

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	20/02849/FUL Bucklebury	5 February 2021 <sup>1</sup>	Proposed replacement storage shed for use to store tools and equipment to maintaining land.  Land Adjacent to Thatchers, Chapel Row, Reading, RG7 6PB  Dino Defazio

<sup>1</sup> Extension of time agreed with applicant until 23<sup>rd</sup> April 2021

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02849/FUL>

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

**Ward Member(s):** Councillor Graham Pask

**Reason for Committee Determination:** The application has received 10 objections and the recommendation is to grant planning permission.

**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:** Gemma Kirk  
**Job Title:** Planning Officer  
**Tel No:** 01635 519111  
**Email:** Gemma.Kirk@westberks.gov.uk

## 1. Introduction

- 1.1 This application seeks planning permission for a shed to be used for the storage of tools and equipment to maintain the land to the rear of Thatchers.
- 1.2 The application site is located within Chapel Row, a hamlet without a defined settlement boundary within the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB).
- 1.3 The proposed shed will be positioned in an area of grass land located to the rear of the building line on Broad Lane comprising Thatchers, a residential dwelling to the east, Post Office House and Eden Cottage to the west. Access to the proposal is located on Broad Lane and it is required to cross an adjoining parcel of land to the west of Thatchers.
- 1.4 The boundaries for the land that forms the application site are comprised of mature trees, shrubs and hedges. In the south-west corner of this land is an existing storage building that the proposal seeks to replace. Adjoining the site are domestic gardens and fields.
- 1.5 The proposed shed will be approximately (l): 6 metres x (w): 5.5 metres x (h): 3 metres high. The Gross Internal Area will be approximately 30 square metres. The building will be timber clad, with a dual pitched felt roof and one set of double doors to the front. The shed will be used for the storage of tools and equipment to maintain the land including grass cutting and trimming of the mature vegetation on the boundary.

## 2. Planning History

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

Application	Proposal	Decision / Date
18/00295/FULD	Erection of one 4-bed dwelling with associated car parking.	Refused. 24.05.2018 Appeal Dismissed.
05/00036/HOUSE	Garage, implement shed and log store.	Refused. 23.03.2005.
04/01643/HOUSE	Erect single storey rear extension. Demolish existing garage and stores, erect detached garage additions at Thatchers.	Approved. 31.08.2004.
04/00694/HOUSE	New access to service land to rear of Thatchers.	Approved. 25.05.2004
89/35534/ADD	Proposed residential (outline).	Refused. 17.10.1989.

- 2.2 From the information available the applications referred to above do not propose development on the same parcel of land that the replacement shed is sought to be located on. These are associated to the field to the west of Thatchers, land where the access is located, and the residential dwelling Thatchers.

### 3. Procedural Matters

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 A site notice was displayed on 10<sup>th</sup> January 2021 at the access to the land adjacent to Thatchers; the deadline for representations expired on 31<sup>st</sup> January 2021.
- 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). Based on the information provided the development does not appear to be CIL liable as it does not propose any qualifying floor space. However, 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 Letters of representation raise concerns that the existing shed on the land did not have planning permission. From the history available it would appear that planning permission has not been granted for the existing shed. This application has been assessed on this basis (as a new shed rather than a replacement). It would secure the removal of the existing shed by condition if the application were to be approved in line with the recommendation.

### 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>Bucklebury Parish Council:</b>	No objections. If WBC are minded to approve this application a condition should be considered to restrict external lighting in order to maintain dark skies.
<b>WBC Highways:</b>	No highway objections.
<b>Land Drainage Engineer:</b>	No comments received at time of writing the report.
<b>Public Rights of Way Officer:</b>	No comments received at time of writing the report.
<b>Tree Officer:</b>	Limited tree information accompanies the application, however it is for a rural outbuilding to be used for storage. Both the existing and proposed sheds are within the Root Protection Area of mature trees on the site. A concrete pad is proposed for the new outbuilding. Therefore please include a standard tree protection precautions informative note.

<b>Ecological Officer:</b>	No comments received at time of writing the report.
<b>Ramblers Association:</b>	No comments received at time of writing the report.
<b>North Wessex Downs AONB:</b>	No comments received at time of writing the report.

### ***Public representations***

4.2 Representations have been received from 10 contributors, all 10 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 issues/points have been raised:

- Purpose of the shed, too big for the proposed storage use and overdevelopment.
- Design and appearance not suitable for NWD AONB location.
- The existing land is being used for other purposes, the shed could facilitate a different use. Land isn't agricultural. A different use could have a harmful impact on neighbouring amenity and highway safety.
- Potential to set a precedent.
- Concerns with light, noise pollution and disposal of waste.
- The shed will be used to obtain permission for a new residential dwelling.
- Enforcement queries at the site: existing shed and existing vehicular access.
- Request for conditions related to restricting use, lighting, no late night use and no negative impact on amenity.
- Insufficient landscaping.

## **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 (Spatial Strategy), ADPP5 (North Wessex Downs Area of Outstanding Natural Beauty), CS13 (Transport), CS14 (Design Principles), CS17 (Biodiversity and Geodiversity), CS18 (Green Infrastructure), and CS19 (Historic Environment and Landscape Character) of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.6 (Noise Pollution) 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 2019-2024
- WBC Quality Design SPD (2006)
- Bucklebury Village Design Statement

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of the development
- Character and appearance
- Neighbouring amenity
- Highway matters
- Trees
- Other matters

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

- 6.2 The application site is located outside of a defined settlement and is therefore deemed to be in the open countryside. Policy ADPP1 in the West Berkshire Core Strategy advises that only appropriate limited development will be allowed, with a focus on addressing identified needs and maintaining a strong rural economy.
- 6.3 The statement submitted on 18.02.2021 identifies that the shed is intended to be used for storage purposes. The shed will store tools and equipment to maintain the land. The land is an area of grass that is surrounded by mature trees, shrubs and hedges. It is considered that there is an identified need for the storage shed.
- 6.4 Photos of the site show that equipment such as a ride on lawn mower are stored outside. It is supplied within the statement that there is no alternative off-site location for the tools and equipment.
- 6.5 Policy ADPP5 states that development should conserve and enhance the local distinctiveness of the NWD AONB setting. Development is required to respond to the local context. This will be discussed under the character and appearance heading.
- 6.6 Representation letters raise concerns that there is insufficient justification and that the new shed could facilitate a different use on site. It is considered that there is an identified need for the storage shed. The design of the building also complements the proposed use for example, one set of double doors and there are no proposed windows in the shed. The application must be assessed on face value as a storage shed for use to store tools and equipment to maintaining land. No change of use is proposed as part of the application, and agricultural activities can take place on land without the need for planning permission. Notwithstanding this principle, the scale, construction and design of the proposal would not lend itself to residential conversion under the Council's policies for housing in the countryside. It is recommended a condition be applied for the shed to be used for storage purposes to maintain the land because another use may not be in accordance with Policies ADPP1 and ADPP5. If the building were to be used for other purposes it would be necessary for the applicant to obtain planning permission.
- 6.7 Overall the development is considered acceptable in principle. However, the development plan also includes general management policies which seek to ensure that the impacts of any development are acceptable. The impacts will be considered in the following sections.

### ***Character and appearance***

- 6.8 Policy CS14 seeks development that must demonstrate high quality design that respects the character and appearance of an area. Policy CS19 requires particular regard to be given to the sensitivity of the area to change and that new development is appropriate

in terms of location, scale and design in the context of the existing settlement form, pattern and character.

- 6.9 The application site is a parcel of land surrounded by mature vegetation on the boundaries. It is an area of grassland with an existing (potentially unauthorised) building in the south-west corner. Surrounding the site are domestic gardens and parcels of open land. Broad Lane, where the access is located, is formed of residential dwellings. There is a strong rural character in this location, quintessential of the local AONB character. The application site has a reduced visibility within the street scene due to its set back position and established boundary vegetation.
- 6.10 The timber clad shed with felt roof is considered to be modest in size, this is particularly due to the height of the proposed building. It is considered that the bulk, massing and scale of the shed would not appear as overdevelopment of the land. The design and the scale of the building would not be harmful to the settlement character as it has the appearance of a storage shed.
- 6.11 Materials used including timber cladding proposed are considered to be acceptable and commonly used materials for sheds. It is recommended a condition is applied that the materials would match that specified on the plans and application form.
- 6.12 The location of the building tucked within the south-west corner of the plot and well-screened from the surrounding area further reduces the impact of the proposed timber shed. In particular the proposal would not be significantly visible from the street scene and the spaciousness would still be retained.
- 6.13 Furthermore, it is recommended a condition is applied for the demolition of the existing buildings within the site. This will ensure that there is not a proliferation of buildings within the land that would be unacceptable to the character of the land and settlement. This also provides further justification for the proposed shed.
- 6.14 Letters of representation and Bucklebury Parish Council raised concerns with light pollution from the proposed development. It is considered that a condition for details of external lighting are submitted before any external lighting is installed on the building. This will protect the dark night skies special qualities of the NWD AONB.
- 6.15 It is considered the scale, design, location and use of the shed building would not have a significant impact on NWD AONB character.
- 6.16 Concerns were raised that a different use for this shed would have a harmful impact on the character of the area. The proposal can only be assessed on the information provided with the application. A condition is recommended to ensure that the use of the building is for storage purposes for the land.

### ***Neighbouring amenity***

- 6.17 Policy CS14 requires development to make a positive contribution to the quality of life in West Berkshire.
- 6.18 Policy OVS.6 requires the development proposals to minimise any adverse impact as a result of noise generated with special consideration given to sites within the NWD AONB.
- 6.19 Due to both the position and scale of the storage shed and location of nearby residential dwellings there is not considered to be a significantly harmful impact in terms of daylight/sunlight received and overbearing impact.

- 6.20 Due to the use of the building for storage purposes only with equipment to maintain the land this would not have an adversely harmful impact on privacy or noise.
- 6.21 It is acknowledged that letters of representations raised concerns that if the storage shed was to be used for another purpose this could impact upon neighbouring amenity. Conditions were requested to limit night time activity. However, the application can only be assessed for the proposed use as a storage building which is considered not to have a significant impact on neighbouring amenity. A condition to restrict the use of the building is considered to address the concerns raised in representation letters.
- 6.22 It is recommended a condition is applied for the hours of construction work to ensure there will be no adverse impact on neighbouring amenity during construction.

### ***Highway matters***

- 6.23 The proposed storage use of the building is considered not to significantly change the number of vehicles entering or leaving the land. The Highway Officer raised no objections to the proposed development.
- 6.24 It is acknowledged that letters of representations raised concerns that if the storage shed was to be used for another purpose this could impact upon highway safety with increased vehicle movements. However, the application can only be assessed for the proposed use as a storage building which is considered not to have a significant impact on neighbouring amenity. A condition to restrict the use of the building is considered to address the concerns raised in representation letters.
- 6.25 No changes are proposed to the existing vehicular access. It is noted there were concerns with regard to the location of the existing access. This was investigated by Planning Enforcement in 2015 and it would appear that it was deemed access had been provided in the correct position.

### ***Trees***

- 6.26 Within and surrounding the land to the rear of Thatchers are mature shrubs, hedges and trees. These are considered to contribute to the rural character of the area.
- 6.27 The information submitted with the application does not indicate the removal of trees and hedges at the site.
- 6.28 The Tree Officer considers that the proposed and existing shed sits within the root protection area of mature trees and hedges on the site. The Tree Officer notes that the shed will sit on a concrete base. No objections were raised with regard to the impact on the trees. It is noted that the existing building has been erected in substantially the same position.
- 6.29 Letters of objection raise concerns with insufficient landscaping. The proposal does not propose to remove landscaping and it is considered that there is sufficient existing landscaping to respect the character of the area.
- 6.30 The retention of the landscaping would be in accordance with the Bucklebury Vision Design Statement.
- 6.31 A tree protection precautions informative will be applied to provide advice to the applicant during construction.

## ***Other matters***

- 6.32 **Public Right of Way:** A public footpath (BUCK/129/1) is located on the south side of Broad Lane and is not considered to be impacted by the proposed development, including during the construction phase. No comments have been received with regard to the public right of way.
- 6.33 **Ecology:** The scale, nature and siting of the building are not considered to have a harmful impact on biodiversity. No comments were received with regard to ecology and biodiversity.
- 6.34 **Representation letters:** Concerns raised with regard to setting a precedent to develop on land that is outside of a residential curtilage and the potential for a residential dwelling to be built are noted. However, any application for similar developments or residential developments would be assessed on their own merits. It is considered the proposal would not set a precedent.

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

- 7.1 Whilst a number of objections have been received for this application, it is considered the proposal for a storage shed to maintain land to the rear of Thatchers is acceptable and can be secured by the use of conditions.
- 7.2 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is acceptable and conditional approval is justifiable. The proposal accords with the NPPF, Policies ADPP1, ADPP5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), the Bucklebury VDS, and the Quality Design SPD (2006).

## **8. Full Recommendation**

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

### ***Conditions***

1. **Commencement of development**

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

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

2. **Approved plans**

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

- Drawing 2020-170-001 (Location Plan) received on 11.12.2020;
- Drawing 2020-170-002 (Proposed Site Plan) received on 11.12.2020;
- Drawing 2020-170-002 (Proposed Plans and Elevations) received on 11.12.2020.

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



3. **Materials as specified**

The materials to be used in the development hereby permitted shall be as specified on the plans and the application form. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

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 CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and Bucklebury Village Design Statement.

4. **Construction hours of work**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

5. **Demolition of existing outbuildings on land**

Notwithstanding the plans submitted, the existing shed on the land identified in red on Drawing 2020-170-001 received on 11.12.2020 shall be demolished and the land cleared of spoil and debris before the replacement storage shed hereby permitted is brought into use.

Reason: The demolition of the existing sheds form part of the justification for the approval of this development. Without the demolition this would have a harmful impact on the NWD AONB character. This condition is imposed in accordance with policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Supplementary Planning Document Quality Design (2006).

6. **Prior approval for external lighting**

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

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

7. **Restriction on use of building**

The storage building hereby permitted shall not be used for any other purposes than the storage of tools, equipment and machinery associated with the maintenance of the land identified in the red and blue lines on Drawing 2020-170-001 received on 11.12.2020.

Reason: The use of the shed was considered to meet an identified need. Another use could be in conflict with the strategy for the location of new development, and be unacceptable in terms of ensuring a sustainable pattern of development. It is also considered necessary in the interests of amenity for the adjoining land users. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

## **Informatives**

### **1. Proactive statement**

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. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

### **2. Tree protection precaution**

The following precautions are recommended to ensure that the trees which are to be retained during the development are protected from damage:

- (a) Ensure that all works occur in a direction away from the trees.
- (b) Ensure that no materials are stored within close proximity i.e. underneath the canopy of trees to be retained.
- (c) Ensure that all mixing of materials that could be harmful to tree roots is done well away from trees (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil.
- (d) To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil.
- (e) If this is not possible due to working room / access requirements The ground under the trees' canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp sand, and covered with plywood sheets / scaffold boards to prevent compaction of the soil and roots. This could be underlain by a non-permeable membrane to prevent lime based products / chemicals entering the soil.
- (f) If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back using a sharp knife.
- (g) If lime based products are to be used for strip foundations then any roots found should be protected by a non-permeable membrane prior to the laying of concrete.

### **3. Compliance with conditions**

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

### **4. Compliance with approved drawings**

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further

permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.