

EASTERN AREA PLANNING COMMITTEE
13TH JULY 2022

UPDATE REPORT

Item No: (2) **Application No:** 22/01062/FULD **Page No.** 27-39

Site: Shortheath House Shortheath Lane Sulhamstead Reading West Berkshire RG7 4EF

Planning Officer Presenting: Matthew Shepherd

Member Presenting: N/A

Parish Representative speaking: N/A

Objector(s) speaking: N/A

Supporter(s) speaking: Lucy Chopping - In Person
Keith Chopping – In Person

Applicant/Agent speaking: John Cornwell – In Person

Ward Member(s): Cllr Ross Mackinnon

The Councils ecologist advises that the initial survey is now very out of date now anyway, it doesn't need to be repeated but will need the dusk/dawn surveys that it suggests.

“1.3 The field survey was undertaken on the 12th December 2018 by an experienced ecologist with a Natural England roost visitors bat licence (Class Licence Registration Number 2015-13769-CLS-CLS).”

Further the ecologist confirms the case officers view quote the below sections of the report.

“1.6 Bat emergence surveys were carried out on the 19th August 2019 and the 12th September 2019 with a dawn re-entry survey on the 29th August 2019...”

“7.2 If work has not begun before next summer a single updated emergence survey will be required, but from the summer of 2021 onwards if work has not begun a full update is likely to be required, as this is a requirement of the site registration.”

Further reiterating the point that the ecology report previously submitted need to be updated.

The Council's Ecologist advises that ecology reports cannot be conditioned. Officers noted that central government guidance (Circular 06/05: biodiversity and geological conservation) states:

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

In case of any doubt the guidance it goes on:

"The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances".

The reason the guidance takes this approach is because otherwise the situation can arise (and has arisen in the past) when conditioned surveys have discovered an ecological issue that has necessitated a material change to the approved design to ensure compliance with wildlife legislation, in turn requiring a new planning application. Therefore it is officer's recommendation that conditioning ecology reports is inappropriate.

Site Visit Request

At the committee site visit it was requested that a copy of the Council's former policy for the redevelopment of existing buildings in the countryside was provided to the committee for information. Accordingly, an extract of Policy ENV.20 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) is shown below in this update report. Members should note that this policy is provided for information only; the policy was replaced by Policy C1 and C4 of the Housing Site Allocations DPD in 2017, and no longer forms part of the statutory development plan. Policy C4 is also included for reference.

POLICY ENV.20 Proposals for the redevelopment of existing buildings in the countryside will be permitted where the proposal is in a sustainable location and particularly where it will assist the diversification of the rural economy and secure environmental improvements. Proposals must meet the following criteria:

- (a) the redevelopment proposal has no greater impact (in terms of the size and bulk of the buildings or site coverage) than the existing development; and
- (b) is appropriate in design, form, character and siting to its rural location and would not be visually intrusive or harmful to the amenities of the site or surrounding countryside; and
- (c) the redevelopment respects local building styles and materials; and
- (d) it does not involve the redevelopment or loss of listed buildings (or parts thereof) or harm the setting of such buildings; and
- (e) the extent of the proposed curtilage of the redevelopment site is neither visually intrusive or harmful to the amenities of the surrounding countryside; and
- (f) the use of the building(s) following redevelopment would not generate traffic of a type or amount harmful to local rural roads, or require improvements that would detrimentally affect the character and nature of such roads and the area generally; and
- (g) the proposed use(s) would not result in material harm to the environmental qualities of the site and to the surrounding countryside;
- (h) that, where appropriate, the buildings to be redeveloped should be surveyed for protected species and, if found, protection/mitigation measures are approved by the Council using expert advice. The approved measures to be fully implemented before the buildings are demolished.

A sustainable location is generally defined as one which:

- (a) will minimise the need for travel and be accessible by alternative means of transport other than the private car;
- (b) is well related to the existing settlement pattern;
- (c) will not cause material harm to the natural resources and character of the area;
- (d) will contribute towards a balanced local community in terms of the provision of homes, jobs and services.

Policy C 4

Conversion of Existing Redundant Buildings in the Countryside to Residential Use

The conversion of existing redundant buildings to residential use will be permitted providing 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.