

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/01914/FUL Hampstead Norreys Parish Council	15.10.2020 <sup>1</sup>	Two-storey front and side extension over basement to create granny annexe and carers room. Change of use of associated land to provide two additional ancillary parking spaces.  Tree Tops, Hampstead Norreys, Thatcham, RG18 0TE  Mrs & Mr Humphreys
<sup>1</sup> Extension of time agreed with applicant until 12/02/2021			

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01914/FUL>

**Recommendation Summary:** To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to conditions'

**Ward Member(s):** Councillor Carolyne Culver

**Reason for Committee Determination:** 10 objections received.

**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 two storey side/front extension with basement, and two additional parking spaces on a piece of agricultural land in the ownership of the applicants, comprising of a change of use to domestic from agricultural for an area of dimensions 4.8m by 4.8m, including an electrical upstand for car charging.
- 1.2 The application site sits roughly in the middle section of the Hampstead Norreys settlement, adjacent to the settlement boundary, within its Conservation area, set well back from the main road and up on the hillside. It is accessed primarily on foot via a narrow path/PROW that leads up to a set of steps on the front of the veranda/balcony of the house.
- 1.3 There exists a narrow farm track (the aforementioned piece of agricultural land) that accesses the rear garden and two fields, but this does not form a formal part of the domestic curtilage of the dwelling.
- 1.4 The extension and spaces were amended in the course of the application to address a specific concern in regards to an immediate neighbour's amenity and a highway/PROW safety matter.

## 2. Planning History

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

Application	Proposal	Decision / Date
00/57550/FUL	Convert single storey bungalow with a loft conversion and brickwalls on outside	Approved 22.11.2000
02/00563/FUL	Change of use from agricultural land to residential curtilage to incorporate new driveway and parking.	Refused 11.09.2002
02/02082/FUL	Creation of access track and parking for the use by occupiers of High View	Refused 24.12.2002
04/01966/FUL	Proposed demolition and replacement of existing dwelling. Creation of access track.	Refused 18.10.2004
07/00248/FUL	Retrospective - Replacement dwelling in place of approved extended bungalow	Refused 05.04.2007.  Allowed at appeal 20.06.2008
09/02274/FUL	Access track following the hedgeline of the existing field boundary	Refused 05.02.2010.

		Appeal dismissed 03.11.2010
20/01209/HOUSE*	Householder application for a two-storey front and side extension over basement to create granny annexe and carers room.	Withdrawn 13.07.2020

\*20/01209/HOUSE was considered by the same officer. The circumstances leading to its withdrawal and resubmission as part of this application are explained in section 6.44.

### 3. Procedural Matters

- 3.1 EIA Not Applicable.
- 3.2 Site notice displayed on a telegraph pole next to the highway and pedestrian access (also a PROW) of the dwelling on 28.08.2020, site notice expired 18.09.2020.
- 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) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).

As the proposal is over 100 square meters, it may be liable to pay CIL. Residential annexe exception is being sought. 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)

- 3.4 A notice was displayed in the Newbury Weekly News on 27.08.2020. This was a statutory requirement as the application site is in a conservation area and potentially affects a public right of way.

### 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>Hampstead Norreys Parish Council:</b>	<p>"Objection.</p> <p>The increase in bedrooms to this property from 3 to 5, including the access for a carer creating the use of an additional vehicle, will increase the requirement for parking spaces at this property. According to the Housing Site Allocations DPD (2006-2026), there is a requirement for properties in Zone 3 with 4 bedrooms to have 3 parking spaces available within the curtilage of the dwelling.</p>
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	<p>No vehicular access is permitted to this property, as confirmed by the Planning Inspectorate within planning appeal APP/W0340/A/10/2131162, relating to planning application 09/02274/FUL.</p> <p>The existing dwelling has only one parking space. This revised planning application requests the inclusion of two new parking spaces within the curtilage of the main site.</p> <p>This would be unacceptable given the previous decision by the planning inspectorate to prevent vehicular access to the site.</p> <p>The increase in the number of bedrooms in this property, particularly when taking into account the needs of the carer that part of the extension is designed to cater for, would increase parking around the area of the corner of Church Street and Forge Hill on the B4009. This location is already overwhelmed by on-street parking and the situation would only be exacerbated by the additional vehicles created by this extension.</p> <p>The access track, that is not permitted for use as per the Planning Inspectorate's decision referenced above, is being used for access to this property with cars regularly using the track from the White Hart with cars being driven up and round behind Folly Cottage to the existing property.</p> <p>Temporary access was granted along this route when the original dwelling was built, however, conditions were included that this ceased on completion of the work and that the ancient hedge was restored. Neither of these conditions have been met.</p> <p>Construction materials can only be delivered via a narrow, steep footpath leading from Forge Hill. This is likely to result in additional issues with parking on this area of Forge Hill.</p> <p>It is noted that there is currently no basement to the property. It is therefore believed that this is, in effect, a three-storey extension to the property.</p> <p>There are concerns regarding the scale of the proposal on a plot that is elevated and can be seen from a long distance. The proposed extension will only add to the dominance of the dwelling.</p>
<p><b>WBC Highways:</b></p>	<p>Initial objection to proposal over exact position of spaces not being suitable in terms of pedestrian visibility splays. Resolved to no objection subject to conditioning of a Construction Method Statement, implementation of the visibility splays, parking in accord with plans, EV charging point, and 2 informatives.</p> <p>Further comments in response to request from Case Officer for review of submitted objections:</p> <p>“The representation letters do not alter the highway recommendation for approval.</p> <p>The parking spaces are remote from the dwelling but this in itself is not a reason to object in this instance. The concerns related to land ownership and the permitted use of the land are not for highway consideration.</p> <p>In terms of construction, a CMS is requested which is appropriate and is as much as we can reasonably request. Again we would be unable to object on these grounds.”</p>

<b>PROW:</b>	No response.
<b>Conservation:</b>	<p>The built form of Tree Tops is located within the Hampstead Norreys Conservation Area, however, access to the dwelling falls just outside of the CA.</p> <p>The proposal is for:</p> <ul style="list-style-type: none"> <li>• Change of use of associated land to provide two additional ancillary parking spaces.</li> <li>• Two-storey front and side extension over basement to create granny annexe and carers room</li> </ul> <p>The proposed parking spaces are to be located at the access into the site, adjacent to the CA. It is unclear whether or not they involve the loss of any trees, as a site plan has not been provided for this area. Further information is therefore required so that we can properly assess the impact of the proposed parking spaces on the setting of the CA.</p> <p>I note my colleagues comments on the earlier withdrawn application from this year:</p> <p>“An interesting site with an interesting site history, involving a prominently situated unlisted building in the Hampstead Norreys Conservation Area, Settlement Boundary and the AONB.</p> <p>The existing property on the site was permitted on appeal under a retrospective application number 07/00248/FUL. The said appeal was also in respect of Enforcement action taken against the then unauthorised property on the site.</p> <p>Originally alterations and extensions were proposed to an existing dwelling on the site (application 00/57550/FUL refers), but the dwelling was subsequently demolished and replaced with that subject of retrospective application 07/00248/FUL, when the various planning objections to the proposal, including building conservation objections, were dismissed in allowing the appeal. This must be the starting point in considering any new proposals for the site.</p> <p>The question with regard to the current application to extend the approved dwelling on the site, is therefore whether any new issues arise.</p> <p>Although previously objected to in building conservation terms, the building on site remains no less prominent than before, and, even with extensions, this would not appear to be an issue based on the appeal decision. The proposed extensions are also considered to be in keeping with those approved in terms of design and matching materials (albeit previously objected to). Together, this therefore suggests that there are no new building conservation issues with regard to impact on the character and appearance of the Conservation Area in which the property is situated, nor views of it from public viewpoints.</p> <p>Notwithstanding any other Development Control Case Officer considerations in respect of assessing the ancillary nature of the proposed accommodation (which appears to be fully capable of independent use and is only nominally linked to the main house with a single door), plus any impact of the proposed extensions on the amenities of neighbouring properties.”</p> <p>I concur with his comments and have nothing further to add. Other than I note that the proposed extension has been designed to reflect the scale, architectural form, and detailing of the main house.</p>

	<p>Response 2, in response to amended plans:</p> <p>Provided the tree office is content that the proposed parking spaces will not harm any existing trees then I have no objections. (although I would have expected a 1:100 or 1:200 plan showing the proposed parking spaces and the existing trees?)</p>
<b>Trees</b>	<p>There are significant trees in proximity to the proposal to the rear of Forge Cottage. The RPA is likely to be a sufficient distance from the site of the proposal which in principle appear achievable however additional information will be required to ensure inadvertent damage by creeping development activities including storage does not occur.</p> <p>The proposed additional parking spaces are close to an existing tree. Details of any excavation required within the RPA, tree protection during construction and its installation preventing soil compaction using no dig techniques will be required. The tree should be included in an Arboricultural Survey and Impact Assessment detailing the classification, condition as per BS5837 and the impact of the proposals.</p> <p>There is no arboricultural report with the submission and the following conditions are suggested (see conditions 10 and 11).</p>
<b>SUDS</b>	No response.
<b>AONB</b>	No response.
<b>Ramblers</b>	No response.

### ***Public representations***

- 4.2 Representations have been received from 10 contributors, 0 of which support, and 10 of which object to 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 points have been raised:
- Application has misleading description, should be called a three storey extension
  - Two parking spaces are proposed which contradict the appeal decision from 2010.
  - Delivery of materials and equipment likely only made via narrow footpath which is a PROW, concern over impact on other residents
  - Dwelling is large and dominant, development won't blend with rural character, visible from road accesses
  - Concern of use of rear access being used by private vehicles
  - Concern of extent of overlooking and protrusion into neighbour amenity
  - Concern over existing parking situation along the highway, increased pressure from development.
  - Parking spaces would constitute domestic development outside of the settlement boundary

## 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 CS13 CS14 CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C8, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies TRANS1 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 House Extensions SPG (2004)
- WBC Quality Design SPD (2006)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Whether the proposed extension is acceptable in its impact on the character of the area
- Whether the proposal has an adverse impact on neighbouring amenity and what measures are necessary to ensure the protection of neighbouring amenity
- The benefits of the proposed parking spaces and electric charging point versus their impact on the character of the area

### ***Principle of development***

6.2 The consideration of whether residential development within this site is acceptable was addressed by the appeal decision of application 07/00248/FUL, and is the point from which this proposal is assessed.

6.3 The proposed extension is located within the Hampstead Norreys settlement boundary, where the principle in favour of development is established, subject to detailed consideration of policies on design, impact on the character of the area, and neighbouring amenity, which are discussed below.

6.4 The proposed parking spaces are located outside of the Hampstead Norreys settlement boundary where the principle of development is not established, but where the principle of extending the residential curtilage of a dwelling in the countryside to provide parking in the interests of highway safety is established, subject to detailed consideration of Policy C8 in regards to the impact on character of the area, highway safety, and neighbouring amenity.

### ***Character, appearance, use – proposed house extension***

- 6.5 The proposed extension comprises a two storey extension over a new basement to provide a residential annexe for the purposes of live-in medical care. This comprises two main parts on the side and street-facing elevations of the dwelling.
- 6.6 The extension could be described as a rear extension, as the principle elevation (including the 'front' door) is on the other side of the dwelling, facing the countryside. However, the 'rear' is the most visible elevation of the dwelling, faces the highway, and is how pedestrian access from the parking spaces to the dwelling is made (as existing and proposed). The real-world impact of the extension is therefore judged as resembling that of a front and side extension rather than that of a rear and side extension, and is assessed accordingly.
- 6.7 For clarity in this report, the 'front' elevation is described as the 'countryside-facing' elevation, with the 'rear' elevation as the 'street-facing' elevation. The respective floors are referred to as 'basement' 'ground' and 'first', acknowledging that the basement does not yet exist and is proposed to be partially excavated into the hillside, and that the first floor is contained largely within the roof of the existing dwelling and the proposal.
- 6.8 Policy CS14 seeks that new development demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Good design should not only consider the appearance but also the context of both the immediate site and wider area. Policy CS19 also seeks that development is appropriate in terms of its location, style, and design in context with the settlement form and pattern. Guidance contained within the West Berkshire House Extensions SPG will be utilised to consider the merits of the design of the proposed development.
- 6.9 The main character considerations identified for the proposed extension is in the impact on the character of the locality and Conservation area, with particular regard to whether this development would result in an impact that is significantly greater than that which already exists, and whether the development respects the character of the dwelling and its usage.
- 6.10 First, consideration is given to whether the proposal has a visual impact that is significantly greater than existing.
- 6.11 The appeal decision for 07/00248/FUL describes views of the existing terrace as being "clearly visible from the village, [but] does not strike me as excessively dominant or otherwise offensive", where views of the holistic building are "either over such a distance that the detail of the building is not readily discernible, or confined to relatively close quarters along the footpath". This was confirmed in the course of the Case Officers site visit.
- 6.12 Comparing the physical footprint occupied by existing building and terrace to the proposed, no significant change in footprint is identified, as the proposal slightly shorter in its projection from the main dwelling than the terrace. From the ground floor level downwards, therefore, the development is essentially equivalent in its mass to the existing, and that part of the proposal will occupy a physical space within the site that has already been developed, and the impact cannot therefore be said to be significantly greater than existing.
- 6.13 However, from the ground floor/terrace level upwards, the proposal will project from the existing dwelling with a 5m long footprint, 5.8m height, a 8m long pitched roof with a gable frontage, in addition to a 2.5m wide side extension to incorporate the front part



into the main dwelling. The impact of this part of the proposal is identified to be greater than that which currently exists, and is given greater consideration below.

- 6.14 It is concluded overall that the Inspector's assessment remains as a solid standpoint from which development within this site should be considered.
- 6.15 The House Extensions SPG details design guidance for front extensions that, as mentioned in 6.6, is considered to be applicable in this situation due to the unique circumstances of this site and orientation/location of the proposed extension. The SPG advises against new front extensions in general, but exceptions are given where the dwelling is detached and well set back from the road in a good sized plot.
- 6.16 The dwelling is set well back from the street, detached, and set in a good sized plot. As has been identified not only in the 2008 appeal decision but also by the Conservation Officer, the views of the dwelling from an external viewpoint are limited to views from afar, where the circumstances of the site are such that it is considered to fulfil the detailed exception for front extensions.
- 6.17 Although the plot is of a reasonable size, there is not a reasonable location within the site other than in the proposed location to extend the dwelling to the degree that is required. This is because an extension of a similar type/size on the countryside facing side of the house would be outside of the settlement, outside of the domestic curtilage of the site, and would require a change of use for a section of agricultural land, which is judged as a more damaging development than extending within the domestic curtilage. Locating the development elsewhere on this side of the dwelling would almost certainly result in the extension requiring the removal of mature trees and shrubbery, which would be unacceptable in context with the location within a Conservation area.
- 6.18 Next, the SPG advises that extensions should ideally be set back and down in order for a development to demonstrate subservience to the main dwelling, but that it may be preferable in some cases to match the existing ridgeline.
- 6.19 In this case, the roof of the side part of the proposal matches the existing ridgeline, and demonstrates subservience through a half-hip, which results in a visual appearance that is acceptably subservient and in character, as hipped roofs on this dwelling are an existing feature. The hip has the related benefit in reducing the mass of the proposal along the boundary with the neighbour. The projecting part of the extension at the ground and first floor levels is also subservient in appearance to the existing dwelling, as it is well set down from the existing ridgeline. The development has been judged as demonstrating significant subservience to the existing dwelling.
- 6.20 The consideration remains over whether the overall design and style of the proposal and its visual impact is acceptable, as the proposal should not only respect the existing character of the dwelling, but also should not infringe upon the character of the Conservation area that it is located within. In considering this question, weight is given to the comments provided by the Conservation Officer:
- 6.21 "The building on site remains no less prominent than before, and, even with extensions, this would not appear to be an issue based on the appeal decision. The proposed extensions are also considered to be in keeping with those approved in terms of design and matching materials. Together, this therefore suggests that there are no new building conservation issues with regard to impact on the character and appearance of the Conservation Area in which the property is situated, nor views of it from public viewpoints."
- 6.22 It is concluded that the impact of the proposal on the Conservation area, due to the relatively modern age of the dwelling and location that results in most views being from

afar, is no more significant than the impact that the existing dwelling has on the Conservation area.

- 6.23 The design of the side part of the proposal, as previously identified, is incorporated into the design of the main dwelling/ridgeline/roof, and is informed by a need to utilise the space effectively, whilst incorporating a mix of the existing hipped character features of the dwelling and a need to reduce the mass of the proposal along the boundary. Regardless, this part of the proposal is in such a location that it would not be readily visible from most angles, and those angles that it would be visible from are a distance as to be not significant.
- 6.24 The design of the projecting part of the proposal is reflective of the existing gable on the street facing elevation, going so far as to match the exact detailing of this gable. Clearly, the proposed extends further out than the existing gable, however it is overall very similar in dimensions and only projects 3.3m further forward than the existing gable. The overall form, style and size is considered to broadly reflect the existing character of the dwelling.
- 6.25 A dormer is proposed on the countryside-facing elevation, which is identical to the two that are already existing on this elevation, and has not been identified as raising any particular concerns, as it is not widely visible and does not overlook neighbouring dwellings.
- 6.26 Overall, no part of the extension has been judged to introduce character features onto the dwelling that do not already exist in some form. Subservience to the main dwelling, respect for its character, and integration by design has been demonstrated.
- 6.27 The final consideration for this section is over the design of the proposal with regard to its usage. As identified, the proposal incorporates is an annexe for the purposes of providing a live-in carer. The incorporation of the annexe as an integral, attached part of the design of the dwelling/extension results in internal space that, although largely separated from the rest of the dwelling, has the clear capacity to be modified and re-absorbed into the main dwelling if and when the need passes. To ensure the cohesiveness of the dwelling, condition 8 has been suggested. The considerations of the creation of a separate dwelling has been concluded to not hold significant weight in the particular circumstances of the site and proposed use.

### ***Neighbouring Amenity***

- 6.28 In terms of direct impact on neighbour amenity through overshadowing, overbearing, and overlooking, it has been identified that there is only one neighbour that could be clearly and directly impacted by the extension itself, which is Mountain Ash. This is because the location of the proposal is such that other neighbouring dwellings are such a distance from it such that the amenity impact would be negligible.
- 6.29 Mountain Ash, however, sits directly south of the proposal. Referring to the picture titled 'Mountain Ash side elevation', it is clear to see that there are few windows on this elevation, and those windows that are on this elevation have been identified as secondary. The lay of the land and mass of the existing Tree Tops building, terrace, and vegetation already restricts view out of these windows to a large degree, therefore the impact is considered from whether this is greater than before.
- 6.30 As previously identified in 6.16, the location of the proposal in this part of the site is important in preventing other adverse impacts, although it is acknowledged that the location in this position results in more development near Mountain Ash. As existing, this side area is occupied by the front wood terrace and a set of stairs, in addition to a

small single storey side aspect of the existing dwelling that contains a bathroom. The proposal extends to the same degree as this existing side part of the dwelling. The built form on the boundary is therefore, in theory, no closer than which currently exists, although in practice the larger size of the extension will present a visually larger brick walls on this boundary that could have a greater impact on neighbouring amenity. The half-hipped roof here assists in reducing the mass of the extension along this boundary, with the pitched roof of the projecting part of the extension – itself in line with the original hipped roof of the dwelling - further assists in reducing the mass of the proposal along the boundary.

- 6.31 Attention is drawn to the removal of a previously proposed terrace at the ground floor level of the street-facing extension, in the interests of protecting the amenity of Mountain Ash by removing an aspect of the proposal that had potential to cause overlooking/harm to amenity and had been raised as a concern by the neighbours.
- 6.32 Matters concerning the final treatment of the boundary between the proposal and Mountain Ash are recommended to be addressed by condition 4.
- 6.33 The two primary concerns raised by the closest neighbour to the extension have therefore largely been addressed or will be covered by condition. Whilst the proposal will have a degree of impact on Mountain Ash due to its size and mass, it is not considered that there would be a significant direct impact on their amenity due to the steps taken to reduce the mass of the proposal alongside the boundary, their distance from the proposal, the removal of an overlooking/overbearing terrace, and that the impacted windows are secondary windows.
- 6.34 The direct impacts on neighbouring amenity as a result of the extension is concluded not be so significant that refusal would be a justified course of action, especially given the factors that dictate the location and size of the proposed development

***Character, appearance, amenity and Highway Safety – access to the dwelling & proposed parking spaces***

- 6.35 Matters regarding access construction and measures to mitigate impact on neighbouring amenity during construction are reserved for a future discharge of conditions pre-commencement as per condition 5 set out by the Highways Officer, which requires a Construction Method Statement (CMS). This also covers matters such as the disposal of spoil and maintaining access to neighbouring dwellings during construction.
- 6.36 It could be desirable in the interests of protecting neighbouring amenity for the rear agricultural access to be utilised in an extraordinary capacity to deliver materials to the development, as this would avoid the need to undertake deliveries via the PROW. Use of this access has been indicated by the Parish as occurring in the past when the house was constructed. Detail of proposed movements, rear access or otherwise, is recommended as a requirement within the CMS prior to commencement of development, and use of the access could be stipulated as part of the discharge of that condition as ceasing once development has finished.
- 6.37 Matters regarding the surfacing and implementation of the proposed parking spaces is jointly reserved by conditions 10, 11, 12 and 6, 7 respectively. The excavation, surfacing and landscaping needs to be informed by arboricultural assessment before determining the final details of the works. The implementation of the proposed parking spaces after delivery of materials provides the opportunity for any remedial works. Preliminary discussions have raised various options such as gravel to match the existing access, block pavements, and grasscrete, and such details can be secured as appropriate by way of the recommended conditions.

- 6.38 Therefore, the consideration for this section is over the use and impacts of a change of use of a section of land from an agricultural access into domestic parking spaces, and the position that these spaces are to take.
- 6.39 This part of the proposal constitutes a detached extension of the domestic curtilage outside of settlement, of a square area of ground (4.8m by 4.8m). The principle of extending domestic curtilage out of settlement for the purposes of providing parking in the interests of highway safety is established by Policy C8 of HSA DPD. Proposals are considered where it can be shown that there is no adverse impact on the character and local distinctiveness of the rural area, encroachment on the rural area, public footpaths and on the amenity of local residents. Sufficient visibility splays must also be demonstrated. C8 also seeks that new hard surfacing and landscaping should be in character with the surrounding area – see 6.43.
- 6.40 Policy CS13 of the West Berkshire Core Strategy (2006-2026) is also of relevance here as it seeks to guide development to provide choice of transport and encourage the use of electric vehicles. CS14 also seeks that development makes good provision for access by all transport modes. P1 of the HSA DPD also applies in this instance, which requires new development to provide parking to meet its transport demand - in this case, three parking spaces, one of which is existing.
- 6.41 Detailing the existing situation and the Council's requirements for additional parking is important in understanding the reasons behind the proposed spaces and their location before their impact is given due consideration.
- 6.42 In consultation with the Highways Officer, in the course of the Case Officers site visit, and in accordance with received objections and concerns, there is a clear and visible deficit in on-street parking that is severely impacting upon the safety of the highway in this location. The on-street parking in this area takes up a section of Church Street (B4009) next to a blind corner. It was observed on site that vehicles are compelled to accelerate quickly to get past the stretch of parked cars as this is a busy main road. Pedestrians are restricted by parked cars on one side with minimal room to pass each other, and are next to the cars on the other side (the potential to be clipped by a wing mirror was notably highlighted in one representation). Overall, the situation that has developed here has led to a fairly unpleasant experience for all road users, and is causing active detriment to Highway Safety, and demand is unlikely to change in the near future. It is reasonably assumed that demand for parking is very high at this exact moment in time, as residents will be at home due to the national lockdown.
- 6.43 This was the primary reason for the withdrawal of a householder application on this site in 2020, which comprised only the proposed extension. The increased pressure from additional parking in this already oversubscribed area conflicted with the aims of Policy CS13 of the West Berkshire Core Strategy, as it failed to mitigate the impact of the development on the local transport network, also running contrary to Policy P1 of the HSA DPD, which sets out the minimum parking standards for new development (3, as mentioned).
- 6.44 Conversely, this was the reason behind the submission of this application, to include two parking spaces and an electric charging point on a section of agricultural access owned by the applicant, proposed to be accessed off of an existing shared gravel access to the nearby farm and a nearby garage, bounded to the south by the side wall of the White Hart pub.
- 6.45 In summary, the two additional proposed parking spaces are a requirement from the Council for the development to meet its transport needs and are integral to this application as it now exists. They cannot be separated from the extension, as the

provision of extra bedrooms as part of the extension would be unacceptable without additional parking, and was the sole reason for the resubmission.

- 6.46 Turning to the safety and traffic impact of the spaces:
- 6.47 The gravel access sees existing light traffic in several forms, mainly from vehicles accessing the farm, foot traffic from the public right of way, and two parking spaces as existing close to the road on its north side in front/to the side of a garage.
- 6.48 With the shortfall of on-street parking, cars occasionally park informally off to one side in the gravel access as existing, much as the case officer did when visiting the site. A delivery van was also noted during the case officer's site visit, using this access to stop and deliver a parcel to a nearby house before turning around within the access to leave. The access has good visibility down each arm of the main road, despite the cars parked along it, as it is on the outside corner of the blind bend.
- 6.49 In consultation with the highways officer, the exact position of the spaces was modified slightly in order to provide better visibility splays for the Public Right of Way, secured by condition 6. This modification in position is not material in terms of character but is important to ensure PROW and pedestrian safety.
- 6.50 The increase in traffic movements as a result of two additional cars is not concluded as raising significant implications in regards to impact on the character of the area, amenity, or highway safety, as this access sees some existing movements, has good visibility when entering and exiting, and has not been judged as having a significant impact on highway safety.
- 6.51 Turning to the impact of these spaces on the character and appearance of the area:
- 6.52 The spaces are set well back from the street and sit in front of the trees and the boundary fence that separates the fields, farm, and farm access from the settlement. As a result, the spaces are well screened from the surrounding AONB, but are visible from the street.
- 6.53 The parking spaces sit outside of the official settlement boundary by approximately 5-6m, and sit away from the rest of the parking along the street. It is posited that this could constitute an imposition of urbanisation and domestic development where there was not previously an urban character.
- 6.54 However, when viewing the location stood in the access, it was not possible to determine exactly where the official settlement boundary was, as it runs diagonally through the middle of the shared gravel access. From a purely visual perspective, the spaces appear well related to the settlement, as there is no demarcation nor barrier between them and the settlement - the only barrier is the hedge and fence behind the proposed spaces, which form a definite separation from the countryside and transition into the rural backdrop of the settlement.
- 6.55 As a result of the limited size of the area proposed as new driveway, the area to be turned into parking is no more than is strictly required. The access has cars parked off of it as existing, therefore the introduction of more cars parked off of the same access is not considered by officers to be a particularly foreign imposition on the character of the area. Furthermore, it is considered that there is no further space available immediately off of this access that could accommodate further parking. It is judged highly unlikely that this development would result in a precedent for further development here - there simply is no room for it.

- 6.56 The proposed EV charging point would not be an imposing feature in the street character due to its minimal size, and it is considered that the character impact from a EV charging point is an acceptable trade off to secure greater sustainability for the transport of the area and ensure local resilience for the internal combustion engine (ICE) phase-out in 2030. The EV point is therefore in accordance with the goals set out in Policies CS13, CS14 and P1 in ensuring a choice of sustainable transport for new development and encouraging the use of EVs, aligning additionally with the comments of the highways officer. Full details of the charging point are recommended to be provided by condition 9.
- 6.57 Concern has been raised as to whether these spaces would realistically be used due to a relative remoteness from the dwelling. On site, the case officer determined, after parking in the access himself, that parking and walking up to the dwelling via the tarmac path (without having to cross the street) is significantly easier than attempting to drive a car up the steep, narrow, and muddy farm track, such that the concern raised that the spaces wouldn't be used is not considered to raise concern in light of the physical constraints of the site. The proposed electric charging point is a further strong incentive for cars to be kept in this location instead of being driven up the agricultural access, where it is anticipated that its use would inevitably increase over time as electric cars are more widely adopted to replace more polluting forms of motor transport. The original parking space (which is itself detached from the main house, though closer to the dwelling) is also maintained, and would still be available for use should the need arise to bring a car closer to the house.
- 6.58 In conclusion, although the two proposed parking spaces represent a domestic development outside of settlement and are on a piece of agricultural land, they have been considered in context with the assessed localised and low-profile impact on the character of the area, their limited size, significant screening from the open countryside, the benefits resulting from the proposed works in terms of meeting the transport demand of the development, abstracting parking from the oversubscribed on-street parking in the interests of highway safety, and providing an electric charging point for two cars in the interests of sustainability, increasing transport choice, and preparing rural communities in the district for the move away from use of internal combustion engine powered private motor cars.
- 6.59 The cumulative benefits of the proposed parking have therefore been concluded significantly outweigh the potential harm to the character of the area and urbanisation of the AONB.

## **7. Other matters**

- 7.1 It is noted that the consideration of the extension being three storeys has been a subject of a number of representations, and that the application description is therefore suggested in objections to be misleading. The Case Officer considered these concerns and is of the view that the description is acceptable, as the majority of the proposal is at the existing ground and first floor levels of the dwelling, with the basement not currently existing.
- 7.2 The appeal decision for 09/02274/FUL that refused permission of the rear farm access as 100m long paved, private access, incorporated into domestic curtilage, has been raised in several representations and consultations, with the suggestion that this refused proposal is material to consideration of the proposed parking spaces.

- 7.3 Every proposal is considered on its own merits, and two different proposals, even on the same site, even if they bear some superficial similarities, can lead to radically different conclusions when considering the detail of the associated material considerations.
- 7.4 The track in question is a mud and grass track on agricultural land, owned by the applicant, with some planting along the fence next to it. This track provides an established right of access for the neighbouring farmer to two gates/fields, and clearly, it does provide the ability to access the rear of Tree Tops, although this usage has been largely restricted by WBC.
- 7.5 There are no physical impediments to anyone who wishes to walk (or drive) up this access, much as the case officer did on site by walking up it. Conclusive evidence has not been submitted to demonstrate that this access has come into general and regular use, where the use and appearance does not appear to have changed since 2010. The existing access is therefore in accordance with the decision of the 2010 appeal decision – and the land cannot be brought as a whole into the domestic curtilage as a paved driveway and domestic curtilage extension.
- 7.6 Whilst a part of the same land is the subject of this proposal, it is a material consideration in the current application that the changes to the land in this instance are limited in their entirety to the two driveway spaces. Although some of the considerations between 09/02274/FUL and the current proposals are similar, a direct comparison of the two proposals does not reflect the changing circumstances of the site, area, and respective impacts of the proposals. Particularly, significant differences are identified comparing an area of 4.8m x 4.8m immediately off an existing gravel access near the settlement boundary as proposed under the current application, versus the introduction of a 100 meter long paved driveway and associated curtilage extension that extends significantly outside of the settlement boundary as was proposed in 09/02274/FUL.
- 7.7 Beyond these differences, planning policy has changed between determination of the appeal against refusal of application 09/02274/FUL and submission of application 20/01914/FUL. The HSA DPD, and consequently Policies P1 and particularly C8 (extension of domestic curtilage in the countryside), was not adopted until 2016. Application 09/02274/FUL did not propose any increase in the number of bedrooms of the main dwelling, where an increase in bedrooms as part of this proposal therefore increases the demand for parking, as per P1.
- 7.8 Furthermore, it is highlighted that there was not the same degree of need for additional parking in 2010 as now exists in the modern day, due to the fact that the number of cars in the UK has increased from 34 million in 2010 to 40 million in 2020. In line with national trends, it is expected that the number of cars parked along the street has become worse since that appeal decision was taken. Even at the time, the Inspector strongly welcomed additional off-street parking provided at the end of the driveway in the interests of Highway Safety. Policy P1 establishes a revised parking standard, with which this application is compliant, to address this increased need for parking and the requirement for development to be designed to meet a realistic level of need for parking.
- 7.9 Therefore, the up-to date policy position is given considerably greater weight than the policy considerations at play in a decision for a different proposal in a different policy context taken 10 years ago. The 2010 appeal decision for 09/02274/FUL is not considered by your officers as being a significant material consideration in respect of the proposed development.
- 7.10 Objections raise concerns regarding a historic condition restricting use of the agricultural access. However, your officers note that there is no record of conditions being imposed on an approved/allowed application at this site that restricted the usage of the

agricultural access, nor are there any conditions that stipulate a requirement for use of this access to cease after completion of development, including those attached to permissions 00/57550/FUL and 07/00248/FUL.

## 8. Planning Balance and Conclusion

- 8.1 Whilst some limited impact on the character of the area and neighbouring amenity has been identified, officers consider that the overall benefits of the proposal significantly outweigh the potential harm, chiefly in the social benefits of providing carer accommodation, and the benefits from the additional off-street parking/electric vehicle charging to meet the transport demand of the development, improve highway safety, and encourage the use of electric vehicles. The proposed extension works are considered to represent sympathetic extensions to the dwelling that would appear in keeping with the character and appearance of the surrounding area and the existing dwelling. Subject to the conditions the works are considered by your officers to be acceptable.
- 8.2 The proposed development therefore is considered to be accordant with the objectives as set out in Policies CS13, CS14, CS19 of the West Berkshire Core Strategy, Policies C1, C8 and P1 of the HSA DPD, TRANS1 of the West Berkshire Local Plan (saved polices 1997-2006), the West Berkshire House Extensions SPG (2004), and West Berkshire Quality Design (2006).

## 9. Full Recommendation

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

### Conditions

1.	<p><b>Commencement of development</b> The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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).</p>
2.	<p><b>Approved plans</b> The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> <li>- LC-PL-01 (Rev17A) Location plan</li> <li>- EX-ELV-01 (Rev17) Existing elevations</li> <li>- EX-PL-01 (Rev17) Existing floor and roof plan</li> <li>- EX-SPL-01 (Rev19) Existing site/block plan</li> <li>- EX-3D-01 (Rev17) 3D view of existing</li> <li>- BLC-PL-01 (Rev17A) Proposed Block plans (including visibility splays)</li> <li>- PR-ELV-01 (Rev19) Proposed Elevations</li> <li>- PR-PL-01 (Rev19) Proposed floor and roof plans</li> <li>- PRSPL-01 (Rev19) Proposed site plan</li> <li>- PR-3D-01 (Rev18) Proposed 3D view</li> <li>- SEC-AA-01 (Rev19) Section A-A</li> <li>- SEC-AA-BB-01 (Rev19) Section A-A &amp; B-B</li> <li>- SEC-AA-01 (Rev19) Section E-E</li> </ul>



	Reason: For the avoidance of doubt and in the interest of proper planning.
3.	<p><b>Materials as specified and to match</b></p> <p>The external materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.</p> <p>Reason: To ensure that the external materials respond to local character and appearance. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD (Part 2, June 2006), and House Extensions SPG 04/2 (July 2004).</p>
4.	<p><b>Boundary treatment</b></p> <p>The development hereby approved shall not be occupied until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected on the south side of the site bounding the garden of the dwelling 'Mountain Ash' has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the extension hereby permitted is first brought into use. The approved boundary treatment shall thereafter be retained.</p> <p>Reason: In the interests of ensuring proper treatment of the boundary between the two sites upon the completion of development in the interests of protecting neighbouring amenity. Insufficient information currently accompanies the application to be able to determine these details at this stage. 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), Supplementary Planning Document Quality Design (June 2006)</p>
5.	<p><b>CONS1 - Construction method statement – details to be submitted</b></p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> <li>(a) The parking of vehicles of site operatives and visitors</li> <li>(b) Loading and unloading of plant and materials</li> <li>(c) Storage of plant and materials used in constructing the development</li> <li>(d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing</li> <li>(e) Wheel washing facilities</li> <li>(f) Measures to control the emission of dust and dirt during construction</li> <li>(g) A scheme for recycling/disposing of waste/spoil resulting from demolition, excavation and construction works</li> <li>(h) A site set-up plan during the works</li> </ul> <p>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).</p>

	<p>A pre-commencement condition is required because insufficient information on construction methodology accompanies the application and this information is required in order to ensure that construction does not result in a detrimental impact on highway safety and neighbouring amenity.</p>
6.	<p><b>Visibility splays for private drives</b></p> <p>The development shall not be brought into use until visibility splays of 2.4 metres by 2.4 metres have been provided at the junction of the proposed parking spaces and the adjacent footway. Dimensions shall be measured along the edge of the driveway/access and the back of the footway from their point of intersection. The visibility splays shall, thereafter, be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.</p> <p>Reason: To enable pedestrians to see emerging vehicles and to be seen by its driver. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
7.	<p><b>Parking/turning in accord with plans</b></p> <p>The development shall not be brought into use until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall thereafter be kept available for parking of private motor cars at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
8.	<p><b>Residential annex use</b></p> <p>The extension hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as Tree Tops. The extension shall not be used as a separate dwelling unit and no separate curtilage shall be created.</p> <p>Reason: The creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 CS14 of the West Berkshire Core Strategy (2006-2026), House Extensions SPG (2004).</p>
9.	<p><b>Electric Charging Point</b></p> <p>The development hereby permitted shall not be brought into use until details of an electric vehicle charging point are submitted to and approved in writing by the Council. The charging point shall thereafter be installed as approved and kept available for the use of an electric vehicle.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>

<p>10.</p>	<p><b>Tree protection scheme</b></p> <p>No development (including site clearance and any other preparatory works) shall commence on site until an Arboricultural Survey and Impact Assessment in addition to 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.</p> <p>Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.</p> <p>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.</p> <p>A pre-commencement condition is required as insufficient details of arboricultural methodology have been provided with the application and in order to ensure that all arboricultural works are carried out in an appropriate manner that does not result in undue impacts to trees and shrubs to be retained through the course of development.</p>
<p>11.</p>	<p><b>Arboricultural Method Statement</b></p> <p>No development or other operations shall commence on site 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.</p> <p>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.</p> <p>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.</p> <p>A pre-commencement condition is required as insufficient details of arboricultural methodology have been provided with the application and in order to ensure that all arboricultural works are carried out in an appropriate manner that does not result in undue impacts to trees and shrubs to be retained through the course of development.</p>
<p>12.</p>	<p><b>Hard surfacing</b></p> <p>The development shall not be occupied until details, to include a plan, indicating the means of surfacing treatment and other landscaping detail of the</p>

	<p>proposed parking spaces, has been submitted to and approved in writing by the Local Planning Authority. The hard surfacing shall be completed in accordance with the approved scheme before the extension hereby permitted is first occupied. The approved hard surfacing shall thereafter be retained.</p> <p>Reason: In the interests of the character of the area and ensuring the choice of material does not adversely affect the existing trees. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14, CS18, and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C8 and P1 of the Housing Site Allocations DPD, Policies TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
13.	<p><b>Hours of work (construction)</b></p> <p>No demolition or construction works shall take place outside the following hours:</p> <p>7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays; nor at any time on Sundays or Bank Holidays.</p> <p>Reason: To safeguard the amenities of adjoining rural land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS14 CS19 of the West Berkshire Core Strategy (2006-2026).</p>

### ***Informatives***

1.	<p><b>Approval – need for revision</b></p> <p>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.</p>
2.	<p><b>CIL Liability</b></p> <p>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 <a href="http://www.westberks.gov.uk/cil">www.westberks.gov.uk/cil</a></p>

3.	<b>Damage to footways, cycleways and verges</b>  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.
4.	<b>Damage to the carriageway</b>  The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.