

<b>Item No.</b>	<b>Application No. and Parish</b>	<b>Statutory Target Date</b>	<b>Proposal, Location, Applicant</b>
(1)	20/00723/FULD Basildon Parish Council	13/05/2020	New Dwelling and Relocated Access - Land to the Rear of Timberley  Timberley, Pangbourne Road, Upper Basildon, Reading, RG8 8LN  Mr and Mrs A Gidden

The application can be viewed on the Council's website at the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/00723/FULD>

**Recommendation Summary:** Delegated to the Head of Development and Planning to grant planning permission subject to conditions.

**Ward Member(s):** Councillor Alan Law

**Reason for Committee Determination:** Officer's recommendation for approval, the LPA have received over ten letters of objection

**Committee Site Visit:** Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

#### **Contact Officer Details**

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## 1. Introduction

- 1.1 This application seeks planning permission for a new dwelling and the relocation of the existing access.
- 1.2 The application site is located within the defined settlement boundary of Upper Basildon and within the North Wessex Downs Area of Outstanding Natural Beauty (NWDAONB).
- 1.3 The site is located to the rear of the host dwelling known as Timberley. Timberley is located along, and accessed from, Pangbourne Road.
- 1.4 There is a continuous row of dwellings along Pangbourne Road, each dwelling is individual in its design. All dwellings are set back from Pangbourne Road, the distance of which slightly differs for each dwelling. A prevalent feature of the surrounding dwellings is that they are all detached.
- 1.5 Whilst there is a linear development line along Pangbourne Road, the nearby area (approximately 95m to the east) includes a form of tandem development by way of the cul-de-sac Knapp Wood Close, which has introduced a second tier of development. To the west of the proposal scheme (approximately 92m), is a single dwelling (Elangani) which has a tandem relationship to the dwelling fronting Pangbourne Road (Apple Tree Cottage), which is accessed via a private road; this dwelling is broadly in line with the proposal scheme.
- 1.6 The proposal scheme is for a single detached two storey dwelling, with private amenity and car parking areas. The proposed dwelling would be accessed via a new access drive from Pangbourne Road which runs past the west elevation of the dwelling Timberley.
- 1.7 The proposal scheme includes the demolition of two stable buildings currently within the red line application site and the removal of a third stable building immediately to the south of the red line, outside of the settlement boundary.
- 1.8 Due to the slight difference in site levels, the height of the roof pitch slightly varies. At the highest ground level the dwellings is approximately 6.9m, and the lowest ground level 6.7m. The chimney height of the dwelling is 7.3m. The overall width of the proposed dwelling is 7.5m for the main building and 9.4m including the porch. The length of the proposed dwelling is 11.4m.
- 1.9 The design of the proposed dwellings is that of a chalet bungalow, these are often referred to as being 1.5 storey (a bungalow with room in the roof). The external walls include a mix of materials include red/brown brick and timber cladding. The front elevation (facing north) including a triangular dormer and two roof lights, the rear elevation contains three roof lights and a section of full vertical glazing.
- 1.10 The proposed dwelling has a footprint of approximately 99.5sq.m. The stables which are to be removed have a combined footprint of 87.1sq.m.
- 1.11 The proposed access re-centres the existing access/drive and extends it into the site. The distance from the access to the nearest point of the neighbouring dwelling to the east is approximately 2m, given the design and layout of the access this distance does vary. The proposed car parking area is to the rear to the site adjacent to the boundary line.
- 1.12 The site is located at the edge of the settlement boundary; immediately to the south of the application site is open countryside and paddocks, all within the NWDAONB.

- 1.13 The south of the site includes a tree which is subject to a tree preservation order (TPO). There are an additional three trees under a TPO in the neighbour's garden to the west (Pinafarthings) which are relevant to the proposal scheme.
- 1.14 There is a biodiversity opportunity area approximately 106m from the site, the site itself is not within any local wildlife designations.

## 2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
83/19207/ADD	<a href="#">Erection of 2 stables to rear of existing property</a>	Approved 15/06/1983
16/00176/FULD	<a href="#">Construction of five bedroom two-storey detached house.</a>	Refused 25/04/2016  Appeal: Dismissed 15/12/2016
17/02076/FULD	<a href="#">New dwelling and relocate access.</a>	Refused 21/09/2017  Appeal: Dismissed 17/07/2018

- 2.2 As detailed above, two previous applications have been refused and dismissed at appeal (appeal decisions available under appendix B), and this application represents the third attempt to obtain permission for a house on the application site. It is the officer's view that the current proposal scheme has sufficiently overcome the Inspectors previous reasons for refusal as elaborated below.

## 3. Procedural Matters

- 3.1 A screening opinion has been issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 confirming that the proposal is not EIA development and thus an Environmental Statement is not required to accompany the application.
- 3.2 The proposal scheme was materially altered within the determination process. The amendments were submitted in response to a consultation response by the Councils Tree Officer. In order to address the issues raised the footprint of the proposal scheme and location of the car parking has been moved. The amended scheme was subject to full re-consultation for all consultees, and a new site notice was displayed on the lamppost adjacent to the site on 19/10/2020, inviting comments by 09/11/2020.. This recommendation is based on this amended scheme.

- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) development at a rate per square metre (based on Gross Internal Area) when a new dwelling is created. CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

## 4. Consultation

### ***Statutory and non-statutory consultation***

- 4.1 The table below summarises the consultation responses received on the amended proposal scheme during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Basildon Parish Council:</b>	<p>The Parish Council objected on the following grounds:</p> <p>The development is out of keeping with its surroundings and looks to add another layer of housing to the Pangbourne Road and stretch the settlement boundary to its absolute limit. It is unsympathetic in design for immediate neighbours and does nothing to counter the significant issues raised in the two previously refused applications which the Parish Council also objected to in the strongest terms.</p> <p>Additionally, the following was noted:</p> <ul style="list-style-type: none"> <li>• Splays and visibility from the site fail to meet the required standards.</li> <li>• Boundaries remain an issue due to their intrusive nature on neighbours.</li> <li>• There had still been no consultation between applicant and local neighbours over the plans.</li> <li>• The driveway proposal fails to note a power line (and post) which blocks the route currently.</li> <li>• The new building will lack basic outdoor storage facilities required for a house of that size with a garden.</li> </ul>
<b>Highway Authority (WBC):</b>	No objections, subject to conditions
<b>Lead Local Flood Authority (WBC):</b>	<p>We would hope that consideration would be given to the use of SuDS features that provide a control of rainfall at source. This would include features such as water butts and raised planters where a small volume of runoff would be contained for use in local irrigation of garden plants.</p> <p>For more information on SuDS features, reference should be made to Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document – Sustainable</p>

	<p>Drainage Systems (2018). Reference should also be made to the Environment Agency Standing Advice.</p> <p>We do not advise infiltration devices in areas where Clay is the underlying geology. To establish the underlying bedrock geology, reference should be made to the British Geological Survey (BGS) website.</p> <p>However, if it is preferred to include a Condition within the approval to ensure the implementation of SuDS, we would be satisfied for the following to be included:</p> <p>The proposed dwelling should not be first occupied until details of sustainable drainage methods (SuDS), such as water butts or raised planters, to be implemented within the site have been submitted to and approved in writing by the Local Planning Authority.</p>
<b>Waste Management (WBC):</b>	No comment received
<b>Thames Water:</b>	No comment received
<b>Tree Officer (WBC):</b>	No objections, subject to conditions
<b>North Wessex Downs AONB Partnership:</b>	No comment received
<b>Environmental Health:</b>	No comments to make

### ***Public representations***

4.2 Representations have been received from ten contributors, all of which object to the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Concerns of existing fire hydrant and electricity pole
- Does not indicate how the machinery and foodstuffs stored in the existing sheds/stables will be stored in future
- No clarity on how paddocks, horse trailers and horseboxes will access and turn
- Concerns regarding access to paddock
- Safety concern regarding access
- Parking of cars against neighbouring boundary
- Light and noise pollution
- Plans do not properly show the impact on neighbours
- Plans are inaccurate
- Urban development in the paddock
- Insufficient screening for neighbours
- How will biodiversity be enhanced

- Back land development out of character with the area
- Cars speed along Pangbourne Road
- Built over shared sewers
- Negative impact on neighbouring outlooks
- Overlooking
- Site notice has been taken down
- Outside of settlement boundary
- Fails to conserve the landscape
- Design is not in keeping with the rural character
- Not infill development therefore does not accord with ADPP1
- Garden slightly outside of settlement boundary
- Object to trees and hedges being planted along the boundary line
- Parking requirements are not achieved
- Previous applications and appeals have been refused
- Density of design is too high for the area
- Concerns over protected trees
- Contrary to village design guidance
- Fire hydrant and electricity pole will be effected
- Proposed drive near the side of neighbouring dwelling
- Will result in new stables being required
- Impact on dark skies
- Contrary to Basildon Village Design Statement
- Sub-division of the plot of land
- Damaging to village

## 5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS1, CS4, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-24
- WBC Quality Design SPD (2006)
- WBC Sustainable Drainage SPD (2018)
- Basildon Village Design Statement

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- The principle of development
- Design, and impact on the character and appearance of the area including NWDAONB
- Impact on trees (TPO)
- Highway safety
- Impact on neighbours
- Other matters

### *Principle of development*

6.2 The most important policies for determining whether the principle of development is acceptable are Policies ADPP1, ADPP5 and CS1 of the Core Strategy, and Policy C1 of the Housing Site Allocations DPD. The Core Strategy includes a Spatial Strategy (ADPP1 and ADPP5) that provides a broad indication of the overall scale of development in the district, applying the principles of sustainable development, and based on defined spatial areas and a settlement hierarchy. Policies CS1 and C1 relate specifically to housing.

6.3 According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy, and related to their transport accessibility and level of services. The urban areas will be the focused for most development. The scale and density of development will be related to the site's accessibility, character and surroundings. Upper Basildon is not included within the District Settlement Hierarchy and so Policy ADPP1 only allows for more limited development in this location. The policy states that smaller village with settlement boundaries are suitable only for limited infill development subject to the character and form of the settlement.

6.4 Policy ADPP5 is the spatial strategy for the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Recognising the area as a national landscape designation, the policy envisions that 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. Development will respond positively to the local context, and respect identified landscape features and components of natural beauty.

6.5 According to Policy CS1, new homes will be located in accordance with the Spatial Strategy and Area Delivery Plan Policies. New homes will be primarily located on land within settlement boundaries, and other land allocated for development within the Local Plan. In this context, Policy C1 of the HSA DPD gives a presumption in favour of development and redevelopment within the settlement boundary of Upper Basildon. It qualifies that planning permission will not be granted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB or where development would have an adverse cumulative impact on the environment or highway safety.

6.6 The application site, as delineated by the red line on the Location Plan, is fully within the settlement boundary of Upper Basildon, although the settlement boundary does run along the very edge of the proposal site. The presumption in favour of development therefore applies, although the above policy context means that particular attention must be given to the relationship of the development within the existing settlement and adjoining open countryside.

- 6.7 The most recent appeal decision on the site issued on 17/07/2018 under appeal reference 3196908, paragraph 8 the Inspector found that *“the development would lie entirely within the settlement limits”* the Inspector did not raised any objections or reasons for refusal in respect of the principle of development.

### ***Design, Character and appearance and impact on AONB***

- 6.8 The NPPF’s paragraph 17 states that, in relation to design, councils should always seek to secure high quality design which respects and enhances the character and appearance of the area. The NPPF is clear that good design is indivisible from good planning and attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. The NPPF also adds that the visual appearance is a very important factor, securing high quality and inclusive design goes beyond aesthetic considerations. Paragraph 58 of the NPPF states that developments should function well and add to the overall quality of the area, respond to local character and history, and be visually attractive as a result of good architecture and appropriate landscaping.
- 6.9 Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 6.10 Policy CS19 states that particular regard will be given to, amongst other heritage considerations, (a) the sensitivity of the area to change, and (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.11 Basildon’s Village Design statement recognises the importance of the designation of an Area of Outstanding Natural Beauty and states that this should be taken into consideration in any future development of the village with every effort made to conserve them.
- 6.12 ‘Timberley’ is a detached dwelling of relatively traditional appearance. It is within a long row of mostly traditionally designed detached dwellings, which extends between open countryside and the core of Upper Basildon village. The dwellings in the row are of differing sizes and styles and are mostly situated facing the road, in deep and spacious plots. Although the rear gardens are largely open and undeveloped, there are incidences in the locality of development on land at the rear of the frontage dwellings. These include dwellings in Knapps Wood Close and Morrison Close, as well as Elangani, to the west of the application site.
- 6.13 The location of the proposal scheme, to the rear of Timberley is not considered to be out of character with the surrounding area due to the presence of other similarly located developments within the locality. This is the same conclusion as was reached by the Inspector in 2016 as part of appeal 3155293: *“given the existence of similarly located dwellings in the vicinity, the ‘backland’ location of the proposed dwelling would not, in itself, be at odds with the prevailing pattern of local development”* (paragraph 5). The full appeal decision is available under Appendix B.
- 6.14 The two previous appeals on this site were dismissed due to issues of design. The previous appeal schemes were for substantial two storey dwellings of a significant bulk, scale and mass.



- 6.15 The current proposal scheme is for a relatively modest dwelling in terms scale, mass and bulk, and includes a somewhat traditional design. The proposed dwellings is of a lower height than the host and neighbouring dwellings. The visibility of the proposed dwelling from Pangbourne Road will be limited due to the placement of the existing dwellings. It will be visible from neighbouring properties in the immediate vicinity.
- 6.16 As part of the 2017 appeal, the Inspector found that the proposed dwelling would have resulted in a cramped appearance within the plot, and that this would be at odds with the prevailing character of the area. The previous proposal scheme had a maximum height of 6.8m and a footprint of 83.8sq.m. Whilst the maximum height and footprint of the current proposal scheme does not drastically differ to that of the appeal scheme, it is the difference in the design which is considered to have significantly altered the impact of the proposal scheme. The most recent appeal scheme was of a larger scale design, the scheme included modern “box” style design and full height two storey flat roof, and the proposal scheme filled the area of the footprint which added to the bulk of the design. The current scheme is of a lower massing. The design includes more traditional features such as a pitched roof, with a maximum eaves height of 4m, which has resulted in a much lower bulk and mass development.
- 6.17 Looking into the site from the paddock to the south the proposed dwelling will be easily visible, however due to the low scale design of the development and the simplicity of the design, the presence of the proposal scheme is not assessed as causing demonstrable harm. It would have a comparable relationship to the open countryside as other development along Pangbourne Road, in particular the dwellings at Knapps Wood Close.
- 6.18 The proposal scheme includes materials such as red/brown brick and timber cladding. The number and size of windows is considered as appropriate for the sites location and has not been assessed as resulting in large levels of light spillage. The south elevation does include a 14sq.m glazed area which is full height within the building, which this will not result in any overlooking, it will result in an element of light spillage. The level of light spillage will be somewhat comparable to the neat by dwelling Elangeni, the impact of which is acceptable. Furthermore, there are no public rights of ways to the rear of the site which will be impacted.
- 6.19 Overall the design has been assessed as one which is relatively modest and thus, unlike previous iterations, could be assimilated successfully into the existing pattern of development, and maintain a comparable relationship to the open countryside. It is therefore considered to comply with the aforementioned policies and conserve the special qualities of the AONB.

### ***Impact on trees (TPO)***

- 6.20 There are four trees subject to tree preservation orders (TPOs) within close proximity to the proposed development. At the entrance to the site is a tree subject to a TPO, there are three more trees subject to a TPO within the neighbouring land to the west. The canopy and root protection zone crosses into the proposal site. The three TPO trees within the neighbouring garden received their TPO designations after the determination of the previous appeal decisions on the application site. The Tree Officer objected to the original proposal under this application due to the potential impact on protected trees, and the application has been amended in response.
- 6.21 The revised scheme is accompanied by an Arboricultural Report in accordance with British Standard 5837:2012 (*Trees in Relation to Design, Demolition and Construction*) dated Sept 2020. The relocated proposed dwelling and revised driveway is outside the root protection areas of the trees and is therefore acceptable. A tree protection plan

and arboricultural watching brief will be required to ensure site trees remain protected during the development, which can be secured by condition.

- 6.22 The application is also accompanied by a Landscaping plan by Terrafirma (plan 2124-TFC-00-00-DR-L-001 rev 4). This differs from the Urban Perspective site layout plan UP00215-02-H dated Sept 2020 in that the Terrafirma plan shows an additional Field Maple (*Acer campestre*) on the south side of the parking area of the new dwelling. In order this medium sized tree does not clash with the protected Beech T3, the LPAs tree officer has proposed that the new tree is planted 2m east of the proposed location.
- 6.23 Having regard to the above information, the Council's Tree Officer has raised no objection to the proposal scheme subject to planning conditions.

### **Highways**

- 6.24 The Highway Officer has raised no objections to the proposal scheme subject to relevant conditions.
- 6.25 Pangbourne Road is relatively straight in this location. The visibility splays shown on drawing number P601-01 Rev D dated 6 May 20 comply with the requirement of the appeal decision for 17/02076/FULD. It should be noted that this plan revision has been updated since this consultee response, however the amendments to the plan did not alter the visibility splays.
- 6.26 Concerns have been raised regarding the visibility splays at the access / accuracy of the plans. In respect of the view to the east, as the access is sited further away from the vegetation that currently obstructs the view, this provides a greater splay than is currently achievable.
- 6.27 The Inspector's comments on appeal decision 17/02076/FULD is below:

*"The current proposals show a revised access location, which has significantly increased the available visibility splays to 2.4m x 34.7m in an easterly direction and 2.4m x 51m in a westerly direction. Despite this, the Council maintains through its advice from the local highway authority that the full MfS requirements must be achieved."* (paragraph 9)

*"That said, in this case, the visibility splays that would be achievable are only marginally below the recommended standards. I acknowledge that traditionally, sightlines have been constructed with an emphasis on ensuring motorists had wide splays and generous sightlines so that they could react to hazards that are before them. I would accept the appellants' arguments that this tends to encourage higher speeds. Irrespective, I do not believe that the proposed visibility splays would lead to unacceptable risks to highway users and do not find that severe harm in the manner envisaged in the Framework would occur. The provision of an improved access for the host property would in my view constitute a significant benefit overall."* (paragraph 11)

*"Accordingly, I do not believe that the proposed access would be unacceptably harmful to highway safety; quite the contrary, I consider that the proposal would offer a significant benefit in this regard. Consequently, the proposal would accord with CS Policy CS13 as it would improve the existing arrangements and thereby lead to the promotion of opportunities for healthy and safe travel."* (paragraph 12)

- 6.28 The Highway Authority objected to the achievable visibility splays previously but this was not upheld by the Inspector. The Inspector was satisfied that they could be achieved, and that the achievable splays would not be to the detriment of highway

safety, in fact concluded: *“The provision of an improved access for the host property would in my view constitute a significant benefit overall.”*

- 6.29 The proposed cycle storage is acceptable, and the proposed parking for the existing and proposed dwellings is acceptable, all in accordance with the requirements of policy P1 of the Housing Site Allocations DPD.

### ***Impact on neighbouring amenity***

- 6.30 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Paragraph 127 of the NPPF states planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

- 6.31 Consequently, all development should be designed in a way to avoid any unacceptable harm to neighbouring living conditions. Applications will typically be assessed in terms of any significant loss of light, overlooking of neighbouring buildings or land, and whether the proposal would result in any undue sense of enclosure, overbearing impact, or harmful loss of outlook to neighbouring properties.

- 6.32 The distances between the proposed dwelling and neighbouring dwellings are shown on the plan under Appendix A. The proposal scheme is:

- 28.9m from Southcroft (main dwelling),
- 20m from Southcroft summer house,
- 21.7m from Timberley (measurement of the main body of the proposed dwelling),
- 19.6m from the porch of the proposed dwelling to the Timberley,
- 28.9m from Cleobury.

- 6.33 The Council’s guidance of acceptable “back to back” distances for dwellings is 21m. The proposed dwelling would result in a “front to back” relationship. All window to window relationships achieve the 21m distance.

- 6.34 The proposed dwelling is assessed as being a sufficient distant from the neighbouring dwellings as to not cause any demonstrable harm in terms of overbearing, overlooking, loss of sun/day light and loss of privacy.

- 6.35 Furthermore, when assessing a proposed dwelling of greater size, scale and massing the Inspector (2016) found that:

*The proposed dwelling would not be sited immediately adjacent to the rear boundary of ‘Timberley’ or the boundaries of the neighbouring properties. The overall size and bulk of the proposed dwelling apparent from neighbouring properties would be substantially offset, by its location towards the end of their reasonably long gardens and also by the existing planting along their boundaries. Its overall apparent scale would be further minimised in relation to neighbouring properties by the low-profile roof design and the reduced ground floor level. As a result, the proposed dwelling would not appear as an unduly oppressive or overbearing feature when viewed from the living areas or gardens of the adjoining residential properties.*

*Consequently, whilst I can understand the concerns of the occupiers of the adjoining residential properties, I find that the proposed dwelling would not harm their living*

*conditions through either an unacceptable loss of privacy or overbearing impact and it would therefore accord with CS Policy CS14 in this regard. (3155293, paragraphs 28 and 29)*

- 6.36 The proposal scheme is located further into the site, to the east, away from the boundary of Southcroft and Pinnefarthings than the scheme assessed by the Inspector quoted above. The building would be visible over the boundary treatments separating neighbouring dwellings, but the visual presence of a building, in itself, is not considered detrimental to residential amenity. Owing to its position, orientation, form and the proposed positioning of windows, it is considered that the proposed dwelling would not result in demonstrable harm to the living conditions of the host dwelling or neighbouring dwellings.
- 6.37 The impact of the proposed access on neighbouring amenity has previously been found to be acceptable by the Planning Inspectorate. The proposal scheme includes three car parking spaces along the boundary hedge of the neighbouring property. The proposed parking is 22m from the neighbouring dwelling to the west. The level of vehicle movements associated with a single dwelling is 6 movements per day. The noise and disturbance from the vehicle movements associated with the proposal scheme is not assessed as causing demonstrable harm to neighbouring amenity.

### ***Other matters***

- 6.38 The proposal scheme can make a small contribution to biodiversity in the area through the proposed landscaping scheme which includes native species planting.
- 6.39 Concern has been raised regarding an existing fire hydrant and electricity pole. These matters are governed by separate legislation and the relevant statutory undertakers, and so it is not necessary for planning to duplicate these controls. In terms of matters relating to the shared sewers, this is a matter for the applicant to consider at a technical design stage.
- 6.40 The planning application does not include the paddock to the south of the site. Third parties have queried what will happen to this land and how it will be accessed. The use of this land does not form part of the current application. The proposal scheme does retain an access gate to the rear of the site into the adjoining paddock. There is satisfactory access to the paddock.
- 6.41 The case officer has reviewed all the submitted documents and is satisfied that there are no inconsistencies within the submitted documents.

## **7. Planning Balance and Conclusion**

- 7.1 The site is located within the defined settlement boundary of Upper Basildon where the principle of residential development is accords with the development plan subject to its site-specific impacts. On balance, the design of the proposal scheme is considered to be acceptable and not a causing demonstrable harm to the character and appearance of this area within the AONB. The impact of the proposal scheme on the TPO trees is acceptable to the Council's Tree Officer. Given the similarities with the previous appeal, an objection on highway grounds cannot be sustained. Whilst the new dwelling would be visible from neighbouring properties, it has been carefully designed to avoid harmful impacts on neighbouring living conditions.
- 7.2 Taking into account all of the above main considerations, and the representations made on this application, it is concluded that the proposal scheme complies with the relevant development plan policies and is therefore recommended for approval.

## 8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

### **Conditions**

#### 1. Commencement of development

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

#### 2. Approved plans

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

- Landscape Proposal, reference UP00215-02-H, received 09/10/2020;
- Site Layout, reference UP00215-02-H, received 09/10/2020;
- Proposed Floor Plan, reference UP00215-03-D, received 09/10/2020;
- Proposed Elevations, reference UP00215-04-C, received 09/10/2020;
- Site Survey and Proposed Section, reference UP00215-06-C, received 09/10/2020;
- Site Location Plan, reference UP00215-05-C, received 23/06/2020.

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

#### 3. Landscaping (scheme submitted)

All landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including Landscaping plan by Terrafirma (plan 2124-TFC-00-00-DR-L-001 rev 4 dated Sept 2020. Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

#### 4. Tree protection scheme

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days' notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and

retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

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

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

#### **5. Tree Protection – Construction Precautions**

No development (including site clearance and any other preparatory works) until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall not be undertaken except in accordance with the approved details.

Reason; To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

#### **6. Arboricultural Method Statement**

No development (including site clearance and any other preparatory works) until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall not be undertaken except in accordance with the approved details.

Reason; To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

#### **7. Arboricultural supervision condition**

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

**8. Electric vehicle charging points (prior approval)**

The dwelling hereby permitted shall be first occupied until an electric vehicle charging point has been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging point shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

**9. Construction Method Statement (CMS)**

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors;
- (b) Loading and unloading of plant and materials;
- (c) Storage of plant and materials used in constructing the development;
- (d) The erection and maintenance of security hoarding including any decorative displays and facilities for public viewing;
- (e) Wheel washing facilities;
- (f) Measures to control the emission of dust and dirt during construction;
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (h) A site set-up plan during the works.

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS will need to be adhered to throughout construction.

**10. Access construction**

The dwelling hereby approved shall not be first occupied until the access between the new dwelling and Pangbourne Road has been completed in accordance with the approved drawings.

Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

## 11. Cycle parking/storage (approved plans)

The new dwelling shall not be first occupied until cycle parking/storage facilities for that dwelling have been provided in accordance with the approved drawings. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

## 12. Sustainable drainage

No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include attenuation measures to retain rainfall run-off within the site, off site discharge will not be permitted;
- d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- e) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- h) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises.

The dwelling shall not be first occupied until the sustainable drainage measures have been provided in accordance with the approved details. Thereafter the measures shall be managed and maintained in accordance with the approved details.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006), and the Sustainable Drainage Measures SPD. A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may



require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

### 13. **Construction times**

No demolition or construction works shall take place outside the following hours:

8:30am to 5:00pm Mondays to Fridays;  
9:30am to 1:00pm Saturdays;  
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### 14. **Spoil**

No development shall take place until full details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil (not to be deposited) from the site;
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because spoil will arise throughout construction activities.

### 15. **Finished floor levels**

No development shall take place until details of the finished floor levels of the dwelling hereby permitted in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the levels will need to be determined early in the construction process.

### 16. **Hard landscaping (prior approval)**

The dwelling hereby permitted shall be occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has

first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

#### **17. Domestic extensions/outbuildings PD removal**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions, alterations, outbuildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C, E and F of that Order shall be constructed, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: To prevent the overdevelopment or inappropriate development of the site and in the interests of respecting the character and appearance of the surrounding AONB area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

#### **18. Samples of materials (to be submitted)**

No development above ground level shall take place until a schedule of the materials to be used in the construction of the external surfaces of the dwelling and hard surfaced areas hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the North Wessex Downs AONB Management Plan 2019-24, Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the materials we used throughout construction.

#### **19. Lighting strategy (AONB)**

No external lighting shall be installed within the application site until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed within the application site except in accordance with the above strategy.

Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

## 20. **Removal of existing buildings**

The construction of the new dwelling shall not commence until all of the three existing stable buildings show on plan UP00215-02-G have been demolished and all spoil has been removed from the site.

Reason: To protect the character and appearance of the area and prevent the overdevelopment of the site. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Basildon Village Design Statement and Supplementary Planning Document Quality Design (June 2006).

### ***Informatives***

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.
2. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)
3. The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks notice, to obtain details of underground services on the applicant's behalf.
4. The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
5. The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

6. In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.
7. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519169, before any development is commenced.