

<b>Item No.</b>	<b>Application No. and Parish</b>	<b>Statutory Target Date</b>	<b>Proposal, Location, Applicant</b>
(2)	20/01637/FUL Englefield Parish Council	15.09.2020	Change of use of land from agricultural use to a car park  Land Adjacent To 10 The Street, Englefield  Englefield Estate Trust Corporation

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01637/FUL>

**Recommendation Summary:** To delegate to the Head of Development and Planning to refuse planning permission.

**Ward Member(s):** Councillor Ross Mackinnon

**Reason for Committee Determination:** Called in by Councillor Mackinnon because of strength of public support and improvements in road safety

**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**

**Name:** Sarah Melton  
**Job Title:** Senior Planning Officer  
**Tel No:** 01635 519111  
**Email:** Sarah.melton1@westberks.gov.uk

## **1. Introduction**

- 1.1 This application seeks planning permission for the change of use of land from agricultural use to a car park.
- 1.2 The application site is located within the open countryside (outside of any settlement boundary), the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB) and a Conservation Area (CA). The site abuts The Street, a single track tree lined road with wrought metal fencing. It is open undeveloped field, and currently in use as part of a paddock.
- 1.3 The proposal scheme is located in the centre of the paddock, there is single dwelling approximately 37m to the north east and houses to the north west. The closet dwelling to the north west is 10 The Street, a Grade II listed building. The site is opposite an open field and a dwelling to the north.
- 1.4 To the east is a public footpath (Englefield 1/1) that runs from the Street towards the A340 to the south east. The proposed car park would be visible from the public right of way.
- 1.5 A constraints map of the site is located under appendix A.
- 1.6 The proposal scheme is for a 38 space open car park with six cycle stands and new hedging. The car park would utilise a one way system with entrances to and from The Street.
- 1.7 The submitted plans show a “potential pathway to the school”, it is important to note that this pathway does not form part of the current application.
- 1.8 Discussion have taken place between the case officer and the agent as to whether this application is solely for use of the school, the application is not directly linked to the school. The use of a planning condition limiting the use to of the car park to school users has also been discussed, this is addressed within the report.

## **2. Planning History**

- 2.1 There is no planning history on this site.

## **3. Procedural Matters**

- 3.1 A screening opinion has been issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This concludes that the proposal is not EIA development and therefore an Environmental Statement is not required to accompany the application.
- 3.2 A site notice was displayed on 01.08.2020 at the front of the site. The deadline for representations expired on 24.08.2020. A notice was also published in the Reading Chronicle on 30.07.2020 expiring on 14.08.2020. The application has therefore been publicised in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## 4. Consultation

### *Statutory and non-statutory consultation*

- 4.1 The table below summarises the consultation responses received 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>Englefield Parish Council:</b>	<p><b>Support</b></p> <p>Englefield Parish Council overwhelmingly support this application. There was also considerable support for the proposal amongst members of the public who attended the public consultation, both in terms of the principle and the proposed location.</p> <p>The provision of a car park within the village of Englefield is deemed very necessary due to serious road safety concerns, particularly in relation to traffic during drop-off and collection at the Primary School.</p> <p>Access from the car park to the school will greatly reduce the risk during these times.</p> <p>The proposed landscaping is sympathetic to the surrounding area, and is no more out of character than the large volume of cars having to park at the roadside.</p> <p>The car park will also be of benefit to other local amenities, namely the village shop and village hall.</p>
<b>Highway Authority (WBC):</b>	<p>No objections, subject to conditions</p>
<b>Lead Local Flood Authority (WBC):</b>	<p>No comments received</p>
<b>Conservation Officer:</b>	<p>Object</p>
<b>North Wessex Downs AONB:</b>	<p>No comments received</p>
<b>Ecology:</b>	<p>No comments received</p>
<b>Environmental Health:</b>	<p>No objections</p>
<b>Tree Officer:</b>	<p>No objections, subject to conditions</p>
<b>Education (WBC):</b>	<p>Support</p>
<b>Natural England:</b>	<p>No comments to make</p>

## ***Public representations***

- 4.2 Representations have been received from 45 contributors, all of which support, the proposal.
- 4.3 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:
- There is currently no parking for the school
  - The design is sympathetic to the area
  - Similar permissions have been granted in other areas
  - The current car parking arrangement has an adverse impact on the conservation area
  - The proposed car park is safer than the current on street car parking
  - Parking on the street causes congestion
  - Concerns over children's safety
  - There have been 'near misses'
  - The problem should be resolved now rather than waiting for an accident
  - Locals have issues accessing their property due to the existing cars
  - Parents park in front of the neighbouring garden centre
  - Leaves create a slippery surface in the winter months under the trees
  - Activities held in the village hall require a car park
  - Will bring more people to the village store
  - The school is unable to use regular signage

## **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.
- Polies: ADPP1, ADPP5, CS5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- 5.2 The following material considerations are relevant to the consideration of this application:
- National Planning Policy Framework (NPPF)
  - Planning Practice Guidance (PPG)
  - West Berkshire Character landscape Assessment (2019)
  - North Wessex Downs AONB Management Plan 2019-24
  - WBC Quality Design SPD (2006)

## **6. Appraisal**

- 6.1 The main issues for consideration in this application are:
- Principle of development
  - Impact on the NWD AONB and open countryside

- Impact conservation area and listed buildings
- Loss of green infrastructure

### ***Policy context***

- 6.2 The most important policies for determining whether the principle of development is acceptable are Policies ADPP1, ADPP5, CS14, CS18 and CS19 of the Core Strategy. 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. Policy CS14 relates to design, CS18 to green infrastructure, and CS19 to landscape and heritage.
- 6.3 Englefield does not have a settlement boundary defined by the Local Plan. According to Policy ADPP1, development within West Berkshire will follow the existing settlement pattern. Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy.
- 6.4 The site is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy ADPP5 is the spatial strategy for the 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, particularly on the open downland. Development will respond positively to the local context, and respect identified landscape features and components of natural beauty.
- 6.5 The application site is part of an open paddock, which lies to the south of The Street, within the Englefield Conservation Area. Adjacent to the site, to the south west, is No. 10 The Street, a late C18th Grade II listed cottage. Policy CS19 states that particular regard will be given to (a) the sensitivity of the area to change, (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, and (c) the conservation and, where appropriate, enhancement of heritage assets and their settings (including conservation areas and listed buildings).
- 6.6 The main issues for consideration are therefore whether the proposal will have an acceptable the impact on protected landscape and the designated heritage assets (conservation area and listed buildings), and whether it is justified appropriate limited development in this policy context.

### ***Impact on Englefield Conservation Area***

- 6.7 The Englefield Conservation Area (CA) is based on The Street, which is lined with a number of C18th dwellings and Englefield Estate buildings, some of which are listed. The Englefield House registered Park and Garden stretches into the southern part of the CA.
- 6.8 The prevailing character of Englefield village is of 18<sup>th</sup> Century dwellings and buildings dispersed in a linear fashion along The Street, with intervening open spaces, surrounded by an attractive rural landscape setting. The open spaces within the CA help draw the surrounding countryside into the core of the village, and establish a clear link with its rural landscape setting.
- 6.9 The application site forms part of this patchwork of open spaces throughout the CA. Its openness and the views it affords, both from and through the site make a significant

contribution to the landscape setting and rural character of the CA. The proposed car park, and associated screening, would remove part of the open space which contributes to the character and appearance of the CA, therefore resulting in harm to the character and appearance of the CA. The Council's Conservation Officer objects on these grounds.

### ***Impact on the setting of 10 The Street***

- 6.10 Adjacent to the site, to the south west, is No. 10 The Street, a late C18th Grade II listed cottage. No.10 benefits from an open setting, provided for by the surrounding fields, including the application site. This open setting makes a positive contribution to, and assists in revealing, the significance of the listed building. The application site is part of this open setting, and therefore contributes to the significance of the listed building, it does so in terms of (i) its historical relationship with No.10 (and indeed The Street) forming part of the historic open rural setting to the listed building, (ii) the views it affords of No.10 from the Street and the surrounding countryside, (iii) the peacefulness and tranquillity it provides, and (iv) its attractive rural character.
- 6.11 The proposal would introduce parked cars, a hard surfaced area, and hedgerows for screening into undeveloped space that, at present, positively contributes to the rural character of CA and the setting of No.10 The Street. The proposal would erode the present open character of the site and the rural character of the area, therefore detracting from the rural and open setting of the listed building and resulting in harm to the significance of the listed building.

### ***Landscape character and visual impacts***

- 6.12 The proposal scheme is located in an open paddock which is clearly visible from public viewpoints along The Street, within the Conservation Area, and from the public footpath Englefield 1/1. The proposed car park would directly encroach into the open countryside and causing visual harm to the character and appearance of the AONB and open countryside.
- 6.13 The Council's Landscape Character Assessment 2019 (LCA) designates the site as within 'Woodland and Heathland Mosaic'. Part of the landscape strategy for this area is to maintain open views from routeways, the LCA states that "*Whilst woodland and hedgerow planting is generally to be encouraged, sporadic long views across open land add to the variety that characterises this area. Gaps between dwellings that offer views across open farmland help to retain rural settlement character.*"
- 6.14 The openness of the existing paddock and the views to and from the site make a significant contribution to the landscape, openness, rural character, Conservation Area and AONB. The prominent and highly visual location of the site is an important feature within the site's location and the surrounding character.
- 6.15 Whilst new hedging is proposed to shield the car park from the road, this limited screening is not considered to offset the visual harm of the proposal scheme.

### ***Loss of green infrastructure***

- 6.16 Policy CS18 states that the district's green infrastructure will be protected and enhanced, and that developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted. "Green infrastructure" includes natural and semi-natural green spaces. In accordance with policy CS18, only where it is exceptionally agreed that an area of green infrastructure can be lost and a new one

of equal or greater size and standard will be required to be provided in an accessible location nearby.

- 6.17 The proposal scheme would result in the loss of green infrastructure. There are not considered to be exceptional circumstances that would permit the development in terms of policy or material planning considerations. The proposal scheme does not seek to replace the lost green infrastructure. The proposal scheme is contrary to the aims and requirements of policy CS18.

***Proposed justification and planning balance***

- 6.18 Whilst the harm caused to both the setting of No.10 the Street and the character and appearance of the CA would be “less than substantial” in terms of the NPPF, there would nevertheless, be real and serious harm which requires clear and convincing justification. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 196 advises that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.19 Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to these issues.
- 6.20 Taken together, the policies for limited development in the countryside, the harm to the conservation area and setting of a listed building, and the adverse landscape and visual impacts of the proposal within the AONB amount to substantial objections to the proposed development.
- 6.21 As noted at the start of this report, there has been local support for this application. The majority of the support has been submitted by parents of the children who attend Englefield C of E Primary School, which is located approximately 175m to the south west of the site. There is an 18m gap between the proposed car park and the footpath leading to the school.
- 6.22 The proposal scheme has not been submitted as a car park specifically for the school, however the agent as is agreeable to a planning condition limiting the use of the car to school users. Planning conditions can be used to make an otherwise unacceptable development acceptable. However, there are concerns that this approach would not meet the tests of the NPPF that a condition should be “necessary, relevant to planning and to the development to be permitted enforceable, precise and reasonable in all other respects”. In particular there is concern that the condition would not be enforceable and that it would not be reasonable to limit the use of a village car park solely to the use of the school.
- 6.23 The main reason cited by third party representations relate to highway safety for those using the school in that the car park would allow for cars to be parked off The Street. Whilst it may be preferable to reduce on-street parking, there have been no reported traffic incidences near the site in the past 20 years and no concerns with the current arrangements have been raised by the Highway Authority. This is considered to moderate the amount of weight that can be applied to this benefit in light of the above objections.

- 6.24 It is similarly acknowledged that the parking of cars along the verge and The Street does not make a positive visual contribution to the character and appearance of the area; however these instances are limited to twice a weekday in term time, but the harmful visual impact of the proposed car park would remain at all times in perpetuity.
- 6.25 It is therefore considered that the proposal does not amount to appropriate limited development for this location, and that it will cause significant and demonstrable harm to the Conservation Area, the setting of a listed building, local landscape character, visual impacts from The Street and the nearby right of way, and the loss of green infrastructure. It is not considered that the potential benefits outweigh these objections.

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

- 7.1 The proposed development is considered contrary to the relevant development plan policies which allow for only appropriate limited development in this location. Moreover, the proposal would cause permanent and demonstrable harm to the Conservation Area, the setting of a Grade II listed building, the AONB landscape, public views including a right of way, and the loss of green infrastructure. It is considered that the development has not been justified in light of these objections. Accordingly, the application is recommended for refusal.

## **8. Full Recommendation**

- 8.1 To delegate to the Head of Development and Planning to REFUSE PLANNING PERMISSION for the following reasons:

### ***Refusal Reasons***

1. **Inappropriate development for location**

The site is located on undeveloped land within the open countryside. In accordance with policy ADPP1, development within West Berkshire will follow the existing settlement pattern. Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy. The development of a car park in this location of open countryside, within the North Wessex Downs AONB, a Conservation Area and adjacent to a listed building is not considered appropriate limited development. The proposal scheme is contrary to policies ADPP1 and ADPP5 of West Berkshire Core Strategy 2006 -2026.

2. **Harm to Englefield Conservation Area**

The application site is part of an open paddock, which lies to the south of The Street, within the Englefield Conservation Area. The prevailing character of Englefield village is of 18th Century dwellings and buildings dispersed in a linear fashion along The Street, with intervening open spaces, surrounded by an attractive rural landscape setting. The open spaces within the Conservation Area help draw the surrounding countryside into the core of the village, and establish a clear link with its rural landscape setting.

The application site forms part of this patchwork of open spaces throughout the Conservation Area. Its openness and the views it affords, both from and through the site make a significant contribution to the landscape setting and rural character of the Conservation Area. The proposed car park, and associated screening, would remove part of the open space which contributes to the character and appearance of the



Conservation Area, therefore resulting in harm to the character and appearance of the Conservation Area.

The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and conservation Areas) Act 1990, the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, which collectively seek to ensure proposals conserve and enhance heritage assets and their settings.

**3. Harm to the setting of a listed building**

Adjacent to the site, to the south west, is No. 10 The Street a late 18<sup>th</sup> Century Grade II listed cottage. No.10 benefits from an open setting, provided for by the surrounding fields, including the application site. This open setting makes a positive contribution to, and assists in revealing, the significance of the listed building. The application site is part of this open setting, and therefore contributes to the significance of the listed building, it does so in terms of (i) its historical relationship with No.10 (and indeed The Street) – forming part of the historic open rural setting to the listed building, (ii) the views it affords of No.10 from the Street and the surrounding countryside, (iii) the peacefulness and tranquillity it provides, and (iv) its attractive rural character.

The proposal would introduce parked cars, a hard surfaced area, and hedgerows for screening into undeveloped space that, at present, positively contributes to the setting of No.10 The Street. The proposal would erode the present open character of the site and the rural character of the area, therefore detracting from the rural and open setting of the listed building and resulting in harm to the significance of the listed building. The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and conservation Areas) Act 1990, the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, which collectively seek to ensure proposals conserve and enhance heritage assets and their settings.

**4. Landscape and visual impacts within AONB**

The proposal scheme would encroach into the existing open landscape which provides a patchwork of open space with the existing street scene, this is a feature of the character and appearance of the area and reflects the rural nature of the site. The proposal development will permanently remove an area of open space and the open countryside. The use of the site to park 38 cars does not make a positive contribution to the character and appearance of the area.

The application is located in a highly sensitive area within the open countryside and North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy CS14 requires new development to demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. The proposal scheme does not enhance or respect the character and appearance of the open countryside or AONB. Policy CS19 requires that the landscape character of the district is conserved and enhanced, and that new development responds to the sensitivity of the area to change. The proposal scheme is in a highly sensitive location and does not conserve or enhance the landscape character of the area. In accordance with paragraph 172 of the NPPF the AONB has the highest status of protection. The proposal scheme is contrary to policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, West Berkshire Landscape Character Assessment (2019) and the NPPF.

**5. Loss of green infrastructure**

Policy CS18 of the West Berkshire Core Strategy 2006-2026 states that the district's green infrastructure will be protected and enhanced, and that developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted. In accordance with policy CS18, only where it is exceptionally agreed that an area of green infrastructure can be lost and a new one of equal or greater size

and standard will be required to be provided in an accessible location nearby. The proposal scheme would result in the loss of green infrastructure in the District. No exceptional there are no exceptional circumstances that would permit the development in policy terms nor under material planning considerations, and the proposal scheme does not seek to replace the lost green infrastructure. The proposal is therefore contrary to Policy CS18.

### ***Informatives***

1. In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has also been unable to find an acceptable solution to the problems with the development so that the development can be said to improve the economic, social and environmental conditions of the area.