

Notice of Meeting



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Western Area Planning Committee Wednesday, 21 July 2021 at 6.30pm

in the Council Chamber Council Offices
Market Street Newbury

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If members of the public wish to attend the Planning Committee they can do so either remotely or in person. Members of the public need to notify the Planning Team (planningcommittee@westberks.gov.uk) by no later than 4.00pm on Tuesday 20 July 2021, if they wish to attend the Planning Committee.

Please note that due to the current Coronavirus restrictions there is a limit on the number of people who can enter the Council Chamber. Remote attendance at the meeting is therefore encouraged at this time.

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, 13 July 2021

Further information for members of the public

Plans and photographs relating to the Planning Applications to be considered at the meeting can be viewed by clicking on the link on the front page of the relevant report.

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: planningcommittee@westberks.gov.uk



Agenda - Western Area Planning Committee to be held on Wednesday, 21 July 2021
(continued)

Further information, Planning Applications and Minutes are also available on the Council's website at www.westberks.gov.uk

Any queries relating to the Committee should be directed to Jenny Legge on (01635) 503043 Email: jenny.legge@westberks.gov.uk

Agenda - Western Area Planning Committee to be held on Wednesday, 21 July 2021
(continued)

- To:** Councillors Adrian Abbs, Phil Barnett, Dennis Benneyworth (Chairman), Jeff Cant, Hilary Cole, Carlyne Culver, Clive Hooker, Tony Vickers (Vice-Chairman) and Howard Woollaston
- Substitutes:** Councillors Jeff Beck, Lynne Doherty, David Marsh, Steve Masters, Andy Moore, Erik Pattenden and Martha Vickers
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Agenda

Part I

Page No.

- 1. Apologies**
To receive apologies for inability to attend the meeting (if any).
- 2. Minutes** 7 - 22
To approve as a correct record the Minutes of the meeting of this Committee held on 9 June 2021. Minutes for the meeting held on 30 June 2021 will be available for the next meeting of the Western Area Planning Committee.
- 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).

Agenda - Western Area Planning Committee to be held on Wednesday, 21 July 2021
(continued)

- (1) **Application No. and Parish: 20/02402/REG3, Newbury Football Club, Faraday Road, Newbury** 23 - 62
- Proposal:** Creation of open space for public recreation including demolition of former football ground clubhouse; delivery of new parking spaces and erection of timber bollards and new fencing generally.
- Location:** Newbury Football Club, Faraday Road, Newbury, RG14 2AD.
- Applicant:** West Berkshire Council
- Recommendation:** To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.2 of the report)
- AND
- Subject to a referral to the National Planning Casework Unit as the Local Planning Authority is minded to grant planning permission for an application on land owned by the Council, despite receiving an objection from Sport England.
- (2) **Application No. and Parish: 21/00429/HOUSE, White Lodge, Donnington Grove, Shaw Cum Donnington** 63 - 84
- Proposal:** Two storey rear extension and external alterations to existing dwelling, following demolition of existing outbuildings (resubmission of application 20/01193/HOUSE).
- Location:** White Lodge, Donnington Grove.
- Applicant:** Mr and Mrs Baynham
- Recommendation:** To delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION** for the reasons listed in Section 8.
- (3) **Application No. and Parish: 21/01038/HOUSE, 1 Croft Road, Newbury, Newbury Wash Common** 85 - 104
- Proposal:** Two storey extension to the side and single storey extension to the rear.
- Location:** 1 Croft Road, Newbury.
- Applicant:** Martin Redford
- Recommendation:** To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to conditions.

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(continued)

- (4) **Application No. and Parish: 21/01012/FUL, Kintbury Methodist Church, Inkpen Road, Kintbury** 105 - 114
- Proposal:** Change of Use from redundant Methodist Church to residential dwelling (Use Class C3). Proposals will retain the front elevation onto Inkpen Road unchanged, with the introduction of patio doors to the rear elevation in the location of the existing kitchen window. Internally, the works will involve the creation of a living, kitchen dining area, separate living room, 2no. bedrooms and bathroom.
- Location:** Kintbury Methodist Church, Inkpen Road, Kintbury, Hungerford, RG17 9TU.
- Applicant:** Mr Tim Cork.
- Recommendation:** To DELEGATE to the Head of Development & Planning to **REFUSE** PLANNING PERMISSION

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.

Sarah Clarke

Service Director (Strategy and Governance)

If you require this information in a different format or translation, please contact Stephen Chard on (01635) 519462.



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Agenda Item 2.

DRAFT

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 9 JUNE 2021

Councillors Present: Adrian Abbs, Phil Barnett, Dennis Benneyworth (Chairman), Jeff Cant, Hilary Cole, Carolyn Culver, Clive Hooker, Tony Vickers (Vice-Chairman) and Howard Woollaston

Also Present: Sian Cutts (Senior Planning Officer), Gareth Dowding (Principal Engineer (Traffic and Road Safety)), Kim Maher (Legal Officer), Lydia Mather (Principal Planning Officer), Gordon Oliver (Corporate Policy Support) and Linda Pye (Principal Policy Officer)

PART I

1. Minutes

The newly elected Chairman thanked the previous Chairmen, Paul Bryant and most recently Clive Hooker, for their excellent stewardship, help and advice. He also sent the Committee's best wishes to Mr Simon Till, the Lead Planning Officer.

The Minutes of the meeting held on 4th May 2021 were then approved as a true and correct record and signed by the Chairman.

2. Declarations of Interest

Councillor Hilary Cole declared an interest in Agenda Item 4(3), but reported that, as her interest was a personal or another registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

Councillor Adrian Abbs declared an interest in Agenda Items 4(1) and 4(2), but reported that, as his interest was a personal or another registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

3. Schedule of Planning Applications

(1) Application No. and Parish: 20/02026/PACOU, St Gabriels Farm, Cold Ash

(Councillor Adrian Abbs declared a personal interest in Agenda Item 4(1) by virtue of the fact that he rented a paddock from the applicant. 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.)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/02026/PACOU in respect of St Gabriels Farm, Cold Ash. Prior approval was sought for a change of use of agricultural buildings to 5 dwellings.
2. In accordance with the Council's Constitution, Mr Bernard Clark, Cold Ash Council, Mr Christopher Sayers, objector, and Mr Steven Smallman, agent, addressed the Committee on this application.

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3. Mrs Sian Cutts, Senior Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers were recommending that the Head of Planning and Development be authorised to grant prior approval, subject to the conditions outlined in the main report and update report.
4. The Chairman asked Mr Gareth Dowding, Principal Engineer (Traffic and Road Safety), if he had any observations relating to the application. Mr Dowding noted that Highways Officers were content with the proposal.

Parish/Town Council Representation

5. Mr Clark in addressing the Committee raised the following points:
 - He explained that Parish Council's response to the application would be an emotional one. It would also be informed by officer's comments made during the site visit, which had been clear and helpful.
 - The Parish Council considered that there were two issues on which Councillors could object to the application. One was sustainability and the other was environmental issues.
 - In terms of sustainability, the current Class Q buildings were flimsy and unsustainable, unlike farm buildings of the past. The foundations of the brick building seemed non-existent, the brick wall was crumbling, and there was an asbestos/concrete roof. From his examination, the other building had been constructed from flimsy soft wood.
 - He was unsure how a builder would be able to convert what would be left of the buildings. Therefore in terms of sustainability the scheme was laughable.
 - With regards to environmental issues, the fields to the North of Cold Ash were a site of great natural beauty, and traffic from the new access track would diminish these areas. It would be unnecessarily urbanising one of the area's most beautiful places.
 - There was a reasonable access from the ridge. He hoped that there would be a way to persuade the developers to think again, so as not to despoil the area.
 - He queried why anyone would want to drive a wedge through a beautiful field, and reflected that a more suspicious person might conclude that there was a plan to develop the field, and close the gap between Thatcham and Cold Ash.
 - He noted that if Members were minded to refuse the application that the developer may consider the alternative access from the ridge.
 - There was also an issue with regards to the curtilage. The Parish Council were concerned about the application for the change of use of land on the site.
 - The Parish Council felt that there was a better way to design the development, with a more sustainable access and better buildings, and this might be brought forward by the developers if Members were minded to refuse this application.

Member Questions to the Parish/Town Council

6. Councillor Tony Vickers sought clarification on Mr Clark's view on the potential of the existing structures being converted to sound, high quality design units, particularly with regards to building C. Mr Clark explained he thought that the brick building was not underpinned, and the other structure was made of very flimsy wood. In his opinion, based on past experience, the buildings were not substantial enough to simply be converted, and that a demolition and rebuild would be more appropriate.
7. Councillor Phil Barnett referred to Mr Clark's preferred access on the ridge and queried what he suggested should be done with the existing track. Mr Clark

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explained that there would be no need for the track, and felt that as the track was built approximately five years ago and was rarely used for farm traffic, it was laid purely to service the proposed buildings. He was not making any allegations or questioning motives, but it could be described as a “Trojan horse” into the field.

8. The Chairman called on Mrs Kim Maher, (Legal Officer), to ascertain the relevance of this point. Mrs Maher reminded the Committee that they had to consider the application before them. Mrs Cutts confirmed that the existing track had planning permission.
9. Mr Clark continued by explaining that if the track were removed, then so would the feeling of urbanisation, with cars going up and down the field. If the access were sited on the ridge to the north, he believed it would have a huge positive impact on how local people regarded the proposal.
10. Councillor Adrian Abbs queried the Parish Councils view that the buildings would be an eyesore, as they would not be visible from the populated properties nearby. Mr Clark noted that the people that lived along where the track was going would have that opinion. However, he remarked that it was more the overall sense that an agricultural field was being changed into a suburban field, with increased traffic and light pollution from headlights. He further explained that the development would be seen from Cold Ash Hill.
11. Councillor Clive Hooker referred to Mr Clark’s point about the difficulties a builder might confront in converting the buildings, and commented that this was not a planning matter, but a risk that the developer was prepared to undertake. Mr Clark understood the point, but felt that the buildings would almost certainly fall down as a result of the works suggested.

Objector Representation

12. Mr Christopher Sayer in addressing the Committee raised the following points:
 - He was a Cold Ash resident who would be directly affected by the proposed development as his road looked across the track leading to the buildings. From his property, he had a clear view of all the buildings and has knowledge of the amount of traffic that used the track.
 - He apologised if his comments strayed into things relevant to related application to be considered as Agenda item (4)2.
 - He considered that this application was a repeat of the one submitted and rejected on appeal in 2016. The Planning Inspectorate rejected the application due to its impact on the character and appearance of the area, and the natural beauty of the adjacent Area of Outstanding Natural Beauty (AONB); the impact on protected species, and lack of sustainability. All of these objections were still relevant to the application and had not been invalidated by the revision to change of use, as opposed to new build.
 - Although mitigation measures for some areas were proposed, the new application failed to substantively address the previous reasons for refusal.
 - The current proposal sought to convert the current agricultural buildings into dwellings. These were not old wooden or brick barns, but industrial units made of steel or timber frames, with metal or asbestos-based corrugated sheeting for roofs on basic concrete agricultural slabs. They were not capable of functioning as dwellings without substantial demolition and reworking of the structures and foundations. The amount of work to convert them would be similar to constructing new builds, and thus would fall outside Class Q acceptance which required that buildings were suitable for conversion.

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- Mr Sayer described the requirements of CS14 and CS19, as set out in the officer's report point 6.3. The designs were not in keeping with any other housing in the area. The proposed houses would be converted industrial units of steel or timber frame with metal roofs and timber cladding. The only local supporter of the application described the current buildings as a bit of an eyesore. Mr Sayer saw no reason why this description would not be used for the new buildings too.
- With regards to sustainability, the officer's report implied that sustainability was no longer an issue. However, West Berkshire Council declared a Climate Emergency on 2 July 2019, the development of agricultural buildings that relied of vehicles to make a journey of over 1km (500m there and back) to connect to the existing road system is nonsense.
- The 2016 planning inspectorate report said that taking into account the additional length of steep access road the future occupiers would be effectively isolated from the village, and would be likely to use their car to access most of their daily services. This development was not sustainable.
- The transportation analysis supporting the application was misleading. The agricultural track was built in 2017 and had seen no agricultural use since. Any traffic generated on the track would be substantially more that the local residents and road network currently experience.

Member Questions to the Objector

13. Members did not have any questions of clarification.

Applicant/Agent Representation

14. Mr Steven Smallman in addressing the Committee raised the following points:

- He fully supported the officer's report and recommendations. He wished to respond to some of the issues raised by Members at the site visit, and the concerns that had been expressed by the Parish Council.
- In terms of the planning history, the previous scheme, dismissed at appeal in 2016, was very different from the current proposal. It was for complete demolition of all the buildings on the site, and the erection of four large detached houses. In dismissing the appeal, the Planning Inspectorate raised concern about landscape and visual impact of those new buildings as well as of the access road, which at that time had not been constructed. He also questioned whether this was a suitable location for new housing. By contrast, the current scheme simply converted the existing buildings, and secured the removal of a number of the old buildings. Overall, there was therefore a significant reduction in the amount of built form on the site.
- The access road had been lawfully constructed. The judgement as to whether the location was suitable for residential use should now be considered in the context of permitted development rights.
- He wanted to stress that the scope for considering whether this was a suitable location for housing was limited by the General Permitted Development Order (GPDO), which in principal allowed for the conversion of agricultural buildings, which were very often in unsustainable locations. In addition, the siting of the proposed buildings was not harmful to the rural landscape or the setting of the AONB.
- To clarify the query regarding demolition or conversion, he advised that the majority of the demolition works were included in the planning application, not the prior approval submission. The prior approval submission was unquestionably for the conversion of the existing buildings, with only very limited associated

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demolition works. In theory, some of the existing buildings could be converted without demolition work.

- In answer to queries regarding the future of the farm and the redundancy of the buildings, Class Q did not require evidence that the buildings were redundant, however once implemented the farmer had no permitted development rights for the erection of new agricultural buildings on the holding for ten years. The buildings ceased being used as a dairy in 1988, and the intensity of farming operations had steadily reduced. The farm land was used for grassland production and grazing sheep and none of the dairy buildings were required to support the current farming enterprise. Therefore, there was a question mark hanging over the buildings and the applicant and agent regarded the scheme as a low-key development, which secured significant planning benefits and the best possible use for the site.
- He considered the access from the ridge to be very poor and restricted.
- The buildings had been structurally assessed and a scheme of conversion had been drawn up to confirm that they were suitable for conversion.

Member Questions to the Applicant/Agent

15. Councillor Vickers wished to discuss the permitted development. The structural engineer's conclusion about buildings suitability were based on a visual assessment, therefore how confident was the applicant that these buildings were capable of being converted structurally without major, unreasonable, necessary building operations. He was concerned that the buildings were to be converted to permanent, quality dwellings. Mr Smallman explained that in the last few years, he had had a lot of experience converting farm buildings, all of which were not originally designed for residential use. Class Q was clear about what work that could be carried out. There had been a lot of case law, on when a farm building was converted, and when it had to be rebuilt. He considered that the buildings could be converted, and the works required would not be tantamount to a rebuilding, however he recognised that there was a lot of work to be done.
16. Councillor Hilary Cole queried how the developer had reached the conclusion that there would not be a lot of rebuilding, when the alternations needed for building C would leave just an open-framed building with a roof on. Mr Smallman stated that the works proposed, while extensive, were allowed under the limits of Class Q, for example the replacement of windows, doors and exterior walls. He acknowledged that it was a matter of judgement as to what was allowed and the drawings were quite clear as to what work was being proposed. He also noted that if the developer were mistaken and the buildings did have to be demolished and rebuilt, then they did not have the permission to do so.
17. Councillor Carolyne Culver asked for clarification as to how the building would be insulated and the expected energy grading that would be achieved. Mr Smallman did not know the expected energy grade, but stated that the insulation would be attached to the internal elevations, which would be dry-lined, and the underside of the roof. The nature of the buildings meant that they would not be carbon zero, but the insulation would be sufficient to comply with building regulations.

Ward Member Representation

18. Councillor Garth Simpson in addressing the Committee raised the following points:
 - Prior approval was necessary for homes to be permitted onto open farmland in the setting of the AONB. Otherwise, many of the concerns would still surface, as for a new build.

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- He had issues with the proposed design and siting, as emphasised in policies C14, C19 and C4. In using GDPO Class Q, these houses would be locked into a low-grade, utilitarian barn shed design in perpetuity. There would be no disguising their origins or question of charm in their layout or a conscious integration with the surrounding vegetation. The parking arrangement and turning head add a congested urban element. He doubted whether high quality doors, windows and skylights and would soften the image. Point 6.14 of the officer's report stated that using GDPO and recycling material was beneficial, however there would not be much material left to reuse.
- The fundamental issue was the build rather than the standard environmental issues. Even if it were feasible the existing state of the barns might breach NPPF guidance. The barns were approximately 44 years old and were likely constructed from low cost construction materials, and composite structures became problematic as they aged. Barn C had an asbestos roof, and barn A had structural integrity problems for the very necessary gable ends. Buildings of this age had shallow foundations and building regulations had moved on.
- The site was below the ridge line and subject to very strong winds.
- Both barns had heavy layers of scree flooring to take farm machinery and heavy animals. The floors were very often cracked due to being set on Thames Valley clay. The barns had only been partially used and the fields have been grazed for 33 years, they had been patched up but not adequately maintained.
- The structural report was just a visual check without exposure of the foundations and roofs were not checked beyond using a 3m ladder. The recommendation was for a full structural report and the use of specialist timber technology firms, and asbestos removal to create a believable schedule of works. The report conclusion was that there was a reasonable expectation that further defects might be revealed.
- In the GDPO, the National Planning Policy Framework (NPPF) was clear that replacement works, such as roofs, windows and doors, exterior walls, water, sewage and power must be reasonably necessary. Class Q locks in and perpetuates ugly design and urbanisation. The barns were built to a low standard with a poor state of maintenance whilst materials do not warrant the expense of recover, let alone recycling.
- As an ex civil engineer, Councillor Simpson he doubted that barn C could be recovered and did not know how it could be rebuilt with the timber-framed structure. He recommended that the Committee refuse the application on the grounds of quality of design and sheer unsustainability of build, however if Members were minded to approve he asked that the paddock should be given an S106.

Member Questions to the Ward Member

19. Members did not have any questions of clarification.

Member Questions to Officers

20. Councillor Hilary Cole questioned Mrs Cutts' mention of the Housing Sites Allocation Development Plan Document (HSADPD), as this site had not been identified as a developable site. She queried whether it was in reference to a specific policy and if so, which one. Mrs Cutts explained that she was referring to C3 and the conversion of redundant buildings in the countryside, however for this application she had been obliged to follow the GDPO rather than West Berkshire Council policy.

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21. Councillor Hilary Cole further queried what had changed since 2016 when the Planning Inspectorate had deemed the site to be unsustainable, for it to now be considered sustainable. Ms Lydia Mather (Principal Planning Officer) had checked the planning guidance and explained that the current policy recognised that by their nature, agricultural buildings were often in isolated locations, and so lack of easy access to services was inevitable. Therefore, no test of sustainability was applied.
22. Councillor Culver asked for clarity on point 1.4 of the officer's report that mentioned building C, where it should have been building B. Mrs Cutts confirmed that this was an error.
23. Councillor Culver queried whether a bat survey would be undertaken, bearing in mind these were agricultural barns and there was a high chance that there would be bats present. She further queried point 6.12 in the officer's report where flooding on the access road was mentioned as being outside the application site and would be addressed in the separate application, however on page 54, point 6.10 it was stated that the risk of flooding to the access road would be addressed in the first application. She therefore queried, whether the flooding would be considered in this application or the following item.
24. Mrs Cutts explained that there was a protected species survey undertaken, however as a matter of policy these were not made public as they identified sensitive sites. The Ecology Officer was satisfied with the outcome of the survey for both applications associated with this site. As the Local authority had a duty of care towards protected species, she had included a condition to limit external lighting.
25. With regards to flooding, Mrs Cutts clarified that the application site for prior approval was confined to the buildings themselves and the area around them, which was not at risk of flooding. The flood risk details considered were around drainage on site. The following application had a larger red line that included the access track, and a flood risk assessment had been undertaken.
26. Councillor Jeff Cant congratulated Mrs Cutts on a thorough report. He asked her to clarify three points:
 - I. The access already granted was subject to the existing consent.
 - II. Regarding the discussion around the feasibility of conversion. Would Mrs Cutts please confirm:
 - a. The build would be subject to building regulations and building control inspection
 - b. Should the conversion works be more than expected then the works would cease and a new application be required.
 - III. The objections were not particularly significant beyond the standard considerations.
27. In answering Councillor Cant's questions, Mrs Cutts confirmed:
 - I. The access was lawfully implemented from the 2002 permission. The gates and the access were constructed within the time limit for commencing the development, and was completed in approximately 2017.
 - II. With regards to construction feasibility, a survey was submitted. GDPO requirements did not set the bar as high as a planning application for conversion. The GDPO allows for replacement of roofs and walls, whereas for a planning application this would have been a step too far under the Council's policies.
 - III. Mrs Cutts was unable to confirm that it would be subject to building regulations approval, as she was not a building inspector.

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- IV. If it wasn't possible for the building to be converted, then the site would not constitute permitted development, and a new full application would need to be made.
 - V. The objections were fairly standard, however Mrs Cutts concluded that a decision had to be based on the stated criteria, and therefore some of the objections could not be taken into consideration when deliberating the application.
28. Councillor Vickers referred to the limits of what alterations could be made to buildings under Class Q, and felt that it was unclear. There had been doubts expressed as to whether the proposal passed the first hurdle. However, if the hurdle had been overcome, he questioned what sort of dwelling would be delivered. In point 6.14 of the officer's report it stated that the dwelling still had to comply with CS14 and CS15. He had no doubt it would comply with building regulations, but was unclear as to whether a Class Q had to comply with CS14. He was also concerned what would happen if works started and it became apparent that the building could not stand conversion and would need to be demolished.
 29. Mrs Cutts reiterated that the bar was not set as high under Class Q, as for a conversion planning application. The requirement for a zero carbon could not be conditioned on this development. The list of matters that could be considered do not include the standard level of policies.
 30. In terms of should the building not be strong enough to take the works, it was the developer's responsibility to ensure that they could carry out the development and meet building regulations requirement. If the developer discovered that the scheme could not be completed and wanted to demolish the buildings and rebuild, they would have to submit a new application. Ms Mather clarified further by quoting from the Planning Practice Guidance document:
 31. "Only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right".
 32. Councillor Vickers asked for more details about the Hibbett case, if it were considered relevant. The Chairman agreed to a short adjournment, but would allow the rest of Committee's questions to the officers to be taken before doing so.
 33. Councillor Abbs sought clarification on the timeline of events. In 2002, permission was granted to replace an existing track, however he was unclear as to when it had to be constructed by. In 2013, the track was not used for agricultural use any longer. In 2016, the previous application was refused in 2017 the track was completed. Mrs Cutts explained that development had to commence within a certain period of time. In 2002 it may have been within three or five years. Currently, development had to commence within three years, but there is no time limit as to when it has been completed. There was evidence within the planning files on the 2016 permission that the gate and the access had been put in place. Councillor Abbs requested that officers find the exact date for the construction of the gate.
 34. Councillor Phil Barnett asked the Highways Officer for more information on the vehicle use of the track and visibility. Mr Gareth Dowding, Principal Engineer (Traffic and Road Safety), explained that the track already had permission and therefore visibility and its usage had been determined. He considered that traffic movements associated with a farm of that size, if it was in use, would be equal to the traffic associated with any possible development.
 35. The Committee agreed to a short adjournment to get details of the Hibbett case to see its relevance to this application.

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36. Ms Mather explained that in the Hibbett case, the building was effectively just a roof, all four walls had to be constructed. The ruling was that there was no clear line between conversion and rebuild, and that it was a matter of planning judgement. If rebuilding was required then the permitted development right would not apply. Having reviewed the structural report, and as the buildings had roofs and walls, officers considered that this application was a conversion rather than a rebuild.
37. Councillor Vickers thanked the officers for clarifying the Hibbett ruling. In his opinion, the proposal had passed the Class Q test and Members were considering character and appearance. He further questioned officers as to point 6.14 of the report, it was stated that the proposal needed to be of high quality design, however as it was not a major development where CS14 referenced CS15, the renewable energy part of CS15 did not apply. Therefore, Members could not demand any renewable energy standards. Ms Mather confirmed that this was the case.
38. Councillor Hilary Cole referred to page 40 of the agenda, where it was stated that the two wings of building C were to be demolished. She considered this to be a major rebuild. Ms Mather confirmed that officers judged that this was not a rebuild. Councillor Hilary Cole noted that it was possible for the Committee to have a contrary opinion to officers. Ms Mather concurred.
39. Councillor Abbs asked for officer's advice on the energy standard. He was at an appeal where the appellants Queen's Counsel (QC) argued that the Local Authorities could apply their own standards. He wondered why officers were advising that this could not be applied. Mrs Cutts explained that as this was not a major development CS15 could not be applied, and it was not a matter within the list of conditions that could be applied. Class Q developments would never be major developments due to the size limitations.
40. Ms Mather further explained that this application was made under permitted development rights, however for major applications that were under a full application, where planning policies were the starting point for the decision making, they could be applied.
41. In response to Councillor Abbs query as to when the gate was installed, Mrs Cutts confirmed that the visibility splays were constructed in 2004, and the track was constructed in 2017.

Debate

42. Councillor Cant opened the debate by expressing his concern about how the existing buildings could be made in to quality housing without substantial rebuilding. He understood the motivation of the farmer to invest in the farm, however the scheme did not seem feasible.
43. Councillor Abbs stated that the information the Hibbett case had convinced him that the Committee could make a judgement as to whether they considered this was a feasible development. He concluded that this was not and was ready to come forward with a proposal to go against officer's recommendation and refuse permission, should the Chairman be content to close the debate. The Chairman was happy for the debate to continue.
44. Councillor Vickers noted that he would be happy to second such a proposal, as he was unable to see how converting the buildings could meet any quality of design, other than being less intrusive in the landscape. However, it had little in common with true vernacular architecture. He could not see how a metal roof could be of quality of design. He accepted that it passed the tests for Class Q, but recognised that the

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Committee could refuse permission as the scheme did not satisfy the expectations of design and external appearance.

45. Councillor Barnett, having visited the site, felt that the buildings were not suitable and a new build would be a more achievable option. After listening to the presentations, he had deliberated and felt that it could be undertaken, however he was doubtful. He concluded that he would support a proposal for refusal.
46. Councillor Hooker informed the Members that he had seen well-made barn conversions with metal roofs that were attractive. He was concerned that if a metal roof were to be used, then it would need to be dulled as it would be a large reflective surface in a prominent position.
47. Councillor Hooker noted that there had been discussion on whether the design was good enough and that design was subjective. In his opinion, he was reminded of 1950's military barracks accommodation, however this development was driven by policy, and the developers had to convert what was already there. If the buildings had been in good fettle and required little treatment, the design could not be substantially changed as policy demanded that the applicant must renovate what was existing. He recognised that the design might not be to the Committee's taste, however other people might find it attractive. The properties would be expensive, due to the work that would be required to make them habitable. The scheme would improve the look of the farm overall, with the removal of other buildings, and the design was sympathetic to the surroundings. He had not yet made his decision. A new build application had been rejected, so all the applicant could do was tidy up what was already in place.
48. The Chairman commented that the case law stated that there did not need to be much left of the original building to be able to make something else of it. He also noted that there was a very expensive converted grain store in the west of the district, which was sold for six or seven figures.
49. Councillor Hilary Cole felt the decision hinged on whether the works proposed went beyond Class Q and permitted development and whether it was suitable for conversion, particularly for the building C. It was a planning judgement, and in her view, Members could have a different views to officers. She quoted from paragraph 124 of the framework stating that the planning process should achieve good design, and she felt that the design left a lot to be desired. In her view the works went beyond a Class Q and permitted development.
50. Councillor Cant concurred with Councillor Hilary Cole. He felt that what had been missing from the discussion was information on whether the development strayed beyond the Hibbett case and went beyond conversion into redevelopment. If the agent had described more fully what would have been changed and how it would have been achieved, then Members would have been in a better place to make a decision in their favour. He was inclined to vote against the application on the grounds of insufficient information to convince the Committee that a conversion was feasible.
51. Councillor Abbs referred to Councillor Hooker's comment and pointed out that the developer did have other options, apart from building a house for profit. He suggested that the buildings could be demolished and land returned to agricultural use.
52. Councillor Vickers withdrew his proposed seconding of Councillor Abbs earlier proposal as he was persuaded by officers that the scheme did pass the Class Q test, which was contrary to Councillor Abbs view.

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53. Councillor Abbs proposed to reject officer's recommendation and refuse planning permission for the reason that application failed to pass the Class Q test. This was seconded by Councillor Cant.
54. The Chairman invited Members of the Committee to vote on the proposal by Councillor Abbs, seconded by Councillor Cant, to refuse planning permission. At the vote the motion was carried.

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

Reasons The application failed to pass the Class Q test.

The application is seeking prior approval under Schedule 2, Part 3 Class Q of the Town and Country Planning (General Permitted Development)(England) Order 2015 for the change of use of agricultural buildings to 5 dwellings. The works proposed as set out within the Structural Report prepared by Marbas Project No 01702 Rev A indicate that new independent internal structures will be required to support ceilings, internal walls and insulation, and that further intrusive surveys and full structural analysis are required for both buildings to demonstrate that the building structures are structurally strong enough to take the additional loading required. The rebuilding required following demolition indicated on the submitted floor plans and elevations, indicates new gable walls to serve dwellings A 1 and A2, and rebuilding of the eastern gable end for dwellings C1, and both gable ends for dwellings C2 and C3. The extent of the building operations proposed goes beyond that which is reasonably necessary to convert the buildings to a C3 use and will include new structural elements for the building. The buildings have not been demonstrated to be already suitable for conversion to residential use. As such the proposal is contrary to the advice within the Planning Practice Guidance and does not constitute permitted development under Schedule 2, Part 3 Class Q of the Town and Country Planning (General Permitted Development)(England) Order 2015.

(2) Application No. and Parish: 20/02062/COMIND, St Gabriels Farm, Cold Ash

(Councillor Adrian Abbs declared a personal interest in Agenda Item 4(2) by virtue of the fact that he rented a paddock from the applicant. 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.)

1. Councillor Hilary Cole sought clarification on whether it was necessary to discuss this application, as the Committee had already refused the associated application and the two were interdependent.
2. Councillor Howard Woollaston suggested that the Committee move on to the Mrs Kim Maher, Legal Officer, asked for a short adjournment to confirm that this was the case. Councillor Howard Woollaston suggested that the Committee move on to Item 3 of the agenda, whilst Mrs Maher clarified the legal position. The Chairman, with the consent of the Committee, altered the order of business to consider Item 3 of the agenda.
3. Following the decision on Agenda Item (4)3, Mrs Maher recommended that the Agenda Item (4)2 be deferred pending the applicant's response to the Committee's refusal of application 20/02026/PACOU.
4. Councillor Tony Vickers queried whether a timeframe needed to be put on the deferral. Mrs Maher confirmed at this point it should be indefinite, dependant on the applicant's actions.

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5. Councillor Vickers proposed to defer consideration of this application pending the applicant's response to the decision to refuse permission for application 20/02026/PACOU. This was seconded by Councillor Hilary Cole.
6. The Chairman invited Members of the Committee to vote on the proposal by Councillor Vickers, seconded by Councillor Hilary Cole to defer consideration. At the vote the motion was carried.

RESOLVED that the Head of Development and Planning be authorised to defer consideration for the following reasons:

Reasons The associated application 20/02026/PACOU was refused and, as the two are dependent on each other, any decision should wait until the applicant has had an opportunity to respond.

(3) Application No. and Parish: 21/00412/FUL, Hazelhanger Farm, North Heath, Chieveley

(Councillor Hilary Cole declared an interest in Agenda Item (4)3, by virtue of the fact that she was a member of Chieveley Parish Council. As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

1. The Chairman, with the consent of the Committee, reserved the right to alter the order of business on this agenda and resolved to consider this item, prior to Agenda Item (4)2.
2. The Committee considered a report (Agenda Item 4(3)) concerning a planning application for change of use of Hazelhanger Farm from a guesthouse (use class C1) to a dwelling house (use class C3) at Hazelhanger Farm, North Heath, Chieveley.
3. In accordance with the Council's Constitution, representations were invited, however none were forthcoming from the Parish Council, objectors, supporters, or the applicant/agent.
4. Ms Lydia Mather, Principal Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Head of Planning and Development be authorised to grant planning permission subject to the conditions outlined in the main and update reports.
5. The Chairman asked Mr Gareth Dowding, Principal Engineer (Traffic and Road Safety), if he had any observations relating to the application. Mr Dowding noted that officers had not objections to the proposal.

Ward Member Representation

6. Councillor Hilary Cole in addressing the Committee raised the following points:
 - This agricultural building had been granted prior approval for change to a guest house in 2016, with the full application being subsequently submitted in 2017. The new application for change of use from Class C1 to C3 dwelling house had caused her sufficient concern to call it into committee. Although, the conversion was of an extremely high standard and the dwelling was very attractive, and the applicants had done nothing technically wrong in the approach to conversion, she believed this was a good example of development by stealth.

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- Although the officer's report stated that had the change of use been considered as part of a full application, it was likely that it would have been in accordance with policy C4 of the Housing Sites Allocation Development Plan Document (HSADPD), she contended that this was conjecture and had not been tested at Committee.
- The National Planning Policy Framework (NPPF) was revised in 2019 and set out the government's economic, environment and social planning policies for England, and detailed how they were expected to be applied. Officers had been given firm direction to apply additional weight to this overarching economic objective, which was a material consideration, when determining applications in order to aid the recovery of the local economy post Covid. Although the hospitality industry had been hardest hit by the Covid Pandemic, now that we were emerging from it, it was in the strongest position to recover. UK holiday accommodation was at a premium due to the uncertainty around travelling abroad. However, before the Committee was an application to change a guest house to a domestic dwelling, with no justification from the applicants to substantiate the lack of viability of the business. She was somewhat bemused by the officer recommendation to grant approval, as she felt it was premature. She requested that the Committee refused permission for potentially a two year period, to give the applicant time to build up a viable business. However, if the Committee were minded to approve the application, she requested that the following additional conditions be applied:
 1. Low level external lighting only to be used. The current external floodlight on the western elevation which could be seen from the Public Right of Way and was intrusive in the dark skies area of the Area of Outstanding Natural Beauty (AONB).
 2. The gravel driveway from the western elevation to public footpath 15 be removed. It was not included in the red-lined area of curtilage, and was never used as the farm entrance.
 3. The barn, shown on the block plan, but included in the curtilage, to only be used for storage to prevent further development on the site.

Member Questions to the Ward Member

7. Councillor Tony Vickers was unclear why the Ward Member felt that the proposal was unsustainable, given the great changes that had occurred during Covid, with people potentially no longer having to make a daily commute. Councillor Hilary Cole explained that the issue was not sustainability, but that the applicants were claiming that the guesthouse was no longer a viable business due to their experiences during Covid. She pointed out that the country was now coming out of Covid, and the applicants had not tested the business, as they had been granted a change to C1 but never operated it as a guesthouse.
8. Councillor Adrian Abbs queried the constraints requested for the barn on site. Councillor Hilary Cole stated that she had noticed that a window and front door had installed in the barn, and had been told by the owners that the building was only being used for storage. However, if the barn were only to be used for the storage of farm machinery, then she queried why a window would be installed that allowed people to see what was being stored and make it less secure. She was therefore concerned about the future intentions of the owners with regards to the barn. As the barn was outside the curtilage she wanted to draw Members attention to it.

Member Questions to Officers

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9. Councillor Carolyn Culver sought clarification on whether it was necessary for an applicant to justify the lack of viability of a business, and whether the consideration of economic factors was part of policy. Ms Mather explained that for public houses there was an updated supplementary policy document that required marketing for six months and viability information, however that did not apply to the guesthouse. However, in the Update Report reference had been made to CS10 on the rural economy, which specifies that, “proposals seeking the loss of existing small enterprises in the rural economy should not negatively impact upon the local economy or the vitality and viability of the surrounding rural area”. This was the test under CS10, however it was not set out how that would be achieved, in contrast to the specifications around public houses. In terms of the economic factors, the NPPF required a balanced consideration of environmental, economic and social impacts of development. Officers had been guided by Members that they should give additional weight to economic factors at this time.
10. Councillor Vickers referenced the Update Report and the Community Infrastructure Levy (CIL), which required a demonstration that lawful use of the buildings had occurred for six continuous months in the prior three years. As part of the change of use, they must demonstrate the existing lawful use occurred for six months within the last three years. Ms Mather explained that change of use to a dwelling was CIL liable, however the sum payable may be nil if the building had been in continuous use for 6 months in the last three years (and that could include the previous agricultural use or the guesthouse). The CIL regulations were separate to the planning process.
11. Councillor Abbs referred back to the original request to change the use of the building into a guesthouse and he presumed that a business plan had been presented at that time. It was difficult for him to judge the loss of revenue without sight of the business plan. Ms Mather explained that there was no requirement for a business case at the time, as the change from agricultural use to a guesthouse was made under permitted development rights. The application would have had to comply with the requirements of the general permitted development order and it was one for a flexible use e.g. a shop, restaurant, cinema or guesthouse, therefore officers did not have that information. Ms Mather further explained that officers had requested information on the current guest house use, but none had been provided.
12. Councillor Clive Hooker queried whether the Committee had the power to refuse on the grounds of the business being poorly run. Ms Mather replied that they could not. However, the Committee should consider that if the economic implications are of concern, then the relevant policy was CS10, which stated that loss to the local economy was a consideration for proposals involving the loss of a rural enterprise. Councillor Hooker remarked that a badly run business would make no contribution to the rural economy. Ms Mather noted that the guesthouse was ready to be operational in September 2020, but had not been opened due to the pandemic.

Debate

13. Councillor Abbs opened the debate by expressing that he felt that if the original application had been for a private residence, he would not have voted to approve it had it come to Committee as it would have a precedent. The route this application had taken, whereby it could now have a change of use to become a residential dwelling did not change his mind. He believed there was an absolute need for holiday accommodation, therefore there should be no question about viability under such circumstances. In terms of environmental terms, this was a high quality guesthouse

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that was an attractive place to stay. He felt it could make a valuable contribution to the economy of West Berkshire.

14. Councillor Vickers concurred with Councillor Hilary Cole. People were crying out for staycation premises and believed that if the Committee refused the application and the owner tried to make the business a success they would achieve it. He was inclined to refuse on the grounds that lack of viability had not been demonstrated. He felt that the economic benefit of a guesthouse was greater than a residence due to associated services being required.
15. Councillor Vickers proposed to reject officer's recommendation and refuse planning permission for the grounds that there was not sufficient evidence that the business would fail. He asked if a condition could be added that the applicant could not reapply within two years and at that time would have to prove that they could not make it viable
16. This was seconded by Councillor Cole.
17. Councillor Barnett suggested that he would support the proposal. He noted that many people might like to be able to get away for a short country retreat without travelling far. Further to this Berkshire was currently being promoted as a staycation destination and he was sure this would be a viable proposition.
18. Councillor Hooker concurred with his fellow councillors. He had seen cases in the past where evidence had been expected in terms of demonstrating that a business had been properly marketed at a competitive rate.
19. Ms Mather stated that a condition could not be added to a refusal, however an informative could be added that the Committee felt two years was an appropriate timeframe before any new application could be made. Councillor Vickers withdrew his request for the condition.
20. The Chairman invited Members of the Committee to vote on the proposal by Councillor Vickers, seconded by Councillor Hilary Cole to refuse planning permission. At the vote the motion was carried.

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

Reasons that the lack of viability was not demonstrated to justify the removal of the guesthouse from the local economy.

This application seeks permission for the change of use of a guesthouse (C1 use) to a dwelling house (C3 use) on a site which lies outside of any defined settlement boundary. Policy CS10 of the West Berkshire Core Strategy 2006-2026 seeks to support the rural economy and states "Existing small and medium sized enterprises within the rural areas will be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements. Proposals seeking the loss of such existing sites and premises must demonstrate that the proposal does not negatively impact upon the local economy, and the vitality and viability of the surrounding rural area." Where no supporting information has been provided, the application fails to demonstrate that the guesthouse cannot be retained. Whilst the applicant states that the business is not viable, no information has been submitted to support this claim.

It is considered that this application does not provide sufficient justification for the loss of the guesthouse accommodation as the impact on the rural economy cannot be fully assessed. The application therefore falls contrary to the requirements of the National Planning Policy Framework and Policy CS10 of the West Berkshire Core Strategy 2006-2026.

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**(4) Application No. and Parish: 21/00429/HOUSE, White Lodge,
Donnington Grove, Shaw Cum Donnington**

Application 21/00429/HOUSE was withdrawn from the agenda as further consultation was required.

(The meeting commenced at 6.30 pm and closed at 9.20 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/02402/REG3 Newbury Town Council	21 December 2020*	Creation of open space for public recreation including demolition of former football ground clubhouse; delivery of new parking spaces and erection of timber bollards and new fencing generally. Newbury Football Club, Faraday Road, Newbury, RG14 2AD West Berkshire Council

*Extension of time agreed until 22 July 2021

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02402/REG3>

Recommendation Summary:

To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.2 of the report)

AND

Subject to a referral to the National Planning Casework Unit as the Local Planning Authority is minded to grant planning permission for an application on land owned by the Council, despite receiving an objection from Sport England.

Ward Members:

Councillor Jeff Cant
Councillor Jeff Beck

Reason for Committee determination:

Significant public interest and the proposal affects Council owned land

Committee Site Visit:

15th July 2021

Contact Officer Details

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

1. Introduction

- 1.1 This application seeks full planning permission to demolish the football ground clubhouse, lavatory block and turnstiles at the Newbury Football Stadium, Faraday Road, Newbury.
- 1.2 The clubhouse to be demolished contains a total area of approximately 421.5 square metres of floor space which includes, a large functions room, kitchen, bar area, home and away changing rooms, referees room, WCs for ladies and gents and a lounge area.
- 1.3 The final amended proposed site plan indicates that the application also seeks to create temporary pay and display parking spaces on the cleared area and temporary pay and display parking on existing areas of tarmac hard standing. Approximately 80 new parking spaces are proposed on the cleared area.
- 1.4 In place of the old clubhouse and turnstiles there will be new timber bollards to prevent unauthorised vehicles access to the immediately adjacent grass football pitch. The grass pitch will be retained.
- 1.5 **Proposal background:** The Council submitted a planning application under reference 19/00814/FUL (Creation of 4 x multi-use games areas with replacement gates and new fencing; 8 x new floodlights (replacing existing 6 x floodlights). The application was withdrawn following an objection from Sport England and after the Council adopted the West Berkshire Council Playing Pitch Strategy in February 2020.
- 1.6 The proposals will not alter the size of the existing grass playing pitch. It is proposed that the grass pitch will be maintained to provide a grass surface for general recreational sport and where all members of the public will be welcome to its use on a first come first serve basis. Appropriate signage and pedestrian route map will be erected adjacent to the grass pitch to direct people to the public lavatories available at the Wharf, approximately 350 metres away and accessible via Victoria Park. These facilities include male and female lavatories; one disabled unit; one parent and child room, nappy changing facilities and radar keys can be made available for disabled access. It is submitted that these facilities are available between 8am and 6pm seven days a week except for Christmas day.
- 1.7 There are two parallel applications on the same site submitted by the Newbury Community Football Group. These applications are still under consideration and propose the following:
- a) A replacement of the existing clubhouse in conjunction with the construction of a new spectator stand under an outline planning application reference 20/01530/OUT.
 - b) A renewal and expansion of the existing football pitch to form a new 3G main pitch and a smaller 3G training / practice pitch under the full planning application reference 20/01966/COMIND.
- 1.8 The application site is known as the 'Newbury Football Ground' and is an existing recreational facility covering approximately 1.5 hectares to the east of Newbury Town Centre. The facilities comprises a single grass playing pitch, single storey clubhouse and up until recently a spectator stand that has been dismantled and taken off site. The site contains external flood lighting mounted on masts around the football pitch and the pitch is enclosed by timber and chain link fencing of varying height.
- 1.9 To the north of the site is the London Road Industrial Estate with a variety of uses, to the east is landscaped areas including trees and allotments, approximately 50 metres to the south-east beyond the Kennet and Avon Canal are residential properties. To the

south of the site are trees within grassed areas beyond which the southern edge of the site falls within a designated Conservation Area. Further to the south are footpaths and a Public Right of Way (NEWB/28/7) beyond which is the Kennet and Avon Canal and the River Kennet, which is designated in its entirety as a Site of Special Scientific Interest (SSSI). To the west of the playing pitch is an existing car parking area. The existing vehicular access into the site is through the industrial estate to the north.

- 1.10 The site falls within Flood Zones 2 and 3 according to Environment Agency Flood Mapping.
- 1.11 The football ground is also currently registered as an Asset of Community Value (ACV).

2. Relevant Planning History

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

Application	Proposal	Decision / Date
20/01966/COMIND	Renewal and expansion of the existing football pitch to form a new 3G main pitch and a smaller 3G training / practice pitch. Applicant: Newbury Community Football Group (NCFG)	Pending consideration
20/01530/OUT	Outline permission for replacement of clubhouse and new spectator stand at Newbury Football Ground. Matters to be considered: Access and Layout. Applicant: Newbury Community Football Group (NCFG)	Pending consideration
19/00814/FUL	Creation of 4 x multi-use games areas with replacement gates and new fencing; 8 x new floodlights (replacing existing 6 x floodlights) Applicant: West Berkshire Council	Withdrawn
18/02046/DEMO	Application for prior notification for demolition of spectator stand	Approved/further details not required for approval
18/00604/OUT	Outline permission for replacement of clubhouse and stand at Newbury Football Ground. Matters to be considered: Access and Layout. Applicant: Newbury Community Football Group (NCFG)	Appeal Withdrawn (As a non-determination appeal, the application has not been determined by

		the LPA)
18/00603/COMIND	Renewal and expansion of existing football pitch including artificial pitches. Applicant: Newbury Community Football Group (NCFG)	Appeal Withdrawn (As a non-determination appeal, the application has not been determined by the LPA)
94/45314/FUL	Stands (standing only) - 8no units, 3m high north boundary fence.	Approved
93/43408/ADD	Replacement of existing floodlights & stands.	Approved
93/42876/ADD	Renovation of clubhouse & new building for entrance shop toilets & groundsman store	Approved
93/42875/ADD	Replacement grandstand & additional car parking.	Approved
89/35983/ADD	Day time car park for racial vodafone evening and weekend training area for football club	Refused
82/18107/ADD	Small 100 seater grandstand	Approved
81/16061/ADD	Erection of grand stand for spectators	04.11.1981
79/10044/ADD	Proposed new pavilion & change of use to football ground	Approved
77/07234/ADD	Non illuminated hoarding	Approved
77/06859/ADD	Extension to clubhouse	Approved
75/03793/ADD	Extension to provide changing rooms	Approved

3. Procedural Matters

- 3.1 The proposed development falls within the column 1 description at paragraph 10 (b) (Urban development projects – car parks) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2017. The Local Planning Authority (LPA) has taken into account the selection criteria in Schedule 3 of the 2017 EIA Regulations. An EIA screening exercise has been completed in accordance with the Regulations, which concluded that the proposed development is not “EIA development” according to the 2017 EIA Regulations and an Environmental Statement is not required.
- 3.2 A site notice was displayed on 06th November 2020 and the deadline for representations expired on 27th November 2020.

- 3.3 The development has been amended on numerous occasions. The main amendment plans and additional supporting information package was received in December 2020 in response to officer-level feedback and feedback from Sport England. According to the Planning Practice Guidance, where an application has been amended it is up to the local planning authority to decide whether further publicity and consultation is necessary, taking into account a number of considerations including previous objections, and the significance of the changes. The amendments have been made publically available via the Councils planning website, the consultees and members of the public who had made written representations were notified on 23 December 2020. Further minor amendments were made after this date, however these amendments did not warrant the display of additional site notices or further notifications.
- 3.4 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL is only charged on residential and retail development. The proposed development would not require any financial contributions to be made in respect of the Councils Adopted CIL Charging Schedule
- 3.5 More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Newbury Town Council:	Objection in agreement with Sports England and in line with NTC strategy.
WBC Highways Officer:	No objection
WBC Drainage Officer:	No objection, subject to condition
WBC Conservation:	No objection.
WBC Ecology Officer:	No objection subject to condition
WBC Leisure:	No comments received
WBC Trees Officer:	No objection subject to conditions
WBC Archaeology:	No objection subject to condition

Sport England	No objection subject to a signed Unilateral Undertaking. If application is approved with no Unilateral Undertaking, Sport England's position is one of <u>objection</u> .
Environment Agency:	No objection subject to condition
Canal and River Trust	No comments to make response received

Public representations

4.2 Representations have been received from 12 contributors in objection and one impartial contributor.

4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following planning related points have been raised:

- No Transport assessment submitted by the Council.
- Would expect the applicant to submit an air quality report
- No evidence of need for this proposed ordinary recreation space
- Victoria Park and Fireman's Field recreation spaces are already available nearby.
- No evidence of need for a quality football pitch in WBC's Playing Pitch & Leisure Strategies, the FA's Local Football Facility Plan
- No evidence of a need for more car parking
- Existing facility should be made secure by fencing, gates and made available for booking
- Removal of changing rooms
- The ground is still protected as an Asset of Community Value. The Community that registered it has not been invited to be involved in the decision or to buy.
- Contrary to Core Strategy Policy CS18 Green Infrastructure, NPPF and Sport England's loss of sports pitch criteria.
- Contrary to WBC Playing Pitch Strategy
- Demolition is the starting point for development, at which time a like-for-like replacement should be operational.
- The closure of the ground is hugely unpopular and totally unjustified
- The Council are preventing use of the ground for its intended purpose
- Council have failed to identify a deliverable proposal for a new or replacement facility that is of equal or better quality.
- Increase in the severity and regularity of flooding of the downstream properties
- The Flood Risk Assessment does not assess whether the existing drainage strategy qualifies as a sustainable drainage system

5. Planning Policy

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

- Policies NPPF, ADPP1, ADDP2, CS5, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies TRANS.1, OVS.5 and OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design SPG (2006)
- Sustainable Drainage SPD (2017)
- Manual for Streets
- West Berkshire Cycle and Motorcycle Advice and Standards for New Development 2014
- West Berkshire Council Playing Pitch Strategy (2020)
- Conservation of Habitats and Species Regulations 2017
- Newbury Vision 2026 and 2036
- Newbury Town Design Statement
- Sport England 'Playing fields policy and guidance' (2018)

6. Appraisal

The main issues for consideration in this application are:

- Principle of development
- Heritage, design, function, character and appearance of the area
- Impact on neighbouring amenity and quality
- Highway safety
- Trees and landscaping
- Flooding and drainage
- Biodiversity
- Representations
- Planning balance and conclusion

Principle of development

- 6.1 Policy ADPP1 identifies the District Settlement Hierarchy where new development will be focused, primarily on previously developed land.
- 6.2 According to Policy ADPP2, Newbury will continue to fulfil its key role as the administrative centre and major town centre for the district, with a wide range of retail, employment, leisure and community services and facilities. The policy indicates that community infrastructure will be provided to meet the growth in population and existing community facilities will be protected and, where appropriate, enhanced. These include leisure and cultural facilities, which contribute to the attraction of the town for both residents and visitors.
- 6.3 Policy CS18 sets out that the district's green infrastructure (which includes outdoor sports and leisure facilities) will be protected and enhanced, new developments will make provision for high quality and multifunctional open spaces of an appropriate size

and will also provide links to the existing green infrastructure network. It goes on to say, developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted. Where exceptionally it is agreed that an area of green infrastructure can be lost a new one of equal or greater size and standard will be required to be provided in an accessible location close by.

- 6.4 The supporting text to policy CS18 recognises that the multi-functional nature of green infrastructure in the District is important for many reasons. It contributes significantly to the quality of life for residents, workers and visitors, in terms of both visual amenity and for sport and recreation purposes.
- 6.5 The Newbury Vision 2026 and 2036 sets out the Council and community aspirations for the future of Newbury. The document indicates support for the growth of recreational and sporting facilities within Newbury and the preservation and enhancement of the district's open space.

Wider Regeneration Proposals for London Road Industrial Estate

- 6.6 It is recognised that the Council has aspirations for the wider regeneration of the London Road Industrial Estate (in which the application site is located). However, this future development can only be afforded limited weight at this stage.
- 6.7 In 2020, the Council adopted the West Berkshire Council Playing Pitch Strategy, which amongst other matters addresses the anticipated future loss of the Faraday Road stadium site.
- 6.8 In addressing Sport England's (SE) planning policy exception E1, the West Berkshire Council Playing Pitch Strategy (2020) at page 32 proposes that the:

“Relocation of the single adult sized grass pitch at Faraday Road, together with changing accommodation and the other necessary league requirements to create a step 6 facility on a site which will be no more than 20 minutes’ drive time away, and upgrade the current grass pitch to a 3G pitch with the ability to develop it to a step 5 facility. This site will be available before any construction work starts at Faraday Road.”

- 6.9 In addressing SE planning policy exception E4, The West Berkshire Council Playing Pitch Strategy (2020) also states at page 33 that:

“The Council also believes that Sport England Policy Exception E4 applies in part, namely: The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development”

- 6.10 The Playing Pitch Strategy (2020) also outlines that the replacement site for Faraday Road stadium would be expected to “have the ability to host competitive play and training to at least the same level as required now i.e. Step 6 with the potential to move to Step 5”.

Asset of Community Value

- 6.11 West Berkshire Council awarded Faraday Road Football Ground an Asset of Community Value status (ACV). An ACV status is a material planning consideration when it comes to the loss of the ACV as a community facility. The ACV designation's overall objective is to provide the community with a Community Right to Bid when the ACV is proposed for sale. The non-statutory advice note for local authorities (October

2012) advises that local planning authorities can consider whether listing as an ACV is a material planning consideration in determining a planning application, taking into account all of the circumstances of the case.

- 6.12 The Council's application outlines that the site has not been in use for a few years and that the last tenanted occupant of the football ground left in June 2018 when the lease on the ground expired (three years ago). The lease had originally expired in June 2016 but was extended by mutual agreement for another two years. Once the site had been vacated it is stated that the Council's Property Services commissioned a full condition survey of the clubhouse building in July 2018. The survey report has been submitted and it confirms that the building could not be reasonably re-occupied without carrying out £208,000 of immediate repairs and services upgrades. It is also stated that there are Health and Safety concerns to the public associated with the vacant building through previous trespass incidents and general condition of the building. It is further stated that the repairs would render the building beyond economic repair, with the building having no immediate or future use in line with the Council's future development plans for the site. The applicant has also submitted some additional internal photographs outlining the internal stripping out of services by vandals or salvage hunters. The submitted planning statement also outlines that the demolition of the old clubhouse is part of plans to provide a new, sustainable long term home for football elsewhere within the Newbury area. In terms of the planning balance, officers consider the applicant's economic justification to be sufficient to support that the clubhouse building can be demolished, along with the concerns with regard to public health and safety.
- 6.13 The Council intends to make available to the public, on a temporary basis, the former football ground grass pitch as a community leisure facility until the land is required for redevelopment, subject to planning. This community leisure use is similar to the existing site. Officers consider that there is no loss of the community asset at this stage. Whilst it is the Council's intention to redevelop the site in the future, it is at that point that the loss of the ACV on a permanent basis can be assessed and the Community Right to Bid can be engaged. At this stage the clubhouse, stand and turnstiles can be readily replaced on the site should it be necessary. It is also noted that the community football group have submitted their own separate planning applications on the site and one of these applications proposes the demolition of the clubhouse and construction of a replacement.
- 6.14 Sport England (SE) were consulted as a listed statutory consultee within the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 6.15 Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 6.16 SE's playing fields policy also states that:
- Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- a) all or any part of a playing field, or
- b) land which has been used as a playing field and remains undeveloped, or
- c) land allocated for use as a playing field

- 6.17 This application is in keeping with the ground's status as a playing field and the Council's strategies to both enhance the London Road Estate and improve recreational and sporting facilities and thereby health and wellbeing. Following meetings and discussions with SE, the application red line and proposed site plan were amended to ensure the playing pitch is retained. The playing field will therefore not to be altered through this planning application and this has been confirmed and accepted by SE. The proposal is for the site to be opened up for public recreational sport, therefore the playing field will remain a designated playing field. The only differences are that the site will be open to the public to use and not a single club, and that there will be the demolition of the ancillary facilities including toilets within the clubhouse.
- 6.18 SE raise no objection, however they remain concerned with regard the demolition of the ancillary accommodation to support the stadium facility. In their consultation response SE outline that when the facilities are replaced, then the proposal would comply with SE's planning policy E4. In the interim, SE recommended that they would have no objection provided the Council signs a Unilateral Undertaking for the replacement of the stadium. The rationale for this approach is that the Unilateral Undertaking would clearly include a statement that the existing Faraday Road site would not be redeveloped until the replacement stadium is operational. For completeness, SE provided a clear definition of what would be considered the redevelopment to this site, which is the reduction in the grass footprint, which forms the playing field/pitch. In this regard, the development the subject of this planning application would still go ahead as there is no reduction to the playing field area.
- 6.19 Following an internal review of the SE requirements by the LPA, including legal advice the LPA cannot agree with SE's requirement for a Unilateral Undertaking on this application. The LPA considered that the Unilateral Undertaking would not be linked to this current planning application, but instead it will refer to a future development/application. It is therefore considered that the Unilateral Undertaking would not meet the planning tests as set out under the limitation on use of planning obligations under paragraph 122 of the Community Infrastructure Levy Regulations 2010. SE have been made aware of the above LPA position through correspondence and in response, SE formally confirmed that without a Unilateral Undertaking SE's position would be one of objection.
- 6.20 The Council has submitted a statement from the Council's Leisure Service written by the Service Director – Communities and Wellbeing (Mathew Pearce). The statement states that the Council's Playing Pitch Strategy approved and adopted by the Council in February 2020 outlines the Council's intention to relocate the pitch at Faraday Road. The statement further states that the new Sports Hub at Monks Lane (Newbury Rugby Club) will provide opportunities for clubs that previously played at Faraday Road to train and play matches and that the Council's aim is to deliver the new Sports Hub by March 2022 subject to planning approval.
- 6.21 The replacement football facility at the Newbury Rugby Club, would comply with the playing pitch strategy. However in policy terms the LPA should be securing permission for a replacement football facility before granting permission for the demolition. While the LPA cannot secure a replacement facility as part of this planning application or at this time demonstrate that there is a replacement facility in place, the Council's intentions are clear as provided in the statement. The LPA has considered the above

statement in the overall circumstances of the application and the planning balance. The LPA considers that there is sufficient justification to consider that the Council is committed to replacing the Faraday Road stadium and comply with its own adopted Playing Pitch Strategy. This adds weight in overcoming the SE objection.

- 6.22 Where an LPA is minded to grant planning permission for an application, despite receiving an objection from Sport England, then the requirements of the Government's Circular 02/2009 may apply. The Circular instructs the LPA to notify the Secretary of State for Communities and Local Government through the National Planning Casework Unit of an application if the land is owned by a local authority (currently or within the five years prior to receiving the application) and where Sport England has objected due to a resulting deficiency of playing field land in the area or because the replacement to be provided is inadequate.
- 6.23 The National Planning Casework Unit referral requirements are set out in the Town and Country Planning (Consultation) (England) Direction 2009 and Department of Communities and Local Government letter to Chief Planning Officers dated 10th March 2011. If Members are minded to approve the application without a Unilateral Undertaking, the application will be referred to the National Planning Casework Unit to establish whether the Secretary of State will call in the application for a decision.
- 6.24 Given the considerations outlined above, officers consider that the proposal would comply with the overall aims and objectives of Policies ADDP1, ADDP2 and CS18 and guidance within the Newbury Vision 2026 and 2036 through the provision of a leisure community facility.
- 6.25 In conclusion, the principle of development is acceptable in accordance with the policies discussed above. The wider development plan policies and other material planning considerations are further considered below.

Heritage, design, function, character and appearance of the area

- 6.26 According to Core Strategy Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but also to the wider locality. Development shall contribute positively to local distinctiveness and sense of place.
- 6.27 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 6.28 Policy CS19 of the Core Strategy seeks the conservation and, where appropriate, enhancement of heritage assets and their settings including Conservation Areas. The NPPF seeks to protect heritage assets and that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 6.29 The southern boundary of the application site falls within a conservation area. The Council's Conservation Officer has assessed the proposal and raises no objections.
- 6.30 In terms of archaeological impacts, the Council's Archaeology Officer has reviewed the application and indicated that they have no objection to the proposal, subject to a condition. The applicants will be required to commission a programme of archaeological work starting with a desk-based assessment but very likely including

some targeted test-pitting, and if necessary some excavation. A condition has been recommended as shown in the list of conditions.

- 6.31 The Canal and River Trust have raised no objection, subject to suitable methods of protecting the water environment of the River Kennet are in place throughout demolition. A condition is attached accordingly.
- 6.32 The proposal would have no adverse impact on views for users of the public right of way footpath along the canal to the south of the site. The proposal is therefore considered to comply with Core Strategy Policy CS19 and the NPPF in terms of conserving the historic environment.

Impact on neighbouring amenity and quality of life

- 6.33 Planning Policies CS14 and CS19 of the West Berkshire Core Strategy are of importance with regard to the potential impact upon neighbouring amenity.
- 6.34 The layout plans demonstrate the proposal would maintain adequate separation distances from existing housing ensuring no material impact on neighbouring amenity. It is also considered that the noise levels from the proposed leisure use will be similar to those of the existing community facility. Representations have asked for an assessment of air quality, however this is not considered necessary as the existing and proposed uses are the same (assembly and leisure). Planning conditions can also be imposed to restrict the erection of external flood lighting to reduce any excessive light pollution/nuisance to neighbouring properties.
- 6.35 Overall, the impact on neighbouring amenity from the proposed development is considered minimal and would not have a materially harmful impact on nearby residents such that the proposal is considered to comply with Core Strategy Policy CS14, NPPF and the SPD on Quality Design.

Highway safety

- 6.36 Policies CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to highways. Road safety in West Berkshire is a key consideration for all development in accordance with Core Strategy Policy CS13.
- 6.37 The Highway Authority has carefully considered the proposal and the Highway Officers raise no objection. The Highway Officer concluded that the impacts on the highway would be limited as the majority of activities will be during off peak hours and over weekends. The footpath links to the centre and Victoria Park will be retained. The proposed car park plan has been amended to ensure that the aisle widths are 6.0 metres wide as recommended by the Highway Officer.
- 6.38 Overall, it is considered that the proposed development would not have a material impact on highway safety. The proposal is therefore considered to comply with Core Strategy Policy CS13, NPPF and TRANS.1 of the Saved Policies of the Local Plan.

Trees and Landscaping

- 6.39 Policy CS19 of the WBCS concerns the historic environment and landscape character. It seeks to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved and enhanced. Particular regard has been given to the conservation and, where appropriate enhancement of landscape assets.
- 6.40 The proposal will result in the loss of a small number of trees that are considered low category by the Council's Tree Officer due to their poor condition or small size. The

significant boundary tree cover will remain and no high category trees or trees subject to statutory protection will be removed.

- 6.41 The site contains a number of trees to the east and south of the existing playing pitch. The Council Tree Officer has carefully considered the proposal and raises no objections subject to measures to protect retained trees and the provision of landscaping being secured via a recommended planning condition.
- 6.42 Overall it is therefore considered that the proposed development would conserve the trees within and adjacent to the site in compliance with Core Strategy Policy CS18 and NPPF

Flooding and drainage

- 6.43 Core Strategy Policy CS16 (Flooding) applies across the district and highlights the cumulative impacts of development on flooding within the district.
- 6.44 The application site is partly located within Flood Zone 2 and 3 of the Environment Agency's Flood Map, the site is therefore considered to have a high probability of flooding. The Environment Agency were consulted and they raise no objection, as the built footprint will be decreasing on the site through the demolished structures. Any impact on floodplain storage will be positive. The Environment Agency also concluded that while the site is at risk of flooding and lies partially in flood zone 3, the usage (parking and recreation) is unchanged from existing. Furthermore, a flood evacuation plan has been provided in the Flood Risk Assessment.
- 6.45 The Local Lead Flood Authority has requested that the applicant commissions a survey of the existing drainage system. The survey and any other investigations will include the existing surface water drainage system up to the discharge point into the Thames Water network, if this is the system adopted on the site. The Drainage Officer has indicated that there may be soakaways on the site, which would have managed the roof run-off from the clubhouse and stands. The presence and condition of the soakaways will need to be investigated through the survey and any upgrade or maintenance would then be required to ensure the drainage system remains sufficient and fit for purpose for the site. In addition, once demolition has occurred a full topographical survey of the relevant area should be undertaken of the resultant levels of any residual base structures, including for the old spectator stand area. A condition has been recommended requesting the submission of the drainage details.
- 6.46 The proposal could comply with the provisions of the Core Strategy Policy CS16, NPPF and Sustainable Drainage SPD (2017).

Biodiversity

- 6.47 Core Strategy Policy CS17 (Biodiversity and geodiversity) 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.
- 6.48 The Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity networks.
- 6.49 The proposal would be largely within the footprint of the existing playing pitch and facilities within the site and within proximity to the River Kennet SSSI. The applicant submitted an emergence bat survey, which was reviewed by the Council's ecologist

who raises no objection subject to conditions being attached. The structure would need to be deconstructed using a precautionary method statement submitted and approved by the Council's Ecologist and enacted in the presence of a licenced bat ecologist.

6.50 Natural England raise no objections, as the application will not have significant adverse impacts on the adjacent River Kennet Site of Special Scientific Interest (SSSI).

6.51 The proposed development could comply with the Conservation Regulations 2010, Wildlife and Countryside Act 1981, Natural Environment and Rural Communities Act 2006, NPPF and Policy CS17 of the West Berkshire Core Strategy 2012.

Representations

6.52 Members of the public have submitted written representations mainly expressing objections against the application. The relevant planning points raised in objection have been acknowledged and considered in this report and mainly focus on the significant value of the stadium site to the community.

6.53 The Newbury Town Council object to the proposal and state that the proposal fails to comply with Sport England policies and the Newbury Town Council Strategy. The Town Council further objected that the open space will have inadequate facilities and requested that the description must include the word "sport". On this particular point, the LPA can only consider the application as put forward by the applicant and it is outlined that the proposal is for the creation of a recreational open space. In addition Newbury Town Council also outline that the proposal would be contrary to the Council's asset of community value register. This has also been addressed in this report.

6.54 References have also been made to the Appeal Inspector's flooding comments under application 19/01281/OUTMAJ at the adjacent Newspaper House. The Inspector concluded that the effect of the development on flood risk was the primary determinative issue. The proposal at Newspaper House was for a residential use, which is classified as a "more vulnerable" use in terms of flooding than the proposed recreational open space, which is classified as a "water-compatible development". The planning practice guidance requires that for residential uses a sequential test approach is implemented to steer new residential development to areas with the lowest risk of flooding. Officers consider that the flooding merits of the Newspaper application will therefore not be applicable to this application.

7. Planning Balance and Conclusion

7.1 This decision has been considered using the relevant policies related to the proposal as outlined in the report.

7.2 Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal. Officers consider that the proposal will make a limited contribution to the wider economic dimensions of sustainable development.

7.3 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, flood risk, impact on trees and biodiversity protection have been fully assessed using expert advice as outlined in this report. Officers consider that the final amended plans sufficiently preserve and enhance the

existing natural environment on the site. Officers consider that the proposal makes a significant contribution to the wider social dimensions of sustainable development through the continued provision of a community leisure facility. This provision is consistent with the existing leisure facility and this carries significant weight in the planning balance. Officers have also considered the Council's clear plan for a replacement stadium facility which is supported by a written statement from the Service Director – Communities and Wellbeing (Mathew Pearce) and Sport England's objection if a Unilateral Undertaking is not signed. Officers have also considered the submitted justification for the demolition of the clubhouse on public health and safety grounds. The site is currently not in use, the development is for alternative sports and recreational provision. Officers consider that the benefits of bringing the site back into a community use clearly outweighs the continued non-use of the site.

7.4 Having taken account of all the relevant development plan policy considerations and the other material considerations referred to in this report and the expert consultation provided, officers consider that the development proposed is acceptable and is recommended to members for approval.

8. Full Recommendation

8.1 To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.2 of the report)

AND

Subject to a referral to the National Planning Casework Unit as the Local Planning Authority is minded to grant planning permission for an application on land owned by the Council, despite receiving an objection from Sport England.

8.2 Schedule of Conditions

1.	<p>Time Limit for commencement</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the following approved documents and plans:</p> <p>Received on 26 October 2020:</p> <ul style="list-style-type: none"> • Pre demo audit • Demolition Method and Risk Assessment • Newbury Football Ground Demolition Works • Condition Survey Report • WBC Highways Pavement Construction Detail • Flood Risk Assessment and Drainage Statement <p>Received on 09 December 2020:</p>

	<ul style="list-style-type: none"> • Amended planning statement <p>Received on 08 July 2021:</p> <ul style="list-style-type: none"> • Applicant additional comment on building condition and health & safety • Statement from West Berkshire Leisure on the replacement stadium facility <p>Received on 12 July 2021:</p> <ul style="list-style-type: none"> • Amended site plan <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Parking and turning in accordance with plans</p> <p>The use shall not commence until the vehicle parking and turning space have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning space shall be kept available for parking and manoeuvring (of private cars and/or private light goods vehicles) at all times.</p> <p>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 applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.</p>
4	<p>Updated Ecological Appraisal</p> <p>In the event that development has not commenced 3 years from the date of this permission, no development shall take place until an updated Ecological Appraisal has been submitted to and approved in writing by the Local Planning Authority, together with any additional surveys recommended by the updated Ecological Appraisal. The updated surveys shall be used to inform the mitigation measures for this development.</p> <p>Reason: If the development has not been commenced the ecological appraisal should be updated. This is because the ecology of the site is likely to change over time. All bat species, their breeding sites and resting places are fully protected, as European Protected Species, under the Conservation of Species and Habitats Regulations 2010 and the Wildlife and Countryside Act 1981. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
5	<p>Precautionary method statement (Ecology)</p> <p>No development shall take place (including any demolition, ground works, site clearance) until a precautionary method statement has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include :</p> <ol style="list-style-type: none"> a) suitable methods of protecting the water environment of the River Kennet are in place throughout demolition. b) purpose and objectives for the proposed works; c) detailed working methods necessary to achieve stated objectives; d) extent and location of proposed demolition works shown on appropriate scale maps and plans;

- e) timetable for implementation;
- f) ecological persons responsible for implementing the works and monitoring;
- g) initial aftercare and long-term maintenance (where relevant);
- h) disposal of any wastes arising from works.

Thereafter the works shall be carried out strictly in accordance with the approved details.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats during demolition operations. A pre-commencement condition is required because the precautionary method statement must be adhered to during all demolition and site clearance operations. This condition is applied in accordance with the National Planning Policy Framework and Policies CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).

6

Drainage measures

The development shall be carried out in accordance with the submitted flood risk assessment (Flood Risk Assessment and Drainage Strategy, Newbury Football Club, Stuart Michael Associates Limited, October 2020) and the following mitigation measures it details:

- No increase in built footprint overall - built footprint to be reduced as per section 2.13 in the Flood Risk Assessment.

Reason: To ensure that there is no loss in floodplain storage caused by the proposed development. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

7

Surface water drainage survey

Except for demolition and site clearance of the demolished material only, no development shall commence until a surface water drainage survey is undertaken and submitted for approval by the Local Planning Authority. The survey report shall include:

- a) a full investigation survey has been carried out of the existing surface water drainage system up to the discharge point into the Thames Water network. This investigation shall include jetting and CCTV camera survey of all pipework, channels and chambers to establish the route and condition of the network as well as the testing to BRE365 for infiltration rates of any existing soakaways within the Applicant's land ownership. If soakaways do exist but are not in a serviceable condition and cannot be brought back into a serviceable condition to adequately deal with run-off volumes previously directed to them when built, alternative SuDS measures shall be provided for approval by the LLFA. If no soakaways are found to exist, then suitable new SuDS measures shall be provided for approval by the LLFA to deal with an equivalent of 75% nominal (unless an accurate existing percentage figure can be established as an alternative) run-off volume from the existing building roofs by way of mitigation for lack of previous SuDS measures in order to reduce the flow burden on the

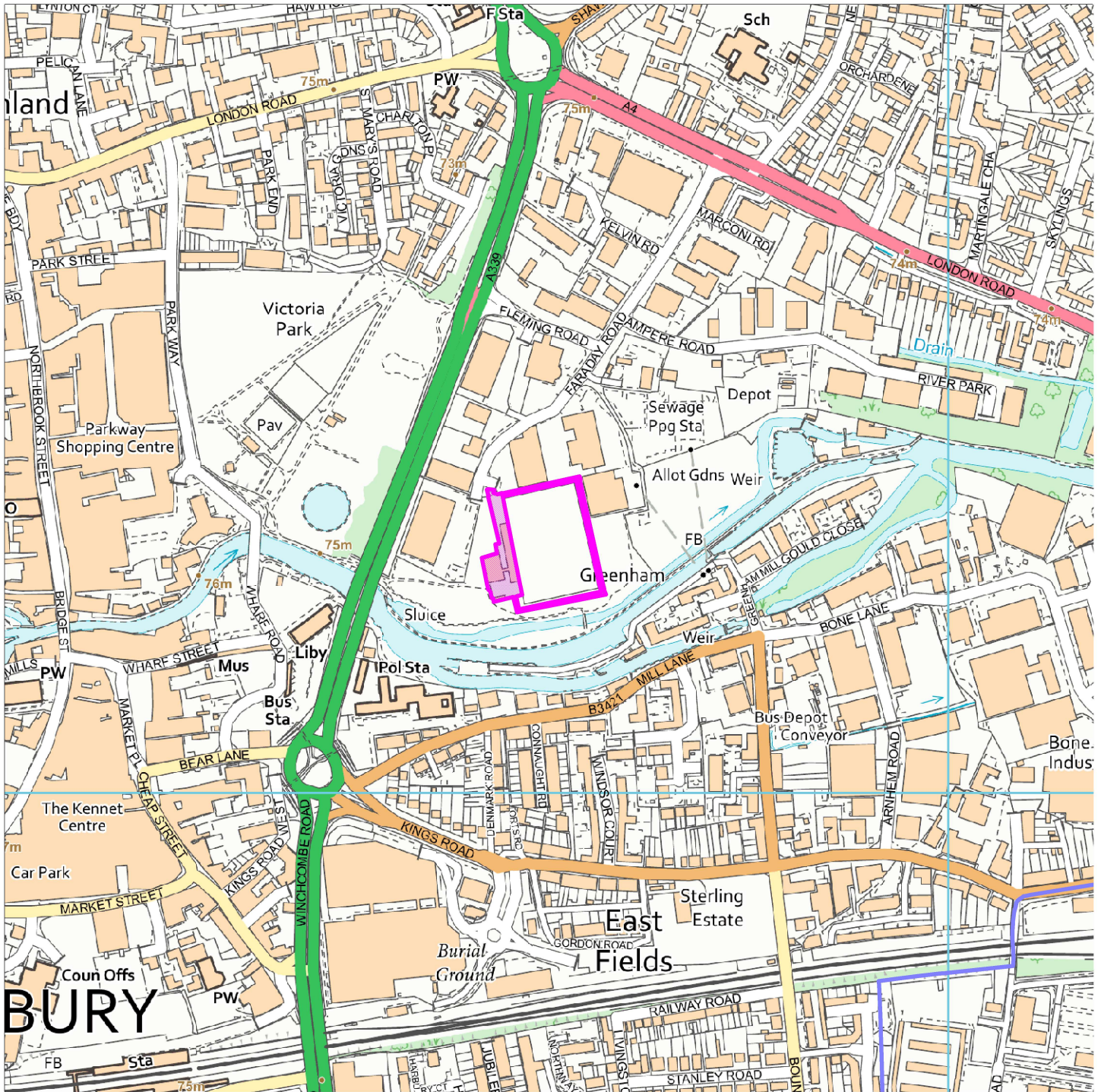
	<p>downstream watercourse. The volume of run-off shall be calculated for a 1 in 100 year storm event plus an additional 40% for climate change;</p> <p>b) a full topographic survey following demolition of any buildings and structures of the area formerly occupied by buildings (including spectator stands) has been carried out;</p> <p>c) cross sections and construction details of the proposed car park have been submitted for approval.</p> <p>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, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p>
8	<p>Programme of archaeological work</p> <p>Except for demolition and site clearance of the demolished material only, no development (including any site clearance and excavation) shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>
9	<p>Scheme of landscaping</p> <p>The use shall not commence until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of trees and plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment.</p> <p>The scheme shall ensure;</p> <p>a) Completion of the approved landscape scheme within the first planting season following completion of development.</p> <p>b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is applied in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
10	<p>Landscape Management Plan</p> <p>Except for demolition and site clearance of the demolished material only, no development shall commence until a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 10 years has been submitted to and approved in writing by the</p>

	<p>Local Planning Authority. The plan shall include any areas of existing landscaping, proposed wildlife areas, new tree planting and any areas of proposed landscaping other than areas</p> <p>Reason: To ensure the long-term management of existing and proposed Landscaping. This condition is applied in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
11	<p>Arboricultural Programme of Works</p> <p>No development or other operations shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase This condition is applied in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
12	<p>Tree protection scheme</p> <p>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. The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012. 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.</p> <p>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 National Planning Policy Framework, and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the demolition phase and so it is necessary to approve these details before any development takes place.</p>
13	<p>Arboricultural Method Statement</p> <p>No development (including site clearance and any other preparatory works) until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the protection of trees identified for retention at the site in accordance with the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and works may be required</p>

	to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.
14	<p>External lighting</p> <p>No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:</p> <p>(a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.</p> <p>(b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.</p> <p>(c) Include an isolux diagram of the proposed lighting.</p> <p>(d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.</p> <p>No external lighting shall be installed except in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>

Informatives

1.	<p>Approach of the LPA</p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered a development, which improves the economic, social and environmental conditions of the area.</p>
2.	<p>Pre-conditions</p> <p>Conditions nos. [5; 12 and 13] impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Local Planning Authority taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful</p>
3	<p>Construction noise</p> <p>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 West Berkshire Environmental Health. For more information: email ehadvice@westberks.gov.uk, call 01635 519192, or visit http://info.westberks.gov.uk/environmentalhealth.</p>



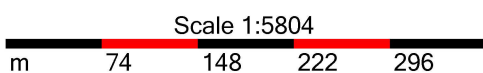
Map Centre Coordinates :

Scale : 1:5803

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	08 July 2021
SLA Number	0100024151



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Newbury Football Club,
Faraday Road, Newbury,
RG14 2AD

Photographs for Western Area Planning Committee

Application 20/02402/REG3



Photo showing the stadium access and car park from Faraday Road



View of the clubhouse and existing parking, viewed from the site access



View of the clubhouse entrance and outbuilding from the south



View of the turnstiles to be demolished



View of the clubhouse within the car park from the west looking east



Another view of the clubhouse and the car park from the west looking east



View of the clubhouse from the playing pitch looking towards the west. Also shows the hardstanding area left following the removal of the stands.



View of the playing pitch and the hardstanding area left following the removal of the stands.



Image shows cracks to the building and its general condition



Image showing the condition of the building and its tiled roof



Image showing the internal condition of the building - image 1



Image showing the internal condition of the building - image 2



Image showing the internal condition of the building - image 3



Image showing the internal condition of the building - image 4



Image showing the internal condition of the building - image 5



Image showing the internal condition of the building - image 6



Image showing the internal condition of the building - image 7

Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	21/00429/HOUSE Shaw Cum Donnington Parish Council	22.04.2021 ¹	Two storey rear extension and external alterations to existing dwelling, following demolition of existing outbuildings (resubmission of application 20/01193/HOUSE) White Lodge Mr and Mrs Baynham

¹ Extension of time agreed with applicant until TBC

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/00429/HOUSE>

Recommendation Summary: Refusal

Ward Member(s): Councillor Lynne Doherty
Councillor Steve Masters

Reason for Committee Determination: Called-in by Councillor

Committee Site Visit: NA

Contact Officer Details

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

1. Introduction

- 1.1 This application seeks planning permission for a two-storey rear extension and external alterations to the existing dwelling following the demolition of existing outbuildings. The application is a resubmission following the refusal of application 20/01193/HOUSE at the Western Area Planning Committee on the 12th August 2020.
- 1.2 White Lodge is a late 19th Century building within the Donnington Grove Grade II Registered Historic Park and Garden as well as Donnington Village Conservation Area. The dwelling is modest in scale and characteristic of the period, with dentilled eaves and decorative ridge tiles to the main roof and porch. White Lodge has a clay-tile roof and painted facing brickwork. The scale and design of the dwelling at White Lodge, and its similarities with Pink Lodge, supports the theory that it was built to control the access to Donnington Grove Park from the village. A public footpath runs parallel to the east boundary of the application site and parkland extends to the north, south and west.
- 1.3 In common with the extensions proposed under application 20/01193/HOUSE the proposed rear extension comprises two elements; a two-storey extension which would be positioned to the north of, and run parallel with, the main dwelling, and a two-storey link that joins the larger extension to the main dwelling. The link would contain the principle entrance to the resultant dwelling, but would face inwards towards the application site. These current proposals would not alter the projection of the resultant building along the east and west elevations from the scheme proposed under application 20/01193/HOUSE, but would reduce the projection of the extensions visible along the south elevation by 4m and along the north elevation by 3m. The design of the previously proposed flat roof link extensions has been altered under this current application to a pitched roof design, which has resulted in an approximate 600mm increase in height to this section. The roof design currently proposed to the main body of the two-storey rear extension would continue to have an element of flat-top crown, in common with application 20/01193/HOUSE, however, it would measure 200mm lower. The balconies have been removed from the current proposals, and the design for the current submissions differs from the modern appearance of the extensions proposed under application 20/01193/HOUSE, to reflect a more traditional appearance.

2. Planning History

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

Application	Proposal	Decision / Date
20/01193/HOUSE	Two storey rear extension and external alterations to existing dwelling, following demolition of existing outbuildings (resubmission of application 19/02505/HOUSE)	Refused 18.11.2020
19/02505/HOUSE	Two storey rear extension and external alterations to existing dwelling, incorporating integral garage; following demolition of existing outbuildings	Withdrawn
17/00660/HOUSE	Two storey extension to White Lodge	Approved 02.06.2017

3. Procedural Matters

- 3.1 Given the nature and scale of this householder development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 Site notices were displayed by the applicant on the 4th March 2021 at the application site; the deadline for representations expired on 25th March 2021. A public notice was displayed in the Newbury Weekly News on 4th March 2021.
- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1-A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).

Initial assessment of the scheme indicates the proposals would increase the floorspace by more than 100 sq. m, as a consequence the application is likely to be CIL liable. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil.

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Shaw Cum Donnington Parish Council:	No Objections We note that the extension is disjoint from the existing dwelling. They are connected by a two-storey corridor. The extension could be separated from the existing building and used as a separate dwelling thus creating a further dwelling outside of the settlement boundary. There would also be problems in providing suitable curtilages for the two dwellings. We therefore suggest a condition or legal agreement to prevent the separation of the existing building and extension into two dwellings.
WBC Highways:	Each parking space should be provided with a clear 6 metre forecourt depth – whilst this is not shown on the plans, the proposed parking area is gravelled and so these spaces will not be marked out. I am satisfied that three vehicles can be accommodated within the proposed driveway and parking area. Whilst this is not a new dwelling, is it possible to request an electric vehicle charging point is provided in the interests of encouraging travel by sustainable modes? This should be a minimum of 7 kw.

	<p>Conditions recommended should planning permission be forthcoming include:</p> <ul style="list-style-type: none"> - Electric Charging Point (details to be submitted); - CONS1 – Construction method statement – details to be submitted; - HIGH12 – Parking/ turning in accord with plans <p>Informatives recommended should planning permission be forthcoming include:</p> <ul style="list-style-type: none"> - HI 3 Damage to footways, cycleways and verges; - HI 4 Damage to the carriageway.
<p>Conservation and Design Officer:</p>	<p>White Lodge is a late C19th building located within Donnington Grove Grade II Registered Historic Park and Garden and Donnington Village Conservation Area; it is outside of the defined settlement boundary. It has architectural similarities with the late C18th Pink Lodge, which is located to the west of White Lodge. The HER notes that it is probable that White Lodge was built to fulfil a later need for controlling access to the Donnington Grove Park from the village. Given its location and similarity in architectural style to Pink Lodge, I think that this is quite likely.</p> <p>White Lodge is a charming and modest detached building, of painted brick construction. It is of simple form and construction, with a plain clay tiled gable clay roof, with dentilled eaves. Whilst the building is not listed it is clearly of some local architectural and historic interest.</p> <p>Government guidance on the application of national policies relating to the historic environment is provided in Planning Practice Guidance (PPG): Conserving and enhancing the historic environment. The paragraphs of particular relevance, relating to the designation of non-designated heritage assets are Paragraphs 039 (Reference ID: 18a-039-20140306), 040 (Reference ID: 18a-040-20140306) and 041 (Reference ID: 18a-041-20140306). Paragraph 039 states that:</p> <p>‘Local planning authorities may identify non-designated heritage assets....In some areas, local authorities identify some non-designated heritage assets as ‘locally listed’.</p> <p>Therefore, whilst Local Lists are the most proactive way of identifying non-designated heritage assets, the NPPF does not preclude LPAs from establishing whether a building meets the meaning and definition of a non-designated heritage when considering a development proposal. Indeed, Paragraph 041 advises that ‘when considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process’.</p>

The significance of White Lodge lies in the combination of the building's age; its traditional form and detailing; its historic association with Donnington Grove Registered Park and Garden, and the Donnington Grove Grade II* house; its modest form, which is typical of estate lodges which were generally small; the positive contribution it makes to the heritage values of the Registered Park and Garden; and the positive contribution it makes to the character and appearance of Donnington Village CA. Therefore, whilst not currently included in West Berkshire's Local List of Heritage Assets (which is currently in its early stages), the building is considered to be a non-designated heritage asset within the meaning and definition contained within the NPPF.

The proposal is for a substantial 2 storey extension to this modest building. I note that the footprint has been reduced since the refusal of 20/01193/HOUSE, but is still substantially greater than that approved under 17/00660/HOUSE.

The approved extension (17/00660/HOUSE), whilst almost doubling the floorspace of the house, was designed sympathetically to reflect the form, scale and proportions of the existing building. In contrast the current proposal more than doubles the floorspace of the existing building resulting in an overly dominant addition to this modest building. This is exacerbated by the scale and proportions of the gables, and the size of many of the windows when compared to the existing building. The proposed extension would overwhelm this modest cottage, creating a dwelling of considerable size, resulting in harm to the significance of this non-designated heritage asset.

In terms of the proposal's impact on Donnington Grove Registered Historic Park and Garden, whilst I appreciate that the site is screened from the wider park to the north and east, the building itself remains an important element within the park, sitting as it does on the eastern entrance into the park from Donnington Village. Indeed, the historic role it plays within the park is recognised in the listing description which notes that "A second drive, the east, Donnington Village drive, enters the park 500m south-east of the house, giving direct access from the village, the entrance marked by White Lodge, a two-storey, whitewashed brick lodge. From here the drive extends west through the park, flanked by remaining specimens of avenue trees, joining the Newbury drive 350m south-east of the house, close to Pink Lodge." The proposal would result in the creation of a substantial dwelling, which would detract from the primacy of the existing building's original purpose as a modest gate lodge set within spacious grounds. It would therefore form an incongruous addition to the surroundings. The historic role it plays within the Registered Park and Garden would be lost, resulting in harm to the character of the Registered Park and Garden.

With regards to the conservation area, it is noted that there is a soft, and verdant transition from the western edge of the conservation area into the Registered Park. This transition makes an important contribution to the character and appearance of the

	<p>CA. The proposal would result in a substantial increase in built form on the western edge of the conservation area, which would be located partly within and partly outside of the conservation area. This increase in built form would have a harmful impact on the soft, verdant character of this part of the conservation area, thereby causing harm to its significance.</p> <p>In finding harm in respect of the significance of heritage assets, paragraph 196 of the Framework sets out that where a view is taken that the harm to the designated heritage asset would be less than substantial, this harm should be weighed against the public benefits of the proposal. In this instance, the degree of harm would be less than substantial in the context of paragraph 196. However, though less than substantial, there would, nevertheless, be real and serious harm which would not appear be outweighed by any public benefits.</p> <p>The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and conservation Areas) Act 1990, the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) which collectively seek to ensure proposals conserve and enhance heritage assets and their settings.</p>
Natural England	<p>No Objection</p> <p>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</p>

Public representations

4.2 No third Party Representations have been received in respect of this application.

5. Planning Policy

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

- Policies ADPP1, ADPP2, CS14, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C3, C6, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)

- Planning Obligations SPD (2015)
- Newbury Town Design Statement
- West Berkshire Landscape Character Assessment (2019)

6. Appraisal

6.1 The main issues for consideration in this application are:

- The principle of the proposal;
- The impact on the character and appearance of the area.

Principle of development

6.2 The application site is located within the Donnington Village Conservation Area and outside of any defined settlement boundary within the district and it therefore regarded as 'open countryside' under Core Strategy Policy ADPP1. The policy states that only appropriate limited development in the countryside will be allowed. In the context of this general policy of restraint in the countryside, Policy C6 of the Housing Site Allocations DPD gives a presumption in favour of proposals for the extension of existing permanent dwellings. As extension or alteration will be permitted providing that:

- i. the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling; and
- ii. it has no adverse impact on: the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape; and
- iii. the use of materials is appropriate within the local architectural context; and
- iv. there is no significant harm on the living conditions currently enjoyed by residents of neighbouring properties.

Character and appearance

6.3 The application site comprises a modest 19th Century detached dwelling located just outside of the settlement boundary of Donnington, and within Donnington Grove Grade II Registered Historic Park and Garden. The dwelling at White Lodge falls within the Donnington Village Conservation Area, although the majority of the gardens fall outside of this boundary. The Conservation and Design Officer observes: "*The HER notes that it is probable that White Lodge was built to fulfil a later need for controlling access to the Donnington Grove Park from the village. Given its location and similarity in architectural style to Pink Lodge, I think that this is quite likely.*" The Conservation and Design Officer considers this proposition to be further evidenced in the buildings "*modest form, which is typical of estate lodges which were generally small*".

6.4 In this context Core Strategy Policy CS14, Design Principles, states that proposals should demonstrate a high quality design that respects and enhances the area and makes a positive contribution to the quality of life in West Berkshire. It should respond positively to the wider context it is placed in, not just the immediate area. Policy CS19, Historic Environment and Landscape Character, further seeks to ensure that proposals respond appropriately in terms of location, scale and design reflecting a holistic approach to the local distinctiveness, sensitivity, and diversity of locations. The application site falls just within the Winterbourne Farmed Chalk Mosaic as identified in the Landscape Character Assessment, and described as "*An accessible landscape, with many public rights of way, it is relatively sparsely settled with the exception of*

Donnington in the south of the area.” The Landscape Character Assessment identifies the Winterbourne Farmed Chalk Mosaic as being *“rich in historical and archaeological features, which combine with the parkland areas and woodland limiting urban influence to evoke a perception of strong time-depth in the landscape.”* The Landscape Strategy recommends the historic parklands are conserved and enhanced, and the sense of time-depth in the area is preserved, ensuring that changes in the landscape, and development, are sensitively sited and designed so as not to detract from the special qualities of the landscape and introduce suburbanising features.

- 6.5 The Conservation and Design Officer identifies the importance of White Lodge *“lies in the combination of the building’s age; its traditional form and detailing; its historic association with Donnington Grove Registered Park and Garden, and the Donnington Grove Grade II* house; its modest form, which is typical of estate lodges which are generally small; the positive contribution it makes to the heritage values of the Registered Park and Garden; and the positive contribution it makes to the character and appearance of Donnington Village CA. Therefore, whilst not currently included in West Berkshire’s Local List of Heritage Assets (which is currently in its early stages), the building is considered to be a non-designated heritage asset within the meaning and definition contained with the NPPF.”* It is therefore clear that the importance and significance of White Lodge is informed by its relationship with Donnington Grove Registered Park and Garden, both in terms of the historic function and as well as existing context, and the modest scale and simple form of the dwelling, which signals this historic and important connection.
- 6.6 The covering letter submitted in support of this application states that: *“The extension proposed in this updated scheme is significantly smaller, and with a lower ridge height, than that previously proposed under Application No. 20/01193/HOUSE. The proposed extension is also considerably more muted in its architectural features, more closely aligning with the style of the existing house and thereby further cementing its subservience to the original dwelling.”* However, whilst it is acknowledged that the current proposals have been slightly reduced from the scheme proposed under application 20/01193/HOUSE, they remain considerably greater in scale than the extensions approved under application 17/00660/HOUSE and the existing dwelling; the proposals are therefore not considered to appear subservient to the host dwelling. In this regard the Conservation and Design Officer observes: *“The approved extension (17/00660/HOUSE), whilst almost doubling the floorspace of the house, was designed sympathetically to reflect the form, scale and proportions of the existing building. In contrast the current proposal more than doubles the floorspace of the existing building resulting in an overly dominant addition to this modest building. This is exacerbated by the scale and proportions of the gables, and the size of many of the windows when compared to the existing building. The proposed extension would overwhelm this modest cottage, creating a dwelling of considerable size, resulting in harm to the significance of this non-designated heritage asset.”*
- 6.7 Unlike the extensions approved under application 17/00660/HOUSE, where the existing and proposed elements of the building were unified under a single, simplified roof-scape, the current proposals have a complicated roof design with various elements abutting, rather than seamlessly adjoining the host dwelling. The introduction of a number of additional gable features and flat roof elements are considered, when combined, to emphasise the additional building volume. A further, less successful, departure from the scheme approved under application 17/00660/HOUSE is the replacement of the simple plan-form, in sympathy with the layout of the existing building, with a more complicated staggered design, which is also considered to emphasise the increased volume, mass and bulk of the proposed extensions. Whilst they have not raised any objections to the proposals the Parish Council have also observed *“the extension is disjoint from the existing dwelling”*. The previously approved extensions would have resulted in the ‘wings’ to the north and south resembling each other in terms of scale,

proportions, design, form and detailing, thereby creating a degree of symmetry and balance; the additional 'wing' to the north under the current proposals would have a considerably larger scale, projecting further to the west than the existing building, thereby rendering the proposed extensions visually prominent when viewed in the context of the south elevation, and unbalanced with the host dwelling.

- 6.8 Policy C6 of the Housing Site Allocations DPD requires, inter alia, the scale of the enlargement to be subservient to the original dwelling and designed so as to be in character with the existing dwelling. In this regard, the projection of the dwelling along the east boundary, parallel to the footpath at SHAW/9/1, would increase from approximately 8m to just over 17m; and along the south elevation the extensions would project approximately 4m to the west of the existing dwelling. Whilst the current proposals may be more *"muted in its architectural features"* the introduction of gable ends with large chimneys along the east and west elevations, as well as a series of gabled features above first floor windows, combined with the larger fenestration details than the sash windows that are characteristic of the host dwelling, the design of the proposed extension is considered to emphasise the increase volume, mass and bulk. The scale of the proposed enlargement is therefore not considered to be subservient to the original dwelling. Whilst there have been some modest reductions to the proposals, the current scheme would continue to represent an increase in floorspace of approximately 138 sq. m, or 122% over and above the existing dwelling. Whilst this may be slightly smaller than the scheme proposed under application 20/01193/HOUSE, it remains considerably larger than the 103 sq. m, or 75% increase approved under application 17/00660/HOUSE, which is considered to be the upper limit of what would be considered appropriate in this sensitive location. Whilst the removal of the existing garage has been offered as justification for the considerable extensions proposed, the scale and appearance of the existing garage is not considered to be commensurate to the extensions proposed and is therefore considered to offer little weight in terms of offsetting the bulk and mass of the proposed development.
- 6.9 The covering letter submitted in support of the current application considers *"In spite of the site's positioning within these heritage designations (the CA and P&G), White Lodge is sequestered and screened from both in a manner that offers the site a sense of seclusion and separation from both."* However, in relation to the setting of White Lodge within the Donnington Grove Registered Park and Garden, the Conservation and Design Officer observes *"whilst I appreciate that the site is screened from the wider park to the north and east, the building itself remains an important element within the park, sitting as it does on the eastern entrance into the park from Donnington Village. Indeed, the historic role it plays within the park is recognised in the listing description which notes that "A second drive, the east, Donnington Village drive, enters the park 500m south-east of the house, giving direct access from the village, the entrance marked by White Lodge, a two-storey, whitewashed brick lodge. From here the drive extends west through the park, flanked by remaining specimens of avenue trees, joining the Newbury drive 350m south-east of the house, close to Pink Lodge." The proposal would result in the creation of a substantial dwelling, which would detract from the primacy of the existing building's original purpose as a modest gate lodge set within spacious grounds. It would therefore form an incongruous addition to the surroundings. The historic role it plays within the Registered Park and Garden would be lost, resulting in harm to the character of the Registered Park and Garden."*
- 6.10 Furthermore, with regards to the context of the application site within the Donnington Conservation Area, the Conservation and Design Officer observed *"it is noted that there is a soft, and verdant transition from the western edge of the conservation area into the Registered Park. This transition makes an important contribution to the character and appearance of the CA. The proposal would result in a substantial increase in built form on the western edge of the conservation area, which would be located partly within and partly outside of the conservation area. This increase in built form would have a harmful*

impact on the soft, verdant character of this part of the conservation area, thereby causing harm to its significance.”

- 6.11 It is therefore concluded that this current amended scheme has not sufficiently overcome the concerns raised under the cover of application 20/01193/HOUSE. These revised proposals are considered harm the character and historic interest of the dwelling at White Lodge and its setting within the wider landscape. Furthermore the proposed extensions are not considered to appear subservient to the original dwelling, as a consequence the application is considered to be contrary to policies CS14 and CS19 of the Core Strategy and C6 of the Housing Site Allocations DPD.
- 6.12 In common with the scheme proposed under application 20/01193/HOUSE the additional first floor windows in the east and west elevations of the resultant building would not comprise primary windows to habitable rooms. The layout and scale of the proposed development does not alter meaningfully from the scheme proposed under application 20/01193/HOUSE. It is therefore considered the proposals would not harm the residential amenities of adjacent properties.

7. Planning Balance and Conclusion

- 7.1 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is not acceptable and there are strong reasons to justify refusal of planning permission. The revised scheme is not considered to have overcome the reasons for refusal for application 20/01193/HOUSE, consequently it is recommended that this current application is refused planning permission on the same grounds and the recommended wording for the refusal reflects the decision issued for application 20/01193/HOUSE.

8. Full Recommendation

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

Refusal Reasons

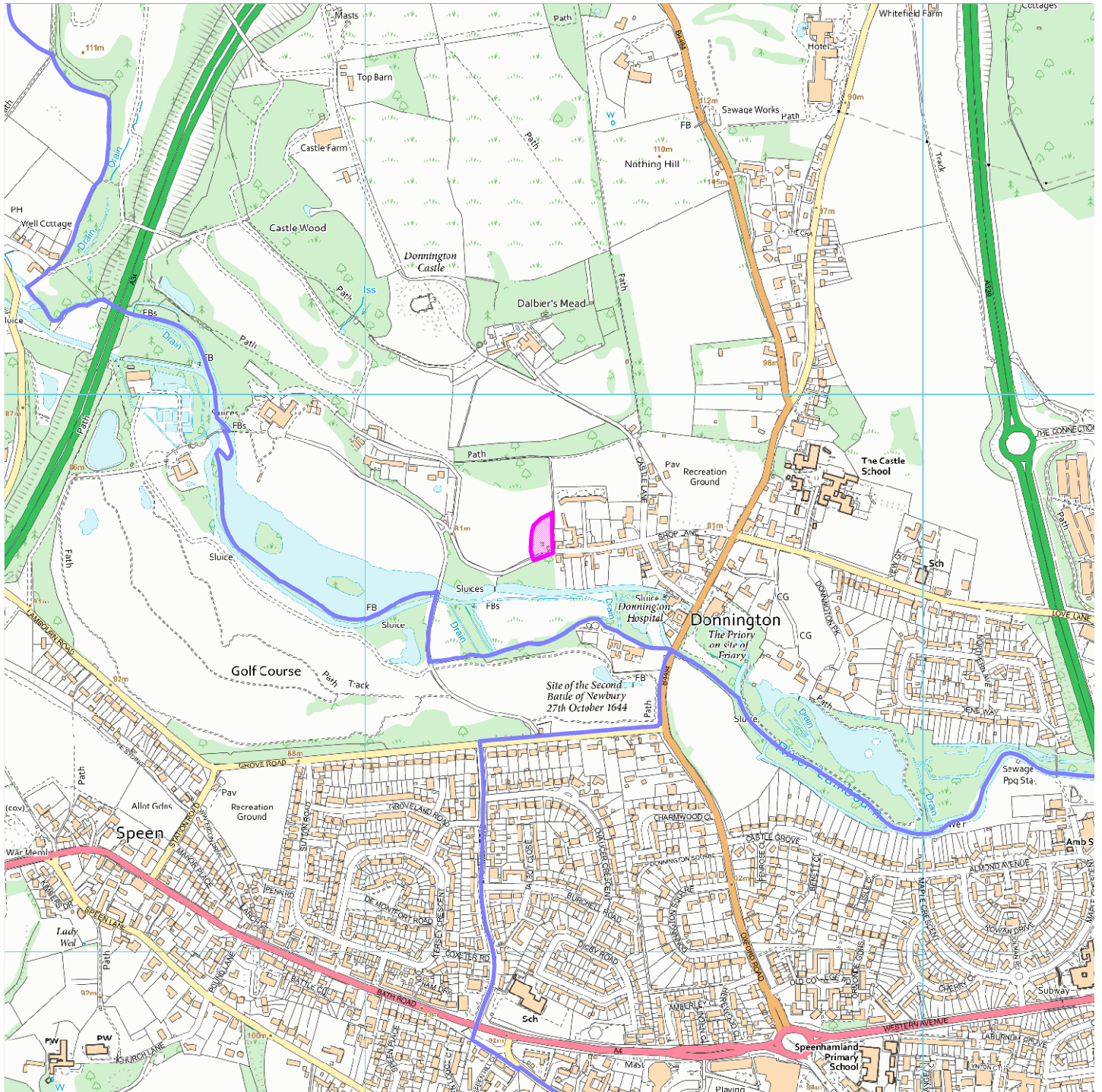
1.	<p>White Lodge is modest detached dwelling of simple form and construction that makes a positive contribution to the character of the Donnington Village Conservation Area and setting within the Donnington Grove Registered Park and Garden. It is located within open countryside on the edge of Donnington Village. These designations and the location of the site increases the sensitivity of the area to inappropriate development which does not conserve the prevailing character.</p> <p>The proposed extensions, by reason of their siting, design and bulk, represent overly dominant and disproportionate additions which fail to respect or harmonise with the appearance of the existing dwelling or appear subservient to it. The resultant extended dwelling would appear prominent and incongruous in this location by comparison to the existing dwelling, including the east elevation where views would be available of it from public viewpoints and the public right of way (Shaw 9/1) within the Conservation Area, and from the north and north-west, within views from the Registered Park and Garden.</p> <p>Consequently the proposals fail to represent high quality design that responds to local character and as such fails to conserve or enhance the existing character of the Conservation Area, contrary to the NPPF, Policies ADPP2, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C6 of the Housing Site</p>
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	<p>Allocations DPD 2006-2026, House Extensions SPG (2004) and the, Quality Design SPD (Part 2, 2006).</p> <p>Furthermore, by virtue of these impacts, the proposals would result in harm to the setting and character of the Conservation area and the Registered Park and Garden. The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and conservation Areas) Act 1990, the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) which collectively seek to ensure proposals conserve and enhance heritage assets and their settings.</p>
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Informatives

1.	<p>In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application the local planning authority has been unable to find an acceptable solution to the problems with the development so that the development can be said to improve the economic, social and environmental conditions of the area.</p>
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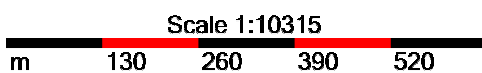
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	27 May 2021
SLA Number	0100024151



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White Lodge, Donnington

Photographs for Western Area Planning Committee
Application 21/00429/HOUSE



View of eastern elevation of White Lodge, adjacent to access to PROW



View of western elevation of White Lodge, within Registered Park and Garden



View of western elevation of White Lodge, within curtilage



View of northern elevation of White Lodge, within curtilage



View of northern elevation of White Lodge, within curtilage



View of western elevation of White Lodge, longer view from within Registered Park and Garden

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Agenda Item 4.(3)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	21/01038/HOUSE Newbury Wash Common	1 st July 2021 ¹	Two storey extension to the side and single storey extension to the rear. 1 Croft Road, Newbury Martin Redford

¹ Extension of time agreed with applicant until 23rd July 2021

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01038/HOUSE>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to conditions

Ward Members: Councillor Adrian Abbs
Councillor David Marsh
Councillor Tony Vickers

Reason for Committee Determination: Called in by Councillor Abbs so that the Committee can consider the massing of the extension.

Committee Site Visit: 15th July 2021

Contact Officer Details

Name: Ellie Neal
Job Title: Planning Officer
Tel No: 01635 519111
Email: ellie.neal@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the construction of extensions to 1 Croft Road.
- 1.2 The application site is located in an established residential area within the settlement boundary of Newbury. The application property is a semi-detached, two storey dwelling with vehicular parking to the front and a private garden to the rear. The lie of the land is such that the land slopes up towards south and the neighbouring properties to the west lie at a lower ground level.
- 1.3 The works proposed as part of this application include extensions to the side and rear of the dwelling. The side extension would be two storey and would fill the width of the site. It would be set slightly back from the front elevation and would have a lower ridge height. However, the eaves height would match that of the main dwelling. It would be traditional in its design with materials to match the main dwelling. To the rear, a single storey extension of contemporary design would be added. This extension would be set away from the western and eastern boundaries of the site but a section of overhanging roof, which creates a covered walkway from the garage to the rear garden, would be constructed up to the western boundary. Large areas of glazing are proposed on the rear elevation and long windows are proposed on each of the side elevations.
- 1.4 The internal layout of the property would be re-arranged in order to create a snug/study, open-plan kitchen, dining and living room, utility room and accessible shower room on the ground floor and three good sized bedrooms and a wheelchair accessible bathroom at first floor level. In addition, there would be a new integral garage within the side extension.
- 1.5 In addition to the extensions, the application proposes the construction of a new timber, close board fence along the eastern boundary of the application site. This fence would be constructed adjacent to the existing boundary fence and is proposed to be between 2.3 metres and 2.5 metres in height.

2. Planning History

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

Application	Proposal	Decision / Date
20/00173/HOUSE	Two storey extension to the side and single and double storey extension to the rear.	Withdrawn 19/3/20

3. Procedural Matters

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 A site notice was displayed at the site on 18th May 2021; the deadline for representations expired on 8th June 2021.

- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). This application seeks consent for the creation of new residential floorspace of less than 100 sq. m and it would therefore seem unlikely that the scheme would be CIL liable. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Newbury Town Council:	No comment due to the conflicting evidence from applicant and neighbours. This application needs to be decided by planning Officers. However, the real concerns of neighbours should be acknowledged. Councillor Tony Vickers abstained.
WBC Highways:	No comments.
Tree Officer:	The site lies within the settlement boundary of Newbury. The birch tree in the neighbouring garden is noted. Overall, the proposal is not considered to impact on nearby garden trees and shrubs. Conclusion: no objections to the details as submitted as the works are not considered to impact on significant scale trees. Please apply tree protection precautions informative note.
Access Officer:	No response received.

Public representations

- 4.2 Representations have been received from 5 contributors, all of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- Design does not follow the established pattern of extensions in the locality.
 - Extensions are not subservient to the original house.
 - The glazing is a dominant feature which will direct light pollution towards the neighbouring properties.
 - The plans do not clearly indicate the relationship between the extension and neighbouring properties.

- The rear extension will cause unnecessary shading and loss of daylight/sunlight to neighbouring properties. The rear extension should be reduced in size.
- The changes to the fencing are excessive and will add to the loss of light to the neighbouring site.
- The loss of a parking space will lead to more on-street parking.
- The block plan does not accurately show how the extensions will impact the neighbouring sites.
- The plans do not accurately show what will be constructed on site.
- The side extension overhangs the neighbouring property so the extension should be set away from this boundary.
- The changes in ground level must be considered.
- New windows will overlook the neighbours.
- The application is not accompanied by an Arboricultural report to consider the effect on trees.
- Details of the pre-application advice should be verified.
- The pitched roof should be removed from the rear.
- The side windows should be removed from the scheme as sufficient light can be gained from the rear facing windows.

5. Planning Policy

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

- Policies ADPP1, ADPP2, CS13, CS14 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policy P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- WBC House Extensions SPG (2004)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Neighbouring amenity
- Highway matters
- Trees
- Other matters

Principle of development

6.2 The application site lies within the settlement boundary of Newbury where there is a general presumption in favour of development. Therefore, the principle of extensions to

this residential property is acceptable. However, the impact of the works on the character of the area, neighbouring amenity, highway safety and on trees must be carefully considered.

Character and appearance

- 6.3 This application seeks permission for the addition of extensions to the main dwelling at 1 Croft Road and internal alterations in order to create a new layout. The application form states that the proposals are to provide access within the property for a disabled person and to provide facilities designed to secure greater safety, health and comfort.
- 6.4 The proposal consists of a two storey extension to the side of the property, a single storey extension to the rear and a new fence along the eastern boundary.
- 6.5 The application property is one of a pair of semi-detached dwellings which face onto Croft Road. The attached neighbouring dwelling at no. 3 has benefitted from a previous two storey side extension and therefore, this new structure would help to balance the visual appearance of the properties when viewed from the road. The extension to no. 1 would follow a similar design to that of the existing extension to no. 3 with a modest set-back from the front wall and a slightly reduced ridge height. Whilst the eaves height of the extension to no. 1 has not been set down, it is not considered that this has any significant impact on the street scene view of the properties. It would usually be desirable for two storey side extensions to be set away from the boundary of the property. This is primarily to avoid a terracing effect where the character of the area is semi-detached or detached properties. In this instance, the new structure would be built up to the western boundary of the site. However, it is not considered that this would have a detrimental impact on the street scene due to the location of the site adjacent to the rear garden of the neighbouring property on Wendan Road. This ensures that the sense of spaciousness currently enjoyed would not be unduly eroded as a result of this extension. Moreover, it is noted that the extension at no. 3 has been constructed up to the common boundary and this proposal would therefore match the neighbour, presenting a more pleasing street scene view.
- 6.6 With regards to the rear extension, this has been designed in a contemporary style, with a mono-pitched roof combined with an area of flat roof. Objectors to the scheme have raised concern that this design would not be in keeping with the character of the area and would not remain subservient to the main dwelling. It is acknowledged that the general character of the properties in the immediate surrounding area is traditional. However, this does not automatically render the proposed addition of a contemporary structure unacceptable. The location of the extension to the rear of the dwelling ensures that it would mostly be screened from the road by the existing dwellings. Whilst glimpses of the structure may be available through gaps in dwellings, the entire rear elevation of the property would not be easily visible from public viewpoints and this part of the proposal would therefore not have any significant impact upon the overall character of Croft Road or Wendan Road.
- 6.7 Whilst the large expanses of glazing and unusual roof form are not typical features of this property, it is considered that the contemporary design blends with the more traditional main dwelling and many examples of a similar mix of styles can be found throughout the district. Moreover, the design proposed enables the section of the extension which lies closest to the attached neighbour to remain low whilst not resulting in a scheme which includes a large expanse of flat roof and this is welcomed.
- 6.8 Though it is acknowledged that the extensions would result in a significant increase in the size of the dwelling, it is not considered that they would have an overly dominant impact on the property and would not result in an overdevelopment of the plot. The extensions would not project forward of the main front elevation of the property. The

side extension proposed would improve the street scene view of the semi-detached pair of properties by giving them a more balanced, uniform visual appearance. To the rear, the extensions would lie below the eaves height of the main dwelling, with only a small section of the mono-pitched roof reaching the same height as the top of the first floor window. Whilst they would extend a good distance to the rear, the overall height of the structure would ensure that it would not dominate the rear elevation to an unacceptable extent. A good sized private rear garden would also remain. Furthermore, the site lies within the settlement of Newbury where there is a focus for new development and therefore, the increase in the size of the dwelling is not considered to have a detrimental impact.

- 6.9 The addition of a new fence along the eastern boundary of the site is considered to have no adverse impact on the character of the area. The timber close board fence being proposed would be typical of this urban setting. Whilst the 2.3 metre to 2.5 metre height being proposed is a little higher than what would typically be installed in such a setting, it is not considered that this increase would have any significant visual impact. The lie of the land is such that it slopes up towards the south and it is considered that this sloping ground will ensure that the fence would not present as a dominant feature within the garden. The height is only up to 0.5 metres taller than what could be constructed under permitted development and this height is considered acceptable given the setting of the site and the location of the fence within the private rear garden of the dwelling.

Neighbouring amenity

- 6.10 The neighbouring properties most likely to be impacted by this proposal are no. 3 Croft Road to the east and nos. 37 and 39 Wendan Road to the west. Whilst the proposal would bring the rear elevation of the application property further south, it is not considered that there would be any significant impact on the neighbouring property to the south, 8 Bruan Road, due to the distance between the new structure and the southern boundary of the application site. The two storey extension will be visible from the neighbouring property to the north, 2 Croft Road, but it is not considered to have any significant impact on the light available to or privacy of this dwelling.
- 6.11 With regards to the attached neighbouring property, 3 Croft Road, concerns have been raised that this development would lead to a significant loss of light to the windows and patio area at the rear of this property. It is acknowledged that this scheme would be constructed close to the common boundary between these properties and it projects a good distance to the rear. However, a Daylight and Sunlight Report has been prepared by Right of Light Consulting and this report accompanies the submission. The conclusions of the study are that “the numerical results in this study demonstrate that the proposed development will have a low impact on the light receivable by its neighbouring properties.” It is the opinion of the Right of Light Consultancy that the proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties. The case officer has no reason to disbelieve the findings of this report and it is therefore concluded that the new structure would have an acceptable impact on the level of daylight and sunlight available to this attached neighbour.
- 6.12 A number of new windows are to be installed on the eastern elevation of the rear extension and these will face towards the attached neighbour. In addition, a new window is to be added to the original rear elevation, adjacent to the neighbouring site. However, none of these openings would result in any significant overlooking of the neighbouring property or site. Most new openings are to be ground floor level only and views out of these openings towards the neighbouring site will be obscured by the existing fence, which is to remain as part of this scheme. The new high level openings are proposed in order to increase the level of light available to the living space and will provide no outlook. Therefore, it is considered that the privacy of the attached neighbour will not be unduly compromised.

- 6.13 No alterations would be made to the boundary treatment which lies directly adjacent to the rear elevation and patio area of no. 1. The new fence would be constructed adjacent to the existing boundary fence and at a maximum height of 2.5 metres, it is considered that the fence would not have any significant impact on the living conditions of the neighbouring dwelling.
- 6.14 In terms of the neighbouring properties to the west, the new extension will bring the side elevation of no. 1 closer to the rear elevation and garden area of these properties. However, as set out in the Daylight and Sunlight report, the extensions to this dwelling would not result in any significant loss of daylight or sunlight to these properties. The new structure would remain over 13 metres from the closest part of the properties on Wendan Road and this distance is considered sufficient to ensure that, even with the lower ground level of the Wendan Road properties, the extensions would not have an overly dominant or overbearing impact on the rear elevation openings or on the outdoor space which lies adjacent to this rear elevation. Whilst the mono-pitched roof of the rear extension would be visible from these neighbouring dwellings, it would slope away from these sites and is not considered to have any significant adverse impact.
- 6.15 The construction of the side extension would result in the removal of a first floor opening which directly overlooks the properties on Wendan Road. No new first floor openings are proposed in the western elevation of the side extension, thereby lessening the level of direct overlooking of the neighbouring sites. In order to protect the residential amenity of these properties to the west, it is recommended that a condition be attached to any consent which restricts the permitted development rights of the property in relation to the addition of first floor openings into the western elevation.
- 6.16 The new openings which are proposed on the western elevation of the rear extension are at ground floor level only and views from these openings towards the neighbouring properties to the west will be obscured by the existing timber fence which runs between the properties. Though the application property is set at a higher ground level than the Wendan Road properties, the boundary fence is set at the ground level of no. 1 Croft Road and therefore, only a small section at the top of the new windows would be visible above this fence. The existing ground floor windows in the side elevation of 1 Croft Road do not currently provide any significant outlook towards the neighbouring properties to the west and the new ground floor openings will have a very similar impact.
- 6.17 Objectors to the scheme have concerns that the new openings will create light pollution, disturbing the residential amenity of the neighbouring sites. This is a residential extension and whilst it is acknowledged that large amounts of glazing are proposed, it is not considered that the level of illumination required to light the extension would be so significant as to lead to undue levels of light pollution to the surrounding area. Moreover, much of the new glazing will be obscured from the neighbouring sites by the existing close board fences which form the boundary treatments between the sites.
- 6.18 This proposal would allow for the creation of a large area of flat roof adjacent to the neighbouring site at no. 3 Croft Road. Whilst the application proposes a living roof on this roofspace, access could easily be created to this rooftop at a later stage through the insertion of a new opening from the master bedroom or bedroom 2. Therefore, in order to ensure that this development does not unduly impact upon the level of privacy afforded to no. 3, it is considered necessary to add a condition which prevents the use of the flat roof as a balcony, roof garden or similar outdoor amenity space now or in the future.

Highway matters

- 6.19 The application site lies in Zone 2 according to Policy P1 of the Housing Site Allocations DPD. For a three bedroom dwelling in zone 2, 2.5 parking spaces are required. This

application involves the construction of an extension over the area to the side of the dwelling which, when the case officer visited the site, was being used for parking. The application does include a garage but as set out in policy P1, garages are not counted as parking space for the purposes of meeting the required levels of parking.

- 6.20 Three parking spaces would still be available on the hardstanding to the front of the dwelling, as shown on the block plan, and this proposal involves no increase in the number of bedrooms within the property. Therefore, the level of vehicular parking provided is considered to meet the standards as set out in planning policy. No comments have been received from the Council's Highways Officer.

Trees

- 6.21 The Council's Tree Officer reviewed the proposed works and noted the birch tree in the neighbouring garden. However, it is not considered that the proposal would impact upon nearby garden trees and shrubs. No objections are raised to the scheme as it would not impact upon significant scale trees.

Other matters

- 6.22 When the application was first submitted, the block plan showed only the new internal floorspace to be created and this raised difficulties in being able to fully assess the proposal. The applicant has now supplied an existing and proposed block plan which more clearly shows the scheme and how the works would impact upon the site and its surroundings. This proposed block plan also indicates the parking layout to the front of the site.
- 6.23 Moreover, due to a scanning error, some of the originally submitted plans were difficult to scale correctly. However, the plans have all been re-submitted and this issue has been resolved.
- 6.24 Objectors to the scheme consider that the plans are inaccurate and that when the new structure is built on site it is likely to be larger. This application is being determined on the basis of the plans as submitted and the scheme as proposed is considered to be acceptable.
- 6.25 Concern has been raised with regards to the proposed construction of the side extension up to the western boundary of the site as the eaves and guttering could overhang the neighbouring plot. Notice was served on the adjacent dwelling at no. 37 Wendan Road and therefore, the application remains valid. Questions have also been raised as to the timing of when notice was served in relation to the validation of the application. At the outset of the application, this matter was reviewed by the Council's Planning Services Manager who confirmed that the dates and certificates submitted are valid. The matter of whether a structure overhangs a neighbouring plot is a legal one and whilst it is acknowledged that this is an important matter for the occupants to resolve, is it not one that falls to be considered under planning legislation and therefore cannot be discussed as part of this planning application.

7. Planning Balance and Conclusion

- 7.1 It is considered that the extensions and alterations proposed to 1 Croft Road would have an acceptable impact on the character of the area and would not have a significant adverse impact upon the residential amenity of neighbouring properties. Whilst the side extension would be built over an existing parking space, sufficient parking space would

remain within this site. Moreover, the scheme has been reviewed by the Council's Tree Officer who has raised no objections.

- 7.2 It is considered necessary to add conditions relating to a time limit for commencement of development, approved plans and materials as specified on the plans and application form. In addition, a condition which restricts the permitted development rights of the property with regards to the addition of windows above ground floor level on the western elevation is considered necessary in order to protect the residential amenity of the neighbouring properties on Wendan Road. Additionally, a condition which prevents the use of the flat roof as a balcony, roof garden or similar amenity area is recommended in order to prevent any potential loss of privacy to the neighbour at 3 Croft Road. Given the close proximity of the development works to neighbouring dwellings, it is considered reasonable that a condition be attached which restricts the hours of working.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<p>Commencement of development The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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).</p>
2.	<p>Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Drawing numbers: 11; 12; 13; 14; 15; 16; 17; 18 received 14th April 2021 Plan with Fence Details received 14th April 2021 Drawing number: 2A received 5th July 2021</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Materials The materials to be used in the development hereby permitted shall be as specified on the plans and the application form. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.</p> <p>Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).</p>
4.	<p>No further openings on western elevation Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no windows or dormer windows (other than those expressly authorised by this permission) which would</p>

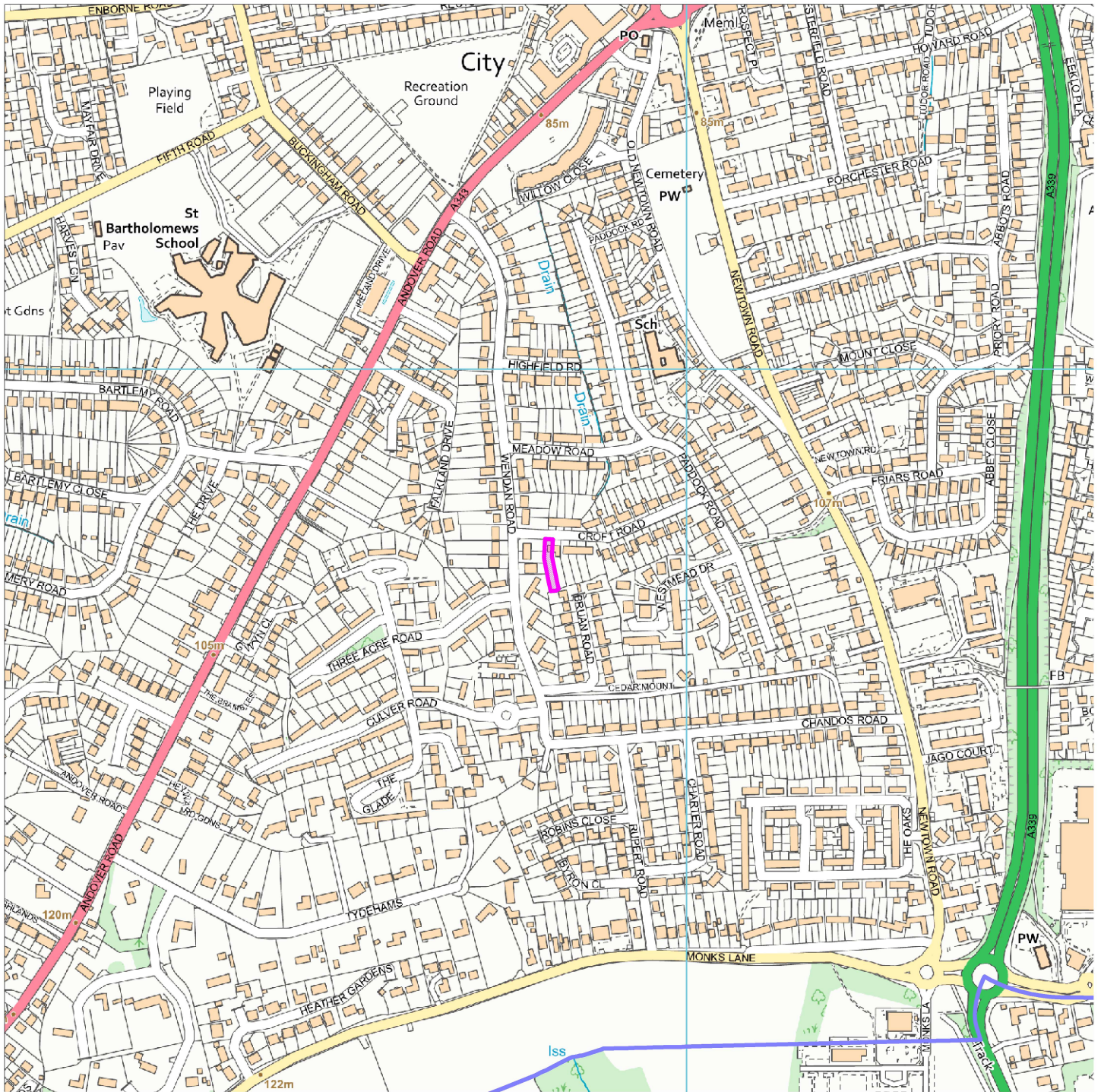
	<p>otherwise be permitted by Schedule 2, Part 1, Classes A, B and C of that Order shall be constructed above ground floor level on the western elevation of the extension hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To prevent overlooking of the neighbouring dwellings on Wendan Road, in the interests of safeguarding the privacy of the occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (2006) and House Extensions SPG (July 2004).</p>
6.	<p>Use of flat roof</p> <p>The flat roof area of the rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.</p> <p>Reason: To prevent the overlooking of the neighbouring property at 3 Croft Road, in the interests of safeguarding the privacy of the occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (2006) and House Extensions SPG (July 2004).</p>
5.	<p>Hours of work</p> <p>No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority: 7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays; No work shall be carried out at any time on Sundays or Bank Holidays.</p> <p>Reason: To safeguard the amenities of neighbouring residential dwellings. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.</p>

Informatives

1.	<p>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.</p>
2.	<ul style="list-style-type: none"> • To ensure that the trees, which are to be retained, are protected from damage, ensure that all works occur in a direction away from the trees. • In addition that no materials are stored within close proximity i.e. underneath the canopy of trees to be retained. • Ensure that all mixing of materials that could be harmful to tree roots is done well away from trees (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil. • To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil. • If this is not possible due to working room / access requirements The ground under the trees' canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp

	<p>sand, and covered with plywood sheets / scaffold boards to prevent compaction of the soil and roots. This could be underlain by a non permeable membrane to prevent lime based products / chemicals entering the soil</p> <ul style="list-style-type: none"> • If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back to using a sharp knife. • If lime based products are to be used for strip foundations then any roots found should be protected by a non permeable membrane prior to the laying of concrete.
3.	<p>You are reminded of your duties under the Party Wall Act 1996. You are legally required to tell your neighbour if you want to: (1) build on or at the boundary of your two properties, (2) work on an existing party wall or party structure, or (3) dig below and near to the foundation level of their property. Your neighbours can't stop you from making changes to your property that are within the law, but they can affect how and when your works are carried out. Procedures under this Act are separate from the need for planning permission and for building regulations approval. Further guidance is available at: https://www.gov.uk/party-walls-building-works/work-tell-your-neighbour-about</p>

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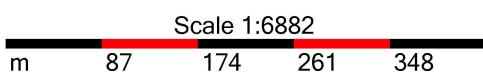
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	08 July 2021
SLA Number	0100024151



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1 Croft Road, Newbury

Photographs for Western Area Planning Committee
Application 21/01038/HOUSE



View of application site from Croft Road



View of front of property



View towards Wendan Road from Croft Road



View of application property from rear garden



View of existing rear elevation and patio of application property



View towards no. 3 Croft Road from rear garden



View of no. 3 Croft Road from rear garden of application site



View towards Wendan Road from rear garden



View towards Wendan Road from rear patio

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Agenda Item 4.(4)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(4)	21/01012/FUL Kintbury Parish Council	29 June 2021 ¹	<p>Change of Use from redundant Methodist Church to residential dwelling (Use Class C3). Proposals will retain the front elevation onto Inkpen Road unchanged, with the introduction of patio doors to the rear elevation in the location of the existing kitchen window. Internally, the works will involve the creation of a living, kitchen dining area, separate living room, 2no. bedrooms and bathroom.</p> <p>Kintbury Methodist Church Inkpen Road Kintbury Hungerford RG17 9TU</p> <p>Mr Tim Cork</p>

¹ Extension of time agreed with applicant until 26 July 2021

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01012/FUL>

Recommendation Summary: To **DELEGATE** to the Head of Development & Planning to **REFUSE PLANNING PERMISSION**

Ward Member(s): Councillor Dennis Benneyworth
Councillor James Cole
Councillor Claire Rowles

Reason for Committee Determination: Call-in request from Ward Member(s).

Committee Site Visit: 15th July 2021

Contact Officer Details

Name: Jeffrey Ng
Job Title: Planning Officer
Tel No: (01635) 519111
Email: jeffrey.ng1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the Change of Use from redundant Methodist Church to residential dwelling (Use Class C3).
- 1.2 The application site is a vacant former church building. The application site is situated on Inkpen Road, Kintbury which is within the established settlement boundary. It is also within the North Wessex Downs AONB and the Kintbury Conservation Area.
- 1.3 The proposal is seeking to retain the front elevation onto Inkpen Road unchanged. It will introduce patio doors to the rear elevation in the location of the existing kitchen window. Internally, the works will involve the creation of a living, kitchen dining area, separate living room, two bedrooms and bathroom.

2. Planning History

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

Application	Proposal	Decision
144459	Conversion of former Methodist church into single dwelling.	Granted.

3. Procedural Matters

Environmental Impact Assessment (EIA)

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.

Publicity

- 3.2 Site notice displayed on 26 May 2021 at the location site; the deadline for representations expired on 16 June 2021.
- 3.3 Newbury Weekly News Planning Notice – 13 May 2021

Community Infrastructure Levy (CIL)

- 3.4 CIL is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).
- 3.5 CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Kintbury Parish Council:	Objection.
WBC Highways:	Objection.
WBC SuDS:	No comments received.
WBC Conservation:	Conditional approval.
North Wessex AONB Management Board:	No comment received.

Public representations

- 4.2 Representations have been received from 12 contributors, 1 of which support, 10 of which object and 1 of which provide comments to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

Amenities	<ul style="list-style-type: none">• Concerns over the scale of the proposed amenity space.• Concerns over the disturbance of the construction vehicles.
Highways and Access	<ul style="list-style-type: none">• Concerns over parking issues.• Concerns over highways safety.
Other Issues	<ul style="list-style-type: none">• Lack of notification to neighbours in this planning application.• Concerns over the property valuation.

5. Planning Policy

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

- Policies ADPP1, ADPP5, CS1, CS4, CS5, CS13, CS14, CS16, CS17 & CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

- Policies TRANS1, OVS.5, OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Amenity
- Highways and parking provision

Principle of development

6.2 According to Paragraph 010 of Planning Practice Guidance (PPG)¹, the planning history of a site may be a relevant consideration in the determination of an application. However, the Paragraph goes on to state that the factors to take into consideration including evidence as to the reasons why an earlier permission was not implemented, the time that has elapsed since the previous permission expired and the number of similar applications made for the same site are relevant when considering an application.

In this case, a planning permission for a conversion of the former church building into single dwelling was granted in 1994. Though the principle of the development has been previously established, the WBCS and the HSA DPD are formally adopted in 2012 and 2017 respectively and it is considered that this application should be assessed against those up-to-date documents.

Location of New Housing in the Countryside

6.3 WBCS ADPP1 Spatial Strategy sets out a spatial strategy for the distribution of housing throughout the District. The policy seeks to accommodate development in the most sustainable way, focusing the majority of development in settlements with existing facilities and services. The supporting text indicates most development will be within or adjacent to the settlements included in the settlement hierarchy and that the majority of development would take place on previously developed land. Policy CS1 makes it clear that new homes will primarily be built on suitable previously developed land or other suitable land within settlement boundaries or on land allocated in a Development Plan Document. HSA DPD Policy C1 states that there is a presumption in favour of development and redevelopment within the settlement boundaries, including Kintbury.

¹ Reference ID: 21b-010-20190315

- 6.4 The principle of development as residential use is considered to be acceptable in this case.

Character and appearance

- 6.5 Achieving well-designed places and conserving and enhancing the natural environment are core planning principles of the NPPF. Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB. Policy ADPP5 of the WBCS states that new development will respect and respond to the historic environment of the AONB. Policy CS14 clearly sets out 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. Policy CS19 seeks to ensure development is appropriate in terms of location, scale and design.
- 6.6 Policy C1 of the HSA DPD goes on to state that planning permission will not be granted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB or where development would have an adverse cumulative impact on the environment or highway safety. Policy C3 goes on to state that the design of new housing, including replacement dwellings, must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change.
- 6.7 Conservation Officer has raised no objection to the proposed development subject to conditions. The proposal will maintain the frontage character of the building and are otherwise respectful of its historic and architectural character. However, further information is needed for the details of all windows and doors and roof lights to be of conservation type flush with the roof. A pre-commencement condition is recommended in this case to obtain such information before the commencement of development hereby permitted.
- 6.8 Given the tightness of the site, it is considered that a condition should be recommended in this case to remove the permitted development rights on additions or extensions to the dwelling shall be built or ancillary buildings, structures or other means of enclosure erected within the curtilage.
- 6.9 The former church building is a non-designated heritage asset in the Kintbury Conservation Area (CA) and the North Wessex AONB. No designated heritage assets are identified near the application site. The proposal is not seeking to alter the external appearance of the former church building and therefore it is not considered that the proposal would not have an adverse impact of the character and appearance of the surrounding areas and the setting of the AONB and the Conservation Area subject to adequate development control measures.

Amenities

- 6.10 Paragraph 130 of the NPPF sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area, taking into account any local design standards or style guides in plans or supplementary planning documents. The Quality design SPG states that a reasonable provision of outdoor space should be provided, i.e. at least 100 square metres of outdoor space should be provided for a 3bedroom houses.
- 6.11 There is a concern over the impacts of the construction vehicles on the neighbouring amenities during the construction. In order to minimise the impact on neighbouring

amenity, a condition shall be recommended to restrict the hours of operation during the construction works.

- 6.12 Based on the submitted information, the proposal is seeking to provide one bedroom on the ground floor, one bedroom and one study room on the first floor. According to the submitted floor plan, the size of the study room is about 6.95 square metres and it meets the minimum size of a habitable room for an adult to sleep which is 6.51 square metres. As such, it is considered that the proposal is for a 3-bedroom dwelling.
- 6.13 The proposed rear outdoor space is only about 9.65 square metres. The total area of the outdoor space is only about 14 square metres, even the front outdoor space is included. The proposed outdoor space is far below the required standard and it is not considered that such scale of the outdoor space is reasonable in this case.
- 6.14 It is considered that this application is a change of use proposal and therefore there is a restriction to the provision of additional amenity space without any alteration or demolition works on the existing building. However, it is considered that the Quality design SPG applies to all residential development including the change of use proposal. Given that the size of the proposed outdoor space is far below than the suggested standard, it is considered that the proposal would not provide adequate and suitable outdoor amenity space for future residents. This is contrary to the NPPF, Policy CS14 of the West Berkshire District Core Strategy 2006 to 2026 and the Quality Design – West Berkshire Supplementary Planning Document Part 2 Residential Development.

Highways and parking provision

- 6.15 According to Policy P1, this will require three on site car parking spaces. However due to the confines of the site, it is not possible to provide any off road car parking.
- 6.16 A number of letters of objection have raised concerns over parking and highways safety issues. Kintbury Parish Council and Highways both have raised objection to the proposed development. Further information related to cycle storage is requested from Highways.
- 6.17 The applicant has provided a revised plan and the cycle storage is included. The applicant also sets out that the existing use of the former church building would require more parking spaces than the proposed use and the current proposal is the option which requires the least number of parking spaces provided. The applicant also argues that there is exception circumstance in this case where the parking spaces provided do not need to accord with the required levels as it is a change of use of an existing building.
- 6.18 In this case, three parking spaces are required but no off-road car parking can be provided in this case. It is considered that the proposal would convert the vacant former church building to residential. In an absence of any public benefits, no exceptional circumstance unfortunately can be identified to support that there is a case for providing parking that does not accord with the required levels set out in Policy P1.
- 6.19 Though the proposed residential use would require the least number of parking spaces provided when comparing with the existing use, it is considered that the proposal will introduce an overnight car parking demand along with all other residential properties in this location. Given that there is existing car parking congestion, the proposal undoubtedly will result in on street parking in the vicinity and this will adversely affect road safety and the traffic flow.
- 6.20 In conclusion, the proposal fails to meet the parking standard set out in the local planning policy. The proposal will also adversely affect road safety and the flow of traffic. This is

contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026 and Policy P1 of the Housing Site Allocations DPD 2017.

Other Issues

- 6.21 Other issues raised by objection letters will be addressed in this section.
- 6.22 The Council is no longer posting notification to neighbours. However, an orange site notice has been displayed at the location site between 26 May 2021 and 16 June 2021. An advertisement has also been displayed at Newbury Weekly News on 13 May 2021.
- 6.23 Property Valuation is not a material consideration when assessing this planning application.

7. Planning Balance and Conclusion

- 7.1 This application seeks planning permission for the Change of Use from redundant Methodist Church to residential dwelling (Use Class C3). The proposal is seeking to retain the front elevation onto Inkpen Road unchanged. It will introduce patio doors to the rear elevation in the location of the existing kitchen window. Internally, the works will involve the creation of a living, kitchen dining area, separate living room, two bedrooms and bathroom.
- 7.2 The proposed outdoor space is far below the required standard and it is not considered that such scale of the outdoor space is reasonable in this case. Given that the size of the proposed outdoor space is far below than the suggested standard, it is considered that the proposal would not provide adequate and suitable outdoor amenity space for future residents. This is contrary to the NPPF, Policy CS14 of the West Berkshire District Core Strategy 2006 to 2026 and the Quality Design – West Berkshire Supplementary Planning Document Part 2 Residential Development.
- 7.3 Three parking spaces are required but no off-road car parking can be provided in this case. It is considered that the proposal would convert the vacant former church building to residential. Though the proposed residential use would require the least number of parking spaces provided when comparing with the existing use, it is considered that the proposal will introduce an overnight car parking demand along with all other residential properties in this location. Given that there is existing car parking congestion, the proposal undoubtedly will result in on street parking in the vicinity and this will adversely affect road safety and the traffic flow. The proposal fails to meet the parking standard set out in the local planning policy. The proposal will also adversely affect road safety and the flow of traffic. This is contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026 and Policy P1 of the Housing Site Allocations DPD 2017.

8. Full Recommendation

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

Refusal Reasons

1.	Under-provision of Outdoor Spaces The proposed outdoor amenity space falls far below the recommended standard of at least 100 square metres for a 3 bedroom dwelling set out in Part 2 (Residential Development) of the Council's Quality Design SPD. Given that the size of the
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	proposed outdoor space is far below than the suggested standard, the proposed works would fail to provide adequate and suitable outdoor amenity space for future residents. This is contrary to Paragraph 130 of the National Planning Policy Framework 2019 and Policy CS14 of the West Berkshire District Core Strategy 2006 to 2026, which seeks, inter alia, for new development to make a positive contribution to the quality of life in West Berkshire, and the Quality Design – West Berkshire Supplementary Planning Document Part 2 Residential Development.
2.	Lack of Parking and Highways Safety Three parking spaces are required but no off-road car parking can be provided in this case. Though the proposed residential use would require the least number of parking spaces provided when comparing with the existing use, it is considered that the proposal will introduce an overnight car parking demand along with other residential properties in this location. Given that there is existing car parking congestion in the vicinity of the site, the proposal will increase pressure for on street parking in the vicinity and this will adversely affect road safety and the traffic flow. This is contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026 and Policy P1 of the Housing Site Allocations DPD 2017.

Informatives

1.	In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application there has been a need to balance conflicting considerations, and the local planning authority has also attempted to work proactively with the applicant to find a solution to the problems with the development; however, an acceptable solution to improve the economic, social and environmental conditions of the area could not be found.
2.	This application has been considered by West Berkshire Council, and REFUSED. Should the application be granted on appeal there will be a liability to pay Community Infrastructure Levy to West Berkshire Council on commencement of the development. This charge would be levied in accordance with the West Berkshire Council CIL Charging Schedule and Section 211 of the Planning Act 2008.



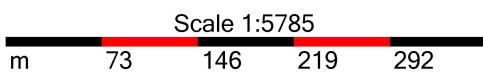
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