

# Notice of Meeting



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## Eastern Area Planning Committee

Wednesday, 18th October, 2017 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, 10 October 2017

### FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

**Note:** The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

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)



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 18 October 2017**  
*(continued)*

Any queries relating to the Committee should be directed to Stephen Chard / Charlene Hurd / Jessica Bailiss on (01635) 519462/519695/503124 Email: [stephen.chard@westberks.gov.uk](mailto:stephen.chard@westberks.gov.uk) / [charlene.hurd@westberks.gov.uk](mailto:charlene.hurd@westberks.gov.uk) / [jessica.bailiss@westberks.gov.uk](mailto:jessica.bailiss@westberks.gov.uk)



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 18 October 2017**  
(continued)

**To:** Councillors Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster

**Substitutes:** Councillors Lee Dillon, Sheila Ellison, Nick Goodes, Tony Linden, Mollie Lock and Quentin Webb

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# Agenda

## Part I

**Page No.**

1. **Apologies**  
To receive apologies for inability to attend the meeting.
2. **Minutes** 7 - 24  
To approve as a correct record the Minutes of the meeting of this Committee held on 16<sup>th</sup> August 2017.
3. **Declarations of Interest**  
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable 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: 17/02012/FULD - Green Gables, Tidmarsh Lane, Tidmarsh, Reading** 25 - 44

**Proposal:** Erection of replacement dwelling and 4no. Dwellings and associated works; demolition of Class B buildings and extinguishment of lawful plant storage and distribution operations; removal of hard standing.

**Location:** Green Gables, Tidmarsh Lane, Tidmarsh, Reading

**Applicant:** Mr S Holland

**Recommendation:** To **DELEGATE** to the Head of Development & Planning to **REFUSE PLANNING PERMISSION** for the reasons for refusal set out in section 8.1 of this report



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(continued)

- (2) **Application No. & Parish: 17/02365/HOUSE - 4 Beechfield, Frilsham, RG18 9XF** 45 - 54  
**Proposal:** Single storey side and rear extension  
**Location:** 4 Beechfield, Frilsham, RG18 9XF  
**Applicant:** Adam and Bryoney Pusey  
**Recommendation:** To DELEGATE to the Head of Planning and Countryside to Approve PLANNING PERMISSION.
- (3) **Application No. & Parish: 17/01967/FULD - Knappswood Farm, Pangbourne Road, Upper Basildon, Berkshire RG8 8LN** 55 - 82  
**Proposal:** Demolition of existing house containing 3 units and erection of 3 houses.  
**Location:** Knappswood Farm, Pangbourne Road, Upper Basildon, Berkshire RG8 8LN  
**Applicant:** Mr John Wakefield  
**Recommendation :** To DELEGATE to the Head of Development & Planning to GRANT PLANNING PERMISSION subject to conditions and the completion of a S106 legal agreement between the Council, the applicant and the owners of Hollins and Southfields.

**Items for Information**

5. **Appeal Decisions relating to Eastern Area Planning** 83 - 84  
*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

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*(continued)*

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



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**DRAFT**

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

**EASTERN AREA PLANNING COMMITTEE****MINUTES OF THE MEETING HELD ON  
WEDNESDAY, 16 AUGUST 2017**

**Councillors Present:** Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster

**Also Present:** Sharon Armour (Solicitor), Gareth Dowding (Senior Engineer), Charlene Hurd (Democratic Services Officer), Masie Masiwa (Planning Officer) and David Pearson (Development Control Team Leader)

**PART I****18. Minutes**

The Minutes of the meeting held on 26 July 2017 were approved as a true and correct record and signed by the Chairman subject to the following amendments:

**Item 16 (1) Application 17/00743/FUL**

Page 8, final bullet point within Councillor Richardson's address: amend 'Englefield Parish Council' to 'Theale Parish Council'.

Page 9, third paragraph: Councillor Alan Macro asked that the final sentence was clarified to state that Councillor Richardson had referred to the Manager of *the football team* and that Councillor Bridgman's question related to the land available for pitches once the site had been developed.

Page 9, fourth paragraph: amend 'Theale Parish Council' to 'Englefield Parish Council'.

Page 10, paragraph 3, first sentence: amended to read 'Councillor Alan Law agreed that the school would increase traffic to the area and asked whether the access to the school was from the **road to the** golf course'.

**Item 16 (2) Application 17/00472/FULMAJ:**

Page 16, second paragraph, first sentence: amended to read 'Councillor Alan Law noted that Mr Crook had referred to ADPP6 however, *as it had not been referenced in the Officer's report, he asked for clarification.*

Page 17, second bullet point in Councillor Boeck's address: should state that he *still* lived in Brimpton.

Page 17, second paragraph: amended to include *Councillor* Richard Crumly.

Page 19, paragraph 7: amended to read 'Councillor Marigold Jaques understood that the application was against policy however, *it was well supported by the local community which was served by a thriving shop and pub – facilities which were lacking in many communities which should be noted*'.

Page 19, first paragraph: should read 'Councillor Law added that he had been Portfolio Holder when the policies in question had been agreed *and were aimed at small ribbon*

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*development hamlets such as Welford and Leckhamstead.* Therefore, he supported Officers' view that the decision would set a very dangerous precedent.

### 19. **Declarations of Interest**

Councillor Graham Pask declared an interest in Agenda Item 4(2), but reported that, as his interest was a personal interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Sharon Armour, Solicitor, declared an interest in Agenda 4(2) and reported that she was unable to provide legal advice for the item.

### 20. **Schedule of Planning Applications**

#### (1) **Application No. & Parish: 17/00968/FULD - The Rancher, Manor Farm Lane, Tidmarsh, Reading, RG8 8EX**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/00968/FULD in respect of the demolition of existing b8 (egg distribution warehouse) and five garages, relocation of sewage treatment plant and erection of 4 houses; 2 x semi-detached 2-bed and 2 x semi-detached 3-bed homes with associated garden and parking.

In accordance with the Council's Constitution, Mr Colin Pawson, Parish Council representative, Mr James Hanley, Mr Alan Maskell, Ms Denise Preston and Ms Julie Broun, objectors, and Mr Chris Keen, applicant/agent, addressed the Committee on this application.

Mr Pawson in addressing the Committee raised the following points:

- He thanked the Committee for the opportunity to discuss the application and he recognised that residents opposed the proposed development.
- The reasons for objection related to matters around loss of privacy, poor design and more. He considered that the conditions, contained within the Officer's report, were sufficient to address those concerns and therefore, the Parish Council accepted the application – in principle.

Councillor Graham Bridgman noted that concerns had been raised during the site visit regarding access to the site. Mr Pawson explained that one of their concerns related to the turning space for emergency or maintenance vehicles but he was satisfied that this had now been addressed. He also noted that concerns had been raised about increased traffic but he did not consider this to be a significant issue specifically relating to this development.

Mr Hanley in addressing the Committee raised the following points:

- He lived at the Lawrence Bungalow and required adequate access to the back garden to support his gardening business. He considered that concerns around access had been resolved, in principle, but he wanted to see that this was conditioned within the application to ensure a solution was delivered – if the application was approved.
- He was concerned about access to the sewage treatment plant and wanted to see that this was considered fully within the plans.

Ms Broun in addressing the Committee raised the following points:

- She lived at number five Manor Farm Lane.



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- There was an issue with regards to flooding in the area and she felt that the development would exacerbate the issue further. It was essential that the application included mitigation measures to ensure flood risk was managed appropriately.
- Parking was an issue for visitors due to the rural setting and limited parking space. He hoped that the application would also include the provision of 4 parking spaces.

Ms Preston in addressing the Committee raised the following points:

- She lived at number two Manor Farm Lane.
- She was concerned about the hours of work detailed within the planning application and felt that 10 hours would cause too much disruption and noise. She requested that the working hours should be revised to 08:30.
- She was concerned that plant material might block access to the site or cause an obstruction.

Mr Maskell in addressing the Committee raised the following points:

- He lived at number one Manor Farm Lane.
- The calculated daily vehicle movement was not accurate and in particular – the 20 ‘other vehicle movements’ in respect of the B8 Egg Packing Distribution Business did not exist. Vehicle movements in respect of the garages were inaccurate because they were seldom used either. Overall – the total number of vehicle movements provided a false and inaccurate picture.

Councillor Bridgman asked Mr Maskell whether he had seen the map provided in the update report which outlined a proposed access route to the sewage treatment plant. Mr Maskell stated that he had not seen the proposal, but that he would be satisfied with any proposed route provided that it was adequate for plant material/ vehicles to use.

Councillor Richard Crumly asked for clarification regarding the issue of parking in/ around the site. Residents advised that they had, in most cases, converted their front lawn to provide suitable parking spaces and that they lacked official parking spaces for visitors.

Councillor Alan Macro asked whether Mr Hanley had any concerns regarding the proximity of the new development to his home. Mr Hanley stated that he was concerned to a degree but he was not overly worried about the location of the new properties.

Councillor Graham Pask asked whether the ownership of the garages (to be demolished) was known. Ms Broun stated that the residents owned the freehold and that negotiations would ensue to agree transfer of ownership if the application was approved.

Mr Chris Keen in addressing the Committee raised the following points:

- He had prepared a statement but he wanted to address the points specifically raised at the meeting.
- He was happy to negotiate relocating access to the back garden at Lawrence Bungalow.
- Access to the treatment plant had been addressed and a map included in the update report. The route had been in situ for some time and would be suitable for the proposed use – he was happy to include amendments to Rights of Access.

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- Concerns regarding flood risk could be addressed through conditions and he was happy to discuss suitable options.
- He acknowledged the concerns regarding parking but reminded Members that these were unofficial spaces of which residents were not legally entitled to use but had benefitted from for many years.
- The traffic report provided by ITraffic was produced based on an assessment of the activity onsite and he believed that it was an accurate reflection of traffic flow.

In response to questions asked by Members, Mr Keen confirmed that he would accept changes to the conditions associated with working hours and access to Lawrence Bungalow.

Councillor Tim Metcalfe, speaking as Ward Member, in addressing the Committee raised the following points:

- He considered that the site was ideal for development – brown field, industrial use.
- Comments had been made regarding ‘overdevelopment’ and the design being ‘out of character’ but he was not convinced that this was the case.
- He was concerned about the height of the gable end and the impact it would have on the nearby property – Lawrence Bungalow. The proposed ridge height could cause a degree of overshadowing.
- The plans seemed to suggest that the new development’s parking space would be positioned in front of the existing properties – this was not suitable or reasonable.
- The update sheet suggested that there would be a fence introduced around the perimeter of the treatment plant but he was not sure why it was necessary if the treatment plant would remain as part of the field.

Massie Masiwa was invited to comment on the points raised by Councillor Metcalfe. In response, Masie Masiwa stated that the applicant was required to submit details regarding the fencing but the information had not yet been received. David Pearson advised that it was common to see agricultural land sub divided into sections and that the same principle would apply when considering the suitability of the treatment plant fencing within the field.

Masie Masiwa advised that the proposed development would be set back from the current position of the outbuilding and therefore the impact from the gable ends had been assessed accordingly and considered acceptable.

Councillor Bridgman suggested that the plan detailed two more gables which were higher than those used for comparison to neighbouring properties. He suggested that the impact had been assessed based on the incorrect gable line.

In response to concerns raised by Members, Gareth Dowding advised that there would be sufficient turning space for larger vehicles – this included a calculation based on the introduction of a bin store at the entrance of the site.

Councillor Crumly asked what the process would be in terms of pending cases referred to in point 5.9 of the Officer’s report. David Pearson advised that, if the LA was minded to refuse those applications, then the applicant would have a right to appeal the decision. Equally, the LA could take appropriate action if they had reason to believe that permissions were contravened.

Councillor Alan Macro highlighted that the impact assessment had been made based on the south ridge from the proposed development and he considered that the east ridge

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could impact the Lawrence Bungalow also. Therefore, he was keen to see that Permitted Development Rights were introduced on both the south and east side of the new development. Masie Masiwa advised that it was possible to add to the current condition as requested.

Councillor Webster acknowledged that the agent had introduced changes to minimise the impact and felt that he should be commended for doing so. Furthermore, the agent had accepted additional changes to the conditions to reassure local residents and manage the impact accordingly. Therefore, Councillor Webster proposal acceptance of Officer's recommendation to grant planning permission. The proposal was seconded by Councillor Bridgman.

Councillor Keith Chopping stated that he found no issue with the ridge height of the gable ends but he was concerned about access to the treatment plant and wanted to see that it was adequately addressed. He supported the application and requested that the condition relating to working hours was amended if the application was approved.

Councillor Law suggested that the application could be considered as overdevelopment. He noted the response provided in respect of access to the treatment plant and suggested that access should be conditioned. David Person advised that, due to the outline of the development site, a condition could be included.

Councillor Crumly considered that issues surrounding the Certificate of Lawfulness resulted in numerous uncertainties and for that reason he could not support the application.

Councillor Pamela Bale stated that she was concerned about the impact the development would have on parking in / around the area.

Councillor Marigold Jaques believed that the conditions helped to minimise the impact upon neighbouring properties but that these might not be adhered too. She felt that Members had a duty of care to consider and for that reason she could not support the application.

In considering the above application Members voted in favour of the proposal to accept Officers recommendation to grant planning permission subject to amended conditions.

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

### **Conditions**

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

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

2. The development hereby permitted shall be carried out in accordance with the application form, the design and access statement, the amended transport statement, the amended location plan, and the following approved drawings:

- a) Proposed site plan drawing No PL-05 received on 12 April 2017
- b) Amended proposed plans drawing No PL-07C received on 28 July 2017
- c) Amended proposed elevations drawing No PL-08 C received on 28 July 2017
- d) Amended proposed section through site drawing No PL-10B received on 22 June 2017

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e) Amended existing and proposed block plan drawing No PL-03B received on 22 June 2017

f) Visibility splays drawing No TB12502-GA-005 received on 09 June 2017.

g) Proposed swept path analysis - fire tender and large panel van drawing No TB12502-GA-001 received on 09 June 2017.

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

3. No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the dwellings and hard surfaced areas hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), the National Planning Practice Guidance (March 2014), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and the Supplementary Planning Document Quality Design (June 2006).

4. No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected around the dwellings and the sewage treatment plant have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment plan for the sewage treatment plant shall include the proposed access gate into the enclosure. The boundary treatment shall be completed in accordance with the approved scheme before the dwellings hereby permitted are occupied or in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Supplementary Planning Document Quality Design (June 2006).

5. Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning Authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the Local Planning Authority shall be carried out to agreed timescales and approved by the Local Planning Authority in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.

Reason: In order to protect the amenities of proposed occupants of the application site. This condition is imposed in accordance with the National Planning Policy Framework (2012) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

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7. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

8:30am to 6:00pm Mondays to Fridays;  
8:30am to 1:00pm Saturdays;  
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land users and occupiers. This is in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007

8. The dwellings hereby approved shall not be occupied until the refuse and recycling facilities have been provided in accordance with the approved details. The refuse and recycling facilities shall be retained for this purpose thereafter.

Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and the Supplementary Planning Document Quality Design (June 2006).

9. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026

10. No development shall take place until a scheme of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable drainage principles to deal with surface water run-off from the roof of the dwellings and within the application site. The dwellings hereby permitted shall not be first occupied until the scheme of surface water drainage has been implemented in accordance with the approved details. The approved method of surface water drainage shall be retained and maintained thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012),

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Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design - Part 4 Sustainable Design Techniques (June 2006).

11. No development (including site clearance and any other preparatory works) shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- a) The parking of vehicles of site operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials used in constructing the development
- d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- e) Wheel washing facilities
- f) Measures to control the emission of dust and dirt during construction
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works
- h) A scheme given full details of how any spoil or debris arising from the proposed development will be disposed of.

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy

Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

12. No dwelling shall be occupied until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that 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), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of then Housing Site Allocation DPD.

13. No dwelling shall be occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the Housing Site Allocation DPD.

14. The windows at first floor level, including roof lights in the northern elevations on all four dwellings shall be top hung and fitted with obscure glass before the dwellings hereby

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permitted are occupied. The obscure glazing shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring properties and to prevent the overlooking of adjacent properties in the interests of neighbouring amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

15. No development shall take place until a footpath signpost at the junction with the A340 has been installed in an appropriate location agreed in writing with the Local Planning Authority. The message details and location of the sign and signpost shall be agreed in writing with the Local Planning Authority and shown on a plan prior to any development commencing. The approved sign and signpost shall be retained thereafter as part of the proposed development.

Reason: To reinforce the existence of Manor Farm Lane as a designated footpath, to warn vehicles entering the site and to maintain the safety between vehicles and pedestrians. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policies CS 13 and CS14 of the West Berkshire Core Strategy.

16. Irrespective of the provisions of The Town and Country Planning (General Permitted Development) Order 2015, the car ports approved on the site shall not be used for any purpose other than as parking spaces for the dwellings, unless permission has been granted by the Local Planning Authority as a result of an application being submitted for that purpose.

Reason: To ensure that the car ports are kept available for vehicle parking in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the Housing Site Allocation DPD.

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

Reason: To prevent the overdevelopment of the site, given the limited amenity space, and in the interests of respecting the character and appearance of the surrounding area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

18. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General

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Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows including dormer windows and roof lights (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, of that Order shall be constructed at first floor level or the roof slope on the northern and eastern elevations of the dwellings hereby permitted, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties and to prevent the overlooking of adjacent properties in the interests of neighbouring amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

19. No development shall take place until details of the vehicle access route for the maintenance of the sewage treatment plant have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the route will be accessed, maintained and kept available for use at all times. Thereafter the access route shall be kept available for access to the sewage treatment plant and maintained and kept available for use at all time in accordance with the approved details.

Reason: To ensure the development is provided with adequate access for the maintenance of the sewage treatment plant. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### 21. **Application No. & Parish: 17/01889/OUTD - Land Adjacent to Larch House, Sulhamstead, Reading RG7 4BB**

*Councillor Graham Pask noted that the remaining members of the audience had attended to hear/ speak in respect of 17/01189/OUTD. Therefore, he suggested that Standing Orders were suspended in order that Agenda Item 4(3) could be considered prior to Agenda Item 4(2).*

*Members voted in favour of the proposal to suspend Standing Orders and proceeded to consider Agenda Item 4(3).*

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 17/01889/OUTD in respect of outline planning permission for the redevelopment and change of use of the site to residential (C3) to provide a single storey detached dwellinghouse with rooms in the roof space. Matters to be considered: Access and Layout.

In accordance with the Council's Constitution, Mr Thomas Wright, supporter, Mrs Kim Cohen, agent, and Mr Malcolm Hatton, applicant, addressed the Committee on this application.

Mr Wright in addressing the Committee raised the following points:

- He had lived near Larch House since 1970 and much of the surroundings had changed in that time. The land had previously been used for grazing and storage which were integral parts of the farm.



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- Over time the buildings had been converted into residential properties and the two outbuildings, referred to in the current planning application, were the last remaining.
- The proposed site was within an agricultural footprint and recent additions, such as a wall, provided a degree of privacy.
- The proposed development would enhance the appearance of the area and turn the current eye-sore into a purposeful building.
- This type of application had been a topic of conversation many times within the hamlet area - there had been numerous requests to convert outbuildings into a dwellinghouse.

In response to questions asked by Members, Mr Wright advised that the nature reserve was a very popular place to walk but the section of road alongside the application site was rarely used and was quite dangerous to walk. Therefore, the footpath was not heavily used and views into the proposed development would be limited.

Mr Hatton in addressing the Committee raised the following points:

- He had owned Larch House for over thirty years and he appreciated that the current application was not necessarily straight forward but he intended to explain the reasons for his application.
- He had lived in the area for many years and fully intended on staying for years to come. The proposed dwellinghouse would provide a more modest and manageable space to live in.
- The development would enhance the immediate area with minimal impact on neighbouring properties and amenities.
- The application had not received any letters of objection and he fought hard to get the application to be considered by the Committee.
- He owned the development site which offered limited benefits in its current state. He empathised that he wanted a more modest home in the same area so the proposal in front of Members appeared to make perfect sense.

Mrs Cohen in addressing the Committee raised the following points:

- The surrounding area had been introduced progressively over time and not all hedge lines/ walls were in place originally.
- The barn had not practical use and the proposal sought to enhance the area and its use.
- Fundamentally, the proposal hadn't drawn any objections
- Local properties had undergone various extensions.

Councillor Alan Law highlighted that the current planning policy stated that developments, such as this, were not permitted due to concerns that they could set a precedent. Councillor Law noted that the policy allowed exception cases and asked whether they considered that their proposal was an exception to policy. Mrs Cohen stated that the application could be considered an exception because it was set within an area where similar developments had taken place already. She stated that the two outbuildings in the application were the only remaining farm buildings within the hamlet and so there would not be any future pressure to develop in this way. .

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Councillor Tim Metcalfe stated that other developments in the area had been conversions of an existing farm building but the current proposal was to remove the farm building altogether and replace with a dwellinghouse. Mrs Cohen advised that there had also been a series of extensions in the area.

Councillor Graham Bridgman noted that on page 61, point 7.2, it referred to the dwellings situated within Hose Hill Farm and asked how they compared to the proposed plans in terms of scope and size. Members heard that the current proposal tried to emulate the style and size of nearby properties and that those within Hose Hill Farm were approximately 1.5 storeys tall.

In response to a question asked, Mrs Cohen confirmed that the application did not entail Tree Protection Orders.

Councillor Ian Morrin, speaking as Ward Member, in addressing the Committee raised the following points:

- He reflected on the reasons for the application being put forward by Mr Wright and noted that there were no known objectors.
- The application could be considered an exceptional case for development based on its location in a unique site – part of a settlement/ hamlet.
- Mr Wright had lived in the area for over thirty years and the application site served a limited purpose in its current state. This was a pragmatic approach which enabled longstanding residents to remain in the area.
- Redevelopment of the site would deter vandalism which had been a problem in/ around disused barns.

Councillor Webster asked if he knew what the value of the Community Infrastructure Levy (CIL) contribution would be if the development was approved. Councillor Morrin stated that he was not completely certain but it could be a significant contribution towards local amenities.

Councillor Bridgman asked whether a planning application would be required if the applicant repositioned the existing structure. David Pearson stated that he was not prepared to provide an answer on the basis that he preferred to check against legislation and case law before he could provide a definitive response. Following this, Councillor Pamela Bale asked what the policy would be if the applicant proposed to redevelop the existing barn. David Pearson advised that conversions in a rural setting would need to be assessed, according to the Development Planning Document (DPD). However, it should be noted that the original property must be considered structurally sound in order that it can be 'converted'.

Councillor Law highlighted that the application was against planning policy and reminded the Committee that Full Council had voted in favour of the recent changes to the Housing Sites Allocation DPD (HSADPD) policies which stated that applications, such as that in front of the Committee this evening, should be permitted by exception only. He asked Members to consider whether the current application could be considered an exception.

Councillor Law stated that the current application was not acceptable and proposed acceptance of the Officer's recommendation to refuse planning permission. The proposal was seconded by Councillor Crumly.

Councillor Webster asked whether planning officers had statistics relating to the number of 'self-build' properties in West Berkshire. David Pearson explained that he did not have the figures readily available but suggested that policies were not intended to be

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interpreted as it had been for self-build properties. Sharon Armour advised that CIL was not applicable if an applicant met the exemption criteria set out in the CIL regulations.

Councillor Keith Chopping stated that each application should be considered on its own merits and acknowledged Mr Wright's reasons for supporting the application – notably that there were no local objections. Councillor Chopping stated that, in light of CS1 of the newly appointed HSADPD, the application could be considered an infill. Therefore, he supported the application. In response, David Pearson explained that infill policies clearly indicated that the current application would not fit the criteria.

Councillor Bridgman supported the comments made by Councillor Law. He recognised that the development would be welcomed in the area but noted, beyond this, that it contradicted local planning policy.

Councillor Alan Macro also agreed with Councillor Law's comments, that the application was against planning policy, and could not find a reason for approval. He did not believe that reasons surrounding CIL contribution should factor into considering reasons for approval.

Councillor Webster was in a quandary regarding heart felt reasons for approval versus refusal based on her knowledge of planning policy. She concluded that the application did not comply with policy and so, it was with a heavy heart, that she could not support the application.

Councillor Tim Metcalfe concurred with previous comments regarding suitability of the application against planning policy.

In considering the above application Members voted in favour of the proposal to accept the Officer's recommendation for refusal.

**RESOLVED** that the Head of Development and Planning be authorised to refuse planning permission for the following reasons:

1. Outline planning permission is sought for the redevelopment and change of use of the site to residential use to provide a single storey detached dwellinghouse on land adjacent to Larch House, Sulhamstead. The site is situated within open countryside outside of any defined settlement boundary. According to Core Strategy Policy CS1, new homes will be primarily developed on land within settlement boundaries and allocated sites, in accordance with the settlement hierarchy outlined in the Spatial Strategy and Area Delivery Plan Policies (Policies ADPP1 and ADPP6). According to Policy ADPP1, only appropriate limited development will be allowed in the open countryside. According to Policy ADPP6, development in the open countryside of the East Kennet Valley will be strictly controlled. Policy C1 of the House Site Allocations DPD (2006-2026) provides a presumption against new residential development outside the settlement boundaries, with a few prescribed exceptions.

The application site is located outside of any defined settlement boundary, and does not fall within any of the specified exceptions to the presumption against new residential development. Moreover, the site is in a remote, unsustainable location that would not facilitate sustainable travel to key services and facilities. The application is therefore contrary to the NPPF, Policies ADPP1, ADPP6, CS1 and CS13 of the West Berkshire Core Strategy (2006-2026), and Policy C1 of the House Site Allocations DPD (2006-2026).

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2. Core Strategy Policies CS14 and CS19 seek to ensure that new development demonstrates high quality and sustainable design that respects and enhances the character and appearance of the area, and should be appropriate in terms of location, scale, and design in the context of the existing settlement form, pattern and character. According to Policy C3 of the Housing Site Allocations DPD, the design of new housing in the countryside must have regard to the impact individually and collectively on the landscape character and its sensitivity to change.

The existing buildings are low key, utilitarian in character and inconspicuous. The proposed building represents a significant increase in built form on the site; it has a greater footprint, floor space, number of storeys, and height than the existing buildings. According to the illustrative elevations, despite a simple form, the building would have a residential character. The conversion of the existing paddock to create a substantial residential curtilage would also have an urbanising effect on the character and appearance of the area.

Overall, the replacement of the existing low key utilitarian buildings with a substantial residential dwelling and associated residential curtilage would have an adverse effect on the character and appearance of the area. As such, the proposed development is contrary to the NPPF, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD (2006-2026), and the West Berkshire Quality Design SPD.

### 22. **Application No. & Parish: 17/01276/HOUSE - 4 Mortons Lane, Upper Bucklebury, RG7 6QQ**

*(Sharon Armour declared a personal interest in Agenda Item 4(2) by the virtue of the fact that the applicants were known to her. Therefore, she was unable to provide legal advice and would vacate the meeting during the course of consideration on the matter.)*

*(Councillor Graham Pask declared a personal interest in Agenda Item 4(2) by virtue of the fact that he knew a number of local residents near the application site. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)*

*(Sharon Armour left the meeting.)*

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/01276/HOUSE in respect of a loft conversion with roof alterations and Velux windows.

- Councillor Pask advised that the Parish Council had submitted their request to speak. However, it was received after the agreed deadline of 16:00 (as stated within in Part 7, point 7.13.2 of West Berkshire Council's Constitution). For this reason there were no speakers registered to address the Committee on this application.
- Councillor Emma Webster stated that the item was called in due to the proposed change in the roof line. She explained that the main issue appeared to be around limited parking - notably since the garage had been converted into an office.
- Councillor Webster referred to the report and the Highways Officer comments contained within. She recognised new policies could not be applied retrospectively but stated that if Members were minded to approve the application, she would expect to see adequate plans to propose an additional parking space on site.

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- In response to questions asked, Gareth Dowding advised, if the application was for the consideration of a 4-bed new build dwellinghouse, he would expect to see plans to provide at least 3 parking spaces. He provided Members with the measurements of the existing parking space and that of the area required for 2 formal parking spaces. Councillor Graham Bridgeman suggested that there could be sufficient grounds to refuse the application based on the issue of parking alone.
- Councillor Marigold Jaques requested clarification from Officers in terms of the reason why a planning Application was required for a loft conversion. David Pearson advised that a planning application was required due to the change in the roof line in an Area of Outstanding Natural Beauty (AONB) and the potential impact this may impose.
- Councillor Alan Law advised that he agreed with the comments presented by Councillor Bridgman but considered that it would not stand as a reason for refusal if the decision went to appeal.
- Councillor Richard Crumly expressed his support towards the comments made by Councillor Bridgman and suggested that there should be adequate plans to include an additional parking space, if the application was approved.
- Councillor Pamela Bale challenged whether there was an opportunity to request that the garage reverted back to a usable parking space. David Pearson advised that it would be hard to enforce such a condition and it would be far easier to see a second space at the front of the property.
- Councillor Keith Chopping proposed to accept Officers recommendation for approval with the inclusion of a condition to ensure that a second parking space would be provided. The proposal was seconded by Councillor Marigold Jaques.

In considering the above application Members voted in favour of the proposal and accepted the conditions as set out in the Officers report – with the inclusion of a condition to provide adequate plans for the provision of a second parking space at the front of the property.

**RESOLVED** that the Head of Development and Planning 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 the approved drawings: LP-3250-02 and Block Plan; received on 17<sup>th</sup> May 2017.  
  
Reason: For the avoidance of doubt and in the interest of proper planning.
3. **Materials as Specified**  
The materials to be used in the development shall be as specified on the plans or

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the application forms. No other materials shall be used unless prior agreement in writing has been obtained from the Local Planning Authority. Where bricks and tiles are specified these shall match those on the existing development to the satisfaction of the Local Planning Authority.

Reason: To ensure that the materials are appropriate to the existing development, the site and its surroundings. This condition is imposed to comply with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

#### **4. Hours of work (construction)**

No demolition or construction works shall take place outside the following hours:

- 8:00am to 6:00pm Mondays to Fridays;
- 8:30am to 1:00pm Saturdays;
- nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026).

#### **5. Windows PD removal**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows which would otherwise be permitted by Schedule 2, Part 1, Class A of that Order shall be constructed at second floor level on the east elevation without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

#### **6. Details of rooflights**

No related development shall commence until details of the rooflights to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority on an application made for the purpose. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application. Thereafter the roof lights used in the development shall be in accordance with the approved details.

Reason: To ensure that the rooflights are appropriate to the existing development, the site and its surroundings. This condition is imposed to comply with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026)

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

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

### **24. Site Visits**

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A date of 30 August 2017 at 9.30am was agreed for site visits if necessary. This was in advance of the Eastern Area Planning Committee scheduled for 6 September 2017.

*(The meeting commenced at 6.30 pm and closed at 9.00 am)*

**CHAIRMAN** .....

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

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# Agenda Item 4.(1)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	17/02012/FULD Tidmarsh	18/09/2017	Erection of replacement dwelling and 4no. Dwellings and associated works; demolition of Class B buildings and extinguishment of lawful plant storage and distribution operations; removal of hard standing.  Green Gables Tidmarsh Lane Tidmarsh Reading  Mr S Holland

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/02012FULD>

<b>Recommendation Summary:</b>	To <b>DELEGATE</b> to the Head of Development & Planning to <b>REFUSE PLANNING PERMISSION</b> for the reasons for refusal set out in section 8.1 of this report.
<b>Ward Members:</b>	Councillor Tim Metcalfe Councillor Rick Jones
<b>Reason for Committee Determination:</b>	Requested by Councillor Metcalfe due to level of community support
<b>Committee Site Visit:</b>	30 <sup>th</sup> August 2017

Contact Officer Details	
<b>Name:</b>	Cheryl Willett
<b>Job Title:</b>	Senior Planning Officer
<b>Tel No:</b>	(01635) 519111
<b>E-mail Address:</b>	cheryl.willett@westberks.gov.uk

## 1. Relevant Site History

01/00500/CERT	APPROV	01.10.2004	Certificate of Lawfulness for existing use on land/buildings to rear of Green Gables - use of land and buildings for haulage, use of buildings for various Class B and sui generis purposes and erection of building for maintenance of plant.
03/01439/FUL	REFUSE	01.10.2004	Retention of replacement commercial building for class B1(c) purposes with domestic workshop and office [retrospective].
04/02148/CERT	REFUSE	25.10.2005	Plant hire and haulage. Ancillary maintenance building.
07/02171/CERTE	APPROV	11.04.2008	Operational development in the form of a hardstanding and installation of a petrol interceptor and wash down area on land to the south of Green Gables
07/02172/CERTE	REFUSE	13.05.2008	Storage, maintenance and hire of plant and machinery on land to the south of Green Gables
08/01410/FUL	APPROV	23.09.2008	Retrospective extension to building 6.
09/02579/CERTE	APPROV	19.04.2010	The storage of plant (including secure site plant stores and portable site office units), equipment and associated material and the hiring of these items.
13/02698/FULC	REFUSE	15.08.2014	Erection of 4no. light industrial units; extinguishment of plant hire operations.
16/02273/FULD	REFUSE	20.12.16	Erection of replacement dwelling and 5 no. Dwellings and associated works; demolition of class B buildings and extinguishment of lawful plant storage and distribution operations; removal of hardstanding.
17/00673/FULD	WITHDRAWN	03.07.17	Erection of replacement dwelling and 4 no. Dwellings and associated works; demolition of Class B buildings and extinguishment of lawful plant storage and distribution operations; removal of hardstanding.

## 2. Publicity of Application

Site Notice Expired: 17<sup>th</sup> August 2017  
Neighbour Notification Expired: 16<sup>th</sup> August 2017

## 3. Consultations and Representations

### 3.1 Consultations

**Tidmarsh Parish Council** No comments received.

**Pangbourne Parish Council (adj)** Object. The site is outside of the settlement boundary and in the AONB.

**Highways** A total of 5 dwellings would be served from this drive. A road constructed to adoptable

standards is not required for this number of dwellings, and the Highway Authority would not particularly want to adopt this stretch of road (the threshold would normally be 6 dwellings or more). Some amendments to the kerb line at the access are proposed which are welcomed.

If an adoptable road is to be provided, amendments are requested. The turning head to the rear of the site with swept paths for refuse/recycling vehicle manoeuvres and there is some overrun. This should be all within the adoptable turning head. A 2 metre service margin should also be provided around the turning head.

The turning head nearest the highway is capable of accommodating the Council's refuse and recycling vehicles and so this could be utilised. The carry distance for residents would be excessive though.

The visibility splays must be shown to the nearside carriageway edge with no off-set. This must be amended.

Manual for Streets sets out that the proposed splay to the east is 66 metres which is appropriate for vehicle speeds of 40mph. However, this is not a residential road and Manual for Streets does not apply. DMRB should be referred to. A speed survey was requested to establish what actual recorded 85<sup>th</sup> percentile vehicle speeds are in the vicinity of this site. This was not undertaken. Therefore, whilst this survey has not been undertaken some improvements to the achievable visibility splay the access are proposed. Given the existing permitted use, and the comparison between the potential vehicle movements under the permitted use, and those for the proposed use, it would be difficult to substantiate an objection. However, both visibility splays must be shown to the nearside carriageway edge. There is no supportive evidence that demonstrates vehicles and cyclists approach the site in excess of 1 metre from the edge of the carriageway. The visibility splay plan must be submitted.

The accompanying highways statement refers to 6 no 3 bed dwellings but this is not what is

proposed. Adequate driveway parking has been proposed for each dwelling, with cycle storage taking place within the proposed garages.

The site has been operating less intensively of late. However, for a 645 sqm floor area, the level of vehicle movements for the existing and proposed uses could be comparable. There would be a reduction in LGV and HGV movements.

## **Environmental Health**

No comments received for this application, but those made for application 16/02273/FULD are still appropriate and are reported below.

Contamination may be present due to the current use and identification of a fuel tank. Further investigations would be necessary with remediation, which can be conditioned.

Due to a residential dwelling being immediately adjacent to the site there is the likelihood that the occupiers will be affected by noise and dust from demolition and construction activities. Conditions are therefore recommended to protect adjacent occupiers.

There is a commercial use immediately adjacent to the site, currently used for vehicle maintenance, MOT testing and B8 storage. A condition is recommended to ensure future residents are protected from this use.

## **Waste Management**

Further to the comments of the Highway Authority the applicants need to confirm whether the road is to be built to an adoptable standard. If built to an adoptable standard details of the swept path for refuse and recycling collection vehicles are required. If the road is not built to an adoptable standard a suitable bin collection point is requested, that is large enough for bins required by the properties. Potential residents of the properties should be aware that the collection point will be at the curtilage of the properties on Tidmarsh Lane. The distance for residents is far in excess of the 30 metres recommended by Manual for Streets. This may be problematic for elderly or disabled residents. This can be mitigated by ensuring there is flat level access with a path free of gravel or grass.

**Tree Officer**

There are very few trees within the actual site boundaries, other than the group of Leyland cypress and small ash trees. None of these are proposed to be lost to facilitate the proposed changes. The only concern is the close proximity of the new houses to the woodland edge. Whilst there should be sufficient separation for the new properties, the trees can be adequately protected and there needs to be sufficient space for future growth so they don't become too overbearing for the new residents.

The woodland edge is quite fragmented in places, so shouldn't become overbearing in the future.

The site contains a number of buildings and hard surfaces, which will require removal, some of which might fall in the root protection area of retained trees.

All new landscaping is gratefully received.

Full details for tree protection and landscaping can be secured by condition.

**SuDS**

No comments received by date of writing.

**North Wessex Downs AONB**

No comments received by date of writing.

**Environment Agency**

The proposed development is located in a Source Protection Zone 2 and on a Principal aquifer. As such it is a sensitive location with respects to controlled waters. Previous potentially contaminating activities including oil storage have been identified on site. Planning conditions are therefore required with required to contamination.

**Thames Water**

No comments received by date of writing.

**Ecologist**

No comments received by date of writing.

### 3.2 Representations

Total: 5                      Object: 0                      Support: 5

Summary of support:

- Welcome the opportunity to change the status of the site from industrial to residential use, in keeping with this otherwise quiet neighbourhood;

### 4 Planning Policy

4.1 The statutory development plan comprises the West Berkshire Core Strategy 2006-2026 and those saved policies within the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP).

4.2 Other material considerations include government legislation and guidance, in particular:

- The National Planning Policy Framework (March 2012) (NPPF);
- The National Planning Practice Guidance (March 2014) (PPG).

4.3 According to paragraph 215 of the NPPF, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

The policies within the West Berkshire Core Strategy (2006-2026) attract full weight. The following policies are relevant to this application:

- ADPP1: Spatial Strategy;
- ADPP5: North Wessex Downs AONB;
- CS1: Delivering New Homes and Retaining the Housing Stock;
- CS9: Location and Type of Business Development;
- CS10: Rural Economy;
- CS13: Transport;
- CS14: Design Principles;
- CS17: Biodiversity and Geodiversity;
- CS19: Historic Environment and Landscape Character.

4.4 The policies within the West Berkshire Housing Site Allocations Development Plan Document (2006-2026) attract full weight. The following policies are relevant to this application:

- C1: Location of New Housing in the Countryside
- C3: Design of Housing in the Countryside
- C7: Replacement of Existing Dwellings
- P1: Residential Parking for New Development

4.5 The policies of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007 attract due weight in accordance with their degree of consistency with the

policies of the National Planning Policy Framework. The following saved policies are relevant to this application:

- OVS5: Environmental Nuisance and Pollution Control
- OVS6: Noise Pollution

4.6 In addition, the following locally adopted West Berkshire Council policy documents are relevant to this application:

- Supplementary Planning Document, Quality Design (June 2006): Part 2, Residential Development
- The West Berkshire Planning Obligations Supplementary Planning Document (2014)
- The North Wessex Downs Area of outstanding Natural Beauty Management Plan 2014-2019
- Community Infrastructure Levy Charging Schedule (adopted March 2014)

## **5. Description of Development**

5.1 The application seeks full permission for the demolition of Green Gables in Tidmarsh, an existing bungalow, and its replacement with a house; and for the demolition of the light industrial buildings and erection of four dwellings. The dwellings would be laid out in tandem, all accessed from the access road leading from Tidmarsh Lane.

5.2 The house replacing Green Gables would be two stories, at approximately 7.2m in height, 12.5m in width and 15.5m in overall depth. Four bedrooms would be provided. A garage/carport is proposed to the front of the dwelling. The dwelling is proposed in a similar location to the dwelling it replaces.

5.3 The four dwellings to replace the industrial units are similar in design and size. Plot 2 is a five bedroom house, at approximately 7.4m in height, 13.5m in width, and 12m in overall depth. Plot 3 is approximately 7.4m in height, 13.5m in width and 12.5m in depth. Plots 4 and 5 are approximately 8m in height, 12.6m in width and 13.8m in overall depth. All four dwellings have 5 bedrooms, and a garage/carport within each curtilage.

5.4 The site lies along Tidmarsh Lane, outside of any defined settlement boundary and within the North Wessex Downs Area of Outstanding Natural Beauty. The rear of the site, behind the dwelling, is considered to be a brownfield site due to the presence of existing industrial units and hardstanding, as approved as part of previous certificates of lawfulness. It is important to note that the proposed new houses would occupy the southern third of the site (plots 4 and 5) would be erected on land which does not contain any buildings.

5.5 As a background to this application there is a history of previously unlawful industrial and sui generis uses at the units to the rear of Green Gables, which have been regularised by Certificates of Lawfulness. Application reference 01/00500/CERT lists the uses of each building (a map is contained as part of the committee pack):

- Building 1 - Use for Use Class B1(c) purposes

- Building 2 - Sui Generis use as toilet and washroom block and for storage of office furniture and general supplies associated with the other authorised uses on the application site
- Building 3 - Sui Generis use as an office and for the storage of vehicle parts and other items ancillary to the use of the land shaded orange on the plan forming the Second Schedule to this certificate as an operating centre for a haulage business operating a maximum of two HGVs and two trailers
- Building 4 - Use for Use Class B8 purposes
- Building 5 - Use for Use Class B1(c) purposes
- Building 6 - Use for Use Class B1(c) purposes
- The open land shaded orange on the plan forming Schedule 2 - Sui Generis use as an operating centre for a haulage business operating a maximum of two HGVs and two trailers and for parking of non-HGV vehicles and non-HGV trailers associated with the lawful use of Buildings 1-6.

5.6 The certificate of lawfulness for application 04/02148/CERT was submitted for 'Plant hire and haulage, with ancillary maintenance building'. The map is contained within the committee pack. This certificate of lawfulness application was refused, and no appeal made.

5.7 The certificate of lawfulness for application 07/02171/CERTE was submitted for 'Operational development in the form of a hardstanding and installation of a petrol interceptor and wash down area on land to the south of Green Gables'. The map is contained in the committee pack and relates to land to the south of the units found lawful under 01/00500/CERT. The certificate of lawfulness was allowed, and is based on operational development, rather than a change of use of the land.

5.8 The certificate of lawfulness for application 07/02172/CERTE was submitted for 'Storage, maintenance and hire of plant and machinery on land to the south of Green Gables', on the same parcel of land as covered by the above certificate. This was refused, and no appeal made.

5.9 The certificate of lawfulness for application 09/02579/CERTE was submitted for 'The storage of plant (including secure site plant stores and portable site office units), equipment and associated material and the hiring of these items', on a similar parcel of land as covered by certificate 07/02171/CERTE, with the exception of the most southern section of land being excluded. This certificate was granted.

5.10 The certificates of lawfulness limit the use of the buildings as outlined in the 2001 certificate, operational development south of these buildings as part of the 2007 certificate, and the change of use of part of this land as part of the 2009 certificate. The activities are restricted, though there is no restriction on the hours of use. Any operations which would deviate from the description of those developments permitted under the certificates would require planning permission.

5.11 It is worth noting that the certificates do not cover 'general industrial' (B2) use of the site as suggested by the objectors and their terms are quite specific and restrictive in what they set out as lawful use of the site.

## **6. Appraisal**

### **6.1 Community Infrastructure Levy**



6.1.1 The proposed works would be liable for payment of the Community Infrastructure Levy. The CIL forms completed with the planning application suggest that some 920 square metres of floor space would be created, which at £125 per square metres, equates to some £115,000. This takes into account the loss of the existing house, which is currently resided in. It does not take into account the existing commercial use.

## **6.2 Consideration**

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

- Principle of development;
- Affordable housing
- Impact of the proposed works on the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty;
- Impact on neighbouring amenity and amenity of future occupants;
- Impact on highway safety;
- Impact on ecology;
- Planning balance

## **6.3 The principle of development**

6.3.1 The application site is located outside of the defined settlement boundary, where new development is more strictly controlled. The NPPF outlines in paragraph 55 that housing should be located where it will enhance or maintain the vitality of rural communities, and isolated new homes should be avoided unless where, amongst others, 'the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting'.

6.3.2 Policy ADPP1 of the Core Strategy requires development to follow the existing settlement pattern and comply with the spatial strategy. Tidmarsh is not a village listed within the settlement hierarchy, and the site is located outside of the settlement boundary. Core Strategy policy ADPP1 outlines that outside of the settlement boundaries only appropriate limited development would be allowed, focused on addressing identified needs and maintaining a strong rural economy. The supporting text to Policy ADPP1 outlines the following at paragraph 4.17:

'Outside these settlements, in the countryside, a more restrictive approach to development will be taken. Specific exceptions to this approach could include barn conversions and agricultural workers dwellings to support the rural economy. Any development within the North Wessex Downs AONB will be more restrictive than in the general countryside, reflecting the national designation of the landscape'.

Policy ADPP5 of the Core Strategy, when discussing the AONB, seeks to focus housing allocations in rural service centres and service villages.

6.3.3 Policy C1 of the Housing Site Allocations Development Plan Document (HSA DPD) also outlines that exceptions to the restriction on new residential development outside of the settlement boundaries would be limited to conversion of redundant buildings, replacement of existing residential units and appropriate infill, among others.

- 6.3.4 There is no support in planning policy which allows the development of the four houses to the rear of the site, replacing the industrial units. The application would see the loss of the existing industrial units. The NPPF supports the sustainable growth of business and enterprise in rural areas. Core Strategy Policy CS9 seeks to locate B1 space in protected employment areas or in suitably located employment sites and premises. Whilst the site is outside of such areas it is located adjacent to existing light industrial uses and an MOT and repair workshop. Thus, it is considered that the use is compatible with surrounding uses, despite the rural location. The site, however, is not in a sustainable location. This is one of the reasons why a previous application (13/02698/FULC) for light industrial units was refused.
- 6.3.5 Although the scheme is not a conversion of buildings on site Members should note that in the supporting text to Policy C4 of the HSA DPD (paragraph 4.31) it states that it is important that the original use of the building for that purposes no longer exists. The building may be performing an essential need and may lead to a request to replace it elsewhere, now or in the foreseeable future. Furthermore, Core Strategy Policy CS10 (rural economy) outlines that proposals seeking the loss of existing small and medium sized enterprises in rural areas must demonstrate that the proposal does not negatively impact upon the local economy, and the vitality and viability of the surrounding rural area. No such information has been provided, other than a recognition of the refusal of new B1(c) units, as there is an existing employment use on site, its loss would be a material disadvantage of the scheme, in policy terms as also outlined in the second reason for refusal under 16/02273/FULD.
- 6.3.6 The local support and reason for call-in is noted. In terms of amenity having checked with the Environmental Health team no complaints with regard to noise have been received. Additionally, there are a large number of similar sites across the District where previously unauthorised development has been regularised either through planning permission or the grant of a certificate of lawfulness. The vehicle maintenance and repair business at the neighbouring site was approved under a Certificate of Lawfulness (02/00414/CERT), with subsequent permission to replace the workshop and included MOT testing. Around the site there are examples of employment sites at Wilco Farm (granted under application reference 09/00687/CERTE), some 370 metres from the application site. In Tidmarsh on land south of The Rancher Certificates of Lawfulness have just been approved for classic car refurbishment and detailing and a builder's yard. This site is some 1.3 kilometres from the application site. Glebe Orchard, located on the A340 between Tidmarsh and Pangbourne, has a history of B1 use and attempts at securing residential use on the site. This site is some 1.5 kilometres from the application site. A site such as this is not unique in circumstances and the other sites listed above are still in close or reasonable distance to residential properties. The existing use is not considered to justify the redevelopment of the site for residential dwellings in a location where such development would not be compliant with development plan policies. Potentially the same arguments could be made for the redevelopment of any of the large number of similar sites in Tidmarsh or across the rest of the district.
- 6.3.7 Policy C7 allows the replacement of existing dwellings in the countryside. The general principle of replacing the bungalow Green Gables itself is acceptable and

the criteria of the policy will be identified below. The building appeared to have been erected as a house for agricultural workers, though this restriction seems to have been extinguished.

- 6.3.8 Tidmarsh is a small settlement with limited services. There would be a reliance on the private car to access services and places of employment. Tidmarsh Lane is not attractive to walk or cycle. There are no nearby public rights of way which the residents could make use of. This is not in line with the Core Planning Principles in the NPPF which states that planning should manage growth through making the most of public transport, walking and cycling, and focusing development in locations which are or which can be made sustainable.
- 6.3.9 The principle of developing the rear of the site for residential dwellings is not supported. The site lies within an unsustainable location. In contrast the replacement of Green Gables by a new dwelling is supported by Core Strategy Policy ADPP1, and HSA DPD Policies C1 and C7.

## **6.4 Affordable housing**

- 6.4.1 The application proposal is for five dwellings. Core Strategy Policy CS6 requires a 20% provision of affordable housing on sites of 5-9 dwellings. The supporting text to the policy, at paragraph 5.31, outlines that the requirement for affordable housing will be applied to the total number of gross dwellings on the proposed development site, not to net dwellings. This equates to the on-site provision of one affordable dwelling.
- 6.4.2 The Planning Practice Guidance outlines that the Written Ministerial Statement (WMS) needs to be taken into account in decision making. The WMS states that, in designated rural areas, which includes the AONB, that no affordable housing or tariff-style contributions should be sought for developments of 5 units or less.
- 6.4.3 The WMS has been taken into account. However, there is an acute shortage of affordable housing in West Berkshire and the completion of more affordable housing is a priority for improvement as set out in the Council Strategy. The updated Strategic Housing Market Assessment (2016) identifies a net need of 189 dwellings per annum. The supporting text to Policy CS6 outlines that there is a shortfall of between 560 and 850 new affordable homes across the District per year to 2011. It is therefore justified to request affordable housing on the site.
- 6.4.4 In the case of the development proposed the houses are large and the location isolated. It is not considered that one dwelling would qualify as an affordable housing unit, and it may be the case that there is difficulty in securing a Registered Social Landlord due to the location. Therefore, a financial contribution in lieu of on-site provision is justified. The applicant has provided the Gross Development Value, and the figure suggested is £450,000. Comments from housing will be updated at the committee meeting. Such a contribution would be secured through a planning obligation. Given that the recommendation is for refusal a reason for refusal will be added for the non completion of a legal agreement to secure affordable housing or contributions in lieu.

## **6.5 Design and impact of the proposed works on the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty**

- 6.5.1 The site is situated within the North Wessex Downs Area of Outstanding Natural Beauty, which is an area of nationally significant landscape importance where the conservation of the character and appearance of the AONB is given a high level of importance in planning decision making. Furthermore Policy ADPP4 of West Berkshire Core Strategy requires development 'Conserve and enhance local distinctiveness'.
- 6.5.2 Starting with the replacement of Green Gables, a bungalow, the criteria of HSA DPD Policy C7 should be adhered to:
- i) The existing dwelling is not subject to a condition limiting the period of use as a dwelling;
  - ii) When reviewing whether the replacement dwelling is proportionate to the one it replaces, the existing bungalow is quite low profile. From Tidmarsh Lane the existing vegetation to the front of the site is visible, blending in with the grassed surrounding, opening up to views of the bungalow. The new dwelling will be more visible, with the height increasing from approximately 4.5m to 7.2m. There are two storey dwellings in close proximity at Maidenhatch to the west.

The floorspace would be increased by approximately 17% and the volume increased by 33% on the existing house. This includes the garage. The design of the dwelling has been scaled back from the previous refused application, and is of a more simple design. The reduction in height, the separation of the garage, and the overall reduction in bulk are all considered to overcome the previous objection to this element of the proposal. Although the garage is located forward of the dwelling, it is in line with the current extent of built form on site. It is not considered to be a dominant feature.

- iii) The proposal does not involve the extension of the existing residential curtilage.
- iv) The proposal does not form part of a rural enterprise which means the replacement dwelling would need to perform the same function.
- v) Protected species have been assessed. Comments are awaited from the ecologist, and Members will be updated at committee.

- 6.5.3 When considering the development of four dwellings to the rear of Green Gables, as noted in the committee report for the previously refused application on the site the current nature of development within the site is of buildings of an overall modest scale and density. There is already a large degree of hardstanding within the site, with associated structures, including the petrol interceptor, and on occasions portable structures used in connection with the permitted plant hire operations. This does not contribute positively to the qualities and character of the area and AONB. However, historically the plant hire operations have been occasional with long periods with no plant transient on the site, whereas the dwellings would be permanent additions, domesticating the appearance of the site and significantly increasing its visual intrusion on the area both in daylight and at night due to the lighting associated with the dwellings and their curtilages. The addition of significant built form on the southern third of the site, which currently contains no buildings, would be particularly intrusive.
- 6.5.4 The proposed houses are substantial in size. Although the height of plots 2 and 3 have been reduced from the previously refused scheme, from 8m to 7.5m the overall floor area is larger by some 20 square metres. The overall bulk is not

significantly different. Plots 4 and 5 are no different to plots 4, 5 and 6 of the previously refused scheme. Thus, it is still considered that the addition of dwellings in this location would increase the visual bulk and massing of development, and domesticate the land causing significant harm to the character of the AONB. The existing change in levels, sloping to the south away from Tidmarsh Lane, aids in reducing the perception of development. However, the significant increase in size of the dwellings in comparison to the existing built form cannot be ignored. Furthermore, the fact that development cannot be seen from public view points is not a reason for allowing development. The imposition of the large and highly conspicuous houses of suburban appearance within the open landscape would not be appropriate development, over and above the existing built form on land behind Green Gables.

6.5.5 Built form in the local area is defined by sporadic residential and commercial developments. There is no definite grain of development, though properties and businesses in the immediate vicinity (Green Gables, Tow Acres and Glade House) have similar fairly narrow frontages to the road with long deep plots behind. Development is located towards the rear of such neighbouring sites. No other sites have such a formal arrangement of built form as that proposed. This adds to the concern that the proposed form of development, which is appreciated to respond to the site width and depth constraints, appears as a suburban development, akin to a small residential housing estate. This would not be in keeping with the surrounding character of development, and result in harm to the AONB.

6.5.6 Overall, the replacement dwelling is acceptable, and is in line with HSA DPD Policy C7. The works to replace the commercial buildings with four dwellings are considered to result in a significant and unacceptable detrimental impact on visual amenity and the character of the rural landscape and AONB. As such this forms a reason for refusal.

## **6.6 Impact on highway safety**

6.6.1 The existing access would be utilised and adapted. The Highway Authority has commented that the road to be constructed would not normally be required for adoption, as the threshold for adoption is 6 dwellings. The applicant is not intending on offering the road for adoption. An amended plan has been requested in relation to visibility splays. Members will be updated at committee on progress.

6.6.2 As the road does not need to be built to an adoptable standard, this would mean that refuse vehicles could only collect waste and recycling from the entrance to Tidmarsh Lane. The residents would therefore need to transport their waste and recycling receptacles for a distance in excess of 30 metres, more than that is recommended in Manual for Streets. Surfacing would aid in mitigating this impact, and ultimately it is for the future residents to be aware of. A suitable bin store would need to be placed within 25 metres of the entrance.

6.6.3 The Highway Authority has considered the existing use and the road usage, and concluded that the existing and proposed uses are comparable. There will be the removal of HGVs and LGVs as part of the scheme and more private cars, which is welcomed when considering the local road network. The proposed use, and the impact on the highway, is therefore not objected to by the Highway Authority.

6.6.4 In line with HSA DPD Policy P1 each house would need to provide three car parking spaces. This is provided for each property. Whilst the garage space could not necessarily be regarded as a parking space, as such areas are not regularly used for parking of vehicles, a car port element is provided

## **6.7 Impact on neighbouring amenity and amenity of future occupants**

6.7.1 The proposed dwellings would be well separated from nearby residential dwellings, and therefore would not result in loss of amenity. If approved hours of work would be conditioned, as would dust mitigation, in the interests of resident's amenity.

6.7.2 The proposed works would secure a good quality of amenity space for future occupants in accordance with the recommendations of the Quality Design SPD.

6.7.3 The representations, and pre-application community involvement, highlight that local residents are supportive of the residential scheme. Residents welcome that a residential use is more in keeping with the 'otherwise quiet neighbourhood'. Residents were also involved in the applications to establish the lawfulness of the commercial/industrial operations. The views of the neighbours have been taken into account, however, such public support for an application is not a material consideration if it is not based on sound planning reasons. In this case concern over possible commercial use of a site heavily constrained in its possible level of activity by the Certificates of Lawfulness issued on the site is considered to carry little weight.

6.7.4 Due to current and past uses of the site contamination is likely to be present, and as highlighted by the Environment Agency the site lies in a sensitive area in a Source Protection Zone 2 and on a principal aquifer. Therefore, should the application be approved conditions are recommended to check for contamination and remediate where it is found.

## **6.8 Impact on ecology**

6.8.1 As works are proposed to demolish existing buildings and in accordance with Local Plan Policy ENV19, Core Strategy Policy CS17, the NPPF and emerging HSA DPD policy C7 the applicants have commissioned an ecological survey to check for protected species. The report concludes that there are no priority habitats present and very limited opportunities for priority species to exist on site. There are recommendations outlined in the survey for biodiversity enhancement.

6.8.2 The Council's ecological consultant's comments will be presented to planning committee on the update sheet.

## **6.9 Planning balance**

6.9.1 When considering the benefits of the proposal the additional dwellings would add to the supply of housing in the district.

6.9.2 In consideration of whether or not the housing would be a more attractive use than the existing lawful operations, in terms of the social and environmental benefits, the same consideration could be said to have applied to the 2013 application for four B1(c) units. This application was refused on highway grounds, and as the site was

in an unsustainable location. It was recognised that the landscaping and low profile of the buildings was of benefit, and environmental health officers remarked that the proposed use would result in less disturbance to neighbours than the permitted use. The economic value of the use of the buildings, which were demonstrated to attract users, was taken into account as a benefit as well. This being the case the application was refused. A similar case is made as part of the current application where it is recognised that the residential use may have less of an impact than the permitted use, particularly on neighbour amenity and use of the highway network by HGVs and LGVs. However, it is not considered that this past use should be used to justify a housing development, suburbanising the site and this area of the AONB. There is no policy in the development plan which supports the redevelopment of the rear of the site for residential development. The applicant's statement in this application that should the scheme be refused the plant hire operations would be resumed is noted, and the owner of the site is able to do this with or without this planning application for residential dwellings. This use is restricted by the terms of the Certificates of Lawfulness, and should there be a statutory noise nuisance occasionally as a result of the renewed operations the Council's environmental health team can investigate noise and the enforcement action if it is considered to be expedient to do so.

- 6.9.3 When considering the economic benefits of the scheme these would be limited to the work created from the construction process. However, the loss of the existing commercial operations would result in the loss of employment and therefore a negative impact on the local economy. This counts against the proposal. Existing businesses would be displaced, and there is no information contained in the application to justify the loss.
- 6.9.4 Ultimately, it is considered that the proposed works for the four dwellings to the rear of Green Gables would have a significant detrimental impact on the character and amenity of the area and the AONB. The development is not an example of delivering the right kind of development in the right location.
- 6.9.5 The harm caused by the proposed development significantly outweighs any benefits, and as such, the proposal does not represent sustainable development.

## 7. Conclusion

- 7.1 As outlined above, and summarised in section 6, having taken account of all the relevant policy considerations and the other material considerations referred to above and having regard to the clear reasons to object to the proposals, the proposed development is considered to be clearly unacceptable and refusal of the application justified.

## 8. Recommendation

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

### 8.1.1 Reason

1. The application site is an isolated and sensitive location within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and outside of any defined

settlement boundary. The proposals to demolish the commercial buildings and remove hardstanding on land south of Green Gables and erect four dwellings are not supported by planning policy, and there is no presumption in favour of development in such locations. The redevelopment of the site is not an exception to the policies restricting housing development in rural areas in general and the Area of Outstanding Natural Beauty in particular, as defined by paragraph 55 of the National Planning Policy Framework (2012), West Berkshire Core Strategy Policies ADPP1 and ADPP5, and West Berkshire Housing Site Allocations Development Plan Document Policy C1.

2. The application site is an isolated and sensitive location within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and outside of any defined settlement boundary. The site contains an existing residential dwelling and buildings and land for commercial purposes, and lies amongst open fields to the south of Tidmarsh Lane.

The proposed works to demolish the commercial buildings on the section of the site south of the existing dwelling Green Gables and erect four dwellings would have a demonstrably greater and more harmful and intrusive appearance in the landscape, on the character of the area and AONB than the existing buildings. The existing commercial buildings are low in profile and modest in size and the plant hire use is intermittent in nature and restricted by the terms of the Certificate of Lawfulness. By contrast the dwellings are large and suburban in appearance and layout, and the proposal would lead to the domestication of the appearance of the land in the daytime and increased light pollution at night. The imposition of the houses of an urban form and layout within the open landscape would not be appropriate development, over and above the existing built form on land behind Green Gables.

The proposed scheme would therefore be contrary to the Core Planning Principles set out at Paragraph 17 of the National Planning Policy Framework (2012) which states that development must always seek to secure a high quality of design and recognise the intrinsic character and beauty of the countryside. It would further be contrary to the requirements of Policy C3 of the West Berkshire Site Allocations Development Plan Document due to the impact of the design on the character of the area. It would also be contrary to the requirements of Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012, which require that new development must demonstrate a high quality of sustainable design that respects and enhances the character and appearance of the area, and that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Furthermore due to their significantly increased visual impact the proposed new dwellings would fail to either conserve or enhance the special landscape qualities of the North Wessex Downs Area of Outstanding Natural Beauty and therefore the proposed development is contrary to the requirements of Policy ADPP5 of the West Berkshire Local Plan Core Strategy (2006-2026) and of paragraphs 109 and 115 of the National Planning Policy Framework (2012).

3. The application site consists of an existing dwelling and garden and an extended area to the south containing buildings and open land for commercial purposes covered by two certificates of lawful use. The site lies amongst open fields to the



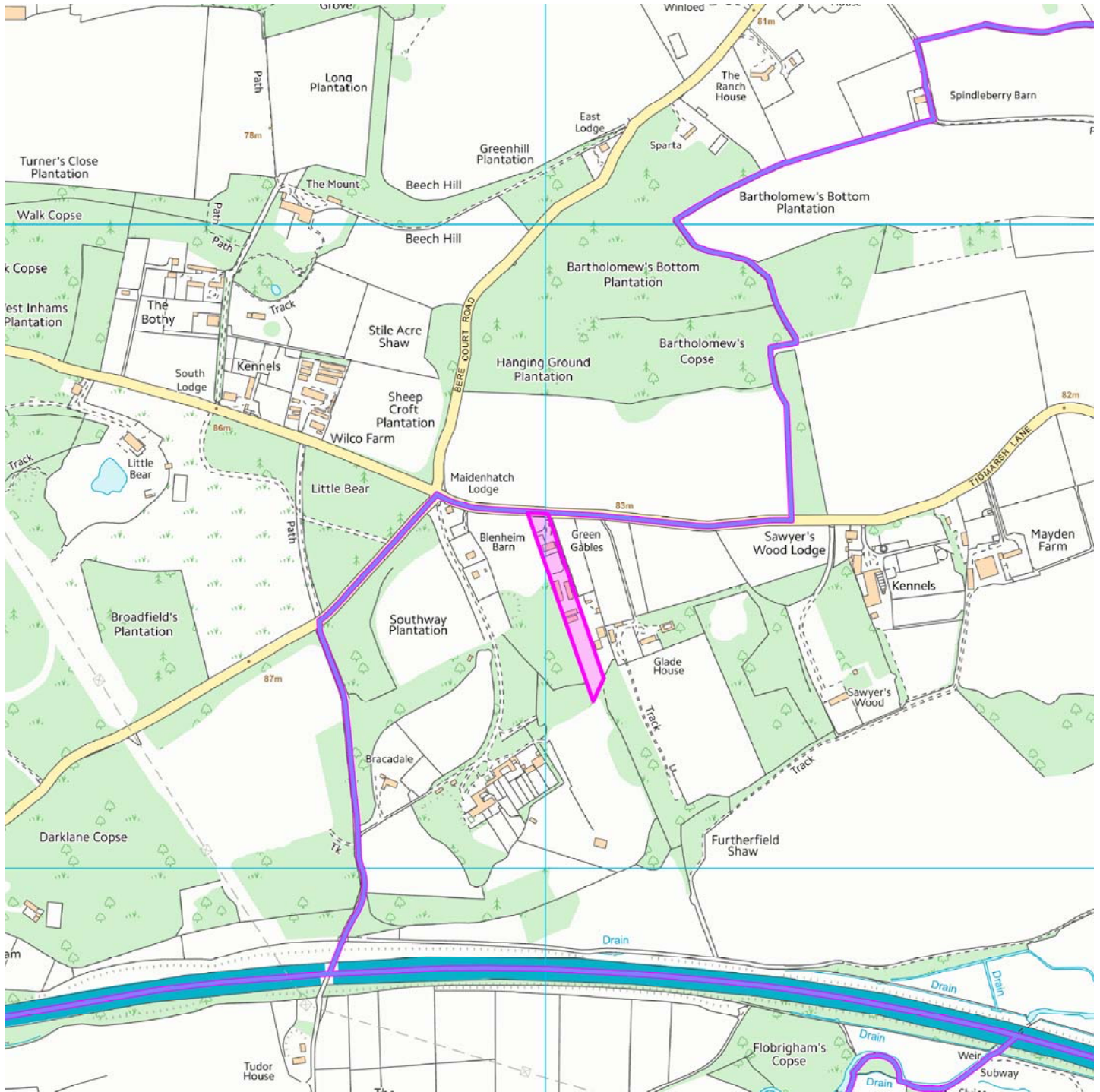
south of Tidmarsh Lane and lies within the North Wessex Downs Area of Outstanding Natural Beauty.

The proposed works are to demolish the dwelling and buildings on site and erect a total of five dwellings. The application is considered to fail to comply with the three dimensions to sustainable development as set out in paragraph 7 of the National Planning Policy Framework. Whilst the proposal might generate a short term economic benefit during the construction, its overall economic impact would be negative due to the displacement of the businesses currently operating from the site. The proposal supports the social role by providing housing but it is negated by its location being remote from accessible local services and the failure of the scheme to provide a high quality built environment. The site at Green Gables is located outside of any defined settlement boundary, and in a relatively isolated position away from urban areas, rural service centres and service villages. The site is not readily accessible by public transport, and Tidmarsh Lane is not attractive for future residents to walk or cycle due to the lack of footway and the narrow and winding nature of the road.

As set out in reason for refusal no. 2. the proposal is considered to have a significantly negative impact on the character and appearance of the local area and to fail to conserve and enhance the special landscape qualities of the AONB. Accordingly it fails to comply with the environmental role of sustainable development by damaging rather than protecting or enhancing the natural environment.

4. The development fails to provide a planning obligation to deliver affordable housing. The application is therefore contrary to the National Planning Policy Framework, the Planning Practice Guidance, Policy CS6 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Council Planning Obligations Supplementary Planning Document.

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Map Centre Coordinates :

Scale : 1:8926

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	06 October 2017
<b>SLA Number</b>	0100024151



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# Agenda Item 4.(2)

Item No	Application and Parish	No.	8/13 week date	Proposal, Location and Applicant
(2)	17/02365/HOUSE Frilsham Parish Council		12th October 2017	Single storey side and rear extension 4 Beechfield, Frilsham, RG18 9XF Adam and Bryoney Pusey

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/02365/HOUSE>

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

**Ward Members:** Councillor Graham Pask  
Councillor Quentin Webb

**Reason for Committee determination:** 15 Objection letters received.

**Committee Site Visit:** 11 October 2017

## Contact Officer Details

**Name:** Lesley Humphries  
**Job Title:** Assistant Planning Officer  
**Tel No:** (01635) 519111  
**Email:** lesley.humphries@westberks.gov.uk

## 1. PLANNING HISTORY

- 16/02875/HOUSE - Side and rear two storey extension and internal alterations - Refused  
17/00132/HOUSE - Side and rear two storey extension and internal alterations – Refused  
Currently on appeal.  
17/01608/HOUSE - Single storey side and two storey rear extension with internal re-order  
Refused.

## 2. PUBLICITY

- 2.1 A site notice was displayed on 30<sup>th</sup> August 2017 and expired on 20<sup>th</sup> September 2017. Neighbour notification letters have been sent to 4 local recipients. The Council has therefore complied with the publicity requirements of the Town and Country (Development Management Procedure) Order 2015 and the Council's Statement of Community Involvement.

## 3. CONSULTATION

### 3.1 Consultations

<b>Parish Council:</b>	No objection
<b>Highways</b>	No objection subject to informatives
<b>Natural England</b>	No comments to make
<b>Ecology</b>	No comments received at time of report
<b>NWD</b>	No comments received at time of report
<b>Environmental Health</b>	No objections

### 3.2 Representations

Total: 15	Object: 15	Support: 0
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Summary of comments:

- Considerable increase in floor area, almost doubling footprint.
- More urban, affecting the deeply rural aspect of the area.
- Precedent.
- Loss of light to windows on the rear elevation of both neighbouring properties and the garden and windows at No.16.
- Not in keeping with other extensions in the area.

## 4. PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for West Berkshire comprises:

- West Berkshire Core Strategy (2006-2026)
- Policy C6 WBC Housing Site Allocations DPD (2006-2026) Adopted May 2017.

- 4.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and who these are expected to be applied. It is a material consideration in planning decisions. The NPPF is supported by the Planning Practice Guidance (PPG).
- 4.3 According to paragraph 215 of the NPPF, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 4.4 The West Berkshire Core Strategy (2006-2026) is the first development plan document (DPD) within the new West Berkshire Local Plan. It sets out a long term vision for West Berkshire to 2026 and translates this into spatial terms, setting out proposals for where development will go, and how this development will be built. The following policies from the Core Strategy are relevant to this development:
- NPPF Policy
  - ADPP1: Spatial Strategy
  - ADPP5: AONB
  - CS14: Design Principles
  - CS17: Biodiversity and Geodiversity
  - CS19: Historic Environment and Landscape Character
- 4.5 According to Paragraph 216 of the NPPF, decision-takers may also give weight to relevant policies in emerging plans according to:
- (1) The stage of preparation,
  - (2) The extent to which there are unresolved objections to relevant policies and
  - (3) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF.
- The Local Development Scheme (LDS) provides a timetable for the preparation of emerging development plan documents.
- 4.6 The Housing Site Allocations Development Plan Document (HSA DPD) is the second DPD of the new West Berkshire Local Plan, which will allocate non-strategic housing sites across the district. The HSA DPD was adopted in May 2017. The following policy from the HSA DPD is relevant to this development and now carries significant weight.
- Policy C6: Extension of Existing Dwellings within the Countryside.
- 4.7 The following local policy documents adopted by the Council are material considerations relevant to the development:
- West Berkshire Supplementary Planning Guidance: House Extensions (adopted July 2004)
  - West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (adopted June 2006)
    - Part 1 Achieving Quality Design
    - Part 2 Residential Development
  - West Berkshire Supplementary Planning Document Delivering Investment from Sustainable Development

## **5. DESCRIPTION OF DEVELOPMENT AND THE SITE**

- 5.1 This application seeks full planning permission for the construction of a single storey side and rear extension at a semi detached residential property.
- 5.2 The site is located in Beechfield, Frilsham which is a small private road, serving a number of similar semi detached properties.
- 5.3 The site is outside of any designated settlement boundary and is within the North Wessex Downs Area of Outstanding Natural Beauty.
- 5.4 The proposed extension will increase the overall floor area of the original property which was approximately 126 square metres by approximately 55 square metres, a percentage increase of 44%.

## **6. APPRAISAL**

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

- Principle of the development
- The impact on the character and appearance of the area
- The impact on the listed building and conservation area
- The impact on neighbour amenity
- The impact on Highway safety
- The impact on biodiversity
- The impact on Trees
- Community infrastructure levy
- The presumption in favour of sustainable development

### **6.1 The principle of development**

- 6.1.1 The application site is located outside of any designated settlement boundary, and is within the North Wessex Downs Area of Outstanding Natural Beauty. Policy C6 of the HSA DPD states that there is a presumption in favour of proposals for the extension of existing permanent dwellings subject to specified criteria.

### **6.2. Impact upon the character and appearance of the site and the area**

- 6.2.1. The Government attaches great importance to the design of the built environment, and securing high quality design is one of the core planning principles of the NPPF.
- 6.2.2. The site is located within the garden area of No. 4 Beechfield which is a semi detached residential property.
- 6.2.3. The Paragraph 17 of the NPPF states that in relation to design, Councils should always seek to secure high quality design which respects and enhances the character and appearance of the area. The NPPF is clear that good design is indivisible from good planning and attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. The NPPF also adds that the visual appearance is a very important factor, securing high quality and inclusive design goes beyond aesthetic considerations.



- 6.2.4. Paragraph 58 of the NPPF states that developments should function well and add to the overall quality of the area, respond to local character and history, and be visually attractive as a result of good architecture and appropriate landscaping.
- 6.2.5. Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 6.2.6. Core Strategy Policy CS19: Historic environment and landscape character also outlines that in order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard has been given to the sensitivity of the area to change and ensuring that the new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.2.7. The Council has adopted a Supplementary Planning Document series entitled Quality Design (SPDQD). Part 2 of SPDQD provides detailed design guidance on residential development. It offers guidance on how to preserve residential character by emphasising that respecting the physical massing of an existing residential area is a critical part of protecting residential character. The physical bulk of the proposed development has been considered in terms of its footprint, length, and width in line with the guidance within SPDQD part 2.

### **6.3. Impact upon neighbouring amenity**

- 6.3.1. Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Core Strategy Policy CS14 further states that new development must make a positive contribution to the quality of life in West Berkshire. The Council's Supplementary Planning Document 'Quality Design' and Supplementary Planning Guidance House Extensions provide guidance on the impacts of development on neighbouring living conditions.
- 6.3.2. The nearest dwellings to be affected by the proposal are No 3 and No 5 Beechfield. The side elevation of the proposed single storey extension, which has no proposed side windows will be approximately 6 metres away from the side elevation of the main dwellinghouse at No. 5, and the proposed single storey extension meets the criteria for light contained in Supplementary Planning Guidance 04/2 House Extensions (July 2004). The application site is located to the north west of the neighbour.
- 6.3.3. Although the proposed single storey extension will extend for 4.5 metres beyond the rear elevation of the adjoining property No.3 which is to the north west of the application site the extension is sited 2 metres away from the boundary between the two properties, and meets the criteria for light contained in SPG 04/2 House Extensions (July 2004).
- 6.3.4. Given the position of the two properties there would already be loss of light to the rear of both the application site and No.3 during the afternoon, created by the existing dwellinghouses. It is considered that this would not be exacerbated by the proposed single storey extension.

#### **6.4. On-site amenity and facilities for future occupiers**

- 6.4.1. According to Part 2 of the Council's Supplementary Planning Document "Quality Design (SPDQD)", the Council considers it essential for the living conditions of future residents that suitable outdoor amenity space (e.g. private gardens) is provided in most new residential development.
- 6.4.2. The Council's Supplementary Planning Document "Quality Design" Part 2 suggests a minimum garden size of 100 square metres for houses with 3 or more bedrooms. A more than sufficient garden area will be retained on the site.

#### **6.5. Impact on Highways (safety and use)**

- 6.5.1. Road safety in West Berkshire is a key consideration for all development in accordance with Core Strategy Policy CS13.
- 6.5.2. The Council's Highways Officer was consulted and has reviewed the application with reference to the new parking guidelines and has raised no objection to the scheme, subject to Informatives HI3 and HI4.
- 6.5.3. Overall, it is considered that the proposed development would not have a material impact on highway safety and would be provided with sufficient parking. The application is therefore considered to comply with Core Strategy Policy CS13 and the parking standards as set out within the published Proposed Submission Housing Site Allocations DPD.

#### **6.6. The impact upon green infrastructure and biodiversity**

- 6.6.1. Core Strategy Policy CS17 (Biodiversity and geodiversity) states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Policy CS17 also states that, in order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.
- 6.6.2. No adverse comments have been received from Natural England and from the Council's Ecologist.
- 6.6.3. Policy CS18 seeks to protect and enhance the District's green infrastructure. The trees on the site are not subject to any protection by Tree Preservation Orders.

#### **6.7. Other matters**

##### **6.7.1. Community Infrastructure Levy**

- 6.7.2. Core Strategy Policy CS5 (Infrastructure) states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st April 2015. Planning applications which have been decided since the 1st April 2015 may be liable to pay the levy.
- 6.7.3. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations, residential development of 100m<sup>2</sup> or more will be liable to pay the Community Infrastructure Levy.

6.7.4. The proposal's GIA is 54 m<sup>2</sup>

6.7.5. As such this application is not CIL Liable.

**6.7.6. The assessment of sustainable development**

6.7.7. When considering development proposals the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

6.7.8. 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 and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal.

6.7.9. Economic dimension: It is considered that the proposal makes no significant contribution to the wider economic dimension of sustainable development. There would be a minor benefit in terms of additional employment during the construction period.

Environmental dimension: With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding area has been assessed as part of this application. It is considered that the proposal respects and preserves the existing natural and built environment and that the proposal protects and enhances the prevailing pattern of development in the local area and the character and appearance of the site itself and of the surrounding AONB.

Social dimension: It is considered that the proposal makes no significant impact on the social dimension of sustainable development and will not damage the character and amenity of the local area to the detriment of its enjoyment by local residents.

6.7.10. For the above reasons, it is considered that the proposed development is sustainable development as set out in the NPPF.

**7. CONCLUSION**

7.1. Having regard to the relevant development plan policy considerations and the other material considerations referred to above it is considered that the proposed development is acceptable and should be approved for the reasons set out below:

7.2. This decision has been assessed against the provisions of the relevant policies related to the proposal. These are; ADPP1, ADPP5, CS13, CS14, and CS19 of The West Berkshire Core Strategy 2006 - 2026, Policy C6 of the West Berkshire Council Housing Site Allocations Development Plan Document Adopted May 2017, and the National Planning Policy Framework and also against other relevant local policy documents.

## 8. FULL RECOMMENDATION

To **DELEGATE** to the Head of Planning & Countryside to **Approve PLANNING PERMISSION** for the reasons set out in Section 8.1

### 8.1 Reasons:

The proposed extension is considered to respect Paragraph 17 – Core Planning Principles, Paragraph 56 and 64 of Chapter 7 – Requiring Good Design, of the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Policy C6 of the WBC Housing Site Allocations DPD (2006-2026) Adopted May 2017. It is also considered to comply with the guidance contained in WBC Supplementary Planning Document Quality Design Part 2, and Supplementary Planning Guidance 04/2 House Extensions (July 2004), all of which seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

17/02365/HOUSE

4 Beechfield, Frilsham, Thatcham, RG18 9XF

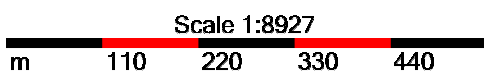


Map Centre Coordinates :

Scale : 1:8927

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	06 October 2017
<b>SLA Number</b>	0100024151

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# Agenda Item 4.(3)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(3)	17/01967/FULD Basildon Parish Council	19 October 2017	Demolition of existing house containing 3 units and erection of 3 houses.  Knappswood Farm, Pangbourne Road, Upper Basildon, Berkshire RG8 8LN  Mr John Wakefield

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/01967/FULD>

**Recommendation Summary:** To **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION** subject to conditions and the completion of a S106 legal agreement between the Council, the applicant and the owners of Hollins and Southfields.

**Ward Members:** Councillor Alan Law

**Reason for Committee determination:** More than ten letters of objection received

**Committee Site Visit:** 11 October 2017

## Contact Officer Details

**Name:** Masie Masiwa  
**Job Title:** Planning Officer  
**Tel No:** (01635) 519111  
**Email:** Masie.Masiwa@westberks.gov.uk

## 1. PLANNING HISTORY

- 1.1 15/01115/FULD: Demolition of existing barn and dwelling and erection of 3 houses with garages. The existing building being divided into 3 separate council tax units. Withdrawn 13 July 2015.
- 1.2 15/03168/FULD: Demolish existing buildings and replace with new dwelling. Withdrawn 14 March 2016.
- 1.3 16/02407/FULD: Demolition of existing house containing 3 units and erection of 3 houses with garages. Withdrawn 23 May 2017.

## 2. PUBLICITY

- 2.1 A site notice was displayed on 10<sup>th</sup> August 2017 and expired on 31<sup>st</sup> August 2017. Neighbour notification letters have been sent to 52 local recipients. The Council has therefore complied with the publicity requirements of the Town and Country (Development Management Procedure) Order 2015 and the Council's Statement of Community Involvement.

### 2.2 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 2.3 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The proposed development is not EIA development and therefore an Environmental Statement is not required.

### 2.4 CONSULTATION

**Parish Council:** The Parish Council reviewed the application and voted to object on the following grounds:

The new application does not counter those issues raised by the Parish Council in previous applications and as a result the position of the Parish Council remains the same.

Access is still unsuitable for the additional traffic and the design in general is unsympathetic to the local area and swaps over affordable housing (of which there is little) for large properties (of which there are significant numbers). Additionally, the threat to a local business remains and the loss of local lower priced housing would be to the detriment of the area.

#### Highways

#### Access

The application follows withdrawn planning application 16/02407/FULD. As part of the highways assessment of the 2016 application, a site visit was undertaken to determine achievable visibility splays at the access.



The Highway Officer was concerned as no reference had been made to the removal of the existing vegetation currently sited within the visibility splays. This is a significant hindrance to the achievability of this splay from the access. Therefore, it must be confirmed that the applicant has control of the land within the visibility splays for the full 43 metres. The existing vegetation within these splays must be removed or reduced to a height of 0.6 metres.

The splay to the west is acceptable.

Whilst the number of dwellings utilising the drive will not increase, the larger dwellings proposed will result in an increase in vehicle movements which, from this access, would be to the detriment of highway safety and the free-flow of traffic without full compliance with the above.

Each of these dwellings in this location must be provided with 3 driveway car parking spaces. This has been proposed.

A shed must be provided within each of the rear gardens for cycle storage provision.

### **Summary**

I have concerns whether the visibility splay to the east can be achieved. It must be confirmed that the applicant now has control of the land within the splay. I would request a more detailed access/visibility splay plan is submitted which details which trees and bushes will be removed. The full 43 metres cannot be achieved without their removal.

**Following the submission of a legal agreement between the applicant and third parties, the Highways Officer stated that:**

Highways would request confirmation from either Planning or Legal Services as to whether the required visibility can be secured by a legal agreement and condition. This will determine whether the highways recommendation would be for approval

### **Waste Management**

The Waste Management Officer stated that the application raises no concerns with regard to the storage and collection of refuse and recycling. Existing arrangements will remain for the proposed new properties.

### **Ecology**

No comments received from Ecology

**Environmental Health**      **The Environmental Health Officer stated that the site would likely contain:**

- Land contamination
- Demolition and construction activities

### **Conclusion**

A former pit approximately 40m to the south of the site has been identified as potentially contaminated. Previous uses of the site could also have caused land contamination. Investigations should be undertaken and any necessary mitigation carried out to make sure the site is suitable for use once developed.

Demolition and construction activities should be controlled to minimise the impact on people living and working nearby.

### **Recommendation**

Environmental Health has reviewed the application and would recommend conditions are attached.

## **2.5 Representations**

Total: 24

Object: 24

Support: 0

Summary of comments:

- Back garden development within Upper Basildon
- Increase in traffic
- urbanising
- reduces the size and type of dwellings
- need for more “affordable” housing
- pressure on schools
- contamination within the field
- over development
- impact on AONB
- Impact on Bats
- Loss of employment
- Noise and disturbance.
- Setting of a precedent

### **3. PLANNING POLICY**

**3.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

**3.2** The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and who these are expected to be applied. It is a material consideration in planning decisions. The NPPF is supported by the Planning Practice Guidance (PPG).

**3.3** According to paragraph 215 of the NPPF, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

**3.4** The West Berkshire Core Strategy (2006-2026) is the first development plan document (DPD) within the new West Berkshire Local Plan. It sets out a long term vision for West Berkshire to 2026 and translates this into spatial terms, setting out proposals for where development will go, and how this development will be built. The following policies from the Core Strategy are relevant to this development:

- NPPF Policy
- ADPP1: Spatial Strategy
- ADPP5: North Wessex Downs Area of Outstanding Natural Beauty (AONB)
- Policy CS1: Delivering New Homes and Retaining the Housing Stock
- Policy CS4: Housing Type and Mix
- Policy CS5: Infrastructure Requirements and Delivery
- Policy CS13: Transport
- Policy CS14: Design Principles
- Policy CS15: Sustainable Construction and Energy Efficiency
- Policy CS16: Flooding
- Policy CS 17 Biodiversity and Geodiversity
- Policy CS19: Historic Environment and Landscape Character

**3.5** The Housing Site Allocations Development Plan Document (HSA DPD) is the second DPD of the new West Berkshire Local Plan. It allocates non-strategic housing sites and sites for gypsies, travellers and travelling show people, and provides updated residential parking standards and a set of policies to guide housing in the countryside. The following policies from the HSA DPD are relevant to this development:

- C1: Location of new housing in the countryside
- C2: Rural Housing Exception Policy
- C3: Design of housing in the countryside
- C7: Replacement of existing dwellings;
- P1: Residential parking for new development

**3.6** A number of policies from the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) remain part of the development plan following the publication of the Core Strategy. The following saved policies from the Local Plan are relevant to this development:

- TRANS.1: Meeting the Transport Needs of New Development
- OVS.5: Environmental Nuisance and Pollution Control
- OVS.6: Noise Pollution

3.7 The following local policy documents adopted by the Council are material considerations relevant to the development:

- West Berkshire Supplementary Planning Guidance: House Extensions (adopted July 2004)
- West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (adopted June 2006)
  - Part 1 Achieving Quality Design
  - Part 2 Residential Development
- Planning Obligations SPD
- The Wildlife and Countryside Act 1981 (as amended).
- The Conservation of Habitats and Species Regulations 2010.
- The North Wessex Downs AONB Management Plan (2014-2019);
- The Basildon Village Design Statement (VDS) 2001

#### 4. DESCRIPTION OF DEVELOPMENT AND THE SITE

4.1 This application seeks full planning permission for the demolition of the existing farm house containing three dwelling units and the erection of three detached houses at Knappswood Farm, Pangbourne Road, Upper Basildon, Reading, Berkshire, RG8 8LN. As part of the proposal, approximately 140 square metres of equine land to the rear of the proposed dwellings would be taken into residential use.

4.2 The existing detached farmhouse is subdivided into three separate dwellings and is located to the rear of the dwellings fronting Pangbourne Road in Upper Basildon. The site is therefore accessed via an access road between the properties at Southfields and Binibeco. The access road runs southwards for approximately 130 metres.

4.3 The existing farmhouse consists of a number of extensions and the site retains numerous farm buildings used for equine purposes. Immediately north of the site is a substantial barn and stables. Another barn and a collection of buildings associated with the equine use of the surrounding land are located to the south east. Land surrounding the site to the south and west is open and rural in character resembling paddocks, while to the north, beyond the existing barn and stables is residential development forming the edge of the area's settlement boundary, and consisting predominantly of detached dwellings in large plots of mixed age and character. The site stands alone to the rear of the properties that front the Highway along Pangbourne Road. The dwellings are all proposed as 2No two storey 4 bedroom detached dwellings and 1No two storey 5 bedroom detached dwelling. The dwellings will have front gable elements, with three parking spaces allocated for each dwelling.

4.4 The existing farmhouse (including the extensions) is approximately 8.7 metres in roof ridge height and measuring approximately 26.5 metres in maximum length and approximately 21.4 in maximum width.

Plot 1 (northern dwelling):

- 4.5** At its highest the proposed dwelling on Plot 1 would be 8.7 metres to the ridge height. Including the chimney the width would be 9.5 metres, and the depth would be 11 metres.

Plot 2 (middle dwelling):

- 4.6** At its highest the proposed dwelling on Plot 2 would be 8.7 metres to the ridge height. Including the chimney the width would be 15 metres, and the depth would be 12.6 metres.

Plot 3 (southern dwelling):

- 4.7** At its highest the proposed dwelling on Plot 3 would be 8.7 metres to the ridge height. Including the chimney the width would be 9 metres, and the depth would be 11 metres.
- 4.8** The external façade of the proposed dwellings would consist of red-brown facing brickwork with white upvc windows and brown clay roof tiles.

## **5. PROCEDURAL MATTERS AND BACKGROUND**

- 5.1** The application is a resubmission of planning application 16/02407/FULD. The application was withdrawn a day before it was due to be heard by the Eastern Area Planning Committee due to an amendment to the red line and the requirement to serve notice on the owners of all of the land required for visibility splays.
- 5.2** The Council outlined that it would need to be demonstrated that the applicant would have control over all of the land required for the visibility splays at the access. It was also advised that a S106 legal agreement with the neighbouring owners would be required to provide assurance that the visibility splays can be cleared and kept free of obstructions.
- 5.3** The applicant has submitted an unsigned legal agreement/covenant between himself and the owners of Hollies and Southfields to the east of the access. The Council's Legal Team has recommended that the Council be made party to the legal agreement to allow the Council access to carry out the works and to be provided with an indemnity as to costs.
- 5.4** There have been two additional withdrawals of the same proposal under references 15/01115/FULD and 15/03168/FULD.

## 6. APPRAISAL

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

- 6.1 Principle of the development
- 6.2 The impact on the character and appearance of the North Wessex Downs AONB.
- 6.3 The impact on neighbour amenity
- 6.4 On-site amenity and facilities for future occupiers
- 6.5 The impact on Highway safety
- 6.6 The impact on biodiversity
- 6.7 Impact on Flooding and Drainage
- 6.8 Other matters
  - Objections
  - Contamination
  - Community infrastructure levy
  - The presumption in favour of sustainable development

### 6.1 The principle of development.

6.1.1 Paragraph 9 of the NPPF discusses the need to ensure 'widening of the choice of high quality homes'. Paragraph 47 of the NPPF focuses on the need to 'boost significantly the supply of housing' with paragraph 49 setting out that 'housing applications should be considered in the context of the presumption in favour of sustainable development'. Paragraph 50 focuses on the delivery of a 'wide choice of high quality homes' and creating 'sustainable inclusive and mixed communities'. With regard to the supply of new homes, paragraph 52 recognises the opportunities to plan for larger scale development including 'extensions to existing villages'

6.1.2 Policy ADPP1 identifies the District Settlement Hierarchy where new development will be focused, primarily on previously developed land. Policy ADPP1 designates the site as being within the open countryside. This states that only appropriate limited development in the countryside will be allowed. The site, as well as the village of Upper Basildon lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

6.1.3 Policy ADPP5 provides that landscape protection is of paramount importance within the North Wessex Downs AONB. The North Wessex AONB has a statutory designation under the Countryside and Rights of Way Act 2000. Section 82 Countryside and Rights of Way Act 2000 confirms the primary purpose of the AONB designation is conserving and enhancing the natural beauty of the area. The Countryside and Rights of Way Act 2000 places a general duty on public bodies to have regard to the purpose of conserving and enhancing the natural beauty of the AONB in exercising or performing any functions in relation to, or so as to affect, land in the AONB. Specific to planning, the NPPF states that great weight should be given to conserving landscape and scenic beauty in the AONB, which has the highest status of protection in relation to landscape and scenic beauty.

6.1.4 Policy CS1 provides that new homes will be built on suitable previously developed land within settlement boundaries; other suitable land within

settlement boundaries; strategic sites and broad location identified on the Key Diagram and land allocated for residential development in subsequent Development Plan Documents.

- 6.1.5 The application site is located outside of the settlement boundary of Upper Basildon. The boundary runs along the back of the second tier of development along Pangbourne Road. As such, the proposal does not comply with Policy CS1.
- 6.1.6 Policy C1 of the HSA DPD states that there will be a presumption against new residential development outside of the settlement boundaries. Exceptions to this are limited to rural exception housing schemes, conversion of redundant buildings, housing to accommodate rural workers and extension to or replacement of existing residential units. The proposed dwellings are considered to comply with the replacement dwelling exception policy.
- 6.1.7 Policy C7 of the Housing Site Allocations DPD gives a presumption in favour of the replacement of an existing dwelling of permanent construction, subject to a number of criteria.
- 6.1.8 The proposal consists of the demolition of three dwelling units within a single building and the construction of three detached houses, in this respect the principle of three replacement dwellings is acceptable, in accordance with Policy C7, subject to full conformity with other material considerations consistent with the above policies, which are explored below. .

## **6.2 Impact upon the character and appearance of the site and the area**

- 6.2.1 The Government attaches great importance to the design of the built environment, and securing high quality design is one of the core planning principles of the NPPF.
- 6.2.2 The site is located within a sensitive location within the countryside, as such the proposal has been considered in terms of its potential impact and harm on the character and visual attractiveness of the area. This assessment has been based on the existing built form and the level of harm, if any from the proposed development.
- 6.2.3 The NPPF's Paragraph 17 states that in relation to design, Councils should always seek to secure high quality design which respects and enhances the character and appearance of the area. The NPPF is clear that good design is indivisible from good planning and attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. The NPPF also adds that the visual appearance is a very important factor, securing high quality and inclusive design goes beyond aesthetic considerations.

- 6.2.4 Paragraph 58 of the NPPF states that developments should function well and add to the overall quality of the area, respond to local character and history, and be visually attractive as a result of good architecture and appropriate landscaping.
- 6.2.5 Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 6.2.6 Core Strategy Policy CS19: Historic environment and landscape character also outlines that in order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard has been given to the sensitivity of the area to change and ensuring that the new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.2.7 The Council has adopted a Supplementary Planning Document series entitled Quality Design (SPDQD). Part 2 of SPDQD provides detailed design guidance on residential development. It offers guidance on how to preserve residential character by emphasising that respecting the physical massing of an existing residential area is a critical part of protecting residential character. The physical bulk of the proposed development has been considered in terms of its footprint, length, width and height in line with the guidance within SPDQD part 2.
- 6.2.8 The dwellings have been designed such that their appearance, size and scale do not appear out of context in relation to the adjacent properties to the north. Officers consider that the development sufficiently respects the character and appearance of the specific site and the AONB area.
- 6.2.9 Policy C3 of the HSA DPD is concerned with the design of housing in the countryside. It states that development must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change. Development should be designed having regard to the character of the area in which it is located taking account of the local settlement and building character. It should also have regard to Quality Design – West Berkshire Supplementary Planning Document. The proposed dwellings are consistent with the design and character of the local vernacular and the recent residential developments to the north of the site. It is considered that the development complies with Policy C3.
- 6.2.10 There is a presumption in favour of the replacement of an existing dwelling of permanent construction. The proposed dwellings have been assessed under Policy C7. The policy requires that the replacement dwelling is proportionate in size and scale to the existing dwelling. The site currently comprises of a single dwelling that has been historically subdivided to



create 3 units, and therefore consists of one larger and two smaller dwellings.

- 6.2.11 Whilst percentage increase is no longer a policy requirement, a cumulative floor space assessment has been applied to this application, as an indicator of the overall development and the likely material increase in physical and visual intrusion on the countryside.
- 6.2.12 The existing farmhouse has a floor space of approximately 482 square metres and 1784 cubic metres in volume. The proposed dwellings will collectively result in a total floor area of 706 square metres, which is a cumulative floor area increase of approximately 46%. The proposed dwellings will collectively result in a total volume space of 2375.71 square metres, which is a cumulative volume increase of approximately 33%. This was also confirmed under the previously withdrawn application 16/02407/FULD when the scheme was also substantially revised.
- 6.2.13 The proposed scheme of three replacement dwellings seeks to consolidate the provision of housing on the site into a traditional layout of a main dwelling (Plot 2) and two smaller associated cottages. Visually the dwellings will span over a larger area than the existing farmhouse therefore increasing the built area on the site. However it is considered that the proposed development will upgrade the quality of the residential built form on the site by replacing the highly extended existing house and the three dwelling units within it. It is also considered that there is a drive to modernise the three units on the site, which carries weight as the existing farmhouse is unremarkable in terms of its design. These merits weigh in favour of the scheme as submitted.
- 6.2.14 The proposed replacement dwellings are not considered to entail a disproportionate increase in the amount of residential development on the site, and as discussed, are considered to reduce the visual impact of residential development on the site in the surrounding sensitive landscape of the AONB, as required by criteria 3 of Policy C7.
- 6.2.15 Policy C7 goes on to require that replacement dwellings do not entail an extension of the existing curtilage unless an extension is required in order to provide parking or amenity space to be consistent with dwellings in the immediate vicinity. As noted above the proposed works would entail the change of use of approximately 140 square metres of equine land to residential use. As this additional land is required in order to provide parking and amenity for the dwellings, this is considered acceptable under Policy C7.
- 6.2.16 The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014 – 2019 describes the sense of remoteness and tranquillity associated with the North Wessex Downs as fundamental to the character of the AONB and vital to the enjoyment and appreciation of the landscape, the North Wessex Downs' vision seeks to make the North Wessex Downs AONB a place where development is low-impact. The sensitivity of the site and the development within the AONB is therefore very important. Due to the points raised above it is considered that the proposed

dwellings are of an acceptable standard of design, size and scale within the context of the area adequately respecting and enhancing the distinctive character of the North Wessex Downs AONB.

6.2.17 The proposal therefore complies with Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026. The proposal also complies with the West Berkshire Supplementary Planning Document Series: Quality Design, and the Housing Site Allocations Development Plan Document's Policies C1, C3 and C7, and the Basildon Village Design Statement.

### **6.3 Impact upon neighbouring amenity**

6.3.1 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Core Strategy Policy CS14 further states that new development must make a positive contribution to the quality of life in West Berkshire. The Council's Supplementary Planning Document 'Quality Design' and Supplementary Planning Guidance House Extensions provide guidance on the impacts of development on neighbouring living conditions.

6.3.2 The nearest dwellings are located to the north of the site, with the large barn settled between the northern properties and the site. As such there are no material adverse impacts on neighbouring amenity. The relationship between the proposed dwellings themselves has also been assessed. It is considered that due to the proposed layout there are no overshadowing impacts. First floor windows are proposed on the northern and southern elevations of each dwelling, these windows would be required to be top hung and obscure glazed and this can be secured by condition.

### **6.4 On-site amenity and facilities for future occupiers**

6.4.1 According to Part 2 of the Council's Supplementary Planning Document "Quality Design (SPDQD), the Council considers it essential for the living conditions of future residents that suitable outdoor amenity space (e.g. private gardens) is provided in most new residential development.

6.4.2 The Council's Supplementary Planning Document "Quality Design" Part 2 suggests a minimum garden size of 100 square metres for houses with 3 or more bedrooms. The three plots will all have garden areas of approximately 190 square metres. These are more than sufficient to comply with the guidance within the SPDQD.

### **6.5 Impact on Highways (safety and use)**

6.5.1 Road safety in West Berkshire is a key consideration for all development in accordance with Core Strategy Policy CS13.

- 6.5.2 Policy P1 of the DPD provides new standards for residential parking for new development. The new parking policy sets minimum standards for residential parking provision based on location. As the proposed development is for 4/5 bedroom dwelling and is located within Zone 3, the minimum parking requirements are set at 3 parking spaces. This standard has been achieved.
- 6.5.3 A number of letters of objection raise concerns in respect of the impact of the proposed works on highway safety. The previous application was withdrawn due to highway concerns at the access, mainly concerning the maintenance of adequate visibility splays over third party land. As outlined in Section 5 of this report, a legal agreement has been submitted by the applicant to ensure that the required visibility splays are achieved at the access on to Pangbourne Road. Following consultation with the Council's Legal Team the Highway Officer is satisfied that the visibility splays can be achieved and these can also be secured by a S106 legal agreement and a suitably worded condition.
- 6.5.4 Overall, the proposed works are not considered to result in a significant number of additional vehicle movements utilising the access. Parking provision is adequate to meet levels specified under Policy P1. Therefore, subject to the signing of a legal agreement to secure adequate visibility splays, the proposed works are considered acceptable in terms of their impact from the highway. The application is therefore considered to comply with Core Strategy Policy CS13 and the parking standards are set out within the Housing Site Allocations DPD.

## **6.6 The impact upon biodiversity**

- 6.6.1 Core Strategy Policy CS17 (Biodiversity and Geodiversity) states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Policy CS17 also states that, in order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.
- 6.6.2 No adverse comments have been received from Natural England and from the Council's Ecologist. As the dwelling is to be demolished a bat survey accompanies the application. The Council accepts the ecological recommendations of the survey and suggests appropriate conditions are attached.

## **6.7 Impact on Flooding and Drainage**

- 6.7.1 The application site is located within Flood Zone 1, which is appropriate for new residential development. Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the

implementation of Sustainable Drainage Methods (SuDS). A condition requiring drainage mitigation measures can be attached accordingly.

## **6.8 Other matters**

### **Objections**

- 6.8.1 The Parish and objectors to this application have raised concerns which are listed with Section 2 of this report. Many of the matters raised by objectors have been addressed within this report, as such these have not been repeated here.
- 6.8.2 To reiterate the key considerations above, the existing site does include a dwelling and two flats that form extensions to the dwelling and have been historically subdivided from it. The proposed works would result in the loss of small dwellings in this location this is a minor disbenefit of the scheme when compared to the availability of modern family dwellings as proposed. In addition there is the advantage of improving the environmental qualities of the site considerably while retaining the provision of three dwellings on the site. The application will not set a precedent as this proposal replaces existing dwellings as outlined above. It is also considered that while the proposed works would result in the loss of two smaller dwellings from the local housing stock in the area this would not result in sufficient harm to the diversity of housing available in Upper Basildon or the District to result in a reason for refusal of the application.
- 6.8.3 In consideration of the existing residential uses on the site, the proposed use as dwellings is considered to be compatible with the agricultural and equine uses on the site. The existing agricultural and equine buildings will be retained, indeed these buildings were removed from the scheme as part of the previously withdrawn applications. It has also been considered that there is a lack of tie of the existing dwellings to these agricultural/equine uses and the small scale nature of the businesses on the site. Having considered the above it is considered that there are no adverse impacts on the future on the equine uses on the site.

### **Contamination**

- 6.8.4 A former pit approximately 40m to the south of the site has been identified as potentially contaminated. Previous uses of the site could also have caused land contamination. Investigations should be undertaken and any necessary mitigation carried out to make sure the site is suitable for use once developed. Environmental Health has recommended a condition requiring site investigation in the event of contamination being discovered on the site.

### **Community Infrastructure Levy**

- 6.8.5 Core Strategy Policy CS5 (Infrastructure) states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery.

6.8.6 The proposed new build in terms of the gross internal floor space area (GIA) as defined by the Royal Institute of Chartered Surveyors (RICS) is more than 100m<sup>2</sup>. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations, residential development of 100m<sup>2</sup> or more will be liable to pay the Community Infrastructure Levy.

6.8.7 The proposal's new GIA is 706 square metres.

6.8.8 As such this application is CIL Liable and the Community Infrastructure Levy Liability Notice detailing the chargeable amount will be sent attached to the decision notice.

### **The assessment of sustainable development**

6.8.9 Paragraph 7 of the NPPF provides a presumption in favour of sustainable development with the social role of the planning system being to ensure that strong, vibrant and healthy communities are supported through 'providing the supply of housing required to meet the needs of present and future generations When considering development proposals the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

6.8.10 Paragraph 10 states that plans and decisions 'need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas'.

6.8.11 The NPPF requires local authorities to 'approach decision-making in a positive way to foster the delivery of sustainable development' (paragraph 186). Paragraph 187 further stresses that 'decision-takers at every level should seek to approve applications for sustainable development where possible'.

6.8.12 Paragraph 14 of the NPPF sets out the Government's economic, environment social planning policies for England, with the presumption in favour of sustainable development. 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 and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal.

6.8.13 Economic Dimension: It is considered that the proposal makes a minimal contribution to the wider economic dimensions of sustainable development. There would be a minor benefit in terms of additional employment during the construction period.

6.8.14 Environmental dimension: With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding AONB area has been assessed as part of this application. It is considered that the proposal will sufficiently respect the existing natural and built environment and that the proposal protects and enhances the prevailing pattern of development in the local area and the site specifically.

6.8.15 Social dimension: It is considered that the proposal makes a small contribution to the wider social dimensions of sustainable development, though the provision of three new dwellings.

6.8.16 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 Having regard to the relevant development plan policies, the other material considerations referred to above and the clear reasons in favour, the development proposed is considered to be acceptable and should be approved for the following reasons.

7.2 The proposal will not harm the existing character and appearance of the surrounding AONB area and how it functions. The proposal will not have a material impact on neighbouring amenity, will secure sufficient garden amenity for future occupiers and will not present an adverse impact on highway safety. These considerations carry significant weight and indicate that conditional planning permission should be approved.

7.3 This decision has been considered using the relevant policies related to the proposal. These are; ADPP1, ADPP5, CS1, CS4, CS5, CS13, CS14, CS15, CS16, CS17, C18 and CS19 of The West Berkshire Core Strategy 2006 - 2026, Policy OVS5, OVS7, and TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007, Policy C1, C3, C7 and P1 of the HSA DPD, and the National Planning Policy Framework.

## 8. FULL RECOMMENDATION

**DELEGATE** to the Head of Planning & Countryside to **GRANT PLANNING PERMISSION** subject to the conditions recommended below (section 8.1), and the completion of a S106 legal agreement between the Council, the applicant and the owners of Hollins and Southfields.

## **8.1 Conditions**

### **1. Commencement of development**

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

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

### **2. Approved plans**

The development of the replacement dwellings hereby approved shall be carried out in accordance with the application form, the design and access statement and drawing numbers 7756.6; 7756.7; 7756.8 and 7756.9A, received 01 July 2017.

Reason: For the avoidance of doubt, in the interests of proper planning.

### **3. Schedule of Materials**

Irrespective of details given in the approved plans and documents no development of the approved dwellings shall commence until samples of all external materials to be used have been submitted and approved under a formal discharge of conditions application. The approved dwellings shall be constructed in accordance in accordance with the approved schedule of materials.

Reason: In the interests of visual amenity in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **4. Construction Method Statement**

No development shall take place until a Construction Method Statement has been submitted and approved under a formal discharge of conditions application. The development shall be carried out in accordance with the approved Construction Method Statement. The Construction Method Statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Delivery, loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the

West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

## **5. Visibility splays before development**

No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access and until the Deed of Covenant between the Council, the Applicant and the owners of Hollies and Southfields has been entered into and registered as a local land charge. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

## **6. Access to Highway**

No development shall take place until details of the surfacing arrangements for the vehicular access to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access for a distance of 7 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

## **7. Parking/turning in accord with plans.**

No dwelling shall be occupied until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plans. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that 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), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and P1 of the HSA DPD

## **8. Cycle storage**

No dwelling shall be occupied until cycle parking and/or storage space has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy



Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and P1 of the HSADPD.

## **9. External Lighting**

No development of the approved dwellings shall commence until full details of any lighting to be erected, including the complete specification and location of all external lights, has been submitted and approved under a formal discharge of conditions application. Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, no other external lighting shall be erected on the site.

Reason: In the interests of visual amenity and to prevent encroachment of illumination into the night skies in the North Wessex Downs Area of Outstanding Natural Beauty in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

## **10. Ecological mitigation - Bat boxes**

The dwellings hereby approved shall not be occupied until a scheme of bat boxes to be provided on the site has been submitted and approved under a discharge of conditions application. The dwellings shall not be occupied until the bat boxes have been erected in accordance with the approved scheme. The bat boxes shall be retained in accordance with the approved scheme thereafter.

Reason: To conserve and enhance the qualities of the site for local wildlife in accordance with Policy CS17 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

## **11. Landscaping scheme**

No development of the approved dwellings shall commence until details of a scheme of landscaping to be implemented on the site have been submitted and approved under a discharge of conditions application made for this purpose. The scheme of landscaping shall ensure:

- (i) Identification of all trees and shrubs scheduled for retention on the site;
- (ii) Identification of native varieties of trees and shrubs for all new planting;
- (iii) Full implementation of the scheme of landscaping within the first planting season following occupation of the replacement dwellings;
- (iv) That all trees and shrubs that form part of the approved landscaping are retained for a period of five years following planting and that during this period any trees or shrubs that become diseased, damaged or die are replaced with plants of the same species and a similar size during the following planting season.

The landscaping of the site shall be undertaken in accordance with the approved scheme.

Reason: In order to secure the benefits of landscaping to soften the visual impacts of development on a sensitive site within the North Wessex Downs AONB and to provide opportunities for local wildlife in accordance with the NPPF and Policies CS14, CS17 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

## **12. Hard landscaping**

No development or other operations shall commence on site until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the development is commenced because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

## **13. Spoil**

No development shall take place until full details of how all spoil arising from the development will be used or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil (not to be deposited) from the site
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

#### **14. Land contamination 1: site characterisation**

The construction of the dwelling hereby permitted shall not take place until a scheme to assess the nature and extent of any land contamination of the site (whether or not it originates from the site) has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment shall be completed as part of this scheme. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced and submitted. The report of the findings shall include:

- (a) A survey of the extent, scale and nature of contamination;
- (b) An assessment of the potential risks to:
  - i. human health,
  - ii. property (existing and proposed) including buildings, pets, and service lines and pipes,
  - iii. adjoining land,
  - iv. groundwater and surface water,
  - v. ecological systems,
  - vi. archaeological sites and ancient monuments; and
- (c) An appraisal of remedial options, and proposal of the preferred option(s).

This report shall be conducted in accordance with CLR11: Model Procedures for the Management of Land Contamination (DEFRA/EA).

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. The approval of this information is required at this stage because insufficient information has been submitted with the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

#### **15. Land contamination 2: remediation scheme submission**

The construction of the dwelling hereby permitted shall not take place until a remediation scheme for any land contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- (a) Provide for the removal of unacceptable risks to human health, buildings and other property, and the natural and historical environment;
- (b) Ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation;
- (c) Detail proposed objectives and remediation criteria, all works to be undertaken, a timetable of works, and site management procedures; and
- (d) Include measures for the monitoring and maintenance of the long-term effectiveness of the remediation over a period agreed in writing with the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. The approval of this information is required at this stage because insufficient information has been submitted with the application. This condition is applied in accordance with the

National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **16. Land contamination 3: remediation scheme implementation**

The remediation scheme for land contamination approved under condition 15 shall be implemented in full in accordance with the timetable of works thereby approved. Two weeks written notice shall be given to the Local Planning Authority prior to the commencement of the remediation scheme. Following the completion of the measures identified in the approved remediation scheme (except those for the long-term monitoring and maintenance), no dwelling shall be occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **17. Land contamination 4: unexpected contamination**

In the event that any previously unidentified land contamination is found at any time during the carrying out of the development, it shall immediately be reported in writing to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of Condition 14, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of condition 15. The investigation and risk assessment, and any remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme, no dwelling shall be occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **18. Land contamination 5: monitoring and maintenance**

Following completion of the measures for the monitoring and maintenance of the effectiveness of the land contamination remediation approved under clause (d) of condition 15 (if any), a verification report to demonstrate the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the completion of the measures. These reports shall be conducted in accordance with CLR11: Model Procedures for the Management of Land Contamination (DEFRA/EA).

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition

ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **19. Hours of work (demolition and construction)**

The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing is limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays

8.30 am to 1.00 p.m. on Saturdays and

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

Reason: In the interests of the amenities of neighbouring occupiers in accordance with the NPPF and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **20. Sustainable Drainage**

No development shall take place until a scheme of surface water drainage has been submitted and approved under a formal discharge of conditions application made for this purpose. The scheme shall incorporate sustainable drainage principles to deal with surface water run-off from the roof of the dwellings hereby permitted and within the application site. The dwelling hereby permitted shall not be first occupied until the scheme of surface water drainage has been implemented in accordance with the approved details. The approved method of surface water drainage shall be retained thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design - Part 4 Sustainable Design Techniques (June 2006).

### **21. Windows to be top hung and obscure glazed**

The development hereby permitted shall not be occupied until the windows at first floor level in the northern and southern elevations of the dwellings hereby permitted have been fitted with obscure glass and top hung casements. The obscure and top hung glazing shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

## **22. Restriction on permitted development for windows on side elevation**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows/roof lights (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B or C of that Order shall be constructed on the north and south elevations of the dwellings hereby permitted, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

## **23. PD Removal – extensions or outbuildings**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions or outbuildings which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C, D and E of that Order shall be constructed on the dwellings hereby permitted, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of visual amenity and to avoid the overdevelopment of a site within the North Wessex Downs Area of Outstanding Natural Beauty, in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy C3 of the West Berkshire Council Housing Site Allocations DPD (2017).

### Informatives

#### **1. Proactive action by the local planning authority**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

#### **2. Access construction**

The Highways Manager, West Berkshire District Council, Highways & Transport, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 –

519803, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

### **3. Damage to footways, cycleways and verges**

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

### **4. Damage to the carriageway**

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

### **5. Excavation in close proximity to the highway**

In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.

### **6. Incidental works affecting the highway**

Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519169, before any development is commenced.

### **7. Protected bats**

All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). If any signs of bats (bat roosts, bat droppings or any other signs) are discovered on the site at any time then all work must halt and Natural England should be contacted for advice.

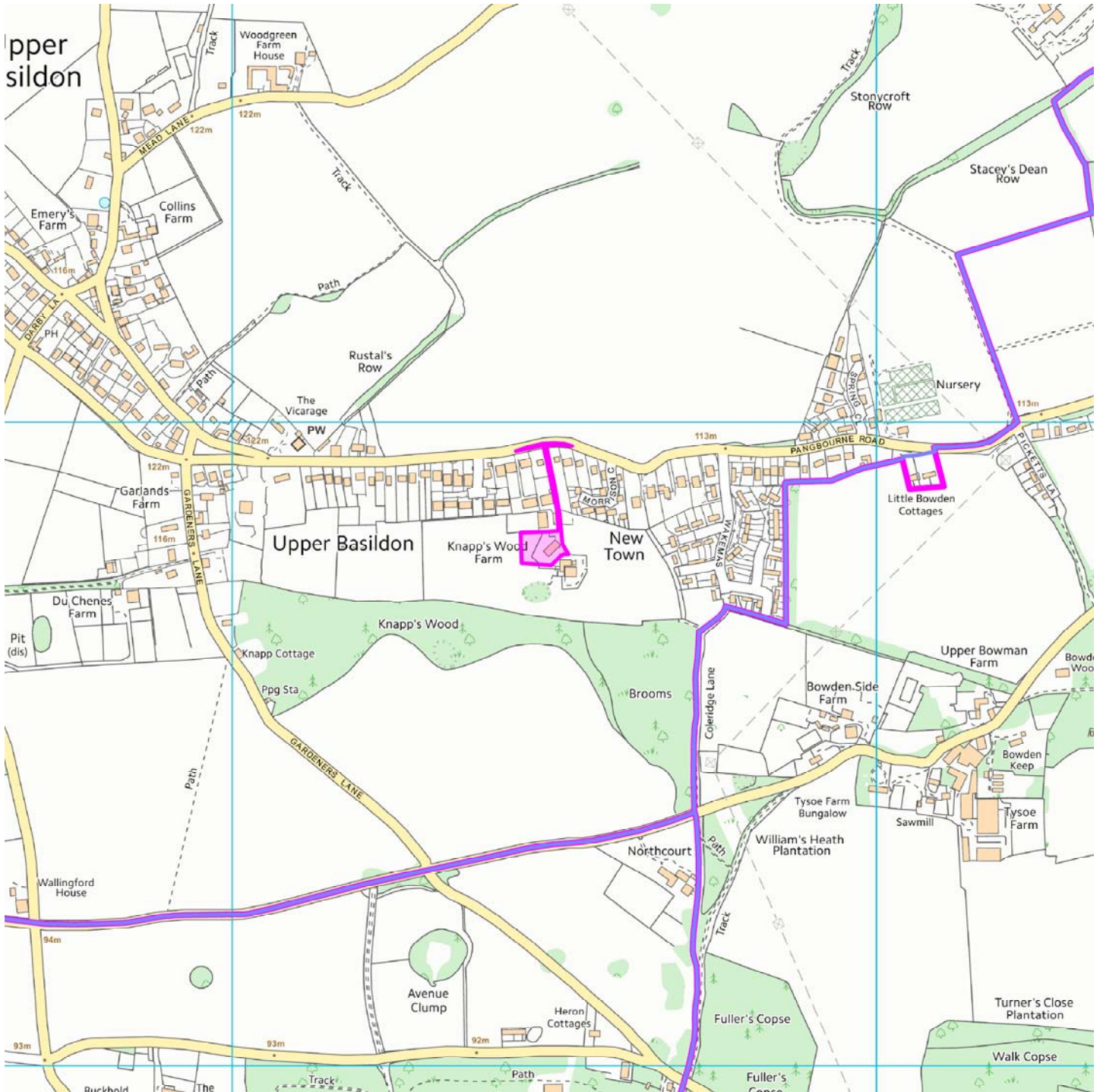
### **8. Construction / demolition noise**

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.

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Knappwood Farm, Pangbourne Road, Upper Basildon.RG8 8LN



Map Centre Coordinates :

Scale : 1:8926

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	06 October 2017
<b>SLA Number</b>	0100024151



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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 16/00626/OUTMAJ  Pins Ref 3165138	212 - 216 Benham Hill Thatcham Ressance Limited	The development of 16 no 1 and 2 bedroom apartments and 4 no: 3 bedroom houses- matters to be considered access and layout	Delegated Refusal	Dismissed 30.8.17
THATCHAM 16/02456/OUTMAJ  Pins Ref 3173632	212 - 216 Benham Hill Thatcham Ressance Limited	Outline planning permission for the development of 16 no. 1 and 2 bedroom apartments and 2 no.4 bedroom houses. Matters to be considered: Access, Scale and Layout	Delegated Refusal	Dismissed 30.8.17
HOLYBROOK 16/02641/OUTD  Pins Ref 3176740	1 Sharnwood Drive, Calcot Mr Jack Album	Outline application for two flats and associated parking. Matters to be considered: Access and Layout	Delegated Refusal	Dismissed 29.9.17
THATCHAM 17/00942/FULD  Pins Ref 3177457	Land To The Rear Of 258 - 260 Benham Hill Thatcham GAL Promotions Ltd	Erect pair of semi detached dwellings accessed from Stroller Close	Delegated Refusal	Allowed 29.9.17
PURLEY ON THAMES 17/00807/HOUSE  Pins Ref 3179265	110 Purley Rise, Purley On Thames Mr and Mrs Roger John	Single storey front extension to existing dwelling	Delegated Refusal	Dismissed 2.10.17
UFTON NERVET 16/02424/FULMAJ  Pins Ref 3177097	Three Acres Farm Ufton Lane Ufton Nervet Mr Bertoux	Change of use from agriculture to residential dwelling, with internal and external alterations to the building.	Delegated Refusal	Dismissed 4.10.17

SULHAMSTEAD 17/00213/FULD  Pins Ref 3176628	68 Hollybush Lane Burghfield Common Mr A Pike	New three bedroom dwelling and vehicle access	Delegated Refusal	Dismissed 6.10.17
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