

<b>Item No</b>	<b>Application No. and Parish</b>	<b>8/13 Week Date</b>	<b>Proposal, Location and Applicant</b>
(1)	05/01318/FUL Greenham Parish	12/09/05	Retrospective for single storey building ancillary to main house for sole occupation of elderly father. Greenham Croft, Bishops Green, Newbury Karen Bolt-Lawrence

**Recommendation Summary:**      **The Head of Planning and Transport Strategy be authorised to GRANT planning permission**

**Ward Member(s):**                      Cllr. Billy Drummond  
Cllr. Julian Swift-Hook

**Reason for Committee determination:**      Planning history of the site

**Committee Site Visit:**                      1/09/05

<b>Contact Officer Details</b>	
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## Site History

00/00771/HOUSE - Two storey extension to north of property and single storey garage to east. – Approved 23/10/00

02/01832/HOUSE - Ancillary residential accommodation in connection with main house. – Refused 17/09/02 – Appeal Dismissed 2/04/03

04/02436/FUL - Change of use from garden building to residential annexe. – Refused 30.11.2004

05/00429/FUL - Residential use of annexe. – Withdrawn 19/04/05

05/00807/HOUSE - Retrospective - Change of use of garage to living accommodation including the insertion of new velux window to north elevation of garage, partition wall, en-suite in roofspace of garage – Approved - 21.06.2005

## Publicity of Application

Neighbour Notification – Expired 10/08/05

Site Notice Expired - 26/08/05

## Consultations and Representations

- Parish Council:** Object – Previous refusals on the site, the needs of the applicant's father could be met within the main house; would amount to a new dwelling in the countryside; would set a precedent; the building does not have access or car parking.
- Highways:** No objections
- Enforcement:** Building Regulations. fire escape; future use of building
- English Nature:** Awaiting comments, will advise in update
- Correspondence:** 1 letter of objection:
- previous refusals on the site, no material change in circumstance
  - new dwelling in the countryside
  - questions the applicant's true intentions for the building

## Policy Considerations

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 7: Sustainable Development in Rural Areas

Berkshire Structure Plan 2001 – 2016: Policies DP1, DP6, EN1

West Berkshire District Local Plan 1991 - 2006 Policies OVS2, ENV 3, ENV9, ENV18 and ENV24

## **Description of Development**

The application seeks retrospective consent for ancillary residential accommodation for the applicant's elderly and terminally ill father. The accommodation is in the form of a single storey building, approximately 13m long, 6m wide and 4.5m high, located by the southern boundary. The building would contain a kitchen/dining area, sitting room, one bedroom and two storage rooms.

## **Consideration of the Proposal**

Greenham Croft is a large detached house located in the countryside, within an area of mature woodland. The property is accessed via a private unmade track. The property is situated within a designated Area of Special Landscape Importance (ASLI). The woodland area, immediately adjacent to the property, is located within a Site of Special Scientific Interest (SSSI). The property has a large garden, most of which lies on land to the south of the main house. Other properties in the immediate area are also set in spacious grounds. The property has been extended, the most recent extension was approved in October 2000 (00/00771/HOUSE). More recently, in June 2005, permission was granted for retrospective change of use of the garage to living accommodation, including minor external alterations (05/00807/HOUSE).

Previous applications have sought permission for the use of this building as a residential annex for the applicant's elderly father. These have all been refused, and an appeal on the refusal of 02/01832/HOUSE was dismissed on the basis that the building would detract from the special landscape qualities of the ASLI, and would also contravene Policy ENV24.

Notwithstanding this it is considered that there is now some merit in the application, due to changes in circumstance since the previous refusals. Since the appeal decision in 2002, the health of the applicant's father has deteriorated further. A letter from the doctor of the applicant's father (dated June 2005) confirms that his mobility is rapidly decreasing and his severe back pains have increased, to such an extent that he now requires epidurals on a three monthly basis. The father is also suffering from prostate cancer and osteoarthritis. Although it is accepted that there may be room within the main dwelling to accommodate the applicant's father, he wishes to retain a certain level of independence until such time when it is no longer possible.

In addition, the vegetation along the southern boundary, behind the building, has thickened since 2002. It is considered that this screening would help soften the impact of the building on the surrounding countryside in accordance with Policies OVS2, ENV 3, ENV9, ENV18 and ENV24 of the West Berkshire District Local Plan 1991-2006.

Given the applicant's exceptional personal circumstances and the screening along the southern boundary, it is recommended that the application be granted permission, on the condition that when the building ceases to be occupied by the applicant's father, the building [and all materials and equipment brought on to the premises in connection with the use] be removed within 2 months and the land be returned to a condition to be agreed with in writing with the Local Planning Authority within 6 months. It is also recommended that a condition be attached tying the building to the principle dwelling, in order that no distinct planning unit is created.

## **Conclusion**

Notwithstanding the planning history of the site, it is considered that the changes in circumstances are such that the application is now considered acceptable, subject to a condition ensuring that the building is removed once it is no longer occupied by the applicant's father.

## **Full Recommendation**

The Head of Planning and Transport Strategy be authorised to grant planning permission subject to the following conditions.

1. The building shall be used only as an integral part of the existing dwelling. It shall not be used as a separate dwelling unit and no separate curtilage shall be created.

Reason: The creation of a separate unit of accommodation is inappropriate for the site, and would be detrimental to the amenities of the area and therefore would be contrary to the provisions of Policies DP1 of the Berkshire Structure Plan 2001 - 2016 and Policy OVS.2 of the West Berkshire District Local Plan 1991 - 2006.

2. The building hereby permitted shall be used only by Mr Patrick Bolt-Lawrence. When the building ceases to be occupied by Mr Patrick Bolt-Lawrence, the building hereby permitted [and all materials and equipment brought on to the premises in connection with the use] shall be removed within 2 months and the land shall be returned to a condition to be agreed with in writing with the Local Planning Authority within 6 months.

Reason: Regard has been shown to the extenuating circumstances of the applicant in this instance in accordance with Policy DP1 of the Berkshire Structure Plan 2001 – 2016 and West Berkshire District Local Plan Policies OVS2 and ENV18.

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