

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	23/02603/FUL Bucklebury Parish Council	15.01.2024 ¹	Internal and external alterations to allow change of use of listed barn to dwelling, including erection of vehicular access, gate, car port and diversion of the definitive footpath. Barn Hawkridge Farm Bucklebury Reading Richard and Lisa Beasley

¹ Extension of time agreed with applicant until 15.07.2024

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/02603/FUL>

Recommendation Summary: The Development Manager be authorised to GRANT conditional planning permission.

Ward Member(s): Councillor Chris Read

Reason for Committee Determination: More than 10 objections received.

Committee Site Visit: 03.07.2024

Contact Officer Details

Name: Alice Attwood
Job Title: Senior Planner
Tel No: 01635 519111
Email: Alice.Attwood1@westberks.gov.uk

1. Introduction

- 1.1 The purpose of this report is for the Committee to consider the proposed development against the policies of the development plan and the relevant material considerations, and to make a decision as to whether to approve or refuse the application.
- 1.2 This application seeks planning permission for internal and external alterations to allow change of use of a listed barn to dwelling, including erection of vehicular access, gate, car port and diversion of the definitive footpath.
- 1.3 The site is considered to be within the open countryside and is within the North Wessex Downs National Landscape.
- 1.4 The site is accessed via Chapel Lane which is an unclassified road. Bucklebury footpath 158 runs through the north of the site. There is a pond to the east of the barn. The site is within flood zone 1 and is not within a critical drainage area. Part of the east of the site is within the Biodiversity Opportunity Areas: Yattendon and Basildon Woodlands. To the North of the site is an agricultural field. To the north west approximately 22m away from the edge of the site is an agricultural barn.
- 1.5 To the South of the site are residential properties Hawkridge Farmhouse which is listed and Owl House. The lawful development certificate 20/01682/CERTE was granted with regards to Owl House to confirm it had been used as a separate dwelling continually in excess of 4 years.
- 1.6 The Barn at Hawkridge farm is a grade II listed building approximately 10 metres to north of Hawkridge Farmhouse. The Barns listing's describes the building as a timber framed with brick and flint plinth with weatherboarded sides. With an old tile hipped roof with catslide over outshot to south-east and hipped cart entrance in third bay from east to north. The barn has two cart entrances to the South of the property.
- 1.7 The barn and the land around the barn has been used on an adhoc basis for personal domestic storage and historically agricultural purposes.
- 1.8 The proposal description is for internal and external alterations to allow change of use of the listed barn to dwelling, including erection of vehicular access, gate, car port and diversion of the definitive footpath.
- 1.9 The conversion will mainly involve using the existing opening with the building. There are some minor alterations to the external appearance of the building these would be:
 - 1.9.1 Minor alterations to the existing openings
 - 1.9.2 Creation of two small windows in the roof on south elevation.
 - 1.9.3 Creation of two small windows in the roof on north elevation.
 - 1.9.4 Block up of the door on the west elevation.
 - 1.9.5 Additional on window to the east elevation.
- 1.10 The proposal includes erection of a car port, vehicular access and gates.
- 1.11 While the diversion of the definitive footpath is included in the proposal description, it should be noted that the planning process cannot be used to divert a public footpath. Diversions of public footpath are carried out under a different legal framework. This will be further explained later in this report.

2. Planning History

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

Application	Proposal	Decision / Date
20/01885/FUL 20/01886/LBC2	Change of use of listed barn to dwelling and revised access.	Withdrawn 30.10.2024

2.2 The barn was originally apart of a cluster of building which made up Hawkridge Farm. In 2020, The application (20/01682/CERTE) for the formation of a separate dwelling at Owl House following four years of continued use was approved on 14.09.2020.

2.3 Hawkridge House and Barn remained together. Householder applications have been submitted for Hawkridge House in 2002 and 2004. The were 04/01679/HOUSE and 04/01669/LBC for replacement of existing conservatory with oak framed garden room which was approved. Then in 2002, householder application 02/01755/HOUSE and 02/01756/LBC was received for extension to form barn room, sun room, bedroom and entrance hall which was approved.

2.4 In 2002, a proposed site plan was submitted and approved which denoted the domestic curtilage. The barn and land to the north of the barn are shown as being in the domestic curtilage. It is accepted by the council that the barn and land to the north of the barn is domestic curtilage.

2.5 The aforementioned plan can be found via this link
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=02/01755/HOUSE>

3. Legal and Procedural Matters

3.1 **Environmental Impact Assessments (EIA):** In accordance with Regulation 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Local Council is required to adopt a screening opinion as to whether the proposal constitutes 'EIA development', and therefore whether an Environmental Impact Assessment (EIA) is required as part of the above application. The proposed development falls within the column 1 description at paragraph 10 (b) (infrastructure projects) of Schedule 2. It is located in a sensitive area, namely the North Wessex Downs National Landscape. It does not meet/exceed the relevant threshold in column 2. The proposal is therefore "Schedule 2 development" within the meaning of the Regulations. However, taking into account the selection criteria in Schedule 3, it is not considered that the proposal is likely to have significant effects on the environment, and has been assessed as resulting in a localised impact. Accordingly, the proposal is NOT considered "EIA development" within the meaning of the Regulations.

3.2 **Publicity:** Publicity has been undertaken in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's Statement of Community Involvement. Site notice were displayed on 01.03.2024 a entrance to Hawkridge Farm, with a deadline for representations of 22.03.2024. A public notice was displayed in the Newbury Weekly News on 22.03.2024; with a deadline for representations of 12.04.2024.

- 3.3 Re-consultation on additional information have been conducted on 22.03.2024 ending on 12.04.2024, 08.04.2024 ending 22.04.2024, 24.04.2024 ending 17.05.2024 and 06.06.2024 ending on the 20.06.2024.
- 3.4 **Local Financial Considerations:** Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. No local financial considerations are material to this application.
- 3.5 **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).
- 3.6 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
- 3.7 **New Homes Bonus (NHB):** New Homes Bonus payments recognise the efforts made by authorities to bring residential development forward. NHB money will be material to the planning application when it is reinvested in the local areas in which the developments generating the money are to be located, or when it is used for specific projects or infrastructure items which are likely to affect the operation or impacts of those developments. NHB is not considered to be a relevant material consideration in this instance, but can be noted for information.
- 3.8 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.9 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- 3.10 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.11 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.
- 3.12 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 3.13 It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this 'balancing exercise' in this report, officers are satisfied that the potential for these proposals to affect any individual's (or any group of individuals') human rights has been addressed proportionately and in accordance with the requirements of the Human Right Act.
- 3.14 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.
- 3.15 **Listed building setting:** Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 16(2) has the same requirement for proposals for listed building consent. The Barn at Hawkridge Farm is a grade II listed building. Adjacent to the site is Hawkridge Farmhouse which is a Grade II listed building. A heritage assessment has been submitted with applications 23/02603/FUL & 23/02604/LBC which has been assessed by officers. More detail will be given in the Officer Appraisal later in this report.
- 3.16 **Biodiversity Net Gain (BNG):** The application was valid from 20.11.2023. As the application was submitted before 12 February 2024, the development is exempt from BNG.

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.

Bucklebury Parish Council:	<p>Objection:- Whilst Bucklebury Parish Council is sympathetic to a planned future use of this listed and beautiful barn, it does have significant concerns about the proposal, which it objects to on the following basis:</p> <ol style="list-style-type: none"> 1. The creation of such large windows both south and (particularly) north will result in significant light spillage at night affecting the dark skies of the AONB and resulting in disturbance to wildlife (owls, bats etc.). If the application is approved, any external lighting should be subject to an external lighting plan. 2. Whilst the carport is shown as being for 2 vehicles and the drive is sufficiently large for several further vehicles, there is insufficient space for vehicles to turn round making it impossible to enter and leave the site in a forward gear. Chapel Lane is a very narrow, in places steep, bendy and high banked, single-track road subject to a 60mph speed limit. Whilst drivers are unlikely to reach that speed, vehicles reversing in or out of the drive will be a significant hazard to existing road users. 3. The buildings located at Hawkridge Farm enjoy a peaceful, relatively isolated rural location. Hawkridge Farm and the Owl House are positioned to have minimal impact on each other, being in linear layout. Conversion of the barn which is immediately opposite the Farmhouse and diagonally opposite The Owl House will result in windows from the Barn looking directly into the Farmhouse and partially into The Owl House (and vice versa). Privacy for both existing dwellings will be significantly reduced. 4. Much of the immediate area around the Barn drains into the pond adjacent to Chapel Lane. After heavy rain there is frequent flooding of Chapel Lane and concern is raised that with the additional drive and partially submerged carport flooding will be more frequent. 5. Concern was raised about foul and stormwater drainage. The site is not believed to have the benefit of the mains sewer and a septic tank will not work in the area due to the underlying geology. A full drainage scheme and plan should be a condition of any approval.
WBC Highways:	<p>The Local Highways Authority have confirmed that they have no objections to this proposal. They have confirmed that the proposed visibility splays can be accommodated within land owned by the Highways Authority and the applicant, and these would meet highway safety standards.</p>
Local Drainage Authority	<p>No objections. Drainage officers have recommended a pre-commencement condition be added with any approval.</p>
Archaeology officer	<p>No Objection:- Archaeology Officer has indicated the purpose will not have a harmful impact on archaeology as long as conditions are attached to any approval.</p>
Ecology Officer	<p>No Objection - We have reviewed the ecological information submitted in support of this planning application and advise that</p>

	<p>sufficient information has been provided. If planning permission is granted, we advise that a condition securing the implementation of ecological enhancements is attached.</p>
Berkshire Newt Officer	<p>No Objection – Mandatory conditions and informatives within the Certificate (on page 2) that must be used in verbatim on the decision notice. This is in order to comply specifically with conditions in the council's district licence.</p>
Conservation Officer	<p>19.06.2024 - Neutral - the concern would be the additional visual impact due to the appearance of the obscure glazing. The principle of converting the barn to residential use has an impact on the character and appearance of the building, however, this is acknowledged to be necessary for the viable use of the building. Nevertheless, the impact of such large areas of obscure glazing (which are synonymous with domestic, suburban properties) would likely be quite visually striking.</p> <p>Historic England's guidance on Adapting Traditional Farm Buildings (2017) notes that introducing natural light is often difficult to historic farm buildings. They generally advise that existing openings are used, and that new windows and doors can be expressed in a modern semi-industrial way (which ties in with the agricultural/light industrial character of the farm buildings). This suggests that there isn't an inherent concern about the use of modern materials, however, these should not result in an overly domestic appearance externally.</p> <p>The guidance notes that large cart doors/porches can be treated with slightly recessed entrance screens, however, this can sometimes give too much prominence to these openings and the guidance discusses ways in which to reduce the impact of glazing (such as retaining barn doors, as is proposed). Our concern is that the use of obscure glazing further increases the visual impact of the large areas of glazing rather than reducing it and that the obscure glazing would be read as a distinctly domestic feature, externally.</p> <p>In this case, it would likely result in a low level of less than substantial harm to the significance of the barn. In line with para 208 of the NPPF this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. If there is only one viable use, this is the optimum viable use. If there are a number of alternative uses, the optimum viable use is the one that is likely to cause the least harm to the significance of the asset. Planning officers therefore need to be satisfied that all other alternative uses can be ruled out (due to site constraints etc.).</p> <p>03.05.2024: No Objection, officers consider the rebuilding of the rear outshot (retaining historic timbers where possible) is appropriately justified and where the braces (to frame GL G) are poorly detailed and cannot be repaired with traditional materials and methodologies, their replacement would be appropriate (subject to detail). Thank you for the further information on the West wall, in this case officer would consider re-instating the northern mid-rail and altering/augmenting the existing studs</p>

	<p>appropriate. Officers have no objections as long as conditions are attached.</p>
<p>Countryside and Public Right of Way Officers</p>	<p>No Objection - The proposed car port would obstruct Footpath 158/1 Bucklebury. We understand that planning permission for the car port will need to be granted in order for the Ministry to finalize the diversion order to move the footpath away from the car port: Town and Country Planning Act 1990 (legislation.gov.uk).</p> <p>The proposed diversion is very small. The actual legal line which is subject to the application for diversion has been blocked and unused by the public for at least 15 years – quite possibly for a longer period, as people walk diagonally across the field to the north instead – the public footpath has been signed as running diagonally across the field rather than along the actual legal line that Hawkridge Farm now wish to divert.</p> <p>There is some ambiguity about the public footpath historically, and potential issues with the informal diagonal alternative route – a diversion order would give clarity to the legal line.</p> <p>WBC Planning Policy CS18 states: “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.”</p> <p>Bearing in mind that the diversion will give an almost identical route, very nearby, we don’t think it can be said that the diversion stemming from the development would be a loss of green infrastructure in terms of the public footpath – especially as the diversion will create an almost identical public footpath.</p> <p>We consider that the diversion order would be better describing the diversion as being of the ‘full width of the public footpath’ rather than a public footpath with width ‘maximum of 2 metres’, and that the proposed new route should be described more accurately than ‘a maximum of 2.5 metres’ (i.e. we believe the new route is to be 2.5m wide, with a 2m pinch point – this should be identified on the order). We will point this out to the Ministry of Transport.</p> <p>The alternative route must be an attractive alternative, and this would probably be dealt with via the diversion order process, because the width will be addressed and the new line has to be certified in terms of its condition.</p> <p>Finally, an important consideration is that any diversion may fail, so should this happen, the existing line needs to remain available for public use.</p>
<p>West Berks Ramblers</p>	<p>No Objection - On balance, we would prefer the proposed diversion of the right of way to a parallel line a few metres to the north of its current line. However, we would also accept the</p>

	extinguishment of the section through the property as long as the de facto and much-used footpath through the adjacent field is added to the definite map of rights of way.
Tree Team	No Objection. The Tree Officer has recommended landscaping condition be attached to any approval given.
West Berkshire Countryside Society	No substantive response received.
Frilsham Parish Council	<p>Objection:-</p> <ol style="list-style-type: none"> 1. Moving of the footpath. It was questioned whether the moving of the footpath had been agreed by the Rights of Way Officer, and what the process was for moving a footpath. Concern has been raised about the proposed footpath route in terms of it being maintained and therefore accessible. 2. Access to the site by construction traffic. Access to the site with large vehicles is going to be difficult given the size of the roads involved. A route should be specified for all construction traffic to use, such that it all enters the site from the south (Bucklebury direction) and does not attempt to come or go north (Frilsham direction) from the site. 3. There is frequently flooding on Chapel Lane/Pot Kiln Lane where the access for the Barn is proposed. This may be exacerbated by the development with potentially more runoff from the drive area. It is thought that there might be a blocked drain in the location of the flooding which needs more regular clearance.

Public representations

4.2 Representations have been received from 81 contributors, 48 of which support, and 33 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:

Objections summary:

- Not enough amenity land
- Lack of parking
- Light pollution impacting dark skies
- Development would cause harm to the AONB.
- Harmful to protected species and ecology
- Development would block a footpath
- Development would lead to diversion of the footpath
- Unauthorised works have been conducted on site
- Urbanisation of the site leading to a loss on rural character.
- Overdevelopment of the site
- Development would lead to dangerous access arrangements.

- Conservation would have a negative impact on the historical character of the building.
- Increase in traffic
- Increase dwelling leads to increase in domestic noise.
- Occupants of Owl House will be overlooked by occupants of the new development.
- The development will reduce current expectation of privacy enjoyed by occupants of Owl House.
- The proposed hedge by the diverted footpath might become overgrown and then the footpath would be unusable.
- Proposal will lead to an expensive home not a starter home.
- Development would harm the tranquil settling of Hawkridge Farm.
- The car port would become flooded.
- The change of agricultural land to residential is not acceptable.
- Hawkridge Barn cannot be said to be a genuinely redundant.
- The development would harm the owl boxes on neighbouring land.
- The development would cause the site to flood.
- Create a precedent
- Conflicts with Bucklebury Vision.
- Would be contrary to policies 180, 182, 185, 189, 191, 205, 206, 207, 208 of the NPPF.
- Would be contrary to North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2019-2024.
- Would be contrary to Local Development Policy.

Support summary:

- Will bring a redundant building back to life.
- Will secure a use for an historical building.
- The proposed is in keeping with the character of the area.
- The proposed parking is discrete
- Ecology enhancements
- Development will increase in biodiversity
- The proposed conservation will improve the plot of land.
- The development will preserve the heritage of the barn
- Sympathetically ensuring the historic fabric of the timber framed barn is restored.
- The proposal will lead to a footpath diversion which will be an improvement the existing definitive route.
- The development will enable the barns original form to be maintained in the rural setting and can be enjoyed by walkers and the local community for many generations to come.
- The barn is no longer attached to a working farm or agricultural land.
- Provide a dwelling for a family.
- The proposed development would have negligible effect on traffic.
- The definitive footpath 158 has been blocked and not use for many years. The development will resolve this issue.
- Improved design on the previous application.
- Benefit the community as the improvements will have a positive impact on its visual appearance.
- Preserve the setting of the listed building.
- Retain the strong visual design links to the barn's agricultural history.
- Sympathetic conversion
- Carbon efficient home
- Positive impact on walkers.

- Complies with policies 84b of the NPPF
- Complies with local development policies

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, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3 and C4 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS6 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:

- The National Planning Policy Framework(NPPF)
- The Planning Practice Guidance (PPG)
- Quality Design SPD (2006)
- House Extensions SPG (2004)
- Local Transport Plan for West Berkshire 2011-2026
- Manual for Streets
- North Wessex Downs AONB Management Plan 2019-2024
- North Wessex Downs AONB Position Statement on Housing
- North Wessex Downs AONB Position Statement on Setting
- WBC Cycle and Motorcycle Advice and Standards for New Development
- Bucklebury Village Design Statement
- West Berkshire Landscape Character Assessment (2019)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Impact on character and appearance
- Impact on the North Wessex Downs National Landscape
- Impact on neighbour and occupier amenity
- Impact of the local highway network
- Impact on public right of way
- Impact on a heritage asset
- Impact on ecology
- Impact on trees
- Impact on drainage
- Contribution to west Berkshire housing stock

Principle of development

6.2 The development site is not located within a defined settlement boundary and as such is located within the open countryside in terms of Policy ADPP1. The site is also within

the North Wessex Downs National Landscape. Strategic policies ADPP1 and ADPP5 provide that only appropriate limited development will be allowed, and that the impact on the NWDNDL will be the primary consideration. According to Policy CS1, new homes will be located in accordance with the spatial strategy and primarily within settlement boundaries and allocated sites. In this context, policy C1 provides a presumption against new residential development outside of the settlement boundaries, subject to a number of prescribed exceptions.

- 6.3 One exception is Policy C4 which cover the conversion of existing redundant buildings in the countryside to residential use. The development will be allowed as long as it meets criteria 1 to 5.
- 6.4 The first criterion of policy C4 is the proposal involves a building that is structurally sound and capable of conversion without substantial rebuilding, extension or alteration.
- 6.5 A structural survey has been submitted which concludes the Barn is structurally sound and capable of conversion. The proposed plans demonstrate that the conversion can be completed without substantial rebuilding, extension or alteration. It is considered the proposal complies with point 1 of policy C4.
- 6.6 The second criterion of policy C4 is 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.
- 6.7 We have received a number of objections which states the barn is being used / was used for agricultural purposes. We also have received support letters which state that the barn has been used for domestic purposes.
- 6.8 It is of note the Barn and land the subject of this application were included in householder applications submitted in 2002 and 2004. The proposed site plan submitted with 02/01755/HOUSE labels the barn and land within the domestic curtilage of Hawkridge Farmhouse.
- 6.9 When the officer visited the site in 2020 the barn was being used for adhoc storage of both domestic items and tools. When visited recently, the site was being used for domestic storage.
- 6.10 Objectors have provided photos of the barn being used for lambing. One of the photos shows a mini metro car which would demonstrate to officers this photo was taken some time ago. They also show a tractor. It is noted within the photo with a tractor there is also domestic paraphernalia such as garden parasol.
- 6.11 Essentially this barn has had multiple different uses over the years. Within the last 10 years, it would seem on balance of probabilities the barn and land to the immediate north has been used in a domestic capacity.
- 6.12 The test for redundancy with regards to C4 is further explained in the supportive text point 4.31 which states for *“a building to be considered redundant, it is important that the original use of the building for that purpose no longer exists. If the building is performing an essential function and the conversion will lead to a request that a replacement building be provided elsewhere, now or within the foreseeable future, then the conversion will not be covered by this policy. A subsequent application for a replacement building may well be refused.”*
- 6.13 Hawkridge Farmhouse is a sizeable property and officer consider it unlikely the occupiers now or in the future would need domestic storage of this size.

- 6.14 Notwithstanding the above, the barn has been separated from its original agricultural unit. The agricultural land surrounding the barn and its curtilage is within different land ownership to the applicants. Officers questioned the agent who has stated the applicant does not have any land which can service the barn in a practical way. However, it later came to light that the applicants did in fact own 0.33ha of land (a paddock of 0.15ha and copse of 0.18ha) located approximately 75m to the south of the application building, on the opposite side of the main farmhouse. They also supply a letter from an agricultural consultant who concluded that the conversion of the barn to a residential use would not generate a requirement for a replacement barn. While it is disappointing that this information was omitted until a late stage. Officers believe it was a genuine error by the applicant and agent. In any event, it does not materially change officer conclusions. The additional land in the applicant's ownership is not of a size which could be viable as an agricultural enterprise. It is still true the barn has been separated from its original agricultural unit.
- 6.15 The land in question would not benefit from permitted development right under The Town and Country Planning (General Permitted Development) (England) Order 2015 Part 6 because according to D.1 (Interpretation) of Part 6, "agricultural land" means "land which, before development permitted by this Part is carried out, is land in use for agriculture which is so used for the purposes of a trade or business, and excluded any dwellinghouse or garden." As such, a pre-requisite of benefiting from agricultural permitted development rights is that there is an agricultural use in existence immediately before commencement of the development (although any subsisting agricultural use on the unit need not be directly related to the purpose for which a building is subsequently required); and that it must be used for the purpose of a trade or business (as opposed to, for example, "hobby farming", for which permitted development rights do not apply).
- 6.16 Furthermore, Part 6 Class B states that development would be carried out on a separate parcel of land forming part of the unit which is less than 0.4 hectares in area. Therefore a future replacement barn under permitted development is not possible.
- 6.17 If any planning application came in for any building to service the land for agriculture or any storage purpose it would be strongly resisted by officers due to the policy advice contained in policy C4 and would be a material consideration in the unlikely event a request for an additional building was received.
- 6.18 When considering all above, officers consider that the barn has not provided an essential function to agriculture for some time. The land in question has been maintained without the use of the barn for a long period of time. There is no requirement in this policy for the applicant to provide marketing material to demonstrate redundancy. It is unlikely that a request for replacement building be provided elsewhere, within the foreseeable future by the applicant.
- 6.19 Officers consider the barn is genuinely redundant and a change to a residential use will not result in a subsequent request for a replacement building. Thus, the proposed development complies with point 2 of policy C4.
- 6.20 The third criterion of policy C4 is whether the environment is suitable for residential use and gives a satisfactory level of amenity for occupants.
- 6.21 The barn is within the domestic curtilage for Hawkridge Farmhouse and has been used in an adhoc domestic capacity for a number of years. Officers originally did have concerns with the distances between large windows on the South elevation and the frontages of Owl House and Hawkridge Farmhouse. Amended plans were received, which demonstrated the large windows on the South elevation as obscure glazed. It is considered that this has addressed officers' concerns and allowed a satisfactory level

of amenity for future occupants. A more detailed explanation will be given in the neighbour and occupier amenity section of this report. Officers have concluded that the proposal would be compliant with point 3 of policy C4.

- 6.22 The fourth criterion of policy C4 is whether it has no adverse impact on / does not affect rural character; and 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;
- 6.23 The proposed development is within the residential curtilage of Hawkridge Farmhouse. The proposal would create an independent dwelling with its own residential curtilage. Visually the new residential curtilage would replace the existing residential curtilage of Hawkridge Farmhouse which means there would be a very limited effect on the rural character of the site or the wider landscape. A landscaping condition will be applied and this will help soften the transition between domestic curtilage and the open countryside. Officers considered that the proposal would not have an adverse impact on the rural character and thus complies with point 4 of policy C4.
- 6.24 The fifth criterion of policy C4 seeks to ensure that the proposed 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;
- 6.25 The Senior Conservation and Design Officer has viewed the application and has taken a neutral position. Officers understand that the addition of obscure glazing on the south elevation may cause a low level of less than substantial harm to the significance of the barn but this need to be balanced with securing optimum viable use. Officers considered that residential use would be the most optimum use. The proposal only proposes four small new openings to the barn. The rest of the openings are being reused. The proposal makes use on the original materials which reflect the locality. When reviewing the submitted structural report, heritage impact statement and proposed plans it is considered that the conversion can be carried out in a sensitive way. The barn would retain its character and historic interest of the building would be preserved. Thus, the proposal would on balance be compliant with point 5 of policy C4.
- 6.26 Finally, the sixth criterion of policy C4 seeks to ensure that the impact on any protected species are assessed and measures proposed to mitigate such impacts.
- 6.27 An ecological assessment has been undertaken and reviewed by the LPA's ecologist who raised no objections as long as conditions are agreed. Conditions have been recommended to provide ecology enhancement to the scheme. Objectors have raised concerns with regards to an Owl nesting box. Officers have contacted the Ecologist with regard to this matter. They have confirmed that the Owl Nesting box would be a good distance away from development site. Additionally, the proposal is in a conservation which has very little external works. Thus, the works would not affect Owl nesting box. The ecology assessment confirms that the proposal would not have a materially harmful impact on any protected species. Thus, the proposal would be compliant with point 6 of policy C4.
- 6.28 In conclusion, the proposed development is considered by officer's to be compliant with policy C4. There is a presumption in favour of the proposed development providing there are no adverse impacts that would outweigh the benefits, when assessed against the policies in this Local Development Plan taken as a whole.

Impact Character, Appearance and North Wessex Downs

- 6.29 Policy ADPP5 is the spatial strategy for the North Wessex Downs NDL. Recognising the area as a national landscape designation, the policy envisions that development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night skies, particularly on the open downland. Development will respond positively to the local context, and respect identified landscape features and components of natural beauty.
- 6.30 Policy CS14 finds 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.
- 6.31 Policy CS19 finds that development should ensure 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. Having regard to the sensitivity of the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.32 Policy C3 provides that the design of new housing, including extension and alterations must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change.
- 6.33 The development site is within the open countryside. North of the development site there is an open agricultural field which inclines upward towards a forest. The site is in a rural setting. Hawkridge Farmhouse, Owl House and the Barn make a cluster of three buildings. Both Hawkridge Farmhouse and Owl House look out onto the Barn.
- 6.34 It is considered the introduction of a hedgerow would soften the interface between the residential curtilage and open countryside. By the nature of this development being a conversion, little change is proposed to the external appearance of the Barn. Officers understand that the addition of obscure glazing on the south elevation may cause a low level of less than substantial harm to the significance of the barn, but this need to be balanced with securing the optimum viable use. The south elevation of the property faces a residential courtyard with domestic paraphernalia and feature. Officers consider that obscure glazing would have a very localised and immediate impact. Due to the south elevation looking out onto an established urbanised domestic area, officers feel they could not raise an objection.
- 6.35 Officers consider the barn will still read as a barn from long ranging views to the north of the site. The proposed underground carport will have a green roof which means it will blend into the rural landscape. As stated previously, the barn is within the residential curtilage of Hawkridge Farmhouse as such domestic paraphernalia is already present to the north of the site. There will be no extension of domestic curtilage as part of this proposal so there would be no encroachment into the countryside.
- 6.36 A special quality of the North Wessex Downs National Landscape is dark skies. Objectors have raised concerns with regard to light pollution. Map of light control zones within the North Wessex Down guide to good external lighting shown the site being within zone E1 (Rest of North Wessex Down National Landscape). Only four small openings are being added to the barn. All the other opening are being reused. There is already a large window on the north elevation which looks out onto open field. As the barn is considered to be ancillary domestic use to Hawkridge farmhouse. No external lighting is proposed as part of this application, a condition curtailing the use of

external light can be applied to the permission. With regards to light spill from the barn, officers considered that future occupiers would have lights on for limited hours during evening periods. In the summer time these periods would be significantly shorter. It is also likely future occupiers would have blinds or curtains which would stop light spill. Officers considered that light spill would have a negligible impact on the character of the North Wessex Downs National Landscape.

- 6.37 There has also been concerns from objectors with regards to addition of a dwelling affecting the special quality of tranquillity. NPPG finds for an area to justify being protected for its tranquillity, it is likely to be relatively undisturbed by noise from human sources that undermines the intrinsic character of the area. It may, for example, provide a sense of peace and quiet or a positive soundscape where natural sounds such as birdsong or flowing water are more prominent than background noise, e.g. from transport. There are two dwellings in very close proximity to the site. Therefore, as a baseline there is already some domestic noise present near the site. The additional dwelling would have a negligible impact on the tranquillity experienced on site. Officers consider that natural sounds would still be prominent if this development was to go ahead. Officers consider that special quality of tranquility would be preserved.
- 6.38 On balance, officers consider that the proposal will not have a materially harmful effect on the character and appearance of the local area and North Wessex Downs National Landscape. The proposal on balance complies with ADPP5, CS14, CS19 of West Berkshire Core Strategy (2006-2026) and C3 of Housing Site Allocations Development Plan Document adopted May 2017.

Impact on neighbour, occupier and private residential amenity

- 6.39 Policy CS14 seeks high quality design to ensure development respects the character and appearance of the area and makes a positive contribution to the quality of life in West Berkshire. This can be interpreted as requiring development to not have an adverse impact on neighbouring amenity or future occupiers of the proposed development.
- 6.40 Quality Design SPD finds that the perception of privacy at the front of a dwelling varies depending on location; therefore distances between building frontages will vary and in selected locations can be as close as 9 metres. However, where the distance between frontages is less than 21 metres, the design of the buildings will need to be carefully considered in terms of window design, location and internal arrangements to minimise overlooking and create privacy.
- 6.41 Officers consider there to be an acceptable front-to-front relationship with Hawkridge Farmhouse and the Barn. There is approximately 12.5m between the two properties. The shared driveway area of Owl House and Hawkridge Farmhouse abuts the south elevation of the Barn. Officers raised concerns with the applicant with regards to future occupiers being overlooked. Amended plans have been received which add obscure glazing to the proposal which can be secured by condition. Officers believe that if the proposed obscure glazing condition was not in place then future occupiers would be materially overlooked by Hawkridge Farmhouse and they would not enjoy a sense of privacy within their home. Officers consider that the proposed obscure glazing would on balance alleviate officer concerns with regards to overlooking and allow a sense of privacy for future occupiers. Officers also note that the internal layout configured will minimise overlooking and create privacy.
- 6.42 With regards to overlooking from the proposed dwelling (the Barn) into Hawkridge Farmhouse, officers consider the effect on overlooking not to be as severe because the Hawkridge Farmhouse windows are smaller and there is a residential court

between the properties. The obscure glazing would on balance resolve the issue of overlooking and the occupiers of Hawkridge Farmhouse would still have a good level of privacy.

- 6.43 With regards to overlooking from the proposed dwelling (the Barn) into Owl House and vice versa, Officer considers that the properties are at a sufficient distance and angle not to cause materially harmful overlooking to each other.
- 6.44 Quality Design SPD finds that depending on the size of the dwelling, a garden should be large enough to accommodate such features as garden shed, washing lines and other domestic features and should allow for opportunities for sitting outside in comfort and reasonable privacy and, in family dwellings, for children's play. It is the quality of outdoor space, as detailed above, that matters most but as a general guide 3 or more bedroom houses and bungalows should have about 100 sq.m of private outdoor amenity space.
- 6.45 With the diversion of the Footpath BUCK/158/1 secured, then the proposal would have over 100 sq.m of private outdoor amenity space. Officer considers that the proposed plans have demonstrated that good quality private amenity space can be secured. Landscaping condition can be used to secure a good quality landscaping scheme.
- 6.46 Concerns have been raised from objectors that the Linhay Barn has openings to which the occupiers of Owl House could look thought into the private outdoor amenity space of the Barn. It should be noted that the Linhay Barn is not considered to be a habitable room. In addition, future occupiers of the barn would have access to other privacy outdoor amenity space and a landscaping condition could be used to create a good quality outdoor amenity space. Thus, officers would not seek a refusal on this basis.
- 6.47 Concerns have been raised with regards to light spill into neighbouring properties. It is considered that obscure glazing would decrease the amount of light spill from the south elevations towards Hawkridge Farmhouse and Owl House. Officers have also had regard to the fact that future occupiers would have lights on for limited hours during evening periods. In the summertime these periods would be significantly shorter. It is also likely future occupier would have blinds or curtains which would stop light spills onto neighbouring properties. As such officers would not seek a refusal on this basis.
- 6.48 Concerns have been raised by objectors with regards the additional dwelling generating additional noise. There are already two dwellings adjacent to the site. The addition of one more dwelling is unlikely to increase noise levels in a way which would be materially harmful to neighbouring amenity. Thus, officer would not seek a refusal on this basis.
- 6.49 In conclusion, when taking into account this site is constrained by heritage assets, it is considered that on balance the proposal would not have a martially harmful impact on neighbour, occupier and private residential amenity.

Impact on the local highway

- 6.50 Policy CS13 of the Core Strategy relates to access, parking and turning and highway impacts of development. Policy P1 of the Housing Site Allocations DPD sets out relevant parking standards. The NPPF indicates development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.51 The Local Highways Authority have confirmed that they have no objections to this proposal. They have confirmed that the proposed visibility splays can be accommodated within land owned by the Highways Authority and the applicant, and these would meet highway safety standards.
- 6.52 The Local Highway Authority have been made aware of a fence being erected next the proposed access on neighbouring land. The Local Highways Authority maintains that even with this fence in place, the access would still be safe. The Local Highways Authority have also been made aware that the entrance on site is unauthorised development and doesn't have a permitted development fallback position. The Local Highways Authority have assessed the access as a new access and believe it has been designed in line with highway standards.
- 6.53 It is considered the proposal is compliant with CS13 of West Berkshire Core Strategy (2006-2026) and policy P1 of Housing Site Allocations Development Plan Document adopted May 2017.

Impact on a public right of way

- 6.54 Policy CS18 seeks the protection and enhancement of green infrastructure. For the purpose of this policy green infrastructure is defined as parks and public gardens, Natural and semi-natural green spaces, green corridors (including river and canal banks, cycleways and rights of way), outdoor sports facilities, Amenity green space, provision for children and teenagers, allotments, community gardens, cemeteries and churchyards, lakes and waterways, green roofs and walls and designated local green space.
- 6.55 Policy CS18 finds that 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.
- 6.56 Footpath BUCK/158/1 runs through the development site. This erection of the carport would be directly in the middle on footpath BUCK/158/1. The applicants have applied for a footpath diversion under section 247 of the Town and Country Planning Act 1990. This is a provision which allows the Secretary of state to grant a footpath diversion where it is affected by development.
- 6.57 Officers contacted the SoS who confirmed that there have been no valid objections to the order. A draft order has been drafted and would be rectified if this application is recommended for approval.
- 6.58 The diversion of the footpath is imperative to making sure this development has adequate outdoor amenity space. If the footpath is not diverted, then future occupiers would have less a 100 square metres of private amenity space. A Grampian condition should be used to make sure the footpath is diverted before the dwelling can be occupied to ensure there is efficient private amenity space for future occupiers.
- 6.59 It is considered that the path would only be diverted a few metres to the north of the site. The footpath users experience of the path would not be materially affected. The public rights of way officer have raised no objections to the diversion of the footpath. It should also be noted that the LPA public right of way officers raises no objections to the diversion of the footpath.
- 6.60 It is considered that the plans demonstrate the footpath can be diverted in a sensitive way. It meets the exception with policy CS18 and thus the proposal does comply with CS18 of West Berkshire Core Strategy (2006-2026).

Impact on a heritage asset

- 6.61 Policy CS19 finds that development should ensure 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. Having regard to the conservation and, where appropriate, enhancement of heritage assets and their settings. Proposals for development should be informed by and respond to the nature of and the potential for heritage assets identified through the Historic Environment Record for West Berkshire and the extent of their significance.
- 6.62 The LPA's Archaeologist has raised no objection to the proposal provided conditions are in place to secure a programme of building recording and programme of archaeological work. Thus, the proposal would have an acceptable impact on archaeology.
- 6.63 Officers understand that the addition of obscure glazing on the south elevation may cause a low level of less than substantial harm to the significance of the barn, as has been noted by the conservation officer in discussions with the case officer, but this needs to be balanced with securing the optimum viable use for the building. Securing the optimum viable use will ensure that the best opportunity is achieved for the preservation and conservation of the building as a heritage asset through ongoing investment in its upkeep. Failing to secure optimum viable use puts the building at risk of falling into disrepair and ultimately being lost as a heritage asset in the event that securing its viable future becomes unachievable, i.e. the building falls into disuse and disrepair.
- 6.64 As previously stated, the barn has lost nearly all the land associated with its historical agricultural purpose. It is considered that modern agricultural farm equipment would be unsuitable for storage in this type of barn. Additionally, the use of the barn for keeping livestock would not meet modern animal welfare standards. The animals may also damage the listed building. It is considered that the barn would also be unsuitable for storing hay because the barn would not have the right level of natural airflow to prevent spoilage. The letter from the agricultural consultant finds that the barn is much larger than could reasonably be necessary to support any agricultural and forestry use of the owned land.
- 6.65 A class E (retail and similar) or B (office and industrial) commercial use would not be likely to be considered acceptable in this rural location. It is considered that these uses would require more intensive alterations to the barn to make these uses viable. For example, significantly increase hard standing for parking for customers. Thus, class E and B uses would be supported in this location and would not be supported by our development plan policies.
- 6.66 The barn has been included in the domestic curtilage of Hawkridge Farmhouse since 2002. A property of Hawkridge Farmhouse size does not require approximately 170 sqm of domestic storage.
- 6.67 Sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.
- 6.68 Officer considers the conversion to an independent dwellinghouse would be the Barn's optimum viable use. This use is the one likely to cause the least harm to the significance of the asset, not just through the limited extent of necessary alterations to achieve this use, but also as a result of subsequent wear and tear and potential for future changes of use case and user.

- 6.69 The Conservation Officer has raised that they do not support obscure glazing on the south elevation but they are content with the proposal in every other regard. The obscure glazing would lead to less than substantial harm to the significance of the Barn.
- 6.70 The NPPG finds that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the National Planning Policy Framework (paragraph 208) requires that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing the optimum viable use of that asset.
- 6.71 In terms of public benefits, the proposal would secure the optimum viable use of a heritage asset in support of its long-term conservation. The proposal would secure the Barns future as a designated heritage asset which users of the footpath could enjoy as they walk past. The addition of obscure glazing on the south elevation is critical to achieving a good level of privacy for future occupiers of the Barn.
- 6.72 On balance officer have concluded that the public benefits of the scheme would outweigh the less than substantial harm to the significance of a designated heritage asset. Thus, on balance, the proposal would comply with CS19 of West Berkshire Core Strategy (2006-2026).

Impact on ecology and trees

- 6.73 Policy CS17 seeks to make sure that biodiversity and geodiversity assets across West Berkshire will be protected, conserved and enhanced. Development which may harm, either directly or indirectly, these assets will only be allowed where there are no reasonable alternatives and there are clear demonstrable social or economic benefits of regional or national importance that outweigh the need to safeguard the site or species and that adequate compensation and mitigation measures are provided when damage to biodiversity/geodiversity interests are unavoidable.
- 6.74 An ecology report has been submitted with this application. The surveys and report were undertaken by a suitably qualified Ecologist. The site plan shows that landscaping is proposed. Ecology and Tree Officers have raised no objection to this proposal or the report as long as conditions are applied to any permission granted. The Tree officer noted that the public right of way diversion is close to trees on site but a condition can be used to mitigate the potential harm.
- 6.75 The Newt Officer has confirmed that the applicant has engaged in the Great Crested Newt District Licensing Scheme and that a certificate was issued on the 3rd of June 2024. This has resolved the Newt Officer previous objection to the proposal.
- 6.76 Objectors have raised that there is an owl nesting box within in the adjacent barn to the west of the site. The ecologist has reviewed data provided by the Barn Owl Trust. The ecologist has confirmed that the proposed works would not affect the owl nesting box. A lighting condition can be used to prevent harm from artificial lights.
- 6.77 With conditions, the proposed development is considered to be acceptable, and the proposal is compliant with CS17 of West Berkshire Core Strategy (2006-2026)

Impact on drainage

- 6.78 The proposed development site is located within flood zone 1 and is considered not to be in a Critical Drainage Area. The proposed development is considered minor and therefore a Flood risk Assessment is not required with this application.

- 6.79 Drainage information has been submitted with the application and review by the Local Flood Authority who raises no objection if conditions are applied.
- 6.80 These arrangements are considered to be acceptable, and the proposal is compliant with CS16 of West Berkshire Core Strategy (2006-2026).

Contribution to West Berkshire housing stock

- 6.81 The proposal would lead to the addition of 1 dwelling to West Berkshire Council's housing stock which would be considered to be a minor benefit in the planning balance.

Parish Council representations

- 6.82 The site is within the parish of Bucklebury. The Parish Council raised objection to the proposal and continued to do so throughout the re consultation period.
- 6.83 The parish object to large windows both south and (particularly) north will result in significant light spillage at night affecting the dark skies of the AONB and resulting in disturbance to wildlife (owls, bats, etc. If the application is approved, any external lighting should be subject to an external lighting plan. Officers have addressed this concern .
- 6.84 The parish has objected to the proposal on highway safety grounds. The Local Highways Authority have reviewed the proposal and deem the access to meet highway safety standards. The proposal is also compliant with policy P1, thus officers could not sustain a refusal reason of this ground.
- 6.85 The Parish has raised concerns with regards to neighbouring amenity. Officers have addressed this concern .. With conditions amenity issues can be overcome. Thus, officers consider on balance that the local planning authority could not sustain a refusal reason of this ground.
- 6.86 The Parish has raised concerns with regards to drainage and flooding. The Local Drainage Authority has reviewed the proposal and has raised no objection. The supporting drainage information is compliant with policy CS16. Thus, officers could not sustain a refusal reason of this ground.
- 6.87 Officer has noted an objection from Frilsham Parish Council a neighbouring parish. The officer's report above addresses concerns with regard to footpath diversion, highways and flooding in the above report
- 6.88 The issues raised by the Parishes have therefore been duly considered.

7. Planning Balance and Conclusion

- 7.1 Paragraph 38 of the NPPF finds that Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 7.2 Officers find that this decision is finely balanced.

- 7.3 The proposed development is compliant with policy C4 which means there is a presumption in favour of the proposed development. It is considered that there are no adverse impacts that would outweigh the benefits, when assessed against the policies in this Local Development Plan taken as a whole.
- 7.4 The proposed use of the barn as a dwelling is considered to be the optimum viable use of that asset. While the obscure glazing would lead to less than substantial harm to the significance of the Barn. This needs to be weighed against the public benefit of the proposal. The public benefit of this proposal would be
- Secure the optimum viable use of a heritage asset in support of its long-term conservation.
 - Secure the Barns future as a designated heritage asset which users of the footpath could enjoy as they walk past.
 - Make a small contribution to West Berkshire Council housing land supply.
 - Bring a redundant building back into a sustainable use.
- 7.5 It is considered that the public benefits of the scheme would on balance outweigh the less substantial harm to the significance of the Barn caused by this proposal.
- 7.6 Officers consider that all the technical issues have been either overcome during the course of the application or can be dealt with via planning conditions.
- 7.7 Thus, it is recommended that this application is recommended for approval subject to conditions.

8. Full Recommendation

- 8.1 To delegate to the Development Control Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<p>Commencement of development</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 approved plans and documents listed below:</p> <ul style="list-style-type: none"> • Locality Plan and Block Plan as Existing drawing number 2038 900 rev E Temple Ford Design Ltd received 26.06.2024 • Block Plan as Proposed drawing number 2038 D01 rev K by Temple Ford Design Ltd received 21.05.2024 • First Floor Plan as Proposed drawing number 2038 D03 by Temple Ford Design Ltd received 13.11.2023 • Roof Plan as Proposed drawing number 2038 D07 rev A by Temple Ford Design Ltd received 13.11.2023

	<ul style="list-style-type: none"> • Application Form received 13.11.2023 • Ground Floor Plan As Proposed drawing number 2038 D02 rev C by Temple Ford Design Ltd received 24.05.2024 • North and South Elevations As Proposed drawing number 2038 D04 rev D by Temple Ford Design Ltd received 24.05.2024 • North, East and West Elevations as Proposed drawing number 2038 D05 rev B by Temple Ford Design Ltd received 23.04.2024 • Detailed Cross Section A-A As Proposed drawing number 2038 D10 Rev C by Temple Ford Design Ltd received 23.04.2024 • Carport Plan and Section As Proposed drawing number 2038 D13 rev B by Temple Ford Design Ltd received 23.04.2024 • Proposed Cross section Through Carport drawing number 2038 D14 rev A by Temple Ford Design Ltd received 23.04.2024 • Elevation of west wall drawing number 2023 D16 rev A by Temple Ford Design Ltd received 25.04.2024 • DfT Plan of Footpath Diversion - SE-5669-Draft Plan - NATTRAN/SE/S247/5669 by Department for Transport received 23.04.2024 • Ecological Impact Assessment (EclA) version 4 by Lowans Ecology & Associates received 13.11.2023 • NSP Certificate reference 202405001 by NatureSpace Partnership received 04.06.2024 • Hawkridge Barn: Impact Plan for great crested newt District Licensing version 1 by NatureSpace Partnership received 04.06.2024 • Structural Feasibility Report reference number 236473 rev A by Clive Hudson Associates received 13.11.2023 • List of repairs - Addendum 1 Structural Feasibility Report version A received 23.04.2024 • Structural Addendum reference 236473 rev O by Clive Hudson Associates received 25.04.2024 • Supporting Statement by Jackson Planning received 13.11.2023 • Design, Access, and Heritage Impact Statement reference number 2038 rev B by Temple Ford Design received 20.11.2023 • SuDS Maintenance Strategy version 1 by Onn Point Civil Engineering received 23.04.2024 • Proposed Drainage Layout drawing number 24-OP-1335 – 100 rev P01 by Onn Point Civil Engineering received 23.04.2024 • Drainage Construction Details drawing number 24-OP-1335 – 101 rev P01 by Onn Point Civil Engineering received 23.04.2024 • Drainage Statement drawing number 24-OP-1335 – 100 by Onn Point Civil Engineering received 23.04.2024 • Technical Note drawing number 24-OP-1335 - RP100 by Onn Point Civil Engineering received 23.04.2024 <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials (as specified in listed building consent)</p> <p>The materials to be used in the development hereby permitted shall be in accordance with those specified on the associated listed building consent reference 23/02604/LBC.</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, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>

4	<p>Diversion of Footpath</p> <p>The Barn as shown on the amended block plan drawing number 2038 D01 rev K received 05.06.2024 shall not be occupied as a dwelling until footpath BUCK/158/1 has been formally diverted under section 247 of The Town and Country Planning Act 1990 as shown on the plan numbered NATTRAN/SE/S247/5669.</p> <p>Reason: Diversion of footpath BUCK/158/1 is required to provide the Barn with good quality private outdoor amenity space. If footpath BUCK/158/1 diversion fails the location of the path would lead to an unacceptable provision private outdoor amenity space which would be harmful to the future occupiers of the Barn. This condition has been applied to ensure the protection and diversion of footpath BUCK/158/1 and to ensure that green infrastructure is secure to be enjoyed by the public. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026).</p>
5	<p>Obscure glazing of windows</p> <p>The barn door windows on the South elevation shall be fitted with obscure glass (in accordance with drawing number 2038 D04D) before the dwelling hereby permitted is occupied. The obscure glazing shall be permanently retained in that condition thereafter.</p> <p>Reason: To prevent overlooking of adjacent properties/land, in the interests of safeguarding the privacy of the neighbouring 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>Permitted development restriction (outbuildings)</p> <p>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 extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006)</p>
7	<p>Sustainable drainage measures</p> <p>No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.</p> <p>These details shall:</p> <ol style="list-style-type: none"> a) Include details of the ramp permeable paving and how water will be retained and directed to the proposed soakaway. b) Full infiltration testing results, including the graphical data of the testing undertaken and clarification on the methodology for calculating the rates anticipated. c) Details of the proposed soakaway in relation to the ground level and groundwater level within the site.

	<p>d) Include run-off calculations, based on current rainfall data models, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change.</p> <p>e) Include with any design calculations an allowance for an additional 10% increase of paved areas (Urban Creep) over the lifetime of the development,</p> <p>f) The above sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained in the approved condition thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
8	<p>Programme of building recording</p> <p>No development shall take place within the application area until the applicant has secured the implementation of a programme of building recording 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 an adequate record is made of this building of architectural, historical or archaeological interest. Such an approach is in line with paragraph 211 of the 2023 National Planning Policy Framework. The level of recording necessary should be guided by the advice specified by Historic England in Understanding Historic Buildings: A guide to good recording practice (2016). A pre-condition is necessary because insufficient detailed information accompanies the application; Programme of building recording may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
9	<p>Programme of archaeological work</p> <p>No development shall take place within the application area 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. Such an approach follows the guidance set out in paragraph 211 of the 2023 National Planning Policy Framework. A pre-condition is necessary because insufficient detailed information accompanies the application; Programme of archaeological work may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
10	<p>Compliance with existing detailed biodiversity method statements, strategies, plans and schemes</p>

	<p>All ecological measures and works shall be carried out in accordance with the details contained in Ecological impact assessment (July 2023, Lowans Ecology) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
11	<p>Submission of a copy of the EPS licence</p> <p>The following works of alterations to a listed barn including erection of a carport shall not in any circumstances commence unless the Local Planning Authority has been provided with either:</p> <p>(a) A licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead; or</p> <p>(b) A statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. This “strict protection” condition helps to ensure that a developer will apply for an EPS licence and, if they do not, can be prevented in advance from undertaking the activities that might jeopardize the protected species, before the species is harmed. The use of planning conditions for this purpose has been established through case law and is also recommended in government</p>
12	<p>Ecological Enhancements</p> <p>The dwelling shall not be occupied until, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. These shall include the installation of four bat tubes within the development for common pipistrelle and brown long-eared bats. The approved details will be implemented and thereafter retained.</p> <p>Reason: To enhance biodiversity and to ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
13	<p>Non pre-commencement Landscaping (including hard surfaces)</p> <p>The development shall not be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The details shall include:</p> <ul style="list-style-type: none"> • the treatment of hard surfacing and boundary treatments and materials to be used • a schedules of plants (noting species, plant sizes and proposed numbers/densities), • an implementation programme providing sufficient specifications to ensure successful cultivation of trees, shrub and grass establishment. <p>The scheme shall ensure:</p>

	<p>a) completion of the approved landscaping within the first planting season following the completion of the development; and</p> <p>b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species.</p> <p>Thereafter the approved scheme shall be implemented in full and maintained in accordance with the wording of the condition.</p> <p>Reason: <i>Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies ADPP1, ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</i></p>
14	<p>Newt Planning condition</p> <p>No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR137, or a 'Further Licence') and with the proposals detailed on plan "Hawkridge Barn: Impact plan for great crested newt District Licensing (Version 1)" dated 3rd June 2024.</p> <p>Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR137, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.</p>
15	<p>Lighting design strategy for light sensitive biodiversity</p> <p>Prior to occupation, a "lighting design strategy for biodiversity" for barn owls shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <p>a) identify those areas/features on site that are particularly sensitive for barn owls and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and</p> <p>b) show how and where external lighting will be installed (through the provision of appropriate Isolux contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.</p> <p>All external lighting shall be installed 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: Barn owls are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such</p>

	<p>disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
16	<p>Lighting strategy (AONB)</p> <p>No external lighting shall be installed within the redline shown on the amended block plan drawing number 2038 D01 rev K received 05.06.2024 until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, isolux contour diagram(s), an operation strategy (e.g. details of timed operation), and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed within the redline shown on the amended block plan drawing number 2038 D01 rev K received 05.06.2024 except in accordance with the above strategy.</p> <p>Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
17	<p>Highways visibility splays</p> <p>The dwelling shall not be occupied until the visibility splays at the access have been provided in accordance with the amended block plan drawing number 2038 D01 rev K received 05.06.2024, or to the satisfaction of the Local Highway Authority.</p> <p>Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
18	<p>Electric Charging Point (details to be submitted)</p> <p>No development shall take place until details an of electric vehicle charging point has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until an electric vehicle charging point has been provided in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric car.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-condition is necessary because insufficient detailed information accompanies the application; work may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
19	<p>CONS1 - Construction method statement – details to be submitted</p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> (a) The parking of vehicles of site operatives and visitors (b) Loading and unloading of plant and materials (c) Storage of plant and materials used in constructing the development (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing

	<p>(e) Wheel washing facilities (f) Measures to control the emission of dust and dirt during construction (g) A scheme for recycling/disposing of waste resulting from demolition and construction works (h) A site set-up plan during the works</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991 - 2006 (Saved Policies 2007). A pre-condition is necessary because insufficient detailed information accompanies the application with regards to construction method statement. Details within that report will need to be complied with throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
20	<p>Set back of gates</p> <p>Any gates to be provided at access(es) where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least 5 metres from the edge of the highway.</p> <p>Reason: In the interest of road safety and to ensure that vehicles can be driven off the highway before the gates are opened. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
21	<p>Parking/turning in accord with plans</p> <p>The dwelling shall not be occupied until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and turning space shall thereafter be kept available for parking (of private motor cars and 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 imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>

Informatives

1.	Proactive
2.	CIL
3.	<p>Tree/ hedge protection precautions informative note:</p> <ul style="list-style-type: none"> • To ensure that the trees/ hedges 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/ hedges to be retained. • Ensure that all mixing of materials that could be harmful to tree/ hedge roots is done well away from trees/ hedges (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil.

	<ul style="list-style-type: none"> • 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’/ hedge canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp 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 or portland based products / chemicals entering the soil. • 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 using a sharp knife. • If lime or portland 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.
	<p>Newt Informative:</p> <p>It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.</p> <p>Informative: It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR137, or a ‘Further Licence’) are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.</p>