

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	22/01062/FULD Sulhamstead Parish Council	28/06/2022 <sup>1</sup>	Conversion and extension of an existing outbuilding to form a single dwelling  Shortheath House Shortheath Lane Sulhamstead Reading West Berkshire RG7 4EF  Mr Henry Chopping

<sup>1</sup> Extension of time agreed with applicant until 15<sup>th</sup> July 2022

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/01062/FULD>

**Recommendation Summary:** To delegate to the Service Director – Development and Regulation to Refuse Planning Permission for the reasons listed below.

**Ward Member(s):** Councillor Ross Mackinnon

**Reason for Committee Determination:** Called to Planning committee by Cllr Ross Mackinnon if the officer is likely to recommend Refusal of the application.

**Committee Site Visit:** 6<sup>th</sup> July 2022

#### Contact Officer Details

**Name:** Mr. Matthew Shepherd  
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## 1. Introduction

- 1.1 This application seeks planning permission for the conversion and extension of an existing outbuilding to form a single dwelling at Shortheath House Shortheath Lane Sulhamstead Reading West Berkshire RG7 4EF. The proposed development is within the open countryside (outside of any defined settlement boundary), in the East Kennet Valley, within the Public Protection Consultation Zone and has Tree Preservation Order on the site.

## 2. Planning History

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

Application	Proposal	Decision / Date
22/00211/FULD	Conversion of existing outbuilding to form a single dwelling, including provision of off street parking. Section 73 application to vary condition 2 (approved plans) of approved application 20/00413/FULD.	Withdrawn
20/01806/COND1	Application for approval of details reserved by conditions 5 (tree protection), 6 (root protection), 7 (arboricultural method statement), 8 (bat voids) and 12 (tree lighting) of approved application 20/00413/FULD, which granted planning permission for: Conversion of existing outbuilding to form a single dwelling, including provision of off street parking.	Spilt decision issued
20/00413/FULD	Conversion of existing outbuilding to form a single dwelling, including provision of off street parking	Approved
19/01769/FULD	Conversion of existing outbuilding to a single dwelling including provision of off street parking.	Withdrawn
19/01090/HOUSE	Conversion of existing outbuilding to a single dwelling including provision of off street parking.	Unable to determine
99/054437/FUL	Single storey garden room extension to house	Approved
92/40703/ADD	Boarding cattery 20 units	Approved
91/039095/ADD	Demolition of substandard stables and outbuildings and construction of new stables	Approved
90/38192/ADD	Single storey front and 2 storey rear extensions	Approved

### 3. Procedural Matters

- 3.1 EIA: Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 Publicity: Site notice displayed on 20/05/2022 on the fence at the access of the site; the deadline for representations expired on 14/06/2022.
- 3.3 CIL: Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). 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](http://www.westberks.gov.uk/cil) Consultation

#### ***Statutory and non-statutory consultation***

- 3.4 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.

<b>Sulhamstead Parish Council:</b>	No response with 21 day consultation period
<b>WBC Highways:</b>	No objections subject to conditions
<b>WBC Archaeology:</b>	No objections
<b>Lead Local Flood Authority WBC:</b>	No response with 21 day consultation period
<b>WBC Waste Management:</b>	No response with 21 day consultation period
<b>WBC Tree Officer</b>	<p>No objections subject to conditions.</p> <p>The application is for the conversion of an existing outbuilding and is accompanied by a BS 5837:2012 Arb Method Statement by Venners Arboriculture dated June 2020. This includes a Tree Protection Plan and details of installation of the no dig path, together with details on the preparation (demolition) for and installation of the proposed shed.</p> <p>I have no objection to the development subject to the AMS being included in the list of approved plans and to the following Conditions:</p>
<b>WBC Ecology Officer</b>	No response with 21 day consultation period

<b>Thames Water Utilities</b>	No objections subject to informatives.
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### ***Public representations***

- 3.5 Representations have been received from 0 contributors, 0 of which support, and 0 of which object to the proposal.

## **4. Planning Policy**

- 4.1 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, ADPP6, CS1, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C4 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS5, OVS6 and TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP).
- Policy NRM6 of the South East Plan.

- 4.2 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)

## **5. Appraisal**

- 5.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Neighbouring Amenity
- Highways Matters
- Flooding and Drainage
- Ecology and Tree's

### ***Principle of development***

- 5.2 The site is located outside of a defined settlement boundary, it is therefore located as within the open countryside. Policies CS1 and ADPP1 of the Core Strategy seek to strictly control development outside of defined settlement boundaries in the open countryside.

- 5.3 The Core Strategy must be read in conjunction with the other documents of the Local Plan, including the Housing Site Allocations DPD (HSA DPD). Policy C1 of the HSA DPD provides a presumption against new residential development outside the defined settlement boundaries, subject to a number of exceptions. These exceptions are limited to rural exception housing schemes, conversion of redundant buildings, housing to accommodate rural workers, extension to or replacement of existing residential units and limited infill in settlements in the countryside with no defined settlement boundary.
- 5.4 The proposal scheme has been submitted as a conversion of a redundant building, as such policy C4 of the HSA DPD is applicable. Policy C4 states that the conversion of redundant buildings in the countryside will be permitted for residential use provided that:
- i. The proposal involves a building that is structurally sound and capable of conversion without substantial rebuilding, extension or alteration; and
  - ii. The applicant can prove the building is genuinely redundant and a change to a residential use will not result in a subsequent request for a replacement building; and
  - iii. The environment is suitable for residential use and gives a satisfactory level of amenity for occupants; and
  - iv. It has no adverse impact on / does not affect rural character; and
  - v. The creation of the residential curtilage would not be visually intrusive, have a harmful effect on the rural character of the site, or its setting in the wider landscape; and
  - vi. The conversion retains the character, fabric and historic interest of the building and uses matching materials where those materials are an essential part of the character of the building and locality; and
  - vii. The impact on any protected species is assessed and measures proposed to mitigate such impacts.
- 5.5 Application 20/00413/FULD considered the conversion of this existing outbuilding to form a single dwelling, including provision of off street parking and was approved on the 28<sup>th</sup> April 2022. During the course of this application the applicant submitted a conditions report in support for this application, which states that the proposal was structurally sound and that it was redundant in use. The case officer under application 20/00413/FULD accepted these findings. The previous case officer found the proposed development under 20/00413/FULD to be acceptable in accordance with i. of the C4.
- 5.6 This current proposal is not considered to comply with i. of the C4 due to the development including substantial extension and alteration. It is however, accepted that the building remains redundant in use and is structurally sound.
- 5.7 The proposed development includes raising the ridge height of the roof by 0.8 metres in height. The case officer considers this to be a substantial alteration to the original building. Raising the ridge height the whole way across the building changes the nature and design of the building. Raising the roof line is proposed to enable bedroom accommodation at first floor level. Therefore the case officer cannot agree that the building can be converted with substantial alteration.

- 5.8 The proposed development also includes a two storey extension to the southern elevation of the building to the west therefore extending the existing barn. The proposed extension is approximately 5 metres deep from the original barn elevations with a gable end and pitched roofs to provide a larger principal bedroom at first floor. This would be extended for a width of 5.7 metres and would have a ridge line of 6.8 metres. The case officer is of the opinion that this would conflict with the policy by being a substantial extension to the development.
- 5.9 The proposed development would also include a 2 metre wide sun run lobby running along the edge of the southern elevation. This would create another substantial extension to the building.
- 5.10 The case officer is therefore of the opinion that the development conflicts with criteria i. of the Policy C4 due to substantial extensions and alterations to facilitate the conversion of the development.
- 5.11 In response to criteria iii. A sufficient level of external amenity space is provided.
- 5.12 Whilst the proposed curtilage is well contained within the red line of the proposal scheme, the inclusion of this section of the site is not considered as harmful to the character and appearance of the open countryside as it is of an appropriate size, well contained and not easily visible. However, the changes to the existing barn through alteration and extension are considered to create a dwelling in the countryside that is not in keeping with the original character of the barn. The policy of conversion seeks to retain the fabric and character of the existing building when it is converted without the need for substantial alteration. Raising the ridgeline by 0.8 metres from 6.4 metres to 7.2 metres increase's the height and bulk of the barn viably changing the massing of the rural barn. Adding another gabled ended two storey development increases the floor space and built form of the barn change its existing physical appearance. The sun room element would add a host of glazing which would alter the appearance of the building from an existing modest rural barn to a large modernly designed dwelling. The case officer is concerned that the cumulative impact of each of these extensions/changes loses the rural nature of the existing barn. These changes are considered to, on balance, have an adverse impact on the rural character of the existing building and site.
- 5.13 As explained above the proposed development scheme does seek to substantially alter the external appearance of the building in terms of its character and how it looks. This is considered to have an adverse impact on the character of the existing barn. However the fabrics and materials used could be selected to match the existing building could be utilised and copied. These could also be secured via planning condition.
- 5.14 The case officer notes that application 20/00413/FULD was accompanied by a stage 2 dusk and dawn bat survey have been submitted with the application. The LPAs Ecologist was mostly satisfied with the findings and recommendations of this report and the mitigations that could be controlled via planning conditions. However, the case officer notes that the report in section 7.2. Notes that if work has not begun before summer 2021 a fully updated is likely to be required. The case officer has received no full update of the bat surveys for the site and it is therefore considered there is a lack of sufficient information to be sure the impact on any protected species is assessed and measures proposed to mitigate such impacts. The development is considered not to comply with vii of policy C4.
- 5.15 The proposed development is not considered to comply with section i., vi and vii. of policy C4. Policy C4 is written in such a way that each individually criteria must be met for the development to comply with the policy. The principle of development is not considered to be acceptable in accordance with policy C4.

## ***Character and appearance***

- 5.16 New residential developments within the open countryside must comply with policy C3 of the Housing Site Allocations in terms of design. In accordance with policy C3 new residential dwellings (including conversion schemes) must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change.
- 5.17 Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 5.18 Core Strategy Policy CS19 outlines that in order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In this respect a holistic approach must be taken when assessing planning applications.
- 5.19 The NPPF's paragraph 17 states that, in relation to design, councils should always seek to secure high quality design which respects and enhances the character and appearance of the area. The NPPF is clear that good design is indivisible from good planning and attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. The NPPF also adds that the visual appearance is a very important factor, securing high quality and inclusive design goes beyond aesthetic considerations.
- 5.20 Paragraph 58 of the NPPF states that developments should function well and add to the overall quality of the area, respond to local character and history, and be visually attractive as a result of good architecture and appropriate landscaping.
- 5.21 As explained above whilst the proposed curtilage is well contained within the red line of the proposal scheme, the inclusion of this section of the site is not considered as harmful to the character and appearance of the open countryside as it is of an appropriate size, well contained and not easily visible. However, the changes to the existing barn through alteration and extension are considered to create a dwelling in the countryside that is not in keeping with the original character of the barn. The policy of conversion seeks to retain the fabric and character of the existing building when it is converted without the need for substantial alteration. Raising the ridgeline by 0.8 metres from 6.4 metres to 7.2 metres increase's the height and bulk of the barn viably changing the massing of the rural barn. Adding another gabled ended two storey development increases the floor space and built form of the barn change its existing physical appearance. The sun room element would add a host of glazing which would alter the appearance of the building from an existing modest rural barn to a modern, large design of dwelling. The case officer is concerned that the cumulative impact of each of these extensions/changes loses the rural nature of the existing barn. These changes are considered to, on balance, have an adverse impact on the rural character of the existing building and site.
- 5.22 As explained above the proposed development scheme does seek to substantially alter the external appearance of the building in terms of its character and how it looks. This is considered to have an adverse impact on the character of the existing barn. However the fabrics and materials used could be selected to match the existing building could be utilised and copied. These could also be secured via planning condition.

5.23 The proposed development is therefore not considered to be in keeping with the rural character of the area. The alterations and extensions to the barn create a large dwelling of modern design rather than retaining the modestly proportioned barn's character and rural aesthetic.

5.24 The development is therefore not considered to comply with NPPF paragraphs 17 and 58, with CS14 of the Core Strategy or C4 of the HSADPD.

### ***Neighbouring Amenity***

5.25 The proposal scheme is not viewed as resulting in harm to neighbouring properties.

### ***Highways Matters***

5.26 As the access drive already serves a residential dwelling (Shortheath House). As such this raises no concerns.

5.27 Three driveway parking spaces are provided for the proposed dwelling. This is in accordance with policy P1, the materials are also acceptable.

5.28 Electric car charging point is provided as required by policy P1. A shed is included with the proposal scheme, this can be utilised for cycle storage are also acceptable. The Highways Authority have no objections to the proposal scheme.

### ***Flooding and Drainage***

5.29 The site is an existing building within flood zone 1, there are no concerns regarding flooding or drainage.

### ***Ecology and Tree's***

5.30 The tree officer has commented that the application is accompanied by a BS 5837:2012 Arb Method Statement by Venners Arboriculture dated June 2020. This includes a Tree Protection Plan and details of installation of the no dig path, together with details on the preparation (demolition) for and installation of the proposed shed. The tree officer raised no objections subject to conditions.

5.31 The stable block was confirmed as part of the previous application as a minor day roost for Common Pipistrelle and a feeding perch and day roost for Brown Long-eared bats. Therefore, the redevelopment of the stable block must be carried out under a Bat Mitigation Class Licence site registration. No other notifiable species were identified.

5.32 The case officer notes that application 20/00413/FULD was accompanied by a stage 2 dusk and dawn bat survey have been submitted with the application. The LPAs Ecologist was mostly satisfied with the findings and recommendations of this report and the mitigations that could be controlled via planning conditions. However, the case officer observes that the report in section 7.2 notes that if work has not begun before summer 2021 a fully update report is likely to be required. The case officer has received no full update of the bat surveys for the site and it is therefore considered there is a lack of sufficient information to be sure the impact on any protected species is assessed and measures proposed to mitigate such impacts.

5.33 The proposed development is not considered to comply with section vii. Of policy C4 which requires the impact on any protected species is assessed and measures proposed to mitigate such impacts. Policy CS17 also required Biodiversity assets across West Berkshire to be conserved and enhanced. The proposed development is not



considered to be acceptable in accordance with the principles of the National Planning Policy Framework or policy C4 of the HSADPD and CS17 of the Core Strategy.

## 6. Planning Balance and Conclusion

- 6.1 The case officer notes that the proposed development is a new permission for the conversion and extension of an existing outbuilding to form a single dwelling at Shortheath House Shortheath Lane Sulhamstead Reading West Berkshire RG7 4EF. It will be a stand-alone permission and must be looked at on its merits as a conversion in accordance with C4. Whilst Policy C4 permits the conversion of redundant buildings in the countryside it does so subject to a set of criteria. The development fails to comply with section I due to the substantial extension and alterations proposed within the development. the proposed development also falls foul of criteria vi due to the alterations and extensions changing the character of the existing barn to an extent where by it is harmful to the existing barns rural character and appearance. Furthermore the development does not comply with section vii. of policy C4 due to the lack of updated ecology report as required by previous ecology reports. Policy C4 is written in such a way that each individually criteria must be met for the development to comply with the policy. The principle of development is not considered to be acceptable in accordance with policy C4. The proposed development therefore does not, on balance, comply with CS14 as the design does not respect the respect and enhance the rural character and appearance of the area. Additionally there is not sufficient information accompanying this application to ensure that the development complies with CS17 of the development plan due to the lack of updated ecology reports.

## 7. Full Recommendation

- 7.1 To delegate to the Service Director – Development and Regulation to REFUSE PLANNING PERMISSION for the reasons listed below.

### *Refusal Reasons*

1.	<p><b>Principle of Development C4 Character of the Area</b></p> <p>The proposed conversion and extension of an existing outbuilding to form a single dwelling at Shortheath House, Shortheath Lane, Sulhamstead, Reading, West Berkshire RG7 4EF. This current proposal is not considered to comply with i. of the C4 due to the development including substantial extension and alteration. The proposed development includes raising the ridge height, a two storey extension to the south elevation and a sun room lobby running along the edge of the southern elevation</p> <p>The development conflicts with criteria i. of the Policy C4 due to substantial extensions and alterations to facilitate the conversion of the development.</p> <p>The changes to the existing barn through alteration and extension would create a dwelling in the countryside that is not in keeping with the original character of the barn. Raising the ridgeline increase's the height and bulk of the barn viably changing the massing of the rural barn. Adding another gabled ended two storey development increases the floor space and built form of the barn change its existing physical appearance. The sun room element would add a host of glazing which would alter the appearance of the building from an existing modest rural barn to a large dwelling of modern design. The cumulative impact of each of these extensions/changes is loss of the rural nature of the existing barn. These changes are considered to, on balance,</p>
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	<p>have an adverse impact on the rural character of the existing building and site. The development does not comply with vi. of policy C4.</p> <p>The proposed development would have an adverse impact on the character of the existing barn. The proposed development is therefore not in keeping with the rural character of the area. The alterations and extensions to the barn create a large dwelling of modern design rather than retaining the modestly proportioned barn's character and rural aesthetic.</p> <p>The proposed development does not comply with section I and vi of policy C4. Policy C4 is written in such a way that each individually criteria must be met for the development to comply with the policy. The principle of development is not acceptable in accordance with policy C4 of the HSADPD. The proposed development is therefore also not considered to comply with NPPF paragraphs 17 and 58, with CS14 of the Core Strategy and C4 of the HSADPD.</p>
	<p><b>Ecology</b></p> <p>The previous application 20/00413/FULD was accompanied by a stage 2 dusk and dawn bat survey have been submitted with the application. The LPA's Ecologist was mostly satisfied with the findings and recommendations of this report and the mitigations that could be controlled via planning conditions. However, the report in section 7.2 notes that if work has not begun before summer 2021 a fully updated is likely to be required. No full update of the bat surveys for the site have been received. Therefore there is a lack of sufficient information to be sure the impact on any protected species is assessed and measures proposed to mitigate such impacts. The development is considered not to comply with vii of policy C4.</p> <p>The proposed development is not considered to comply with section vii. Of policy C4 which requires the impact on any protected species is assessed and measures proposed to mitigate such impacts. Policy CS17 also required Biodiversity assets across West Berkshire to be conserved and enhanced. The proposed development is not considered to be acceptable in accordance with the principles of the National Planning Policy Framework or policy C4 of the HSADPD and CS17 of the Core Strategy.</p>

### **Informatives**

1.	<p>Refusal</p> <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>
2.	<p>CIL</p> <p>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</p>

	development. This charge would be levied in accordance with the West Berkshire Council CIL Charging Schedule and Section 211 of the Planning Act 2008.
3	<p>Refusal 2</p> <p>Officers have been directed to not prolong the decision-making process if significant changes to submission documents are required and/or fundamental (in-principle) objection is apparent, and the case officer as decision maker on delegated decisions has the discretion to make this judgement.</p> <p>Officers will also highlight that you did not engage into any pre-application discussions prior to submitting the formal application, and the formal submission route should never be used as a means to bypass the pre-application process, as you are attempting to do, the importance of which is highlighted under Para's 39 and 40 of the NPPF 2022. Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) "DMPO" encourages LPA's to deal with applications in a positive and proactive manner and also extends to <u>refusal without discussion</u> given requirements of S70(2) of the TCA 1990 and s38(6) of the PCP Act 2004 and guidance contained under Para 47 of the NPPF 2021 (as amended).</p> <p>It goes without saying that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties, as a result, anything shy this requirement is advocating bad practice by circumventing the pre-application process and/or exacerbating the stockpiling of applications.</p>