

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/03068/FULD Midgham	4 March 2021 ¹	Erection of a farm owner's dwelling and garage with associated access Button Court Farm, Windmill Lane, Midgham, Reading, RG7 5TY Mr A Inwood
¹ Extension of time agreed with applicant until 4 th June 2021			

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/03068/FULD>

Recommendation Summary: Delegate to the Head of Development and Planning to REFUSE planning permission.

Ward Member: Councillor Graham Pask

Reason for Committee Determination: Called-in by Councillor Pask should the officer's recommendation be of refusal.

Committee Site Visit: 26th May 2021

Contact Officer Details

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1. Introduction

- 1.1 This application seeks planning permission for the erection of a farm owner's dwelling and garage with associated access at Button Court Farm, Windmill Lane, Midgham, Reading, RG7 5TY.
- 1.2 The application site is located outside of any defined settlement boundary within open countryside. Woolhampton and Upper Bucklebury are the closest settlements with defined settlement boundaries. The application site is located outside of, but in close proximity to the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the boundary for which is located approximately 200 metres to the north.
- 1.3 The application site is located to the south of School Hill in an open pasture field. To the east of the site are some barns and a gravel farm track. To the north of the site is the established farm yard of Button Court with the original farmhouse, another farmhouse and several farm buildings.
- 1.4 The proposed development would have two storeys albeit with the upper storey contained within the roof space. The overall approximate height would be 7.3 metres with an eaves height of 3.5 metres above ground level. It measures approximately 15 metres wide by 14.7 metres long. The proposed development would include an ancillary garage in the garden and residential curtilage with parking and garden space.

2. Planning History

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

Application	Proposal	Decision / Date
00/00705/AGRIC	General purpose Agricultural stock building.	Approved 13.12.2000
01/02171/FUL	Conversion of redundant building to two bedroomed dwelling	Approved 05.03.2002
02/01294/FUL	General purpose agricultural building	Approved 13.09.2002
04/00435/HOUSE	Conservatory	Approved 16.04.2004
04/01577/HOUSE	Erection of single storey garage, workshop and log store	Approved 26.08.2004
04/01583/LBC	General internal refurbishment including internal provision of 2No. bathrooms and 1No. shower room, together with mechanical extract ventilation. Provision of new utility room and kitchen fittings. New central heating system. External :- replacement of metal window with timber window to match existing.	Approved 06.10.2004
11/00920/HOUSE	New two bay detached car port	Approved 19.08.2011

20/03069/FUL	Erection of two general purpose agricultural buildings	Pending consideration
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3. Procedural Matters

- 3.1 **EIA:** Given the nature and scale of this development, outside of the AONB and other sensitive areas, 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 **Publicity:** Site notices were displayed on 17.01.2021 at front of the site on the adjacent fencing; the deadline for representations expired on 07.02.2021.
- 3.3 **CIL:** 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). The development is therefore CIL liable. 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

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.

Midgham Parish Council:	No objections
WBC Highways:	<p>The level of car parking provided is acceptable. An electric vehicle charging point has been annotated on the plans within the proposed garage (identified as 7kw), however we require full details of the type of charger to remove the requirement for a pre-commencement condition.</p> <p>Cycle storage can take place within the garage.</p> <p>The highway recommendation is for conditional approval. At this stage there are pre-commencement conditions.</p>
WBC Archaeology	<p>No objections, The main dwelling in the farm complex is a Grade II listed building described as timber framed and 17th century in date with later additions. Apart from a single storey agricultural building to the west of the farmhouse which is older (converted to a dwelling under 01/02171/FUL), the rest of the yard appears to be of late 19th century construction. However Button Court may have medieval origins; an individual called Thomas 'Butun' is mentioned in 1260-1 in connection with Midgham. From the 16th century</p>

	<p>to mid 18th century the Tull family owned the land (not directly associated with the agriculturalist Jethro, though another Jethro Tull from Button Farm became a watch and clock-maker).</p> <p>There are also documentary references to 'Button Green'; its location is unknown but may have been opposite the farm, where the development is proposed. Currently Button Court is situated at a T junction of Windmill Lane from the north meeting School Hill running east-west. However until the early 19th century the northern road continued south from Button Court towards Midgham House and a chapel (both older buildings later demolished). This trackway is still visible as an earthwork though it goes into current farmland. The part of School Hill from Button Court westwards was a road created probably when Midgham Park was enlarged and landscaped to circle round the country house - after this the southern track fell out of use.</p> <p>The past function of Button Court in relation to Midgham Park is unclear but the farmhouse is in a prominent position on the hillside with views across the Kennet Valley. Though not a large house, it may have had some status, hinted at by its place name. I do not have strong evidence that there is archaeological potential within the two development sites, which for 20/03068/FULD is mainly greenfield, though the land of 20/03069/FUL already has some modern agricultural buildings on it. It could be argued that a long-lived farm should continue to evolve and grow, but I believe these proposals and their design should be carefully considered in the light of the history of the site, the visual prominence of the location and the setting of the listed building less than 100 directly to the north - Conservation may also wish to comment therefore. I am not seeking any archaeological conditions.</p>
WBC Ecology	No objections
WBC Public Rights of Way Officer	No response 21/05/2021
WBC Tree Officer	<p>No objections subject to conditions. No arboricultural information is included within the application, but this has been assessed on the basis of the submitted photos and plans etc.</p> <p>The application is for a new dwelling in an area of pasture. There are few trees bounding the north of the field, including a mature Oak. This will be immediately north of the parking/turning area, but the design is likely to have a minimal impact on the Root Protection Area of this and other trees. With a very broad brush approach I estimate this incursion will be ~7% of the offset RPA (see attached screendump).</p> <p>Nevertheless tree protection will be required to ensure these trees are protected from site vehicles, soil compaction and</p>

	root damage during site preparation and construction. This may be secured by Condition.
WBC Conservation Officer	<p>No objections, comments made. The application site lies to the south of School Hill, north of which is Button Court Farmhouse itself, a Grade II listed building, surrounded by modern farm buildings, which buildings significantly intervene between the listed farmhouse and the application site.</p> <p>The site is in open countryside, but not in the AONB which lies to the north of the farmhouse.</p> <p>Notwithstanding any other Development Control Case Officer considerations, the proposed dwelling is not considered to impact directly or on the setting of the Grade II listed farmhouse, but please feel free to discuss further if there are any concerns.</p>
WBC Waste Management Officer	The addition of a further dwelling in this location raises no cause for concern with regard to the storage and collection of refuse and recycling. Please note the waste will need to be presented on the curtilage of the property on the public highway at Windmill Lane
WBC Sustainable Drainage Officer	No response 21/05/2021
Thames Water Utilities	No response 21/05/2021

Public representations

4.2 Representations have been received from 11 contributors, all of which support the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Animal welfare is the main reason or the applicants need to move onto the farm leading to the need for the proposed dwelling.
- The applicant is committed to agriculture and has worked in the industry for many years and has a passion for farming.
- TB caused a blip in livestock numbers but these are now being rebuilt
- The essential need for the dwelling is demonstrated within the application.
- The proposed dwelling is well designed and situated in a logical position on the farm.
- The existing dwelling is not available to the applicant which is occupied by his mother
- The application for both the house and building are well thought through and positive additions to our village. The farm is an important business in the Midgham community.
- The site provides calves to local farm shops and butchers and reduces food miles by utilising local supplies.
- Letters of support note the applicants competence in farming in the local area

- The position of the dwelling will enable the owner to have good views across his land and across the farm yard, this will enhance the security of the farm which is more important today than ever due to rising rural crime.
- All local farming should be supported and encouraged as this is good for local business, the environment and helps reduce the carbon footprint.

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, ADPP6, CS1, CS10, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C5 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5 and OVS.6 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
- West Berkshire Landscape Character Assessment (August 2019)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)

6. Appraisal

6.1 The main issues for consideration in this application are:

- The essential need for a rural workers dwelling at the enterprise
- The impact on the character and openness of the area

Policy context

6.2 The most important policies for determining whether the principle of development is acceptable are Policies ADPP1, ADPP6 and CS1 of the Core Strategy, and Policies C1 and C5 of the Housing Site Allocations DPD. The Core Strategy includes a Spatial Strategy (ADPP1 and ADPP6) that provides a broad indication of the overall scale of development in the district, applying the principles of sustainable development, and based on defined spatial areas and a settlement hierarchy. Policies CS1, C1 and C5 relate specifically to housing.

6.3 According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy, and related to their transport accessibility and level of services. The urban areas will be the focused for most development. The scale and density of development will be related to the site's accessibility, character and surroundings. Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy.

- 6.4 The application site is located within the East Kennet Valley, the name given to the rural south-east of the district that lies east of Thatcham and outside of the AONB. Policy ADPP6 is the spatial strategy for the East Kennet Valley. According to the policy, the character of all the settlements in this area will be conserved and enhanced by ensuring that any development responds positively to the local context. Development in the open countryside will be strictly controlled.
- 6.5 According to Policy CS1, new homes will be located in accordance with the Spatial Strategy and Area Delivery Plan Policies. New homes will be primarily located on suitable land within settlement boundaries, and other land allocated for development within the Local Plan.
- 6.6 In this context, Policy C1 of the HSA DPD gives a presumption against new residential development outside of the settlement boundaries. Exceptions to this are limited to some forms of development listed in the policy. One of these listed exceptions is housing to accommodate rural workers.
- 6.7 With respect to housing related to rural workers, Policy C5 of the HSA DPD provides the following:

New dwellings in the countryside related to, and located at or near, a rural enterprise will be permitted where:

- i. It is proven as essential to the continuing use of land and buildings for agriculture, forestry or a rural enterprise;*
- ii. Detailed evidence is submitted showing the relationship between the proposed housing and the existing or proposed rural enterprise and demonstrating why the housing is required for a full time worker in that location;*
- iii. It is demonstrated that there are no suitable alternative dwellings available or that could be made available in that location to meet the need. This includes those being used as tourist or temporary accommodation or existing buildings suitable for residential conversion.*
- iv. It must be shown why the housing need cannot be met by existing or proposed provision within existing settlement boundaries;*
- v. The financial viability of the business is demonstrated to justify temporary or permanent accommodation;*
- vi. The size, location and nature of the proposed dwelling is commensurate with the needs of the enterprise; and well related to existing farm buildings or associated dwellings;*
- vii. The development has no adverse impact on the rural character and heritage assets of the area and its setting within the wider landscape. Where it affects the AONB the impact on its special qualities and natural beauty of the landscape will be the overriding consideration;*
- viii. No dwelling serving or associated with the rural enterprise has been either sold or converted from a residential use or otherwise separated from the holding within the last 10 years. The act of severance may override the evidence of need.*

Where a new dwelling is essential to support a new rural enterprise, temporary accommodation will normally be sought for the first 3 years. Any permission will be

subject to a condition restricting the use of the property to persons employed within the rural enterprise.

Agricultural occupancy conditions will be retained unless demonstrated there is no continuing need, that appropriate marketing has been undertaken and that it cannot meet an existing local housing need.

- 6.8 In order for a new rural workers dwelling to be in accordance with the development plan, and be regarded as acceptable in principle, the development must comply with all of the aforementioned criteria of Policy C5. This is examined in the following section.

Assessment against Policy C5

- 6.9 **Criteria i and ii (essential need):** The Council has instructed Kernons Countryside Consultants Limited to review and provide independent analysis as to the need for the proposed rural workers dwelling. They have reviewed the application documents and supporting statement of need. This has informed officer's recommendations as explained further in this report.
- 6.10 It is understood that the farm benefits from approximately 80 hectares (ha) of permanent pasture of which 27ha is owned, and the remaining 53ha is rented. There are a range of agricultural livestock buildings on site, and there has been an application made for the erection of two further agricultural buildings, which is still pending consideration (20/03069/FUL <http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/03069/FUL>). It is understood there are approximately 16 cross bred beef suckler cows and followers, calving takes place all year round, and the land is used for the making of hay. The existing bungalow is occupied by the applicant's retired mother who has a wholelife tenancy. It is understood that Button Court Farmhouse was sold off in 2004 and has had no connection with the land since.
- 6.11 The current situation of 16 suckler cows and followers on site is not of sufficient scale to require an essential worker to live on site according to the Council's consultant. The number of animals could be effectively managed by a worker who does not live on the site with good herd management and daily checks. The consistency and need for night checks will be minimal due to the number of cattle in calf. It is set out in the Agricultural Appraisal that the applicant intends to increase the number of suckler cows to 25, which is supported by the application for two more agricultural livestock buildings. The scale of the proposed enterprise at 25 suckler cows would still not generate an essential need to live on site according to the Council's consultant. Kernons have advised that approximately 40 suckler cows and above generates an essential need to live on site. Whilst there is scope in terms of land and the proposal for new farm buildings to allow the farm and its livestock to grow the need, at present, is not sufficient. Given these factors the application is not considered to meet criteria i and ii of Policy C5.
- 6.12 The applicant's agent provided a rebuttal to the Council's consultant's report dated 15/03/2021, which expresses how in their experience the applicant needs to be within sight and sound of the herd to manage them and the difficulties/unpredictability of calving. It also emphasis how living at the site will reduce the need for the applicant to travel between the sites reducing their impact on the environment.
- 6.13 However the Council's consultant noted that 16 cattle calving on a year round basis (spring and autumn calving) does not generate the intensity or quantity of cattle giving birth which require a rural worker to live on site full time. The herd will have been covered in two groups, one group calving in the spring, the other in the autumn and the farmer will know when the herd are coming into their calving period. This number of cattle will calve over a period of days/weeks rather than months. It is unlikely that the applicant would need to undertake 2 or 3 nightly checks every night with this number of cattle.

Night checks are only going to be required a relative few nights of the year when a cow is calving. Additionally, most calving takes place without the need for intervention from the farmer.

- 6.14 The applicant's agent refers to the loss of cattle due to Bovine TB in 2019, and that it is unfair for the applicant to be penalised for this. It should be clear that officers are not penalising the applicant for this. It is clear in the supporting statement that it is proposed to increase cattle numbers to 25 (not 40 as before TB struck). Therefore, the Council's assessment can only be based on the current enterprise and the proposals to increase herd numbers to 25 within this application. Taking into account the expert independent advice, it is considered that the proposed enterprise at 25 suckler cows would not generate a need to live on site and thus the enterprise will not be able to support the need for a permanent dwelling.
- 6.15 The applicant's agent states in their rebuttal dated 15/03/2021 that the paragraph 79a of the NPPF sets out that new dwellings can be permitted when it is for those taking majority control of a farm business, and accordingly the application should be permitted.
- 6.16 In full, paragraph 79a of the NPPF states:
- "Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: [amongst others]*
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside"*
- 6.17 The associated Planning Practice Guidance makes clear that the additional dwelling must also be *"essential for the continued viability of a farming business through the farm succession process"*.
- 6.18 Policy C5 is consistent with the NPPF and sets out that new dwellings in the countryside will be permitted where *"it is proven as essential to the continuing use of land and buildings for agriculture."*
- 6.19 Therefore, there must be an essential need as expressed in policy C5. This can include cases of those taking over majority control. There must be an essential need as referred to in the NPPF and it must be essential for the continuing viability as referred to in the PPG.
- 6.20 Following due consideration, it is considered that there is not an essential need as explained above and the planning agents rebuttal dated 15/03/2021 does not alter this view. The application is not considered to comply with section i. and ii. of Policy C5.
- 6.21 **Criteria iii, iv and viii (alternative housing and severance):** From the application supporting documentation it is understood that the original farmhouse was sold in 2004 and is now privately owned. The act of severance of this dwelling is outside of the policies threshold of the last time years and therefore does not override the applicant's arguments of need. There is an existing converted barn permitted in 2001 which is occupied by the applicant's mother, who is retired and has a whole-life tenancy. This building is therefore not available either. There are barns and agricultural buildings on the site but in the consultant's report they assume these will be required for the ongoing function of the farm but acknowledges that this point may need further investigation. It has been suggested in correspondence by the officer whether barns to the north of the site could be convertible.
- 6.22 It is, however, understood that the applicant lives 2 miles away from the site in Upper Bucklebury which is approximately a 5 minute car journey to the site. Policy C5 states

that a new dwelling will be permitted where the need cannot be met by housing within existing settlement boundaries, and the supporting text sets out that the Council's preference is for accommodation to be located in nearby towns or villages. This, in combination with the above discussion in regards to how there is at present no established need to live on site, means that criterion iv of C5 has not been satisfied. It is considered the enterprises current needs can, therefore, be met by the existing dwelling in Upper Bucklebury.

- 6.23 There are questions remaining over whether in relation to criterion iii; whether any existing barns could be utilised for residential conversion. However, no dwelling has been separated from the holding in the last 10 years in accordance with criterion viii.
- 6.24 **Criteria v (financial viability):** As part of the supporting documentation, accounts for the farm have been submitted and reviewed. These are commercial sensitive so can only be summarised within this report. This information is provided in a supplementary Part II report. Although the accounts show the enterprise is profitable and sustainable, it is marginal and would not have the capacity to support a dwelling of this size in the view of the Council's consultant. The applicant intends on increasing cattle numbers, which will in turn increase profits, so this situation may change into the future, but at this time officers are not content the financial viability of the business is demonstrated to justify permanent accommodation, and does not meet criterion v of policy C5.
- 6.25 The applicant sets out that the proposals will be funded privately by the sale of their own house, rather than by the enterprise. It would not be possible to secure the sale of the original home by any planning condition of legal agreement. Additionally, the proposed dwelling and barns will still need upkeep once it has been built. The enterprise provides the applicant's main income, and therefore needs to be making a profit sufficient enough to support the dwelling, and a larger house has bigger running costs. Having regard to the information available, it is considered that the enterprise is not making a profit sufficient to support a dwelling of this size.
- 6.26 **Criteria vi (size, location, nature of dwelling):** According to the policy, the size, location and nature of the proposed dwelling should be commensurate with the needs of the enterprise; and well related to existing farm buildings or associated dwellings. The Council's consultants have advised that the proposed dwelling is a two-storey, three-bedroom dwelling with associated garage and loft store creating an internal floorspace of approximately 290m² which, in Kernons' experience, is considered to be a large dwelling for a rural agricultural workers dwelling.
- 6.27 It is suggested by the applicant's agent that the floor space figures have been misunderstood, noting that the total floor space is 290sqm which comprises the dwelling at 256sqm and the detached garage at 34sqm. Given these two elements are contained within a single planning unit, and the garage is ancillary to the house on the site, it is considered correct to include the whole development floor space when considering the need.
- 6.28 Furthermore the agent suggests the ground floor of the proposed dwelling includes a farm WC, farm office and utility/boot/dog room, equating to 39sqm, which are uses ancillary to the farm and not associated with the residential use of the proposed dwelling. The effective residential floor space is therefore 217sqm according to the agent, who is of the opinion that this is not unusually large. Given this is a rural workers dwelling the elements associated with running the farm should be considered intrinsic to the dwelling and should not be excluded from consideration of the size.
- 6.29 The Council's agricultural consultant notes that:

"A residential floorspace of 217sqm is still considered excessive. Considering that the minimum floorspace for a three bedroom, 2 storey dwelling for 4 people under the

Technical Housing Standards (March 2015) is 84sqm, a floorspace of 217sqm (2.5 times bigger) is not, in our opinion, modest. A dwelling of this size is not commensurate to an enterprise of 25 suckler cows and 80ha of permanent pasture. The only research we are aware of which relates to the size of agricultural workers dwellings permitted by local authorities was carried out by Reading Agricultural Consultants in 1999. This research shows that the average sqm of the larger agricultural dwellings (relating to owners/managers) permitted was 157sqm. In some cases, a larger dwelling can be justified, however, in our opinion, the enterprise does not justify the need for a dwelling of this substantial size."

- 6.30 The size of the dwelling should be commensurate with the financial performance and the needs of the enterprise, with family circumstances considered. It is important to consider whether the enterprise would be able to support a dwelling of this size including all the floor space whether an outbuilding or floor space associated with the farm management. The enterprise is making a profit; however that level of profit is insufficient to support a dwelling of this substantial size according to the Council's consultant. Therefore the proposal conflict with criteria vi.
- 6.31 **Criteria vii (rural character, landscape and heritage):** This criteria states that the development should have no adverse impact on the rural character and heritage assets of the area and its setting within the wider landscape. The development is not within the AONB and does not have an impact on any heritage assets as confirmed by the Conservation Officer. Nevertheless, the close proximity (200m) is such that the area is within the immediate setting of the AONB, and therefore is of greater sensitivity in this respect.
- 6.32 These considerations broadly reflect general development management policies and considerations which are explored in more detail in the following section, wherein it is concluded that the proposal would fail to comply with this criteria in terms of harming the rural landscape character.
- 6.33 **Conclusions on Policy C5:** In summary, it is considered that the proposal fails to comply with criteria i, ii, iii, iv, v, vi and viii of Policy C5, and is therefore contrary to the policy as a whole. It has not been demonstrated that alternative housing provision is unavailable, there is not a demonstrable essential need for a presence on site at this current time, the business whilst profitable would not be sufficient to support a dwelling of this size, the size of the dwelling is not commensurate with the need of the enterprise, and the dwelling is considered to have an adverse effect on the rural character and openness of the site.
- 6.34 The failure to comply with Policy C5 means that, by extension, the proposal is contrary to the Council's policy strategy for locating new housing as set out in the aforementioned policies. The conflict with these policies weighs heavily against granting planning permission.

Character and appearance

- 6.35 According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place.
- 6.36 Policy CS19 states that particular regard will be given to (a) the sensitivity of the area to change, (b) ensuring that new development is appropriate in terms of location, scale

and design in the context of the existing settlement form, pattern and character, and (c) the conservation and, where appropriate, enhancement of heritage assets and their settings. Proposals for development should be informed by and respond to (amongst others) the distinctive character areas and key characteristics identified in relevant landscape character assessments.

- 6.37 The West Berkshire Landscape Character Assessment (LCA) was published in 2019 and provides an up-to-date assessment of the district's landscape. The application site is located within landscape character area WH4 – *Cold Ash Woodland and Heathland Mosaic* – which covers much of the countryside north of the A4 between Theale and Hermitage. This is an area dominated by an east-west orientated, heathland ridge and characterised by varied topography, from flat plateau areas to steeply undulating slopes. Woodland is a key component in the varied and attractive land cover mosaic, giving it a distinctive role in providing a rural setting to the adjacent towns of Thatcham and Newbury and also in containing settlement within the area and contributing to the rural character. This area includes parts of the AONB which share landscape characteristics.
- 6.38 The area surrounding the application site encapsulates many of the key characteristics identified in the LCA, including its undulating topography, irregular field pattern with parcels of woodland, strong hedgerows, nearby parkland, and a quiet, intimate and secluded character. Moreover it exhibits several of the valued features and qualities which indicate it could be regarded as a valued landscape, including proximity to the AONB and parkland, the mosaic of agricultural fields and woodland, and the very rural character away from major roads and urban edges.
- 6.39 The LCA provides a landscape strategy for the area. Of particular relevance to this proposal is the aim to maintain open views from routeways; whilst woodland and hedgerow planting is generally to be encouraged, sporadic long views across open land add to the variety that characterises this area. Gaps between dwellings that offer views across open farmland help to retain rural settlement character.
- 6.40 It is acknowledged that the design of the dwelling incorporates rural attributes, with its low eaves heights, dormer windows and hipped roof form. However, there is serious concern with respect to the size and location of the development.
- 6.41 The size of the development as expressed above is considered unjustified by an agricultural need so it is difficult to justify harm/intrusion into the countryside.
- 6.42 Given its location, the development would impact the openness of the rural area. The dwelling is located to the south of School Hill, apart from the existing farm complex which is to the north. Whilst there are existing barns to the west of the site on this side of the road the proposed development would be in an open paddock in a prominent location, and would introduce development into an previously undeveloped aspect. The gap between the two blocks of trees to the east and west of the site would be filled by the proposed dwelling, garage and garden, which it is considered would have a significant detrimental impact on the rural character and openness of the site.
- 6.43 The openness of this area, as seen looking southwards from School Hill, would be significantly changed. Officers have raised in correspondence that (without prejudice to the in principle objections) such development would likely be better placed to the north of the road near to the existing farmyard and farm buildings. The applicant's agent is of the opinion that this is not feasible.
- 6.44 Overall, it is considered that the proposed development would not conserve or enhance important aspects of the local landscape character, and thus would not respect and enhances the character and appearance of the area as required by the aforementioned policies.

- 6.45 It is noted that in the agent's rebuttal of the 15/03/2021 they included a further image looking northwards but do not include any photos looking southwards. The concern is with the impact on the openness and development further south of the road.

Residential amenity

- 6.46 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Paragraph 127 of the NPPF states planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Policy OVS.5 of the Local Plan relates to environmental pollution and Policy OVS.6 to noise. The Quality Design SPD discusses light, noise and amenity.
- 6.47 The proposed development is not considered to give rise to issues of neighbouring amenity (e.g. overshadowing or overlooking). This is due to its location away from other neighbouring dwellings
- 6.48 The development provides good quality amenity, including private outdoor amenity space, for future occupiers.

Highways

- 6.49 The level of car parking provided is acceptable. An electric vehicle charging point has been annotated on the plans within the proposed garage (identified as 7kw), however full details of the type of charger are also needed. This can be provided by condition.
- 6.50 Cycle storage can take place within the garage. The Highway Authority raised no objections subject to conditions.

Trees and ecology

- 6.51 The application is for a new dwelling in an area of pasture. There are few trees bounding the north of the field, including a mature Oak. This will be immediately north of the parking/ turning area, but the design is likely to have a minimal impact on the Root Protection Area of this and other trees. With a very broad brush approach the Tree Officer estimates this incursion will be ~7% of the offset RPA. Nevertheless tree protection will be required to ensure these trees are protected from site vehicles, soil compaction and root damage during site preparation and construction. This can be secure via planning condition in addition to a landscaping scheme. The Council's ecologist has raised no adverse comments.

Flooding and drainage

- 6.52 The site is located within Flood Zone 1, which indicates a low risk of fluvial (river) flooding. It is also not within any critical drainage area identified by the Strategic Flood Risk Assessment for the district. As minor development, a Flood Risk Assessment (FRA) is not required by Policy CS16, and there are no objections to the development on grounds of flood risk.
- 6.53 Notwithstanding the absence of any flood risk objections, Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with best practice and the proposed national standards and to provide attenuation to greenfield run-off rates and volumes, for all new development and re-development and provide other benefits where possible such as water quality, biodiversity and amenity. The

Council has adopted a Sustainable Drainage SPD which supports this policy, and provides examples of measures that can be incorporated into even minor developments. A condition is therefore necessary to secure the prior approval of a detailed sustainable drainage scheme and its subsequent implementation, in order to comply with Policy CS16. This can be secured by planning condition.

7. Planning Balance and Conclusion

- 7.1 In summary, it is considered that the proposal fails to comply with all of the criteria of Policy C5, and is therefore contrary to the policy as a whole. It has not been demonstrated that alternative housing provision is unavailable, there is not a demonstrable essential need for a presence on site at this current time, the business whilst profitable would not be sufficient to support a dwelling of this size, the size of the dwelling is not commensurate with the need of the enterprise, and the dwelling is considered to have an adverse effect on the rural character and openness of the site.
- 7.2 The failure to comply with Policy C5 means that, by extension, the proposal is contrary to the Council's policy strategy for locating new housing as set out in the aforementioned policies. The conflict with these policies weighs heavily against granting planning permission.
- 7.3 The area has a strong rural character, within the immediate setting of the AONB, and exhibiting several features which indicate it is a valued landscape. The principal concern is that the proposed development would introduce new built form into an open aspect of the landscape, and therefore cause demonstrable harm to the character and appearance of the area. Given the sensitivity of the area, this also weighs heavily against granting planning permission.
- 7.4 Whilst the development adequately addresses the highways requirements of the proposed development and does not have a detrimental impact on neighbouring amenity these factors are given neutral weight in the planning balance.
- 7.5 Whilst the creation of a new dwelling is a benefit in terms of providing an additional dwelling to local housing stock, and would additionally support the rural enterprise, this does not outweigh the policy conflict and harm identified. These considerations tilt the planning balance very strongly towards refusal of this application. Accordingly the application is recommended for refusal.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to REFUSE PLANNING PERMISSION for the reasons listed below.

Refusal Reasons

1. Rural Workers Dwelling

According to Policy C1, there is a presumption against new residential development outside of the settlement boundaries. Exceptions to this are limited to some forms of development listed in the policy. One of these listed exceptions is housing to accommodate rural workers. Policy C5 sets out that new dwellings in the countryside related to, and located at or near, a rural enterprise will be permitted where prescribed criteria are met. The proposed development conflicts with Policy C5 for the following reasons:

- a) The farm currently has 16 suckler cows and followers on site which is not of sufficient scale to require an essential worker to live on site. It is set out in the submitted Agricultural Appraisal that it is intended to increase the number of suckler cows to 25, which is supported by the application for two more agricultural livestock buildings. The scale of the proposed enterprise at 25 suckler cows would still not generate an essential need to live on site. Whilst there is scope in terms of land and the proposal for new farm buildings to allow the farm and its livestock to grow the need at current, is not sufficient. Given these factors the proposal does not comply with criteria i and ii.
- b) The applicant lives 2 miles away from the site in Upper Bucklebury which is approximately a 5 minute car journey to the site. Policy C5 states that a new dwelling will be permitted where the need cannot be met by housing within existing settlement boundaries, and the supporting text sets out that the Council's preference is for accommodation to be located in nearby towns or villages. This, in combination with no present established need to live on site, means that criterion iv has not been met. It is considered the enterprises needs can, therefore, be met by the existing dwelling in Upper Bucklebury. It has not been demonstrated that alternative suitable accommodation cannot be provided, contrary to criterion iii.
- c) It is submitted that the proposals will be funded privately by the sale of property, rather than by the enterprise. It would not be possible to secure this sale by any planning condition of legal agreement. Additionally, the proposed dwelling and barns will still need upkeep once it has been built. The enterprise provides the applicants main income, and therefore, needs to be making a sufficient profit sufficient to support the dwelling, and a larger house has bigger running costs. It is considered that the enterprise is not making a profit sufficient to support a dwelling of this size, and thus does not meet criteria v.
- d) The size and location of the proposed dwelling is not commensurate with the needs of the enterprise, and not well related to existing farm and associated buildings, contrary to criteria vi.
- e) Owing principally to its location, the proposed dwelling would harm the rural character of the area, detracting from the sense of openness, within a sensitive landscape in the setting of the North Wessex Downs Area of Outstanding Natural Beauty (AONB), contrary to criteria vii.

Accordingly, the presumption against new residential development in Policy C1 applies, and the development is contrary to the Council's strategy for new housing as set out in Policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policies C1 and C5 of the Housing Site Allocations Development Plan Document 2006-2026.

2. Adverse Impact on the Rural Character and Openness of the Countryside.

According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Development shall contribute positively to local distinctiveness and sense of place.

Policy CS19 states that particular regard will be given to, amongst others, (a) the sensitivity of the area to change, and (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Proposals for development should be

informed by and respond to (amongst others) the distinctive character areas and key characteristics identified in relevant landscape character assessments.

Criteria vi and vii of Policy C5 seek to ensure that rural workers dwellings are well related to existing farm buildings or associated dwellings, and that they have no adverse impact on the rural character of the area and its setting within the wider landscape.

The application site is located within landscape character area WH4 (Cold Ash Woodland and Heathland Mosaic) of the West Berkshire Landscape Character Assessment (LCA). This is an area characterised by varied topography, from flat plateau areas to steeply undulating slopes. Land cover is characterised by a mosaic of fields and woodland, that gives a strong rural character.

The gap between the two blocks of trees to the east and west of the site would be filled by the proposed dwelling, garage and garden, which would have a significant detrimental impact on the rural character and openness of the site. The openness of this area as seen looking southwards from School Hill would be significantly changed from open pasture to enclosed residential curtilage.

The size of the development is unjustified by an agricultural need. As such there is no justification for the harm this dwelling creates by its inclusion into the countryside.

The proposed development would not conserve and enhance this aspect of the landscape character. The application is contrary to Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C5 of the Housing Site Allocations DPD 2006-2026, the Council's adopted Quality Design SPD, and the West Berkshire Landscape Character Assessment 2019.