would reflect splays based on calculations in Manual for Streets for a low speed road of 23-25 miles per hour. The splays are all measured at a set-back distance of 2.4 metres.

4.3.5 Whilst the visibility splays are below what the Design Manual for Roads and Bridges (DMRB) would seek for a national speed limit (60mph) road, this is not a trunk road. Since there is no recorded accident history in this location and given this is an existing access arrangement that will be subject to a net decrease in vehicular flows (see Section 5), the access arrangement is considered suitable to serve the proposed development.

4.3.6 The access arrangements were permitted as part of application 17/01857/FUL.

12.4 The re-use of the existing access for this proposed use is therefore accepted given the existing permitted use at this site, with a condition regarding the retention of visibility splays as per the submitted plan.

12.5 Chapter 5 of the Transport Statement (TS) provides a comparison of the trip generation of the existing permitted use with the proposed use(s).

Paragraph 4.2.3 states:

The additional workspace's primary function is to enable residents to work from home and therefore will only generate a small number of external traffic movements (via occasional business meetings). The

resulting infrequent trips generated by the additional workspaces on the local highway network are considered too small to require a separate TRICS assessment as part of this application.

- 12.6 It was concluded on the previous applications that, given the potential vehicle movements that could be generated by the existing commercial use at the site (floor area 705sqm) the proposed use was considered to be acceptable. This is on the basis that the work units are tied to the dwellings.
- 12.7 Each dwelling is provided with 3 driveway car parking spaces which is in accordance with Policy P1 of the Submission Housing Site Allocations DPD. Two visitor spaces are also proposed, any parking required for the 'work' elements would be in addition to this.
- 12.8 Paragraph 4.4.3 of the Transport Statement states:
- Whilst the development proposal is for live/work accommodation, the external buildings associated with the working operation are simply meant to add a separation between the two aspects and are not designed as employment buildings that would generate an external parking demand on the site.
- 12.9 The highways service are satisfied that there is space within the site to accommodate additional vehicles, where required, provided the work units are linked to the proposed dwellings.
- 12.10 In the interests of sustainable development objectives at this stage a pre-commencement condition is requested requiring each dwelling to provide an electric car charging point.
- 12.11 Cycle storage can be provided within sheds in the rear gardens. Details should be submitted at this stage to avoid the requirement for a pre-commencement condition.
- 12.12 The highway aspects of this application are as per 18/02134/FULD which received no objections from the highways service.

13. Impact on neighbouring amenity

- 13.1 The proposed development has not been assessed as resulting in a negative impact on neighbouring amenities.

14. Other matters

CIL

- 14.1 Policy CS5 states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st April 2015.
- 14.2 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council, residential development of 100sqm or more will be liable to pay the Community Infrastructure Levy.
- 14.3 This application is CIL liable.

15. Recommendation

- 15.1 The Head of Development and Planning be authorised to refuse planning permission for the reasons set out below.

REASONS FOR REFUSAL

1. The application site is located outside of the defined settlement boundary and within the open countryside as defined under Policy ADPP1 of the West Berkshire Local Plan Core Strategy (2006-2026) and Policy C1 of the West Berkshire Housing Site Allocation Development Plan Document (2006-2026) 2017. The site comprises three buildings that have an approved light industrial (Class B1c) use and ancillary storage buildings. The proposed works are for the demolition and redevelopment of the three light industrial buildings on the existing site to form dwellings and the conversion of the existing storage units into office accommodation to form a mixed residential and associated office use of the site. The proposed works are situated in a location with poor access to local services, amenities and public transport and would result in the development of three new dwellings on a site in the countryside,

contrary to the provisions of Policy C1 of the Housing Site Allocations Development Plan Document 2017 which states that there shall be a presumption against new residential development outside of the settlement boundaries defined earlier in the policy.

The housing supply policies of the statutory development plan provide an up-to-date framework for the determination of housing applications within West Berkshire, and the Council can demonstrate a five year housing land supply. The application conflicts with the housing supply policies - Policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policy C1 of the Housing Site Allocations DPD 2006-2026. The proposal does not fall within any of the defined exceptions to the presumption against new residential development outside of the settlement boundaries, where only appropriate limited development is allowed. In this case the housing supply policies of the development plan attract compelling weight, and the modest benefits of the proposal do not outweigh this conflict with policy.

2. Due to the lack of an up-to-date Ecological Report and Bat Survey Report, it is not possible to accurately (and with any level of certainty) assess that the impact on identified Brown Long Eared bat (*Plecotus auritus*) and the Common Pipistrelle (*Pipistrellus pipistrelles*) would be at the same level as stated in the out-of-date (September 2016) reports and that the roosts are still day roosts. As such, the Council cannot undertake its duty to have regard to the conservation of biodiversity as required by natural Environment and Rural Communities Act of 2006. The proposal scheme is also contrary to Core Strategy policy CS17.

3. The proposed development of three dwellings and associated work units would not meet any identified need for additional housing or business units in the countryside or provide any significant benefit to the local rural economy such as would justify an exception to policy on development in the countryside. No sequential test has been submitted to prove a need for a town centre use in the countryside. The above is contrary to the roles of sustainable development defined in the National Planning Policy Framework 2019 and the requirements of Policy ADPP1 and CS1 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and C1 of the Housing Sites Allocation DPD (2006-2026) 2017, which state that only appropriate

limited development in the countryside will be allowed, focused on addressing identified needs and maintaining a strong rural economy.