

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	21/01390/HOUSE Bradfield	13/07/2021 ¹	<p>Section 73 variation of condition 2 (approved plans) of approved 20/00852/HOUSE - Demolition of three unsafe timber outbuildings, construction of a replacement timber car port/garage, two single storey extensions to the rear of the building, single storey extension to the side of the building and alterations including modifications and replacement of windows.</p> <p>The Old Travellers Rest, Hungerford Lane, Bradfield Southend, RG7 6JP</p> <p>Mr and Mrs Bearman</p>
¹ Extension of time agreed with applicant until 16/09/2021			

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01390/HOUSE>

Recommendation Summary:	Delegate to the Service Director (Development & Regulation) to grant planning permission
Ward Member:	Councillor Ross Mackinnon
Reason for Committee Determination:	Called-In by Councillor Mackinnon
Committee Site Visit:	8 th September 2021

Contact Officer Details

Name:	Lucinda Pinhorne-Smy
Job Title:	Planning Officer
Tel No:	01635 519111
Email:	Lucinda.Pinhorne-Smy1@westberks.gov.uk

1. Introduction

1.1 This application seeks to vary condition 2 associated with planning permission 20/00852/HOUSE, dated 4th June 2020, which granted permission for the demolition of three unsafe timber outbuildings, construction of a replacement timber car port/garage, two single storey extensions to the rear of the building, single storey extension to the side of the building and alterations including modifications and replacement of windows. This application is to be determined under Section 73A of the Town and Country Planning Act 1990.

1.2 The variations sought relate to the approved carport building are detailed as follows:

Layout	Reversing the position of the 2 bay open carport from the north-west side of the building to the south-east, and positioning the enclosed bay and pedestrian access closest to the dwelling;
Roof Design	Replacing the conventional dual-pitched roof and side-facing gables with a half-hipped roof design;
Rooflights	Reducing the number of roof-lights from 8 to 6;
Window	Moving the first floor window from the north-west elevation (facing the main dwellinghouse) to the south-east elevation (facing fields / paddock land).

1.3 The Old Travellers Rest comprises a former public house that has been converted into a residential dwelling within single family occupation. Due to its historic function as a public house the dwelling is situated on a visually prominent site at the junction of Cock Lane and Hungerford Lane, with the part of the building comprising the original public house abutting the back-edge of the pavement. Recent extensions have resulted in the building appearing as a coherent single dwellinghouse, with the various disparate parts of original building having been unified by the application of consistent render and introduction of complimentary fenestration details across the building as a whole. The dwellinghouse is situated in the northern-most corner of the application site with spacious gardens extending to the south-west and south-east.

2. Planning History

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

Application	Proposal	Decision / Date
20/00852/HOUSE	Demolition of three unsafe timber outbuildings; the construction of a replacement timber car port/garage, two single storey extensions to the rear of the building, a single storey extension to the side of the building and alterations including modifications and replacement of windows	Approved 04.06.2020
05/01895/HOUSE	Two-storey rear extension	Approved 18.08.2005

02/02257/HOUSE	Two-storey extension	Approved 25.10.2002
01/01312/FUL	Change of use from a public house with residential accommodation to a residential dwelling	Approved 18.06.2001

3. Procedural Matters

- 3.1 **EIA:** 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 (Environment Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** A site notice was displayed at the application site on 23rd June 2021, the deadline for representations expired on 14th July 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 floor space (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Initial assessment of the scheme indicates the proposals would not increase the floor space of garage/ carport above that approved under application 20/00852/HOUSE. A residential extension exemption was issued for application 20/00852/HOUSE by the CIL Charging Authority. 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.

Bradfield Parish Council:	<p>Object:</p> <p>The construction does not have an oak frame; it is cavity wall concrete block construction</p> <p>The height and footprint of the building have increased dramatically</p> <p>The dates on the plan are inconsistent with the application submission</p> <p>The built form far exceeds the approval and the resultant building has vastly increased the bulk and is out of keeping for an outbuilding in this rural location</p>
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Bucklebury Parish Council (adjacent)	Bucklebury Parish Council objects to this application on the grounds that this application is retrospective, but still does not show the car port / garage as built.
WBC Highways:	No highway objections; conditions as per 20/00852/HOUSE

Public representations

4.2 Representations have been received from 2 contributors, both of which object to 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:

- The building construction (concrete blocks) differs from the approval (timber frame);
- The size of the building differs from the garage / carport approved under application 20/00852/HOUSE;
- The building appears as if it is intended as a dwelling;
- The bulk of the building is out of character for the rural setting;
- The building is connected to all services;
- In order to protect the AONB from inappropriate development this application must be rejected;
- The Council cannot check on how developments are being used and must stop potential abuses at approvals stage;
- The over-specification of the building indicates the building can be used for accommodation;
- Approval would set a precedent for housing development in the AONB.

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS8, CS13, CS14, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C6, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

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 2014-19
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)

6. Appraisal

- 6.1 The main issues for consideration in this application is whether the variations to the originally approved development are acceptable. The Planning Practice Guidance notes that with such application there is no statutory definition of a minor material amendment but that it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. Whilst changes to the design are proposed, these are within the scope of a minor material amendment.
- 6.2 The guidance states that local planning authorities should focus their attention on national and development plan policies, and other material considerations which have changed significantly since the original grant of permission. Since the original permission there have been no changes to the main policies of the development plan. The National Planning Policy Framework has been updated, most recently in July 2021, but has not changed significantly in terms of assessing this application.
- 6.3 Given the guidance the principle of development for a detached carport / outbuilding, ancillary to the main dwellinghouse, remains established by policy C6 of the Housing Site Allocations DPD. Highways remain satisfied there is sufficient parking and turning on site.
- 6.4 The issues raised by the proposed variations are the impact of the resultant building on the rural character and appearance of the North Wessex Downs AONB, whether the resultant building remains a commensurate scale with the host dwelling to continue to satisfy policy C6 criteria in respect of subservience, and whether the use of the building would remain ancillary.

Character and appearance

- 6.5 Concern has been raised with regards to the visual bulk of the outbuilding currently under construction at The Old Travellers Rest, and potential discrepancies in size from the original approval. A site visit confirmed that the width of the building on site measures 12.86m, compared to the 12.93m approved; the buildings depth on site (6.37m) accorded with the approved drawings to within 1mm (6.36m). The overall ridge height of the building was unchanged at 6.4m, however, the lowest eaves height has been increased by 100mm, to 2.5m, and the highest eaves height has been increased by 200mm, to 3.4m. The very minor differences in the dimensions on site are considered to be within acceptable tolerances for the difference that occurs between the approved plans and site construction. The other, more noticeable, changes are not considered to have any meaningful impact on the appearance of bulk of the building.
- 6.6 The most significant difference to the appearance of the outbuilding has been the change to the roof design. The applicants altered the construction from the approved dual-pitched roof with side-facing gables to a half-hipped roof design. The intention behind this change, as stated within the application, was to reduce the appearance of the scale of the building and to appear more in keeping with the roof-scape of the host dwelling. It is generally accepted that half-hipped roof designs often ameliorate the appearance of increased volume, mass and bulk in new roof-scapes. In this regard it is considered that the revised roof design with the introduction of half-hipped roofs, would appear less bulky than the original roof design approved. It is also accepted that this half-hipped design is more in keeping and sympathetic to the roof-scape of the host dwelling, which itself has a predominantly half-hipped roof-scape.
- 6.7 The changes to the layout, with the open-bays now located further from the host dwelling, the removal of a pedestrian access from the front elevation, and the store now accessed internally, are also considered to lessen the impact of the approved building.

This view is taken on the basis that the enclosed parts of the outbuilding would now be located closer to the host dwelling, with the structure appearing more open as it progresses into the more open aspects of the application site. The removal of the pedestrian door in the front elevation is considered to further assist the subservient appearance of the outbuilding and enhance its character as an outbuilding with no obvious independent access.

- 6.8 The concerns of the Parish Council and third parties are noted, however, there is no indication within the application that the building would be used for any other purpose than a garage / store / carport with ancillary accommodation above, and the application must be assessed as presented. It is considered that appropriate conditions could be included with any permission that may be granted to ensure that the carport bays remain open, the ground floor store is not converted to additional habitable accommodation, and the ancillary first floor accommodation approved under application 20/00852/HOUSE remains incidental / ancillary to the main dwellinghouse. This relationship between outbuilding and host dwelling, particularly within rural locations, is not uncommon and is considered to be appropriate development in the AONB when occupied as a single family dwelling unit.
- 6.9 With regards to the construction of the outbuilding, the agent has confirmed that works stopped on the building when informed by the Council that an application was required, and as a consequence its current appearance does not reflect its finished state. It is acknowledged that the building has been constructed from blockwork rather than timber, however, this is a significantly cheaper method of construction than a hardwood structure and has equal, if not greater, longevity. The agent has confirmed that a timber post will be inserted between the current open bays to achieve the same external appearance as a timber-framed structure, and the blockwork will be clad in dark-stained timber cladding. At the time of the site visit the downpipes were affixed to dark-stained timber cladding, which appeared a sympathetic material to finish the building. The materials used in the construction of the outbuilding are therefore not considered to render the building unacceptable provided the finishing materials achieve the same appearance as the approved plans. The site visit gave the indication that this was the applicant's intention; however, if concern remains, it is considered appropriate conditions can be included with any permission that may be granted to secure an appropriate finish.
- 6.10 It is therefore considered the carport / garage at The Old Travellers Rest would remain a sufficiently subservient structure as a consequence of the proposed variations to the scheme approved under application 20/00852/HOUSE, and would not appear any more intrusive in the landscape. There is no greater potential for the first floor accommodation to be utilised as a separate unit than the scheme approved under application 20/00852/HOUSE, which was conditioned to remain ancillary, and indeed this first floor accommodation would be marginally reduced by the introduction of the half-hipped roof design. The outbuilding is therefore not considered to cause any greater harm to the rural character and appearance of the North Wessex Downs AONB than the scheme approved under application 20/00852/HOUSE.

Neighbouring Amenity

- 6.11 As a consequence of the reversed layout of the building the internal staircase is intended to be located on the north-west side of the outbuilding and the first floor window in the end-wall has been relocated to the south-east elevation. In light of the fact views from this window would be directed over fields and paddock land, with the nearest residential property in excess of 100m from the application site, the relocation of this window is not considered to harm the residential amenities of adjacent properties.

7. Planning Balance and Conclusion

- 7.1 Whilst there have been objections to this application, it is considered the proposed variation to condition number 2 of planning permission 20/00852/HOUSE to facilitate changes in fenestration, roof-design and layout are considered acceptable, and cumulatively the changes would not be harmful to the character and appearance of the application site or the rural character of the North Wessex Downs AONB. It is considered that appropriate conditions can be employed to manage any outstanding concerns with regards to any potential unlawful use of the building at a future date and the finishing materials.
- 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.

8. Full Recommendation

- 8.1 To delegate to the Service Director (Development & Regulation) to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. **Approved plans**

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

2006-P14A (Proposed carport / garage - Floor Plans and Elevations), received on 18th May 2021

2006-P14 (Proposed carport / garage as approved with dimensions annotated), received on 6th September 2021

2006-P14A (Proposed carport / garage as built with dimensions annotated), received on 6th September 2021

2006-P01 (Block and Location Plan), received on 7th April 2

2006-P02 (Existing Ground Floor Plan), received on 7th April 2

2006-P03 (Existing First Floor Plan), received on 7th April 2

2006-P04 (Existing Roof Plan), received on 7th April 2

2006-P05 (Existing Elevations 1 of 2), received on 7th April 2

2006-P06 (Existing Elevations 2 of 2), received on 7th April 2

2006-P07 (Existing Timber Outbuilding), received on 7th April 2

2006-P08 (Existing Timber Outbuilding), received on 7th April 2

2006-P09 (Proposed Ground Floor Plan), received on 7th April 2

2006-P10 (Proposed First Floor Plan), received on 7th April 2

2006-P11 (Proposed Roof Plan), received on 7th April 2

2006-P12 (Proposed Elevations 1 of 2), received on 7th April 2

2006-P13 (Proposed Elevations 2 of 2), received on 7th April 2

2006-P16 (Existing Timber Outbuilding), received on 7th April 2020;

P2006-P15A (Proposed Site Layout), received 1st May 2020

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

2. **Materials**

The finishing materials to be used in the carport / garage hereby permitted shall be as specified on drawing number 2006-P14A, and include an Oak Framed façade to

the carport and garage openings and stained timber cladding to the external walls. The materials used in the remainder of the development approved by planning permission 20/00852/HOUSE shall be retained in their current condition.

Reason: To ensure that the external materials respond to local character. 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 Supplementary Planning Guidance 04/2 House Extensions (July 2004).

3. Permitted development restriction

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extensions, alterations, buildings/outbuildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, and/or E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding 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), Policy C6 of the Housing Site Allocations DPD 2006-2026; and the House Extensions SPG.

4. Ancillary/incidental use

The garage / carport building hereby permitted shall not be used at any time other than for purposes ancillary and/or incidental to the residential use of the dwelling known as The Old Travellers Rest.

Reason: To limit the future use of the building to prevent uses which would not be ancillary or incidental to the main dwelling. This condition is applied in the interests of preventing a change of use which would result in an unsustainable pattern of development, and detract from neighbouring and local amenity. This condition is applied in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, WBC Quality Design SPD (2006), and WBC House Extensions SPG (2004).

5. Vehicular access and visibility splays

The vehicular access and visibility splays approved by drawing numbers 2006-P15A and 2006-P17, received on 1st May 2020, shall be retained as constructed on site. The land within these visibility splays shall be kept free of all obstructions (including vegetation) to visibility over a height of 0.6 metres above the carriageway level

Reason: In the interest of road safety and highway maintenance. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

6. Restriction on car port alterations

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

Local Planning Authority as a result of an application being submitted for that purpose.

Reason: In the interests of the amenity of neighbouring properties and the creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development. This condition is applied in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, WBC Quality Design SPD (2006), and WBC House Extensions SPG (2004).