

# Notice of Meeting

## Eastern Area Planning Committee

**Wednesday, 27th November, 2013 at 6.30 pm**

**in Calcot Centre, Highview (off Royal Avenue), Calcot**

### **Members Interests**

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday, 19 November 2013

### **FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC**

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Calcot Centre between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148

Email: [planapps@westberks.gov.uk](mailto:planapps@westberks.gov.uk)

Further information, Planning Applications and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)

Any queries relating to the Committee should be directed to Stephen Chard / Charlene Myers on (01635) 519462 / 519695 Email: [schard@westberks.gov.uk](mailto:schard@westberks.gov.uk) / [cmyers@westberks.gov.uk](mailto:cmyers@westberks.gov.uk)



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 27 November 2013**  
(continued)

**To:** Councillors Peter Argyle, Pamela Bale, Brian Bedwell (Vice-Chairman), Richard Crumly, Sheila Ellison, Alan Law, Royce Longton, Alan Macro, Geoff Mayes, Tim Metcalfe, Graham Pask and Quentin Webb (Chairman)

**Substitutes:** Councillors Jeff Brooks, Roger Croft, Manohar Gopal, Tony Linden, Mollie Lock, Irene Neill, David Rendel and Keith Woodhams

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# Agenda

## Part I

**Page No.**

1. **Apologies**  
To receive apologies for inability to attend the meeting.
2. **Minutes** 1 - 6  
To approve as a correct record the Minutes of the meeting of this Committee held on 6 November 2013.
3. **Declarations of Interest**  
To remind Members of the need to record the existence and nature of any Personal, Disclosable Pecuniary or other interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Schedule of Planning Applications**  
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications.)
  - (1) **Application No. & Parish: 13/02236/OUTD - Brook Lawn, Bath Road, Woolhampton** 7 - 20

**Proposal:** Construction of new house. Demolition of garage. Matters to be considered: Access and Layout.

**Location:** Brook Lawn, Bath Road, Woolhampton

**Applicant:** Jonathan Humphrey

**Recommendation:** To **DELEGATE** to the Head of Planning and countryside to **REFUSE PLANNING PERMISSION** for the reasons set out in section 8: impact on road safety and failure to mitigate the impact of the development on infrastructure.

**Agenda - Eastern Area Planning Committee to be held on Wednesday, 27 November 2013**  
(continued)

- (2) **Application No. & Parish: 13/02394/HOUSE - Little Paddocks, Woolhampton Hill, Woolhampton** 21 - 36
- Proposal:** Flat roofed single storey extensions removed, two storey extension and single storey extensions
- Location:** Little Paddocks, Woolhampton Hill, Woolhampton
- Applicant:** Mr and Mrs Robinson
- Recommendation:** To **DELEGATE** to the Head of Planning and Countryside to **REFUSE PLANNING PERMISSION.**
5. **Appeal Decisions relating to Eastern Area Planning** 37 - 46  
*Purpose: To inform Members of the results of recent appeal decisions relating to the Eastern Area Planning Committee.*

**Background Papers**

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Andy Day  
Head of Strategic Support

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



**West Berkshire**  
C O U N C I L

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## **EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON WEDNESDAY, 6 NOVEMBER 2013**

**Councillors Present:** Peter Argyle, Pamela Bale, Brian Bedwell (Vice-Chairman), Richard Crumly, Sheila Ellison, Alan Law, Mollie Lock (Substitute) (In place of Royce Longton), Alan Macro, Geoff Mayes, Tim Metcalfe, Graham Pask and Quentin Webb (Chairman)

**Also Present:** Stephen Chard (Policy Officer), Sarah Clarke (Team Leader - Solicitor), Gareth Dowding (Senior Engineer), Kirstin Gray (Planning Officer) and David Pearson (Team Leader – Development Control)

**Apologies for inability to attend the meeting:** Councillor Royce Longton

#### **PART I**

#### **46. Minutes**

The Minutes of the meeting held on 16 October 2013 were approved as a true and correct record and signed by the Chairman, subject to the removal of the duplicated Minutes and Declarations of Interest text on page 1 and the amendment of a minor typographical error on page 4, paragraph 1 of item 13/01936/HOUSE – 2 Church View, Beenham (Declaration of Interest text).

#### **47. Declarations of Interest**

Councillors Geoff Mayes and Mollie Lock declared an interest in Agenda Item 4(2), but reported that, as their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

#### **48. Schedule of Planning Applications**

##### **48(1) Application No. & Parish: 13/01934/FULD - Land to the rear of 9-15 High View, Calcot**

Agenda Item 4(1) concerning Planning Application 13/01934/FULD in respect of a proposal for 3 x 3 bedroom and 1 x 2 bedroom houses, external works, car parking and access road with replacement car parking off site was deferred prior to the Committee in order to seek further information from the applicant. The item was therefore not discussed.

##### **48(2) Application No. & Parish: 13/01832/FUL - 37 King Street, Mortimer Common**

*(Councillor Geoff Mayes declared a personal interest in Agenda item 4(2) by virtue of the fact that he had received representations from both the applicant and objectors. As his interest was personal and not prejudicial or a disclosable pecuniary interest he determined to take part in the debate and vote on the matter).*

*(Councillor Mollie Lock declared a personal interest in Agenda item 4(2) by virtue of the fact that as a dog owner in the local area she might make use of this proposed facility at*

## **EASTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2013 - MINUTES**

*a future date. As her interest was personal and not prejudicial or a disclosable pecuniary interest she determined to take part in the debate and vote on the matter).*

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 13/01832/FUL in respect of a change of use from retail A1 shop/office to mixed use of retail and sui generis (dog grooming).

In accordance with the Council's Constitution, Mr John Morden, Parish Council representative, and Mr Martin Winter, agent, addressed the Committee on this application.

Mr Morden in addressing the Committee raised the following points:

- The Parish Council's preference would have been to consider this site in its entirety which would have included the car maintenance facility as well as the proposal for dog grooming. This would have provided the Committee with an opportunity to consider the total impact this site could have on this area of King Street. However, this application was not inclusive of the rear of this site (car maintenance) and this would be the subject of a later application. In terms of this proposal, the Parish Council had no planning grounds for objection.
- Car parking was not an issue if customers were only staying to drop off and collect their dogs.
- The level of noise would be minimal as dogs were proposed to be kept inside and Mr Morden felt that, if approved, a condition of approval should be for the installation of air conditioning within the premises to enable windows and doors to be kept shut, thereby minimising noise.
- There had been a shop in this location for many years and the Parish Council was supportive of local businesses. People living within the immediate vicinity of 37 King Street would already be aware of this being a retail unit which, if approved was granted, would continue.
- In response to a question from Councillor Mayes, Mr Morden confirmed that the Parish Council did object to a separate application in relation to the car maintenance aspect of the site.

Mr Winter in addressing the Committee raised the following points:

- He reiterated that a shop had existed in this location for many years, prior to the erection of some neighbouring properties.
- Mention had been made by objectors of this application being for two businesses. This was not the case, with the proposal only being for a dog grooming business. It was however hoped that in future it would also be possible to extend this to allow for the purchase of pet supplies.
- There was much support for this application locally and it was expected that it would be well used.
- Use of the dog grooming business would be on an appointment only basis and customer parking would only be short term for drop off and collection of dogs. Car parking signage had already been agreed by Highways. Each dwelling in King Street had parking space within its curtilage and there was not an issue of cars parking on the street/the kerbside.
- There was not an issue with noise from dogs barking in the current location of the dog grooming business near Burghfield. In addition, doors and windows would be kept shut both to prevent noise and for the safety of the dogs.

## **EASTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2013 - MINUTES**

- Waste, be that hair/fur or from dog fouling, would be regularly removed by the applicant and waste water from washing dogs would go into the mains sewer. If a dog was to foul on the pavement to or from the groomers then it would be the responsibility of the dog owner to clear this up.
- If the dogs needed to be exercised then Mortimer's recreation area was easily accessible.
- A supporting letter had been received from the Federation of Small Businesses and they felt that the dog grooming business would be of benefit to the village.
- Approval of the application would enable the retail unit to be brought back into use.
- Mr Winter requested that permission be granted in line with Officers' recommendation.

In response to questions from Members, Mr Winter confirmed that:

- There would be two full time members of staff, with the possibility of one part time member of staff.
- It would be possible for customers to utilise the pet supplies shop area without using the dog grooming facility.
- The two air conditioning units in use at the current site would be transferred to the application site to ensure appropriate ventilation. This would also enable doors/windows to be kept shut, thereby keeping noise to a minimum.
- The precise location of the existing business was in Wokefield.
- Dog toilet bins were already in existence at the recreation area.

Councillor Lock added that there were several dog toilet bins located at strategic points around the village which were the responsibility of the Parish Council.

Councillor Lock, speaking as Ward Member, raised the following points:

- Approval of this application would bring this retail unit back into use and a dog grooming business would be a useful addition to the village. It would also offer local people a place to purchase dog food etc. Mortimer's supermarket was limited in its range of these supplies and it was currently necessary to travel to Burghfield to purchase such items.
- She felt that it was likely that many local people would walk to and from the dog groomers and have no need for car parking.
- Councillor Lock's personal experience of such facilities elsewhere was positive and dogs were generally kept quiet.

Councillor Mayes, also Ward Member, had no further comments to add. Councillor Lock then proposed acceptance of Officers' recommendation to grant planning permission, this was seconded by Councillor Graham Pask.

Before proceeding to the vote, Councillor Alan Macro queried whether having one of the three parking spaces allocated to staff was sufficient when there were to be two full time members of staff and potentially one part time member of staff. Gareth Dowding advised that he was already aware of the full time members of staff and they were intending to car share. He was unaware that there was potential for a part time member of staff, but was unconcerned and there was some likelihood that this person could walk or cycle to work.

## **EASTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2013 - MINUTES**

Councillor Macro then queried whether Environmental Health Officers were aware that there was a flat located upstairs in 37 King Street. David Pearson explained that Environmental Health Officers would have had the same information to make their assessment as was available to Planning Officers and Committee Members. He added that Environmental Health Officers had assessed levels of noise at the dog groomers' current location and had raised no concerns. Should levels of noise become a concern then Environmental Health could implement statutory noise nuisance powers.

**RESOLVED** that the Head of Planning and Countryside be authorised to grant planning permission subject to the following conditions:

### **Conditions**

1. **Full planning permission time limit**

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); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

2. **Standard approved plans**

The development hereby permitted shall be carried out in accordance with drawing numbers 30722-18, 130717-2A, 130717-4A received on 12<sup>th</sup> August and 29<sup>th</sup> August, and amended plans drawing number Parking signs, and 0118-933-2319 received 14<sup>th</sup> October 2013, and 21<sup>st</sup> October 2013.

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

3. **Parking**

The use hereby approved shall not commence until the signage has been erected in accordance with the approved details. The spaces must thereafter be kept available for customer parking at all times.

Reason: To ensure the parking is kept available for customer parking at all times in order to reduce the occurrence of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan Saved Policies 2007.

4. **Hours of use**

The dog grooming and retail business shall not operate outside the following hours:

8:30am to 6:00pm Mondays to Saturdays;  
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the living conditions of adjacent occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

### Informatives:

1. **Decision to grant permission**

The decision to grant planning permission has been taken because the



## **EASTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2013 - MINUTES**

development is in accordance with the development plan and would not have a detrimental impact on the character and appearance of the area or the residential amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

### **2. Sustainable**

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 worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

### **49. Appeal Decisions relating to Eastern Area Planning**

Members noted the outcome of appeal decisions relating to the Eastern Area.

### **50. Site Visits**

A date of 20 November 2013 at 9.00am was agreed for site visits if necessary. This was in advance of the next Eastern Area Planning Committee scheduled for 27 November 2013.

*(The meeting commenced at 6.30pm and closed at 6.53pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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# Agenda Item 4.(1)

Item No	Application and Parish	No.	Proposal, Location and Applicant
(1)	13/02236/OUTD Woolhampton Parish Council		Construction of new house. Demolition of garage. Matters to be considered: Access and Layout.  Brook Lawn, Bath Road, Woolhampton, Reading  Jonathan Humphrey

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=13/02236/OUTD>

## Recommendation Summary:

To **DELEGATE** to the Head of Planning and countryside to **REFUSE PLANNING PERMISSION** for the reasons set out in section 8: impact on road safety and failure to mitigate the impact of the development on infrastructure.

## Ward Members:

Councillor Neill

## Reason for Committee Determination:

Call in given that previous applications at the site have been determined by the Eastern Area Planning Committee.

## Committee Site Visit:

20<sup>th</sup> November 2013

## Contact Officer Details

**Name:** Emma Fuller  
**Job Title:** Principal Planning Officer  
**Tel No:** (01635) 519111  
**E-mail Address:** [efuller@westberks.gov.uk](mailto:efuller@westberks.gov.uk)

## **1. Site History**

01/00744/FUL

Erection of semi-detached mews cottages

Withdrawn 17<sup>th</sup> September 2001

01/02253/FUL

Erection of 4 bed dwelling

Approved 5<sup>th</sup> March 2002

02/01197/FUL

Detached dwelling with integral garage

Approved 2<sup>nd</sup> September 2002

05/01873/FULD

Proposed erection of 2 dwellings with associated parking and amenity. Demolition of existing garage serving Brook Lawn to form side entrance

Refused 13<sup>th</sup> October 2005

05/02030/LBC

Proposed demolition of existing garage to form access to site for 2 family dwellings with parking and amenity.

Approved 17<sup>th</sup> November 2005

05/02833/FULD

Erection of 2 dwellings with associated parking and amenity. Demolition of existing garage serving Brooklawn to form site entrance.

Refused 13<sup>th</sup> February 2006. This application was refused given the impact on the character of the area and visibility at the proposed access.

06/00510/FULD

Erection of 1 dwelling with associated parking and amenity. New garage to rear of Brook Lawn.

Refused 28<sup>th</sup> April 2006.

This application was refused given the impact on highway safety at the access onto station road. The concerns raised under this scheme related specifically to a wall at the access which would obscure visibility at the access. It is understood that this wall has now been lowered to 0.6m prior to the submission of this application. Other concerns related to trees.

07/00296/FULD

Erection of 2 detached dwellings

Refused 23<sup>rd</sup> May 2007.

This application was refused given the impact on the character of the area and the design of the scheme and the impact of traffic from two new dwellings on Hornbeam as the access was to run past these properties.

08/01740/OUTD

Erection of 2 houses in lower part of Brook Lawn rear garden. Some matters reserved – access and layout.

Refused 30<sup>th</sup> October 2008. Dismissed at appeal on 28<sup>th</sup> July 2009. This application was refused and subsequently dismissed at appeal for the following reasons:

- Two dwellings would harm the open spacious character of the area.

- Impact on trees

The proposed vehicular access for this scheme was different to that which is now proposed.

## **2. Publicity of Application**

Press Notice Expired: Not required  
Site Notice Expired: 15<sup>th</sup> October 2013

## **3. Consultations and Representations**

**Woolhampton Parish Council:** No objections raised

**Midgham Parish Council:** No objections

**Highways:** Objection raised for the following reason: The proposed visibility splay onto Station Road is outside of the control of the applicant, the Highway Authority is therefore unable to ensure that this splay is kept clear of obstructions at all times. The proposed development would therefore result in the increased use of an access which is sub-standard in respect of visibility which and would be to the detriment of pedestrian and highway safety. The proposal is therefore contrary to Policy CS13 of the West Berkshire District Core Strategy 2006-2026.

**Conservation:** Under application ref. 08/01740/OUTD the Planning Inspector felt that the development would be sufficiently far away from Brook Lawn, tucked into the bottom of the garden and more associated with its immediate surroundings than the buildings fronting Bath Road. He concluded that a reduction in the curtilage of Brook Lawn and the erection of 2 houses on the site would not harm the setting of the listed buildings fronting Bath Road.

**Archaeology:** There will be no major impact on any features of archaeological significance.

**Public protection:** No objections

**Trees:** No objections subject to conditions relating to landscaping, tree protection, & arboricultural supervision.

**Ecology:** No objections subject to conditions

**Natural England:** No objections

**Public Rights of Way:** Unlike previous applications the proposed access does not cross Footpath Woolhampton 7 so no objections are raised. Screening of the development from the footpath will be important.

<b>Thames Water:</b>	There are public sewers crossing the site close to the development. The applicant is advised to contact Thames Water to discuss this. With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground water courses or a suitable sewer. No objections are raised and an informative is recommended regarding water pressure.
<b>Environment Agency:</b>	The site is within Flood Zone 2. Reference is made to the consultation matrix and the Environment Agency's standing advice and the sequential test which the Local Planning Authority must apply.
<b>Drainage:</b>	<p>Original comments: The submitted flood risk assessment has not taken into account the flooding history in the surrounding area (particularly July 2007) when, according to records, many properties close to the site suffered major flooding. The stream flowing through the site over-topped its banks immediately upstream of the site boundary (and quite likely within the site boundary too) and this was a factor in some of the flood flows experienced in Woolhampton in 2007. It has also overtopped its bank several times since. From experience, groundwater levels in Woolhampton can often be very high preventing the effective use of some SuDS measures. An objection is raised for these reasons.</p> <p>Amended information: An amended flood risk assessment and sequential test has been submitted. Informal comments have been provided on this submission and a condition has been suggested. A formal response is still pending. Full details of the response will be provided within the update report.</p>
<b>Neighbour letters:</b>	<p>5 letters of objection. The concerns raised relate to:</p> <ul style="list-style-type: none"> <li>- Waste water pipes are unable to accommodate existing or further development.</li> <li>- Flooding within the gardens of neighbouring properties.</li> <li>- Loss of trees – contrary to the village plan.</li> <li>- Impact on the setting of the listed building.</li> <li>- Sub-standard visibility at the access to the site, sight lines obscured by parked vehicles.</li> <li>- Concerns for safety at the access.</li> <li>- Ecological impact.</li> <li>- Impact on the character of the area, concerns for reduction in the size of the curtilage.</li> <li>- Impact on neighbours, cars passing close to Hornbeam. Loss of rural outlook.</li> </ul>

**Neighbour letters continued:**

2 letters of support:

- Visibility splays are adequate,
- The proposal for a septic tank would reduce pressure on the sewage system.
- No objections to a single dwelling only.

**Section 106 Contributions**

Given the outline nature of the application the number of bedrooms proposed have not been specified within the application. As such the contributions sought have been calculated on the basis of a 3 bedroom dwelling. Were this to change at reserved matters stage a supplemental legal agreement would be sought. On this basis the following contributions are necessary to mitigate the harm of the development in accordance with Policy CS5 of the West Berkshire Core Strategy 2006-2026, July 2012 and Supplementary Planning Document 'Delivering Investment from Sustainable Development.'

Transport: £3,300

Education: £800.83

Open Space: £1177

Libraries: £307

Health Care: £0

Adult Social Care: £729

Waste Management: £56.20

## **4 Planning Policy**

- 4.1 The statutory development plan comprises the West Berkshire Core Strategy 2006-2026, July 2012 and those saved policies within the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP).
- 4.2 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework (March 2012) (NPPF)
  - By Design: urban design in the planning system: towards better practice (DETR/CABE)
- 4.3 The policies within the West Berkshire Core Strategy (2006-2016) July 2012 attract full weight. The following policies are relevant to this application:
- Area Delivery Plan Policy 1: Spatial Strategy
  - Area Delivery Plan Policy 6: The East Kennet Valley
  - CS1: Delivering New homes and Retaining the housing Stock
  - CS 4: Housing Type and Mix
  - CS 13: Transport
  - CS 14: Design Principles
  - CS 19: Historic Environment and Landscape Character
- 4.4 Paragraph 215 of the NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the

framework. The following saved policies from the Local Plan are relevant to this application:

HSG.1: The Identification of Settlements for Planning Purposes.

4.5 In addition, the following locally adopted policy documents are relevant to this application:

- SPD 4/04: 'Delivering Investment from Sustainable Development.'
- Supplementary Planning Document Quality Design (June 2006)
  - Part 1 Achieving Quality Design
- Woolhampton Parish Plan

## **5. Description of Development:**

- 5.1 This application seeks outline planning permission for the construction of a single detached property in the rear garden of Brook Lawn. Matters of access and layout are for consideration only at this stage. No design details are available at this stage. Such matters were reserved under the previous submission, however the Inspector did not raise a concern with this.
- 5.2 The proposal seeks the demolition of an existing single garage to allow for an extension to the existing driveway off of Station Road. This access already serves two properties, Brook Lawn and Hornbeam (referred to as Brook Cottage on the site plan.) Two parking spaces are to be provided off the new driveway to serve Brook Lawn while parking is available within the cartilage of the new property. The property will sit fairly centrally within the plot with an area of parking to the front and side.
- 5.3 The application has been accompanied by a flood risk assessment and sequential test statement.

## **6. Consideration of the Proposal**

The main issues raised by the proposal are:

- 6.1 The Principle of Development
- 6.2 The Impact on the Character of the Area
- 6.3 Impact on the setting of Brook Lawn a Grade II listed property.
- 6.4 The Impact on Neighbouring Amenity
- 6.5 Highways Matters
- 6.6 Impact on Trees
- 6.7 Flood Risk and Surface Water Drainage
- 6.8 Other matters
- 6.9 Presumption in favour of sustainable development

### **6.1 Principle of development**

- 6.1.1 The application site comprises the rear garden of Brook Lawn, a grade II listed building. The site is located within the settlement boundary of Woolhampton, as established by Policy HSG.1 of the West Berkshire District Local Plan 1991-2006, Saved Policies 2007. The settlement boundary runs parallel to the southern boundary of the application site. Area Delivery Plan Policy 1: Spatial Strategy seeks to locate new development in accordance with the settlement hierarchy focusing



new development towards areas which are deemed to be most sustainable. Woolhampton is defined as a service village.

- 6.1.2 The principle of development is acceptable in accordance with Policy HSG.1 of the Local Plan which establishes a number of criteria against which to assess proposals for new residential development. In this instance criteria (i) relates to the existing residential nature of the area surrounding the site and criteria (v) relates to the cumulative impacts of infill development. The importance of good design is reflected throughout the NPPF and supported by Policy CS14 of the West Berkshire Core Strategy 2006-2026, July 2012 which seeks to ensure that new development is respectful of the local character and also seeks to ensure the preservation of the historic environment. The impact of the proposal on the setting of the listed building is considered below.

## **6.2 Impact on the Character of the Area:**

- 6.2.1 The application site is approximately 0.19 hectares and consists of the domestic garden of Brook Lawn. The garden is generally laid to lawn but also contains many mature trees particularly along the boundaries of the site, some of which are protected by a tree preservation order. Footpath Woolhampton 7 wraps around the southern and western site boundaries. The mature vegetation on the site is considered to be a distinctive part of the site's character. Within the immediate vicinity of the site the arrangement of properties is informal comprising a mix of styles and types of houses. To the north west of the application site the properties form part of a continuous frontage along Bath Road with long rear gardens backing onto more open land.
- 6.2.2 The application site is in a sensitive location with regard to the setting of the listed building, the mature vegetation within the site and the semi-rural character of the area on the edge of the settlement of Woolhampton. In accordance with the guidance within the NPPF and Core Strategy policies it is essential to ensure that new development respects the physical constraints of the site itself and the character and appearance of the surrounding area. The plot to dwelling ratio proposed is generous thus retaining a large proportion of the existing trees on site and a sense of spaciousness. Notwithstanding the tree canopies and planting the proposals provide for ample amenity space, a concern raised under previous submissions.
- 6.2.3 Views from the south and the footpath which wraps around the edge of the site are limited given the dense vegetation cover, particularly within the summer months. Notwithstanding this during the winter the site will appear more visible. By reason of the size of the footprint of the building and its position within the site it is considered that an appropriately designed building could be accommodated without harm to the semi-rural character of the area. For this reason the proposal is considered to be in keeping with the character of the area and as such the proposal complies with the guidance within the NPPF with regards to good design, Policy HSG.1 of the Local Plan and Policies ADPP1 and CS14 of the Core Strategy and the guidance within SPD Quality Design and the Woolhampton Parish Plan.

### **6.3 The impact on the setting of the listed building:**

- 6.3.1 The proposal would involve a significant reduction in the size of the curtilage of Brook Lawn, which has historically already been reduced as a result of the approval of the dwelling to the east of the current application site, Hornbeam Cottage. However, the remaining garden is considered to be an acceptable size which would not be out of keeping with the garden areas of other dwellings along Bath Road. It should be noted that under application 08/01740/OUTD the Inspector concluded that the garden serving Brook Lawn would be an acceptable size sufficient to maintain its presence as the dominant building.
- 6.3.2 As a result of the scale of the development and the proximity of the development to the boundary of the site it is not considered that the proposed development would have a detrimental impact on the listed building nor its setting. As such the proposal complies with the advice within the NPPF and Policy CS14 of the Core Strategy 2006-2026, July 2012 with respect to the conservation of the historic environment.

### **6.4 The impact on neighbouring amenity:**

- 6.4.1 The application site lies within a residential area. To the north-east of the proposed dwellings lies the property known as 'Hornbeam Cottage' and to the east of the site lies 'Brookside'.
- 6.4.2 The siting of the proposed dwelling is not considered to have an overbearing or unneighbourly impact on the amenity of neighbouring occupiers. The detailed design of the property is reserved at this stage, however it is considered that any matters relating to overlooking could be designed out and addressed later in the design process. Concern has been raised for the loss of a rural outlook from the neighbouring property, however the right to a view is not a material planning consideration.
- 6.4.3 Concern has also been raised for an increase in vehicle movements past the windows in the front elevation of Hornbeam Cottage. It is acknowledged that this constituted a refusal reason under application 07/00296/FULD given the increase in the number of movements associated with two additional dwellings. This proposal seeks permission for a single dwelling only and for this reason it is not considered that the movements associated with this use would have an un-neighbourly impact sufficient to warrant a refusal.

### **6.5 Impact on Highways:**

- 6.5.1 The new dwelling will be accessed from an existing access off of Station Road. This access already serves two existing dwellings, Brook Lawn and Hornbeam. The planning application will see an increase in the number of dwellings served from this access and will therefore result in intensification in the use of the access. It is therefore the duty of the highway authority to ensure that highway safety is maintained and that current guidance is complied with.
- 6.5.2 In accordance with *Manual for Streets*, visibility splays of 2.4 metres x 43 metres clear above a height of 0.6 metres should be provided onto a road subject to a 30 mph speed limit.

6.5.3 As part of this application, an automatic traffic counter was set up between 8<sup>th</sup>–14<sup>th</sup> July 2013 to establish 85 percentile vehicle speeds. The dry weather results were as follows (Point 8 of the Visibility Statement submitted):

- 22.5 mph northbound
- 22.9 mph southbound

As stated at point 10 of the Visibility Statement a wet weather factor of -2.5 can be applied making the wet weather 85th percentile speeds as:

- 20.0 mph northbound
- 20.4 mph southbound

6.5.4 In accordance with *Manual for Streets*, a 25 metre visibility splay is required in a southerly direction, with just under 26 metres required in a northerly direction.

6.5.5 According to point 17 of the Visibility Statement the following visibility splays are achievable:

2 metres x 32.5 metres southwards

2 metres x 33 metres to the centre of Station Road.A4 Bath Road junction.

6.5.6 To the south, the visibility splay crosses third party land and so cannot be conditioned to be kept clear of obstructions above a height of 0.6 metres. Although reference has been made that a wall of greater height would require planning permission and that any trees/shrubs planted here would contravene Section 141 of the Highways Act 1980, this does not overcome the fundamental issue that the applicant has no control over this land. At point 18 of the Visibility Statement it is stated: *"The third party land over which the southern sight line passes is a small tapered slither of the Forge Cottage driveway, which will always be clear of any obstruction in order to facilitate vehicular access to that property."* However, the land owner could legitimately park a vehicle such as a caravan, camper van, or van in this location which would obstruct visibility. This land is outside of the application site and as such it is not possible to condition that this remains free from any obstruction. This could lead to vehicles edging out onto the footway and into the carriageway to achieve the required visibility. This would be to the detriment of pedestrian and highway safety and the free-flow of traffic in this location.

6.5.7 The applicants have advised that previously permission has been granted for a dwelling within the garden of Brooklawn the most recent being in 2002. There is however, no extant permission for a dwelling at this site and for this reason current guidelines and policy requirements must be applied.

6.5.8 It is for this reason that this application has been recommended for refusal by the Highway Authority as set out below;

*The proposed visibility splay onto Station Road is outside of the control of the applicant, the Highway Authority is therefore unable to ensure that this splay is kept clear of obstructions at all times. The proposed development would result in the increased use of an access which is sub-standard in respect of visibility which would adversely affect road safety, and would be to the detriment of pedestrian and highway safety, contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026.*

## **6.6 Impact on Trees:**

- 6.6.1 Under previous applications at this site concern has been raised for the impact on trees. The application has been supported by a preliminary arboricultural method statement by Sylva Consultancy Ref: 1368/AMS dated 29<sup>th</sup> August 2013 which includes a tree survey, a brief arboricultural impact assessment and arboricultural method statement for the construction of the access and other hard surfaces and also includes a tree protection plan.
- 6.6.2 The report clearly identifies that 3 trees are to be lost to facilitate the development, these are 1, B grade tree T8 Alder and 2, C grade trees T4 Sycamore & T9 Rowan, and 3 groups G1 Western Red cedar (conifer) C grade and G2 Yew again C grade. Whilst the loss of all these trees is regrettable, C grade trees are of limited value and in accordance with the BS5837 guidance can be removed as they are trees of low quality. The loss of the B grade tree, T8 Alder, is undesirable given that it is to be removed to facilitate the development, however the site contains a number of boundary trees which are to be retained so the loss of T8 in the middle of the site will not have a detrimental impact on the wider landscape area.
- 6.6.3 Overall the scheme is considered to be acceptable and the trees to be lost can be mitigated as part of the landscaping for the site. The site will require the retention of the arboricultural consultant to oversee the tree works, installation of the protective fencing and construction of the access and parking area, but subject to conditions being attached to any proposed consent for the site no objections are raised.

## **6.7 Flood Risk and surface water drainage:**

- 6.7.1 Paragraph 103 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding. The guidance requires such applications to be supported by a flood risk assessment and sequential test.
- 6.7.2 Policy CS16 of the Core Strategy states that the sequential approach in accordance with the NPPF will be strictly applied across the district. Development within areas of flood risk will only be accepted if it is demonstrated that it is appropriate at that location and that there are no suitable and available alternative sites at a lower flood risk. The application site is within Flood Zone 2. In accordance with advice from the Environment Agency new dwellings in such areas can be acceptable subject to appropriate mitigation measures.
- 6.7.3 A number of letters of objection have been received during the course of the application expressing concern for flooding within the gardens of a number of neighbouring properties. The flood risk assessment originally submitted was not considered to be sufficient to meet the requirements of Policy CS16 and following discussions regarding the drainage requirements for the site an amended assessment has been submitted. Full comments from the drainage officer are pending and the updated comments will be provided in the update sheet.

## **6.8 Other matters:**

- 6.8.1 Given the outline nature of the application under which matters of appearance are reserved there is no requirement for the application to be accompanied by a pre-assessment estimator to demonstrate that code level 4 can be achieved at this stage.

## **6.9 Presumption in favour of sustainable development:**

- 6.9.1 The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.
- 6.9.2 Providing new housing in sustainable locations is a clear social benefit which supports strong, vibrant and healthy communities. The NPPF clearly seeks to significantly boost the supply of housing. As such, it is considered that the proposal would have clear and demonstrable social benefits which weigh in favour of granting planning permission.
- 6.9.3 In terms of the economic role of planning, the proposal would provide employment for a limited period during the construction of the property.
- 6.9.4 The protection and enhancement of the natural, built and historic environment is fundamental to fulfilling the environmental role of planning. The impact on the character and appearance of the area and the setting of the listed building has been assessed as part of this application and it is considered that the proposal would respect the prevailing pattern of development. As such, it is considered that there are no environmental reasons to justify refusing planning permission.
- 6.9.5 For the above reasons it is considered that the proposed development is supported by the presumption in favour of sustainable development.

## **7. Conclusion**

- 7.1 Located within the settlement boundary of Woolhampton the principle of a new dwelling is considered to be acceptable. As demonstrated above the proposal is not considered to impact on the setting of Brook Lawn, a grade II listed property, and subject to an appropriate design is it considered that a new dwelling could be sited without an adverse impact on the character of the area.
- 7.2 During the course of the application an amended flood risk assessment and sequential test has been submitted. Comments on this are still pending.
- 7.3 The proposed visibility splay onto Station Road is outside of the application site and outside of the control of the applicant. The Highway Authority is therefore unable to ensure that this splay is kept clear of obstructions at all times. The proposed development would result in the increased use of an access which is sub-standard in respect of visibility which would be to the detriment of pedestrian and

highway safety, contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026.

- 7.4 In light of the above concerns a section 106 agreement has not been completed and as such the development fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of the development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to guidance within the National Planning Policy Framework, Policy CS5 of the West Berkshire Core Strategy 2006-2026, July 2012 as well as adopted Supplementary Planning Document 4/04 - Delivering Investment from Sustainable Development.
- 7.5 Having taken account all of the relevant policy considerations and the other material considerations referred to above, it is considered for the reasons set out above that there are strong reasons to refuse the proposed development.

## **8. Recommendation**

- 8.1 To **DELEGATE** to the Head of Planning and Countryside to **REFUSE** permission for the following reasons:

1. The proposed visibility splay onto Station Road is outside of the application site and outside of the control of the applicant. The Highway Authority is therefore unable to ensure that this splay is kept clear of obstructions at all times. The proposed development would result in the increased use of an access which is sub-standard in respect of visibility and would be detrimental to pedestrian and highway safety. The proposal is therefore contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026 and the guidance in Manual for Streets 2007.

2. The development fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of the development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to guidance within the National Planning Policy Framework, Policy CS5 of the West Berkshire Core Strategy 2006-2026, July 2012 as well as adopted Supplementary Planning Document 4/04 - Delivering Investment from Sustainable Development.

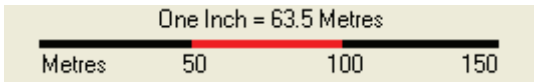


Map Centre Coordinates : 457273.93 , 166738.54

Scale : 1:2500

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Organisation	West Berkshire Council
Department	Environment
Comments	
Date	14 November 2013
SLA Number	100015913

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# Agenda Item 4.(2)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(2)	13/02394/HOUSE Woolhampton	5 <sup>th</sup> December 2013	Flat roofed single storey extensions removed, two storey extension and single storey extensions.  Little Paddocks, Woolhampton Hill, Woolhampton  Mr and Mrs Robinson

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=13/02394/HOUSE>

**Recommendation Summary:** To **DELEGATE** to the Head of Planning and Countryside to **REFUSE PLANNING PERMISSION**

**Ward Member(s):** Councillor Irene Neill

**Reason for Committee determination:** Member call in due to a substantial amount of local support for the project.

**Committee Site Visit:** 20<sup>th</sup> November 2013.

## Contact Officer Details

**Name:** Cheryl Willett  
**Job Title:** Senior Planning Officer  
**Tel No:** (01635) 519111  
**Email:** cwillett@westberks.gov.uk

## **1. PLANNING HISTORY**

- 13/61** Dwellinghouse at Woolhampton Hill. GRANTED 17<sup>th</sup> January 1961.
- 12/70** Additions. GRANTED 20<sup>th</sup> January 1970.
- 109367** Alterations and addition to first floor to provide 3 bedrooms. GRANTED 25<sup>th</sup> October 1978.
- 121893** Lounge extension. GRANTED 11<sup>th</sup> July 1984.
- 122235** Two storey extension. WITHDRAWN 9<sup>th</sup> August 1984.
- 138240** Timber garage to replace iron shed. Cannot determine.
- 141560** Two storey extension to dwelling. Cloaks/hall/dining/bathroom/bedroom/en-suite. GRANTED 25<sup>th</sup> September 1992.
- 06/01074/HOUSE** Pitched roofs over the two existing flat roofed sections and with bedroom accommodation in one of the roofs. Two dormer windows within the new bedroom and the conversion of the existing garage into the kitchen and utility room. Alterations to porch. WITHDRAWN.
- 11/00575/HOUSE** Flat roofed single storey extensions removed, 2 storey extensions, single storey garden room and new pitched roof garage added. REFUSED 5<sup>th</sup> July 2011 and dismissed at appeal.
- 12/01144/HOUSE** Flat roofed single storey extensions removed, 2 storey extensions, single storey garden room and new pitched roof garage added. REFUSED 7<sup>th</sup> September 2012 and dismissed at appeal.
- 13/00782/HOUSE** Remove existing single storey garage, southern single storey extension, western boiler house and eastern section of two storey house. Erect new 2 storey extension to east and single storey glazed extension to south. WITHDRAWN.
- 13/01845/PASSHE** Single storey extension – depth from rear wall 8 metres, maximum height 4 metres, eaves height 3.5 metres. Application not required (permitted development).

## **2. PUBLICITY**

Site Notice Expired: 13<sup>th</sup> November 2013.  
Neighbour Notification Expired: 5<sup>th</sup> November 2013.

## **3. CONSULTATIONS AND REPRESENTATIONS**

### **3.1 Consultations**

<b>Parish Council:</b>	No response received at time of writing due to parish meeting date. Comments will be reported to Planning Committee.
<b>Highways:</b>	There is adequate parking and turning within the site at the front of the dwelling on the existing large parking area for 4/5 vehicles. No objection.
<b>Public Rights of Way</b>	Woolhampton Footpath 6/1 runs immediately alongside the eastern boundary of the site. This is a very narrow footpath bounded by an evergreen hedge. The proposals will not impact on the footpath providing no alteration is made to the property side of the hedge. Conditions and informatives suggested to remind applicants to keep the hedge cut back so not to obstruct the footpath.

### 3.2 Representations

Total: 1                      Object: 0                      Support: 1

#### Summary of comments:

- The removal of the current flat roof, single storey extension will greatly improve the look of the property and the proposed work will create a much more aesthetically pleasing home. The size of the plot lends itself to a large family home and the neighbouring homes are some distance from the house. The well established trees provide screening and privacy from the neighbouring houses as well.

## 4. PLANNING POLICY

- 4.1 The statutory development plan comprises the saved policies in the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP), and the West Berkshire Core Strategy 2006-2026.
- 4.2 Other material considerations include government guidance, in particular:
  - The National Planning Policy Framework (March 2012) (NPPF)
  - By Design: urban design in the planning system: towards better practice (DETR/CABE)
  - Manual for Streets (DCLG/DfT)
- 4.3 Paragraph 215 of the NPPF advises that, for the 12 months from the day of its publication, due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The following saved policies from the Local Plan are relevant to this application:
  - ENV.1: The Wider Countryside
  - ENV.24: Extensions to Dwellings in the Countryside
  - HSG.1: The Identification of Settlements for Planning Purposes
  - TRANS.1: Meeting the Transport Needs of New Development
- 4.4 In addition, the following locally adopted policy documents are relevant to this application:

- SPG 4/02: House Extensions (July 2004)
- SPG 4/03: Replacement Dwellings and Extensions to Dwellings in the Countryside (July 2004)
- Supplementary Planning Document Quality Design (June 2006)
  - Part 1 Achieving Quality Design
  - Part 2 Residential Development
  - Part 3 Residential Character Framework
  - Part 4 Sustainable Design Techniques
  - Part 5 External Lighting

4.5 The West Berkshire Core Strategy (2006-2016) July 2012 now forms part of the development plan and therefore its policies attract full weight. The following policies are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 6: The East Kennet Valley
- CS 4: Housing Type and Mix
- CS 13: Transport
- CS 14: Design Principles
- CS 19: Historic Environment and Landscape Character

## **5. DESCRIPTION OF DEVELOPMENT**

- 5.1 The application seeks consent for the removal of existing flat roofed single storey extensions and the erection of a two storey extension and single storey extensions. The application site is located at Little Paddocks, Woolhampton Hill, Woolhampton. The site is in residential use occupied by a large detached two storey dwelling. The site is located outside of any defined settlement boundary, on a prominent and exposed ridge in an area characterised by open countryside with individual houses set in spacious plots. The house is open to views from across the valley to the south and from Woolhampton Footpath 6/1 that runs along the eastern boundary of the site.
- 5.2 The wooden shed, garage, boiler house and rear extension would be removed. The two storey extension would be added on the eastern elevation and would match the height of the main ridge. The extension would be 3.7m in width and 8.2m in depth. The single storey side extension would be 3.5m in height, 3.4m in width and 8.2m in depth. A terrace would be added at first floor level. The aim of the proposals is to remodel the internal space whilst also making external alterations. The windows are proposed to be change to timber sash style. The rear would include a large section of glazing. Solar panels are proposed for the roof.
- 5.3 The application follows the refusal of a scheme in 2011 for the removal of the single storey extensions as outlined in 5.2, and two storey extensions on either side of the main two storey central section of the dwelling. The application was refused by Eastern Area Planning Committee following the advice of its officers, and was dismissed on appeal. The appeal decision is attached to the committee report. This scheme was refused as the extensions were considered disproportionate to the original and as they were not subservient to the dwelling. The Inspector agreed that the proposal would conflict with Policy ENV24, as they were disproportionate additions and would not fall within the exceptions to the size guidelines set out in the SPG. The Inspector also considered that the extensions would significantly increase the bulk of the dwelling when seen from both the footpath and

Woolhampton Road, and taking all factors into consideration would represent a disproportionate addition conflicting with Policy ENV24. However, the Inspector did not share the view of the Council that the extensions would not be subservient.

- 5.4 Pre-application advice was sought prior to the submission of the current planning application. The scheme was as presented in the current scheme, and it was noted considered by officers, on an informal level, that the proposal could not be supported. The officer considered that the existing dwelling house in materially greater than the original dwelling house. By virtue of this, the bulk and mass of the proposals would have a detrimental impact on the character of the area. It was suggested to the applicants to make improvements to the external appearance of the dwelling rather than increasing the volume or floor area further.

## **6. APPRAISAL**

The main issues for consideration in the determination of this application are:

- Principle of the development and disproportionality
- The impact on the character and appearance of the area
- Impact on neighbouring amenity
- Impact on highway safety
- The presumption in favour of sustainable development

### **6.1 Principle of the development and disproportionality**

- 6.1.1 The site is located outside any defined settlement boundary, in the countryside, where development is more generally resisted. However, saved Local Plan Policy ENV24 permits extensions to dwellings in the countryside subject to meeting certain criteria. The Inspector in the most recent appeal case considered that Policy ENV24 is consistent with one of the core planning principles of the National Planning Policy Framework (NPPF) which is the recognition of the intrinsic character and beauty of the countryside. Therefore the policy is given full weight. The aim of the policy is to prevent material increases in visual intrusion into the countryside and the over-development of residential sites. The policy is supported by Supplementary Planning Guidance (SPG) on Replacement Dwellings and Extensions to Dwellings in the Countryside, which gives a general guide that the increase of the original dwellinghouse of less than 50% is unlikely to be considered disproportionate. However, the size increase is only one factor in the determination of whether an extension is disproportionate.
- 6.1.2 As can be seen from the planning history there have been extensive extensions already undertaken at the property, which was built after permission was granted in 1961.
- 6.1.3 The table below represents the additional floor space created by the proposed extensions and the previous extensions. It is important to note that the applicants intend to demolish 110 square metres of the existing house and erect 110 square metres to replace this loss. The 110 square metres of floor space would be removed from past extensions rather than the original house.

	Original House	Existing	11/00575/HOUSE	12/01144/HOUSE	13/02394/HOUSE
Floor Area	154sqm	444.4sqm	412.37sqm	415sqm	110sqm, though demolishing 110sqm.
Percentage Increase	-	188%	268%	269%	0% on existing, and 188% on original.
Volume	477m3	947m3	1511.38m3	1424m3	45m3 on existing, and 340m3 on original. Demolition of 295m3.
Percentage Increase	-	99%	316%	298%	4.8% on existing and 114% on original.

6.1.4 It is considered that the proposal is an improvement on the previously refused schemes in relation to the size, as the proposals have been scaled down with removal of previously proposed single storey extensions. However, the fact remains that the dwelling has already been extended disproportionately. Thus any alterations or additions would still result in a dwelling disproportionate in size to the original. The volume would be increased by virtue of the fact that space is being removed from single storey additions and being placed in a two storey extension. The bulk would also be increased.

6.1.5 On balance, as it is recognised that there is a nil increase in the floor space above the existing dwelling, Policy ENV24 is clear that the aim is to prevent the alteration of the character of the original dwelling, and this is why the size increase over and above the original dwelling is important to measure. It is considered that the proposal does not comply with criterion d) of policy ENV24.

## 6.2 Impact on the character and appearance of the area

6.2.1 There are other factors to consider aside from the size increase. The achievement of high quality design is an equally important factor, and one that is promoted in Core Strategy policies CS14 and CS19, and the general guidance and the core principles outlined in the NPPF, as well as policy ENV24 of the Local Plan. Core planning principle number 5 of the NPPF states that in decision making the intrinsic character and beauty of the countryside should be taken into account.

6.2.2 The site is relatively well screened to the north and west though is adjacent to a public right of way, Woolhampton 6/1 to the east and can be viewed from the lower ground and across the valley to the south. There has been new vegetation placed in previous gaps in the hedge running alongside the site, however there are still quite clear views of the house from the footpath.

6.2.3 When considering the size and design of the dwelling house originally permitted in 1961 although the dwelling was quite modest, when compared to the existing house, it still contained four bedrooms, a lounge, kitchen, dining room, hall, study

and store. The extensions added since have not been sympathetic to the original house which is functional in design and is considered to be of no particular architectural merit. The plot is large and spacious enjoying far reaching views across the Kennet Valley. However, the plot size and the style of the original house define the character of the site, and the size of the plot should not be justification in itself for allowing a dwelling disproportionate in size to its original and policy ENV24 does not include plot size as a factor in assessing such applications.

- 6.2.4 At present the extensions are at single storey level, and are generally subservient and a more inconspicuous way of extending a property. By using the floorspace from the single storey and placing it mostly into a two storey extension this should not be considered as a 'quid pro quo', as it would change the overall appearance of the dwelling, and would have a materially greater impact on the character of the area and countryside than the existing and original dwelling. Whilst the current scheme is recognised to be an improvement on previous schemes it does not overcome the issues of impact due to disproportionality identified in the previous refusals and dismissed appeals.
- 6.2.5 The bulk of the dwelling would still be increased, and this has not significantly changed from the scheme previously refused and dismissed on appeal. Rather than having two 2-storey extensions on either side of the central two storey section to the dwelling, the proposal would add a slightly larger 2 storey extension than that previously proposed on one side of the dwelling. When considering the increase in volume this is still considered a bulky addition to the existing and original dwelling, and the Inspector in the previous appeal considered the additional bulk, albeit on a larger scale, was unacceptable.
- 6.2.6 Concern is had with the design features of the proposed extension. Quite a large dormer is proposed and considered with the two small windows at ground floor level would make the dormer appear quite prominent. Improvements have been made to the fenestration in the remainder of the house to make it more consistent and uniform, and it would be expected that new windows in the extension would follow this style.
- 6.2.7 It has been confirmed that the applicants would be able to build a relatively large single storey rear extension under the amended permitted development rights which enable an 8 metre deep extension with a maximum height of 4 metres. Whilst this has not been built and is only a potential extension there is concern that cumulatively the dwelling would be further extended disproportionately to the original.
- 6.2.8 Overall, despite the improvements made to the extensions in comparison to previous schemes the conversion of floor space and volume from the existing single storey extensions into a two storey extension would change the character and appearance of the dwelling, both as existing and the original house, though particularly when compared to the original. The bulk of the house would be significantly increased. As the Inspector opined in the previous appeal the design concept 'would create a remodelled dwelling as opposed to an extended dwelling', and this proposal is not considered to successfully address this view. When considering the already disproportionate nature of the previous extensions the proposal would still contribute to a dwelling disproportionate in size to the original, and would have a materially greater impact upon the dwelling and character of the

area than the existing extended house or the original. Therefore, the proposal would fail to comply with the objectives of the NPPF, Policies CS14 and CS19 of the Core Strategy 2006-2026, Policy ENV24 of the West Berkshire Local Plan 1991-2006 Saved Policies 2007, and guidance set out in the Council's Supplementary Planning Guidance notes on House Extensions and Replacement Dwellings and Extensions to Dwellings in the Countryside.

### **6.3 Impact on neighbouring amenity**

- 6.3.1 The site is well screened from neighbouring occupiers. Therefore the application has no significant impact on neighbouring amenity.

### **6.4 Impact on highway safety**

- 6.4.1 The Highways Authority considers there is adequate space for parking despite the loss of the garage. The proposal would not have any impact upon highway safety.

### **6.5 Presumption in favour of sustainable development**

- 6.5.1 The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals.
- 6.5.2 The NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.
- 6.5.3 In support of the economic role the extensions would contribute to providing employment during construction. In support of the social role the energy efficiency measures would be beneficial, though the design is a concern. When considering the environmental role, the increased bulk of the dwelling would not contribute to the protection of the intrinsic beauty of the countryside. As the three tenants of sustainable development need to be considered together the failure to achieve one means that the scheme does not fall to be considered as sustainable development.

## **7. CONCLUSION**

- 7.1 Having taken into account all the relevant policy considerations and the other material considerations it is considered that the proposed development is not considered to contribute to the aims of delivering sustainable development. The increase in size to the original dwelling house is considered to be clearly unacceptable both in terms of general policy and guidance seeking to achieve high quality design and in terms of disproportionality. The application is therefore contrary to the guidance on the design contained in the NPPF, Policy CS14 of the West Berkshire Local Planning Core Strategy 2006-2026 July 2012 and West Berkshire Council Supplementary Planning Guidance 'House Extensions' July 2004 and Policy ENV24 of the West Berkshire District Local Plan 1991-2006, Saved Policies 2007 and the accompanying Supplementary Planning Guidance 'Replacement Dwellings and Extensions to Dwellings in the Countryside', July 2004.



## **8. FULL RECOMMENDATION**

**DELEGATE** to the Head of Planning & Countryside to **REFUSE PLANNING PERMISSION** for the reason set out in Section 8.1.

### **8.1 Recommended refusal reason**

1. Little Paddocks is located outside of any defined settlement boundary, in the countryside in planning policy terms. Guidance in the National Planning Policy Framework, Policies CS14 and CS19 of the Core Strategy 2006-2026 requires the achievement of high quality design appropriate to their setting. Policy ENV24 of the West Berkshire Local Plan 1991-2006 Saved Policies 2007 seeks to prevent the over development of sites in the countryside and a material increase in visual intrusion into the countryside.

Little Paddocks has been greatly extended and its extensions already represent disproportionate additions. Although the proposal involves the demolition of 110 square metres of floor space and its replacement with 110 square metres of floor space as this area would be placed mainly into a two storey extension this would increase the bulk of the dwelling, and would be visible from public vantage points. The nil increase over the existing dwelling in terms of floor space does not negate the significant change in character from the character and appearance of the original dwelling, which was a relatively modest house. Volume would be increased, and overall the extensions would still be regarded as disproportionate additions, greater than a 50% increase as advocated by the Council's Supplementary Planning Guidance 'Replacement Dwellings and Extensions to Dwellings in the Countryside', July 2004. When considering the design aspects the proposed extensions would be materially greater than the original dwelling. The large dormer window and two small windows on the ground floor of the extension are not considered to be generally in keeping with the style of the fenestration across the remodelled house. Despite the changes and improvements made to the schemes previously refused and dismissed on appeal they are not considered to outweigh the harm created by the proposal.

The proposal therefore fails to comply with guidance contained within the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV24 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), West Berkshire Council's Supplementary Planning Document Quality Design (Part 2) (June 2006), West Berkshire Council's Supplementary Planning Guidance notes 'House Extensions' and 'Replacement Dwellings and Extensions to Dwellings in the Countryside' (July 2004).

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# Appeal Decision

Site visit made on 10 December 2012

**by C Tokley MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 17 December 2012**

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**Appeal Ref: APP/W0340/D/12/2185342**

**Little Paddocks, Woolhampton Hill, Woolhampton, Reading, RG7 5SY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Andrew and Rebecca Robinson against the decision of West Berkshire District Council.
  - The application Ref 12/01144/HOUSE was refused by notice dated 5 September 2012.
  - The development proposed is:- Flat roofed single storey extensions removed, 2 storey extensions, single storey garden room and new pitched roof garage added.
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## Decision

1. The appeal is dismissed.

## Main issue

2. The main issue is the effect of the proposal on the character and appearance of the dwelling and the surrounding area.

## Reasons

3. Little Paddocks is a detached dwelling set within a scatter of houses that mainly occupy large plots in partly-wooded countryside. The site is outside the settlement boundary of Woolhampton and is close to the crest of a hill that rises from the south affording extensive views from rear of the house and garden across the Kennet Valley. The eastern side boundary of the site is partly bounded by a dense evergreen hedge; however beyond the rear of the dwelling the hedge becomes more open allowing clear views of the house from the public footpath that runs along the boundary and separates the garden from school playing fields that lie to the east.
4. When approached along Woolhampton Road from the north, down the hill, Little Paddocks is partly screened by trees and hedges. At the time of my site visit the upper floor and roof of the house were in view as skyline features between the deciduous trees. I am conscious that when in leaf the trees would provide a greater degree of screening but for a substantial part of the year the house is visible from Woolhampton Road.
5. The original dwelling has been extended at both ground- and first-floor level and now comprises a central two storey section with single-storey flat-roofed elements on each side. The proposal would reduce the overall width of the building on the ground floor but the two storey extensions would extend the first floor at both sides of the house introducing two small gables into the front elevation, one on each side of the existing full-height central gable.

6. The floor area of the original dwelling, built in 1960, was 154 sq m and the appellants indicate that the original development included the 2 bay garage resulting in a building of about 235 sq m. Soon after the house was built a 1961 single storey extension increased the floor area to about 360 sq m and later additions (indicated by the appellants to date from 1978 and 1992) have resulted in the 451 sq m current dwelling. Based on the original house and garages the floor area of the original structure on the site has almost doubled. The proposal would result in an overall floor area of 569 sq m which represents an increase of about 240% as compared with the original.
7. "Saved" Policy ENV.24 of the *West Berkshire District Local Plan 1991-2006* (LP) (Extensions to dwellings in the countryside) seeks to prevent material increases in visual intrusion into the countryside and the over-development of residential sites. It sets out criteria for the consideration of proposals to extend dwellings and indicates that extended dwellings should not be disproportionate to the original dwelling. Guidance on the interpretation of this policy is provided by the Council's July 2004 Supplementary Planning Guidance: *Replacement dwellings and extensions to dwellings in the countryside* (SPG). Both the LP Policy and the SPG pre-date the National Planning Policy Framework (the Framework) by some years. However the objectives of Policy ENV.24 are consistent with one of the core planning principles of the Framework which is the recognition of the intrinsic character and beauty of the countryside. I therefore give it full weight.
8. As regards dwellings built after 1 July 1948 the SPG defines "original" as the size of the dwelling as built excluding any subsequent extensions or outbuildings. It states that increases in floorspace of less than 50% as compared with the original dwelling are unlikely to be considered to be disproportionate on size increase alone; however it indicates that floorspace is only one factor in the determination of whether an extension is disproportionate. Nevertheless the total floorspace proposed at Little Paddocks would exceed the 50% guidance by a factor of almost 5 and this is an indicator that the proposal would be likely to be disproportionate.
9. The SPG recognises that where an original dwelling is relatively small larger percentage increases may be necessary to bring the house up to modern living standards. The appellants argue that the appeal dwelling is small in relation to its large plot; however the extensions now proposed are not necessary to provide modern facilities and any original deficiency could have been overcome by the extensions already carried out.
10. The SPG also indicates that, in exceptional circumstances, where a previous extension is long-established, a modest further extension may be acceptable, provided that it would not have a harmful effect on the character of the countryside. The 1961 extension was carried out shortly after the construction of the dwelling and may be regarded as "well established"; however in my view the 1978 and 1992 additions do not fall within the same category. Even if they were considered to be "well established" the proposal would represent an increase in floor area of about 25% and I consider that this, combined with the increase in the bulk of the building as now proposed, could not be considered to be a "modest" extension. I therefore consider that as regards floorspace the proposal would be a disproportionate addition and would not fall within the "exceptions" to the size guidelines set out in the SPG.

11. The ridge of the proposed western extension would be set down from the existing roof line by 300 mm; however the two-storey extensions would significantly increase the bulk of the dwelling when seen both from the footpath and Woolhampton Road. The single-story rear extension would be less prominently visible but it would add further to the bulk of the dwelling as compared both with the original house and the existing dwelling. The appellants point out that part of the rear extension could be built as “permitted development” however it forms part of the proposal before me.
12. Taking an overview I consider that as regards floorspace, the overall size and massing of the dwelling as extended and its effect on the inherent character of the area the proposal would represent a disproportionate addition as defined by the SPG and that the proposal would conflict with LP Policy ENV.24.
13. The appellants draw attention to the amendments made to the proposal following an appeal decision dated 2 December 2011 (ref APP/W0340/D/11/2160600). However I consider that those amendments would not materially reduce the bulk of the proposal as compared with that the subject of that appeal. The appellants point out that when determining the previous application the Council incorrectly identified the site as being within the *North Wessex Downs Area of Outstanding Natural Beauty* (AONB) and that the Inspector determine the appeal on that basis. The Framework restates the highest status of protection that should be afforded to AONB countryside; however this does not detract from the need to take account of the intrinsic character of all of the countryside.
14. The appellants set out the overall design concept of the proposal which in my view would create a remodelled dwelling as opposed to an “extended” dwelling. I do not share the Council’s concern that the extensions would not be subservient and I consider that the elevational treatment of the building would be acceptable. The proposed construction and energy efficiency measures would contribute to the sustainability of the dwelling and I am also conscious that the development would, in a small way, contribute to the health of the building industry in the area. However the concept of sustainability includes an environmental dimension and I consider that the positive factors are not sufficient to outweigh the harm that would be caused to the character and appearance of the area as a result of the increased bulk of the dwelling.
15. The appellants indicate that “Hillbrow” which lies to the north of the appeal site, has recently been redeveloped with its floorspace being more than doubled. I do not have the full details of that proposal but I note that the original bungalow on that site was much smaller than the appeal dwelling. I saw that Hillbrow is more prominent than Little Paddocks but its redevelopment does not convince me that the appeal proposal is acceptable.
16. I consider that the proposal would conflict with LP Policy ENV.24 and with the Council’s July 2012 Core Strategy (CS) which indicates in Policy CS14 that new development must respect and enhance the character and appearance of the area within which it is located.

#### *Other matters*

17. Refusal reason 2 refers to CS Policy CS16 (Flooding) but there is no evidence to support this reference. The appellants ask that I comment on the processes of the Council and the accountability of Council Officers; however those are

matters for the appellants to pursue with the Council and are beyond the scope of my Decision.

**Conclusion**

18. Taking account of all matters I conclude that the proposal would unacceptably detract from the character and appearance of the area and that the appeal should not succeed.

*Clive Tokley*

INSPECTOR

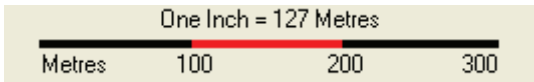


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Organisation	West Berkshire Council
Department	Environment
Comments	
Date	14 November 2013
SLA Number	100015913

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# Agenda Item 5.

## APPEAL DECISIONS EASTERN AREA-COMMITTEE

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Recommendation	Decision
THATCHAM 13/00756/FULD  Pins Ref 2200258	1 Barnes Court, Station Road, Thatcham Mr M Barnes	Conversion of a 2 storey maisonette to 2 single storey flats	Delegated Refusal	Allowed 30.10.13
TILEHURST 13/01065  Pins Ref 2204298	The Walled Garden, New Lane Hill, Tilehurst Mr B Barton	Retrospective: Construction of garden studio/ office	Approval	Allowed 18.11.3

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MIDGHAM 13/00318  Pins Ref 2200386	Vista, Birds Lane, Midgham Mr and Mrs Holdway	Erection of a bungalow	Delegated Refusal	Dismissed 23.10.13
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The Inspector considered that the main issues were whether the bungalow would be sustainably located, the effect on the character and appearance of Birds Lane and the effect of the bungalow on the living conditions of occupants and the occupants of neighbouring properties with regard to privacy, noise and disturbance.

The Inspector noted that paragraph 55 of the NPPF encourages sustainable development in rural areas and housing located where it will enhance or maintain the vitality of rural areas. This is supported by Policies ADPP1 and HSG1 of the Local Plan, which seek to guide development to towns and better serviced villages. The Inspector noted that due to the lack of public transport and services in the immediate area, meaning that the future occupant would be substantially reliant on the private car, and a lack of identified need for small scale accommodation in the area, the proposed bungalow would not meet with the objectives of policy in respect of the sustainable location of new residential development.

The Inspector concluded that due to the limited views of the site and surrounding screening the proposed works would not have a harmful effect on visual amenity. Similarly, due to the relative privacy of the location the Inspector concluded that there would not be a harmful impact on neighbouring properties in terms of loss of privacy and disturbance caused by the intensification of use of the building on site as a dwelling.

However, due to the location being deemed not to meet with the requirements of policy in respect of the sustainable location of new residential development the Inspector concluded that the appeal should not succeed.

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THATCHAM 13/00756/FULD  Pins Ref 2200258	1 Barnes Court, Station Road, Thatcham Mr M Barnes	Conversion of a 2 storey maisonette to 2 single storey flats	Delegated Refusal	Allowed 30.10.13
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The Inspector considered that the main issue was the effect of the proposal on living conditions of future occupants in terms of the provision of garden space.

The Inspector noted that there are presently three dwellings, two single bedroom flats and one two-to-three bedroom maisonette on the site. At present these three dwellings are served by a garden space to the rear of approximately 45 sqm. The proposed works would lead to this garden space serving four single bedroom dwellings, which would fall below the standard of 25 sqm of communal amenity space per dwelling stipulated within the Council's Supplementary Planning Document on Quality Design. Additionally the Inspector noted that there is no public open space sufficiently close to the site so as to be readily usable by the occupants of the dwellings.

However, the Inspector concluded that the proposal would not increase the overall number of bed spaces and that the two proposed flats were considered to place less demand on the amenity space of the site than the existing maisonette would, whilst not increasing the need for amenity space on the site. He therefore concluded that the proposal would comply with the aims of Policy CS14 and the SPD requiring a high quality and sustainable design and that the appeal should succeed.

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BEECH HILL 12/01596/HOUSE 12/01598/LBC2  Pins Ref 2188172 and 2188201	Forge, Beech Hill Road, Beech Hill Mrs S Petersen	Reconstruction and adaptation of existing outbuildings to provide additional living accommodation including conservatory and glazed link to main building.	Delegated Refusal	Dismissed 31.5.13
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The Inspector considered that the main issue was the effect of the proposed works on the special architectural and historic interest of the listed building and its setting. It was noted that the existing form of the Forge and Smithy that have been conjoined into a dwelling via use of a glazed link is simple and easy to read. A substantial garden room to be linked to these structures via a conservatory would complicate the existing built form, making the Listed Building more difficult to read. The Inspector considered that this would overcomplicate the built form to the detriment of the Listed Building.

The applications also included proposals to redevelop outbuildings to the rear of the site to provide accommodation ancillary to the main dwelling. The Inspector noted that whilst the existing outbuildings were of low key, simple appearance, and no particular architectural merit, the proposed replacement buildings would be more complex in form and strident in their incongruity. It was considered that the buildings would compete with the Listed Building as the prime visual element on the site.

The Inspector concluded that the proposed works would not meet with requirements of the Act in respect of the preservation of Listed Buildings and would not meet with the aims of core Strategy Policies CS14 and CS19 in respect of ensuring the preservation of heritage assets and their settings. Additionally they would be at odds with paragraphs 132 and 134 of the NPPF which state that the conservation of heritage assets should be given great weight in planning decisions but that the impact on heritage assets should be weighed against the public benefit of proposed development, which in this case would be negligible. In light of these considerations the Inspector concluded that the appeals should not succeed.

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PADWORTH 12/00753  Pins Ref 2193346	Two Ways, Oakend Way, Padworth Mr F Woodley	Change of use from agricultural to residential for car port/access (retrospective)	Delegated Refusal	Dismissed 11.7.13
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The Inspector considered that the main issue was the effect of the proposed development on the character and appearance of the area, having particular regard to the siting and design of the car port.

The Inspector noted that Policy CS14 of the Core Strategy requires new development to demonstrate a high quality and sustainable design that respects and enhances the character of the area. The Inspector considered the car port to be at odds with the local vernacular and out of character with the prevailing pattern of development, whilst being prominent in and unsympathetic to the street scene. Further the Inspector considered that the previously unkempt condition that the applicant claimed that the land was in prior to its clearance and the erection of the car port was typical to that of agricultural land used for grazing, and therefore that the land going back to this condition was not sufficient to outweigh the harm to the character and appearance of the surrounding area.

The Inspector noted that adequate parking and amenity space was already available around the existing dwelling prior to the changed of use of the land. Therefore the use of the land would conflict with Policy ENV22 of the Local Plan Saved Policies as it would result in a change of use of agricultural land not associated with aligning the residential curtilage of the dwelling with that of other surrounding dwellings or providing adequate parking, and Policy ADPP1 of the Core Strategy stating that development should following the existing settlement pattern.

The Inspector concluded that the appeal should be dismissed

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