

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/02410/RESMAJ Bradfield	21 st January 2021 ¹	Approval of reserved matters following Outline Permission 17/03411/OUTMAJ: Outline application for the proposed erection of 11 no. new dwellings; layout, means of access and scale to be considered. Matters seeking consent appearance and landscaping. Land north of Stretton Close, Bradfield Southend, Reading Westbuild Homes
¹ Extension of time agreed with applicant until 29 th January 2021			

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02410/RESMAJ>

Recommendation Summary:	Delegated to the Head of Development and Planning to grant the reserved matters approval subject to conditions.
Ward Member(s):	Councillor Ross Mackinnon
Reason for Committee Determination:	The Council has received in excess of 10 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.

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1. Introduction

- 1.1 This application seeks the Council's approval of the reserved matters of "appearance" and "landscaping" for the erection of 11 dwellings in Bradfield Southend. This application follows the approval at appeal of application number 17/03411/OUTMAJ (appeal reference APP/W0340/W/18/3211943) in 2019.
- 1.2 Outline planning permission was granted at appeal for the erection of 11 dwellings on the site, with 40% (4 no.) affordable units. The outline permission has already approved the scale and layout of the dwellings, and the means of access to the site, i.e. the new vehicular access off Stretton Close to the south. Accordingly these are not matters which the Committee can revisit at this stage. Nor indeed can the overall principle of the new development, which is established by the outline permission.
- 1.3 This is an application for the outstanding reserved matters of appearance and landscaping, as defined by the legislation below:
- 1.4 "Appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 1.5 "Landscaping" means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
 - (a) screening by fences, walls or other means;
 - (b) the planting of trees, hedges, shrubs or grass;
 - (c) the formation of banks, terraces or other earthworks;
 - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
 - (e) the provision of other amenity features.
- 1.6 The Committee should be aware that the site is allocated for approximately 10 dwellings under policy HSA22 of the Housing Site Allocations DPD, as adopted in May 2017. The policy is proposed to be repeated in the draft emerging Local Plan Review up to 2037.
- 1.7 In addition, the Committee may now be aware of a proposal in the emerging Local Plan Review to allocate the land to the south-west of this application site for further housing of up to 13 dwellings under draft policy RSA25. Clearly this proposal is at an early stage, and attracts very little weight in terms of the consideration of this application, but is identified to give complete context.
- 1.8 The application site is presently an open pasture with trees present on the site, protected under a tree preservation order (TPO). It lies immediately to the north of Stretton Close, in Bradfield Southend. The area is situated within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). To the east of the application site lies Stanbrook Close comprising a range of detached dwellings, and to the north and west lies open land.
- 1.9 The application details the following dwellings:

Plot	Size	Type	Scale	Tenure
1	3 bed	Detached	2.0 storey	Affordable shared ownership
2	3 bed	Detached	2 storey	Affordable shared ownership
3	3 bed	Detached	2 storey	Open market
4	4 bed	Detached	2.5 storey	Open market
5	4 bed	Detached	2.5 storey	Open market
6	4 bed	Detached	2 storey	Open market
7	4 bed	Detached	2 storey	Open market
8	4 bed	Detached	2 storey	Open market
9	4 bed	Detached	2 storey	Open market
10	2 bed	Semi-detached	2 storey	Affordable social rent
11	2 bed	Semi-detached	2 storey	Affordable social rent

- 1.10 The overall density of dwellings on the site will be approximately 10 dwellings per hectare, which is lower than the surrounding area, and the block plan shows the access route bifurcating once into the site to serve the 11 dwellings, via a shared surface. On the block plan plots 1-3 are situated a very considerable distance from the dwellings in Stanbrook Close to the east, whilst plots 4-6 are closer, but as the submitted cross sections show still an acceptable separation distance (e.g. between plot 4 and 14 Stanbrook Close is just under 40 metres back to back).
- 1.11 The design of the dwellings is varied in architectural and elevational terms, creating a street scene which is of interest. A new sustainable drainage pond is proposed to the north of the application site to ensure on and off site drainage is acceptable, given the clear change from a greenfield site to a brownfield one.

2. Planning History

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

Application	Proposal	Decision / Date
17/03411/OUTMAJ	Outline application for the erection of 11 dwellings.	Refused 24/05/2018. Appeal allowed 15/02/2019.

20/02746/FUL	New access into the application site.	Not yet determined.
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- 2.2 In addition to the above the Council currently has before it for determination a number of discharge of condition applications pursuant to the outline permission. These are purely technical matters for discharge as required, and not subject to formal public consultation.

3. Procedural Matters

- 3.1 A site notice was displayed on the 27th October 2020. The deadline for public representations expired on the 17th November 2020. A public notice was also displayed in the Newbury Weekly News on 29th October 2020.
- 3.2 A further “amended plans” site notice was displayed on the 24th November 2020. The deadline for representations expired on 8th December 2020.
- 3.3 The development is CIL liable. CIL liability will be based on the floor space of the development and confirmed by the CIL Charging Authority separately.
- 3.4 No s106 legal agreement is required in relation to this reserved matters approval, since the reserved matters is tied into the s106 linked into the outline permission for the delivery of the 4 affordable units.

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.

Parish Council:	Object to the application on a range of grounds. Firstly concerned about the array of applications submitted which is confusing. Secondly worried about the future environmental credentials of the site, particularly the lack of electric vehicle charging points, not enough bird and bat boxes, worried about future drainage, shared surface on access road not safe, should any dwelling be 2.5 storey? Covenants on land mean no utilities should cross the site. In addition positioning of some dwellings not acceptable, and affordable housing should be to those with local connections only. Other detailed matters raised about windows, car ports, fencing, and the design of roofs.
Highway Authority (WBC):	Conditional permission be granted. Wished to see electric vehicle charging points but this was not conditioned on the outline planning permission and cannot now be conditioned on the reserved matters application. Road layout and surface is acceptable and it will be adopted under section 38 in due course. The parking and turning areas all comply with policy P1 in the

	HSADPD as adopted. Swept path analysis for refuse vehicles is acceptable. Gates to plot 8 is acceptable.
Housing Officer (WBC):	The development is acceptable since 4 of the units will be for affordable purposes, as required.
Environmental Health:	No comments to make.
Tree Officer (WBC):	No objections. All the arboricultural works are controlled by condition via the outline permission and the discharge of conditions applications pursuant to that. Conditional permission is recommended.

Public representations

- 4.2 Representations have been received from 13 contributors, 1 of which gives neutral commons, and 12 of which object to the proposal. Some contributors have made multiple submissions.
- 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:
- Concerned about the shared surface and lack of distinct pedestrian access through the site.
 - Worried about future drainage both on and off site.
 - Design and height of the dwellings not appropriate, they should all be just 1.5 storey only.
 - Concerned about separation distances and potential for overlooking/loss of privacy.
 - Confusing array of applications being submitted.
 - Utilities should not cross the site due to restrictive covenants.
 - Some still opposed to the overall principle of the development.
 - Trees not adequately protected on the application site.
 - Lack of electric vehicle charging points.
 - Unclear if the fencing and the proposed landscaping is acceptable.
 - Application does not comply with Core Strategy Policy CS4 as an inappropriate mix of housing is proposed.
- 4.4 The above views relate both to the original plans and the revised ones.

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, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies GS1, HSA22, C1, C3 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6, TRANS.1, RL.1, RL.2 and RL.3 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)
- Planning Obligations SPD (2015)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Appearance reserved matter
- Landscaping reserved matter
- Other matters raised in the public consultation

Appearance

6.2 In terms of the overall appearance and landscaping of the site the officer considers that the following matters are pertinent. Paragraph 127 in Chapter 12 (Achieving well-designed places) of the NPPF notes that (inter alia) that planning policies and applications should seek the following aspirations: development should function well on the site in question, and should insofar as possible reflect the local character of the area, in terms of appearance and local landscaping. A strong sense of place should be achieved if possible, and places should be attractive and welcoming to live in. The site potential in addition should be optimised, in terms of overall density, where possible, to make the best use of land.

6.3 Your case officer has now had the opportunity of visiting the application site on a number of occasions and has viewed the surrounding nature and type of dwellings in the immediate vicinity of the application site. It is considered that the varied designs promoted by the applicant's architect has successfully created a range of attractive designs, which not only will produce a varied street scene, but which will be in keeping with their surroundings. Most dwellings are 1.5 storey (only two are 2.5 storey) and none are above 8.5m to ridge as stipulated via condition on the outline permission. In addition the proposed appearance of all of the affordable dwellings is considered to be tenure blind in that the elevational treatment and materials will be of similar tone to the open market dwellings.

- 6.4 A number of the objectors have raised concerns about fencing. This is to be close boarded which might not be particularly rural, but will allow a degree of local privacy and is not out of place in the context of the area. Windows will be double glazed and not out of keeping with the surrounding housing. Car ports are introduced on some of the plots but this does not detract from the overall appearance of the dwellings. Finally the roofscape is varied and well-articulated, providing a good degree of variety in the proposed street scenes.
- 6.5 Given the site varies in gradient across the land parcel, it is inevitable that some of the proposed dwellings will have ridge heights (in AOD terms) higher than some of the others to both the east and the south, which has been a cause of concern for some objectors, but given the generous separation distances between the plots no harmful overshadowing or development being overbearing will occur. In conclusion, in terms of appearance the officer believes that the development will comply with the design policies of the NPPF and policy CS14 of the Core Strategy.

Landscaping

- 6.6 In terms of the landscaping of the site, a full scheme has been submitted by the applicant and this will be duly conditioned. This will include the planting of a range of small standard trees (e.g. maple), the planting of hedgerows of hawthorn, beech, hazel and field maple, and the planting of semi aquatic plants arounds the drainage feature/pond. The Council's tree officer has accepted the scheme. In addition the retention of the TPO trees across the site has been achieved by the conditions in the outline permission, and the agreed layout, means that the visual setting of the site will be softened by this backdrop of mature trees and hedgerows.
- 6.7 The fence to the eastern perimeter of the site to Stanbrook Close was originally proposed to be 1.8 metres in height. This has been increased to 2 metres at the request of the local occupants. This will afford a little more privacy.
- 6.8 It is accordingly considered that in this respect the application complies with policies CS14 (Design Principles), CS17 (Biodiversity) and CS18 (Green Infrastructure) of the Core Strategy in this respect.

Other matters raised in the public consultation

- 6.9 A number of local residents have raised concerns over the scheme, which do not fall for consideration as part of the appearance or landscaping reserved matters.
- 6.10 First, as explained in the introduction to this report, this application relates solely to the appearance and landscaping reserved matters. Outline planning permission has already been granted, and this including considerations of access, layout and scale. The Committee cannot now object to the principle of the application or any of these determined reserved matters.
- 6.11 Second, the concerns of objectors regarding the layout of the site cannot be examined at this stage as this was a matter considered and determined at the outline application stage. At this stage, the proposed separation distances between the dwellings and the possibility of any harmful overlooking between the new dwellings and those as existing was judged to be minimal and not harmful.
- 6.12 Third, in terms of sustainable drainage, this issue has already been agreed at the outline stage. Condition number 10 of the outline permission controls drainage measures, and the details submitted pursuant to this condition are being examined under application

number 20/02794/COND3 at present. The development cannot lawfully commence until the proposed drainage scheme has been approved.

- 6.13 Fourth, a number of residents believe that no utilities can be laid underground across the application site due to restrictive covenants. The presence or effect of restrictive covenants are not a planning matter but a civil matter for the developer to address.
- 6.14 Fifth, concern has been raised regarding the absence of electric vehicle charging points. According to policy P1 of the HSA DPD, electric charging points should be installed for new residential developments, but unfortunately the appeal decision did not include a condition requiring such provision. Having regard to the legal scope of appearance and landscaping reserved matters (see paragraphs 1.4 and 1.5 above) it is not considered that a condition can be applied to this application. Nevertheless, the case officer has sought to encourage their update within the development, but unfortunately the developer has declined citing issues of cost. Such a condition should not be applied to this reserved matters approval.
- 6.15 Sixth, the Parish Council wishes the reservations on the affordable dwellings to be for those with local connections. The outline planning permission is subject to planning obligations through a section 106 unilateral undertaking. This will deliver the four affordable units on the site. The unilateral undertaking is based on standard wording of S106 Agreement, and no provision has been made for allocation of the affordable units to local residents only. The Council ensures that all applications for the Housing Register are assessed and prioritised in accordance with the allocations scheme, and properties will be let to applicants with the highest priority who also meet the property criteria in the Housing Allocations Policy.

7. Planning Balance and Conclusion

- 7.1 To summarise, the proposal it is for the approval of the “appearance” and “landscaping” reserved matters only on a greenfield site which is now a planning commitment by virtue of the outline permission granted at appeal for the erection of 11 dwellings with associated works and access. This site was and remains a housing site allocation in the Housing Site Allocations DPD 2006-2026 and is retained as a proposed allocation in the recently published draft emerging Local Plan Review to 2037.
- 7.2 In terms of the appearance of the dwellings, it is considered that the varied designs promoted by the applicant’s architect has successfully created a range of attractive designs, which not only will produce a varied street scene, but which will be in keeping with their surroundings.
- 7.3 In terms of landscaping, the mature and protected trees for a key component of the proposed scheme, which overall is considered acceptable by officers. The height of the eastern boundary fence has also been increased to address concerns by neighbouring residents.
- 7.4 Accordingly, given that the application clearly complies with extant development plan policies relating to design and landscaping, it is considered that the application should be approved, with appropriate conditions.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT RESERVED MATTERS APPROVAL subject to the conditions listed below.

Conditions

1. Link between reserved matters and outline

This approval relates solely to the reserved matters referred to in condition numbers 1 and 2 of the outline planning permission granted on 4th December 2018 under appeal reference APP/W0340/W/18/3211943 (application reference 17/03411/OUTMAJ). Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions applied to that outline planning permission.

Reason: For the clarity and the avoidance of doubt. The reserved matters cannot be considered separately from the permission to which they relate and the conditions applied on that outline permission are still applicable.

2. Approved plans

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

- Drawing numbers: 16.48-100C, 140H, 141C, 142A, 143B, 144A, 145A, 146H, 150B, 151B, 152B, 153B, 154A, 155A, 156A, 157A, 158C, 159A, 160B, 161C, 162A, 163D, 164D, 165A, 166A, 167B, 168A, 169A, 170A, 171C, 172A, 173A, 174B, 175A, 176A, 180B, 181, 182A, 183, 184, 185A, 186, 187, 188, 189, 190 (J Spires Architects).
- Landscape Specification Notes 16.48-LSP1.
- Design & Access Statement 16.48-DAS2 Rev B.

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

3. Schedule of materials (prior approval)

The construction of any dwelling shall not take place above slab level until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials respect the character and appearance of the area. 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 Supplementary Planning Document Quality Design (June 2006).

4. Soft landscaping (approved plans)

All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme (16-48-146H) within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme 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.

5. **Tree and vegetation retention**

No trees, shrubs or hedges shown as being retained on tree survey 903 by SJ Stephens dated Nov 2017 shall be removed without the written agreement of the Council.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. 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.

6. **Hard landscaping (approved plans)**

No dwelling hereby permitted shall be first occupied until the hard landscaping associated to that dwelling has been completed in accordance with the details of boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) shown on the approved plans/documents. The final dwelling to be occupied shall not be first occupied until all hard landscaping within the site has been completed in accordance with the approved plans/documents.

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. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

7. **Architectural detailing**

No dwelling shall be first occupied until the detailing of its elevations has been completed in accordance with the approved plans. This includes (but is not necessarily limited to) the provision of any bargeboards, lintels (materials, keystone details), string/soldier courses, fenestration, quoins, porches, plinths, chimneys (corbelling), eaves detailing, cills, hanging tiles (varying tiles/detailing).

Reason: The articulation of elevations with such detailing makes an important contribution to the design quality of the development. The completion of these features prior to first occupation is therefore necessary to ensure that the buildings respect the character and appearance of the surrounding area. 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, Policy C3 of the Housing Site Allocations DPD 2006-2026, and Supplementary Planning Document Quality Design (June 2006).

8. **Restriction on car port alterations**

The car ports hereby permitted shall be kept available for parking (of private cars and/or private light goods vehicles) at all times. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no physical alterations shall be made to the car ports (including enclosing the sides / installed doors), unless permission has been granted by the Local Planning Authority as a result of an application being submitted for that purpose.

Reason: To ensure that the car port is kept available for vehicle parking, and is not converted into a garage, in the interest of road safety. The residential parking standards of Policy P1 do not count garages towards parking provision. This

condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).