

<b>Item No.</b>	<b>Application No. and Parish</b>	<b>Statutory Target Date</b>	<b>Proposal, Location, Applicant</b>
(3)	23/01260/HOUSE Inkpen	1 <sup>st</sup> August 2023	Additional vehicular access and new workshop building  Kates Cottage, Craven Road, Inkpen, Hungerford,  Briony Malden
<sup>1</sup> Extension of time agreed with applicant until 01.12.2023			

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/01260/HOUSE>

**Recommendation Summary:** That the Development Manager be authorised to REFUSE permission.

**Ward Member(s):** Councillor Benneyworth  
Councillor Gaines  
Councillor Vickers

**Reason for Committee Determination:** Call in by ward member where application recommended for refusal.

The number of objections exceeds 10.

**Committee Site Visit:** 16<sup>th</sup> November 2023

#### **Contact Officer Details**

**Name:** Helen Robertson  
**Job Title:** Assistant Planning Officer  
**Tel No:** 01635 519111  
**Email:** Helen.robertson@westberks.gov.uk

## 1. Introduction

- 1.1 This application seeks planning permission for an additional vehicular access and a new workshop building. The proposal description was amended from 'relocation of vehicular access' to 'additional vehicular access' to better reflect the proposal.
- 1.2 The application site lies outside the defined settlement boundary, in the open countryside, in policy terms. It also lies in the North Wessex Downs Area of Outstanding Natural Beauty. A public right of way (INKP/17/1) runs past the application site to the north. The existing vehicular access to the site is from the public highway to the west.
- 1.3 The cottage sits towards the centre of the long narrow site. There is a change in the levels at the site which increase in height from north to south.
- 1.4 The proposed additional vehicular access is from the public right of way to the north that currently provides access to Hunters Way and Crows Nest. The proposed workshop building is set to the south of the site and would replace two smaller buildings; a garage and a cabin. The use of the building was confirmed as a workshop for private cars kept as a hobby.
- 1.5 The existing access is to remain. It would be re-laid with permeable gravel. New gates are proposed at a height less than one metre which would not require planning permission. The plans state that the existing access would only be used occasionally.
- 1.6 During the course of the application amended plans were submitted as follows:
  - The proposed workshop building was reduced in height. This has resulted in the loss of the first floor room and associated external stair and door.
  - The red line on the location plan was amended to exclude land outside of the Applicant's ownership.
  - An area of vegetation adjacent to the proposed access to be cleared is shown on the Block Plan
  - The new gates at the existing access are to be no more than one metre high.
  - A swept path analysis has been included to show turning is possible in front of the proposed workshop.
  - Timber boarding is shown to the workshop walls (to replace timber effect boarding originally proposed)

## 2. Planning History

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

Application	Proposal	Decision / Date
80/13305/ADD	Replacement of existing tile and corrugated iron lean to by brick and tile study store	Approved 11.07.1980

### 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 notice displayed on 23.06.2023; the deadline for representations expired on 14.07.2023. Public Rights of Way Affected site notice displayed on 14.09.2023; the deadline for representations expired on 05.10.2023.

Advertised in the Newbury Weekly News on 21.09.2023.

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).

3.4 Pre-Commencement Condition (Tree Protection Scheme) Agreed on 11.08.2023.

### 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.

<b>Inkpen Parish Council:</b>	The above planning application was considered at the planning meeting on 27th June 2023. Councillors recorded: Unanimous objection Concerns raised were: - the increased height of the workshop impacts on the street scene giving greater visibility and dominates the adjacent dwelling and their privacy. - the proposed building which is sited on high ground, is out of character with the AONB area -the proposed construction of the driveway will impact on the septic tank soakaway. - the probability of accidents, where 3 driveways converge on a blind bend, will increase the likelihood of further accidents at this point.  Amended Plans: No further comments received
<b>WBC Highways:</b>	Craven Road is a classified road, on-site vehicle turning must be retained/provided from the existing access. Can this be achieved? It is stated on the submitted plan that this access will only be used for occasional access to the new workshop. This is quite a large building, is there a specific intended use for the workshop? I would query the requirement for two accesses and

whether this could lead to this becoming two separate curtilages at some point?

No highway objections to the proposed access onto the PRow. The following informatives are requested on any planning approval which may be given:

HI 3 Damage to footways, cycleways and verges

HI 4 Damage to the carriageway

Further comments:

The amended plans and letters from the local people have been viewed.

The vehicular access from the PRow onto the highway is existing, serving existing dwellings. This application will result in the increased use of this access. The highway authority can only insist upon on-site turning where there is an access onto a classified road, therefore whilst we can ask the applicant to provide it onto the PRow, we would be unable to insist upon it. It was queried previously whether this is provided from the existing access. The site plan is annotated to state that the vegetation on the corner between the proposed drive and carriageway will be removed to improve visibility. It would be appropriate for a greater level of detail to be provided as to the extent of this removal. The likely level of additional vehicle movements generated from the proposed access could be in the region of 3 in and 3 out per day; this level would be too low for the Highway Authority to be able to substantiate an objection to in this instance. What is also noted is that this house is existing and already generates these vehicle movements plus any associated deliveries to this site and so these are not new movements on Craven Road.

The proposed gates should be set-back a minimum of 5 metres from the edge of the carriageway to enable a vehicle to pull off the carriageway whilst opening the gates. This should have been requested previously.

Some letters from the public mention Road Traffic Accidents. The accident statistics reported by Thames Valley Police to West Berkshire Council's Traffic and Road Safety team only include Personal Injury accidents. They will not include damage to vehicles. Records have been checked for the last 5 years up to December 2022 and it would seem that the accidents identified within the representation letters did not fall into this category and so are not recorded in the records held.

Further comments:

The amended plans and additional information have been noted. The gates must not be set further forward than the existing ones. The turning area relies on the workshop being included within this. The whole of the driveway area should be kept available for parking and turning and this should be conditioned as such. The extent of vegetation removal noted and this is conditioned to be provided below. For the reasons given previously, the highway

	<p>authority would be unable to substantiate an objection to this application.</p> <p>Conditions: HIGH12 Parking/turning in accord with plans</p> <p>Visibility</p>
<b>AONB Board</b>	No response received
<b>WBC Public Rights of Way</b>	<p>Inkpen footpath 17/1 (Inkp/17/1) runs along part of the access track to the houses at this location. Please note the following map and informatives:</p> <p>No obstruction of PROW</p> <p>Private rights of vehicle access</p> <p>Visitors to the site made aware of PROW</p> <p>No obstruction of PROW</p> <p>Laying of Services</p> <p>Notification of development</p> <p>Surface of PROW</p>
<b>Ramblers</b>	No response received
<b>WBC Tree Officer</b>	In Block plan KTCP.P01 the new workshop is shown to be in close proximity to a tree that is to be retained, the following condition for a Tree Protection Scheme is therefore necessary.
<b>WBC Ecology</b>	No response received
<b>WBC Land Drainage</b>	The BGS geology viewer indicates the site is underlain by clay so we would require evidence (i.e. infiltration test results) that a soakaway solution is feasible in this location, or than an alternative means of discharge is available. We expect all new development (or where there is an increase in the footprint of the building) to utilise SuDS where feasible.
<b>Berkshire Newt Officer</b>	No response received

### ***Public representations***

- 4.2 Representations have been received from 12 contributors, 0 of which support, and 12 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. These comments were made before the submission of amended plans. In summary, the following issues/points have been raised:
- Highway safety/parking and access issues
  - Impact on the character of the area, AONB, visual impact, topography of site and the scale of the proposed building
  - Overlooking/loss of privacy
  - Overbearing to neighbours
  - Invalid application

- Soakaway and sewage treatment plant regulations/contamination
- Impact on a neighbour's cables below the proposed driveway
- Noise disruption from gravel driveway
- Proposed removal of hedge increases visibility of the cottage
- Potential business use/noise
- Building could be converted to a dwelling
- Impact on tree

A further comment was made after the submission of amended plans regarding the proposed new access. Reiterating previous objections and querying the requirement for two accesses.

## 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, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C6 and 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 2023 (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Sustainable Drainage Systems Supplementary Planning Document (2018)
- Planning Obligations SPD (2015)
- Inkpen Village Design Statement

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- The impact on the character of the area
- The impact on neighbouring amenity
- Highways matters
- The impact on trees
- The impact on land drainage
- The impact on protected species

### *Principle of development*

6.2 Whilst development is to be limited in the open countryside (ADPP1), there is a presumption in favour of extensions to existing permanent dwellings (C6 of HSA DPD), provided that the design, scale and impact on the setting, character and neighbouring residents is appropriate and respectful (CS14, CS19, C6).

6.3 The site is also located within the AONB, where development must respond positively to the local context, and respect landscape features and components of natural beauty in accordance with Policy ADPP5. The conservation and enhancement of the AONB is therefore of particular importance.

### ***Character and appearance***

6.4 Through the provisions of the NPPF the government outlines the importance of the design of the built environment. Policy CS14 of the Core Strategy states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area.

6.5 Policy C6 allows for a presumption in favour of proposals for the extension of existing permanent dwellings in the countryside provided that (amongst other criteria):

- the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling.

- It has no adverse impact on the setting, the space occupied within the plot, on the rural, the historic interest of the building and its setting.

- The use of materials is appropriate within the local context.

6.6 In appeal ref: APP/W0340/W/22/3311315 which included the erection of a new outbuilding it was questioned whether DPD Policy CS6 was relevant to the appeal scheme, as the proposed development was for a separate freestanding outbuilding rather than an extension or alteration to the dwellinghouse on site. However, the Inspector was not convinced that the policy is so prescriptive as to not include extensions or alterations to the wider residential built form of a dwelling (e.g. associated outbuildings). It is therefore considered relevant to this application.

6.7 The amended plans show the proposed workshop building to be reduced in scale to a single storey building measuring 7.35 metres (approx.) in width by 6.45 metres (approx.) in depth and 4.2 metres (approx.) in height. It would sit on the higher ground to the south of the site where it would replace two existing smaller outbuildings and be partly screened by the vegetation on the south and east boundaries. The scale of the building is now considered appropriate given the topography of the site. The site is long and narrow and the proposed building sits comfortably at the southern end in an area that is currently already occupied by buildings and parked vehicles. The proposal would result in a more cohesive, less cluttered appearance than the existing arrangement. The materials have been amended to timber boarding and tile to match the existing house which is appropriate to the AONB countryside.

6.8 The use is stated as a workshop for private cars kept as a hobby.

6.9 The existing gates at the access here are to be replaced with gates no more than one metre in height which would not require permission. New permeable gravel is proposed to be laid.

6.10 The proposed new access appears to be in use informally, the proposed laying of permeable gravel would have little effect on the character of the area. Whilst the loss of a relatively small area of vegetation on the boundary is regrettable it is necessary to facilitate visibility and the site is otherwise well screened from the highway view.

### ***Neighbouring Amenity***

- 6.11 The proposed workshop building is sited adjacent to the boundary with Saplings the garden of which wraps around the site. Given the reduction in scale of the building and the boundary screening there is not considered to be any significantly harmful visual impact or overshadowing impacts. The potential for overlooking has been removed in the amended scheme.
- 6.12 The new access/driveway is located to the west of Crows Nest. The boundary here is well screened and there should not be any significantly harmful effect to the amenity of the occupants of Crows Nest due to vehicle movements. It is noted that the driveway to Crows Nest is to the front of the property near to the proposed drive at the application site and that the principal garden area is set to the rear.
- 6.13 There are two properties situated on the other side of Craven Road, Moss Cottage and Honeysuckle Cottage. Due to the degree of separation to the proposals the amenities of the occupiers of these properties are not considered to be affected.

### ***Highways Matters***

- 6.14 For the reasons given above the Highways Authority are unable to substantiate an objection to the application and have recommended conditional permission.

### ***The Impact on Trees***

- 6.15 The Tree Officer has raised no objections and has recommended conditional permission, an agreed Tree Protection scheme would be required before the commencement of the proposed workshop building to ensure the protection of a nearby tree.

### ***The Impact on Land Drainage***

- 6.15 The Council's Land Drainage Engineer has provided clarification of the consultation response and has confirmed to the Applicant that they cannot recommend approving/conditioning the application unless evidence supporting the proposed surface water drainage is submitted prior to approval.

In this instance the proposal to use infiltration devices (permeable paving, soakaways, etc.) might not be acceptable due to the underlying geology (clay). In addition, it is highly likely any exceedance from failed private drainage would find its way into the highway drainage system due to the steepness/location of access to the property from Craven Road. The highway drainage system is located along Craven Road which is on a hill, and it drains to a watercourse approximately 70m north of the proposal. The watercourse is highlighted as being at risk of surface water flooding, therefore we (WBC) must ensure that only the road is drained by this system and that we do not increase flood risk. Private connections, or exceedance from private systems cannot be permitted to enter the highway drainage system. Existing surface water drainage provision within the site extent should also be determined (location, size, condition, etc.) and if there is any risk of clashes/conflicts this needs to be addressed as part of the application.

Given that there are no public sewers identified in this location (based on records available to WBC) and the only drainage connecting to the watercourse is the highway drainage, the applicant may not be able to implement adequate surface water drainage should ground investigations rule out infiltration as a viable means to drain the site.



To summarise - based on the information submitted this proposal may increase flood risk to the highway drainage and, consequently, the watercourse 70m north of the property. It may also incorporate surface water drainage solutions for access and a small building that will not comply with current design standards as provided in WBC SuDS SPD and C753 The SuDS Manual.

From our perspective as the LLFA, the following are required to progress this application:

- If it is intended to discharge surface water runoff to ground (infiltration) carry out ground investigations (BRE365 methodology preferably, however ground investigations will be permitted if the area drained is small/<25m<sup>2</sup>) and/or provide evidence that a viable solution can be implemented.
- Determine an alternative proposal that does not require discharging runoff into the ground (infiltration) – though this might not be possible as discussed above.

The Applicant has declined to submit the additional information requested.

Comments regarding the sewage treatment plant are noted however this is a matter for the Building Regulations.

### ***The Impact on Protected Species***

6.16 The Berkshire Newt Officer has been consulted but has not commented on the proposals.

The Council's Ecologist has also been consulted; no comments have been received. However, if the application were approved an Informative is recommended to remind the Applicant of the legal responsibility towards protected species.

## **7. Planning Balance and Conclusion**

7.1 The amended design of the proposed outbuilding has been assessed to ensure that the replacement building is appropriate in scale, design and materials taking into consideration the impact on the character and appearance of the area and that of the wider AONB and the impact on the amenity of neighbours. The impact is considered acceptable for the reasons outlined above.

7.2 The proposed new access has been carefully considered by the Highways Authority and found to be acceptable.

7.3 However, the application fails to provide sufficient information with regards to the potential impact on increase flood risk to highway drainage and, consequently, to the watercourse 70m north of the property.

7.4 For the above reason it is considered that the proposed development is not supported by the presumption in favour of sustainable development

## **8. Full Recommendation**

8.1 To delegate to the Development Manager to REFUSE PLANNING PERMISSION.

## **Refusal Reason**

1.	<p><b>Title</b></p> <p>Insufficient Information SuDs</p> <p>Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of sustainable drainage methods in accordance with best practice and the proposed national standards. It is considered that there is insufficient information submitted with the scheme to assess the proposed development's impact on flooding and how surface water will be managed with particular regard to the increased flood risk to highway drainage and, consequently to the water course 70m north of the property.</p> <p>Accordingly, it has not been demonstrated that the proposed development complies with Policy CS16 of the West Berkshire Core Strategy (2006-2026) or the Sustainable Drainage Systems Supplementary Planning Document (2018).</p>
	<p><b>Informative</b></p>
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 whilst there has been a need to balance conflicting considerations, the local planning authority has also 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>