

Agenda Item 58.

Development Management Ref No	No weeks on day of committee	Parish	Ward	Listed by:
F/2015/1336 (Civica Ref: 150729)	18/8	Remenham	Remenham, Wargrave and Ruscombe	Cllr Halsall

Applicant Mr & Mrs Poulos
Location Land adjacent to Remenham Place (Arcadian Waters)
Remenham Hill
Remenham
Henley-On-Thames
Oxfordshire **Postcode** RG9 3EU

Proposal Full planning application for the proposed erection of dwelling, creation of new access and associated landscaping.

Type Full

PS Category 13

Officer Ashley Smith

FOR CONSIDERATION BY Planning Committee on 14/10/15
REPORT PREPARED BY Head of Development Management and Regulatory Services

SUMMARY

The proposal seeks to erect one dwelling within the designated Green Belt. The site is currently a vegetated undeveloped greenfield plot, located within the Green Belt in Remenham. The site is currently being used for horticultural purposes by the applicant.

The proposed development is inappropriate by definition. The proposed dwelling is considered to be of a high standard of design, however the quality of its design is not considered to outweigh the substantial harm the proposal would cause to the openness of the Green Belt.

The application is brought before the Planning Committee as it has been listed by Cllr Halsall. This is an application for a new dwelling in a Green Belt location and despite the high quality of the design, it is considered contrary to both National and Local Planning policy due to the harm caused to the Green Belt and is therefore recommended for refusal.

PLANNING STATUS

- Green Belt
- Countryside
- Adjacent to public right of way
- Green Route
- Ground Water Protection Zone
- Contaminated land protection zone

RECOMMENDATION

That the Planning Committee authorises the REFUSAL OF PLANNING

PERMISSION for the reasons set out below:

1. The proposed development would result in the introduction of significant built form and intensification of use within the Green Belt and countryside. The proposal is inappropriate development which by definition would be harmful openness and visual character of the Green Belt. The very special circumstances advanced by the applicant do not outweigh the potential harm to the Green Belt by reason of inappropriateness. Consequently there is an in principle objection to the development which does not accord with the National Planning Policy Framework (NPPF), Policies CP11 & CP12 of the adopted Wokingham Core Strategy and Policy TB01 of the adopted Managing Development Delivery Local Plan.

2. The applicants have failed to demonstrate to the Council's satisfaction that the site is sustainable with regards to its location and access to services. The proposed development is not within walking distance of local facilities, amenities and schools and will result in a high level of car dependency contrary to the sustainable transport goals of the NPPF and Core Strategy Policies CP1, CP3 and CP6 and will therefore result in an unsustainable intensification of use of land within the greenbelt.

PLANNING HISTORY

The owners of the site also previously owned the property known as the Glade which is adjacent to the land, however the land did not appear to be part of its curtilage.

The only recent relevant planning history on the site is:

F/2014/0456 - Proposed erection of a single dwelling with associated landscaping.
(Withdrawn - 28/05/2015)

SUMMARY INFORMATION**For Residential**

Site Area	0.73 Hectares
Existing units	0
Proposed units	1
Number of bedrooms per unit	4
Current land use	Undeveloped greenfield land

CONSULTATION RESPONSES

Thames Water	No objection subject to informatives and surface water drainage conditions
Trees and Landscape	Objection in principle due to harm to the rural landscape
Ecology	Objected on bat grounds.
Highways	No objection subject to conditions
Conservation	No objection on conservation grounds
Architect	
Rights of Way	No objection
Environmental Health	No objection subject to conditions

Design Review Panel

The South East design review panel has reviewed this scheme three times. Following each review the scheme has been amended to reflect the recommendations of the panel. Following the latest revisions the design panel has concluded that the design of the proposal is of sufficiently high quality to meet the standards required by paragraph 55 of the NPPF.

REPRESENTATIONS

Parish Council: No formal comment

Local Residents: 25 Letters were received in response to public consultation. 22 letters of support, 2 letters of objection, one letter of comment.

The letters of support raised the following issues:

- The development is of exceptional/inspirational quality
- Design is sympathetic to surroundings
- The development is very eco-friendly in terms of design/ecology
- Uses innovative building materials/techniques
- Will inspire similar projects and develop skills for craftsmen
- Could help attract environmental businesses to the area
- Would enhance the area/reputation of Wokingham
- Would lead to employment during construction
- There is a housing shortage and high quality housing should be permitted
- Land should not be considered Green Belt

The letters objection raised the following planning matters:

- Development is uncharacteristic of the area
- Development is out of keeping with neighbouring properties and setting
- Principle of development
- Special circumstances have not been demonstrated
- Harmful to the Green Belt
- Does not enhance the Green Belt/area
- Building/accommodation is too great

A further letter was received from the occupiers of 'The Glade'. The letter sought a number of assurances and that certain conditions are included (in the case of approval) to help protect the residents amenity and secure an appropriate standard of development.

APPLICANTS POINTS

The applicant has provided a substantial amount of documentation in order to try to justify the development. The main arguments advanced by the applicant are contained within their Planning Justification Statement.

The applicant advances that the house proposed is of exceptional design quality and as

such should be approved as an exception under NPPF paragraph 55. The applicant advances that the benefits and qualities of the scheme outweigh the harm caused to the Countryside and Green Belt and thus an exception should be made to approve this scheme. The applicant also has provided information to demonstrate that a small number of 'paragraph 55 houses' have been approved in Green Belt locations have been approved in other parts of the country.

PLANNING POLICY

National policies:

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Wokingham Borough Local Development Framework – Core Strategy:

CP1 – Sustainable development
CP3 – General Principles for Development
CP4 – Infrastructure Requirements
CP5 – Housing mix, density and affordability
CP6 – Managing Travel Demand
CP7 – Biodiversity
CP9 – Scale and location of development proposals
CP11 – Development Outside of settlement Limits
CP12 – Green Belt
CP15 – Employment Delivery
CP17 – Housing delivery

Managing Development Delivery Local Plan Document:

Cross Cutting Policies:

CC01 – Presumption in favour of sustainable development
CC02 – Development Limits
CC03 – Green Infrastructure, Trees and Landscaping
CC04 – Sustainable Design and construction
CC05 – Renewable energy and decentralised energy networks
CC06 – Noise
CC07 – Parking
CC09 – Development and Flood Risk
CC10 – Sustainable Drainage

Topic Based Policies:

TB05 – Housing Mix
TB07 – Internal Space Standards
TB09 – Residential accommodation for vulnerable groups
TB21 – Landscape Character
TB23 – Biodiversity and development

Other guidance:

- Borough Design Guide SPD
- Sustainable Design and Construction SPD
- CIL Regulations

PLANNING ISSUES

Principle of Development:

Local Plan policies:

1. The site is located in the designated Green Belt and countryside where development is to be strictly controlled, as detailed in the NPPF and policy CP11 of the Core Strategy. The proposal does not accord with the stipulated categories of acceptable development within Core Strategy policies CP12 & CP11 and as such is unacceptable in principle and should normally be refused unless other material considerations outweigh this presumption.

2. Policy CP3 of the Core Strategy states that development must be appropriate in scale and character to the area in which it is located and must be integrated into its local context without detriment to the amenities of adjoining land uses and occupiers. The land is not allocated for housing in the Core Strategy, Local Plan, or the Managing Development Delivery Development Plan Document (MDD DPD).

NPPF:

3. The applicant's case relies heavily upon paragraph 55 of the NPPF. Paragraph 55 states:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- *the essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- *the exceptional quality or innovative nature of the design of the dwelling. Such a design should:*

– be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;

– reflect the highest standards in architecture;

– significantly enhance its immediate setting; and

– be sensitive to the defining characteristics of the local area. (Underline officer emphasis)

4. Paragraph 55 applies to new dwellings in a rural location and indicates that in special circumstances new dwellings of an exceptional quality or exceptionally innovative nature may be acceptable providing they meet the above criteria.

5. Section 9 of the NPPF “protecting greenbelts” outlines the value and function of greenbelts. This development is not only located within a rural countryside location but also within the Green Belt and so must also satisfy the criteria for permitting development within Green Belts.

6. Paragraph 87-90 of the NPPF state that:

“87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”

“88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”

89. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- *buildings for agriculture and forestry;*
- *provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
- *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- *limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*

90. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- *mineral extraction;*
- *engineering operations;*
- *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- *the re-use of buildings provided that the buildings are of permanent and substantial construction; and*
- *development brought forward under a Community Right to Build Order”*

7. Paragraph 89 makes it clear that new buildings within Green Belt locations are inappropriate development, and that the house does not fall within any of the exceptions for appropriate development in the Green Belt. The applicant accepts in their planning statement that the development is inappropriate, as such the development would need to clearly demonstrate that very special circumstances exist (as per Para 88).

Impact upon the Green Belt:

8. As previously detailed the proposal does not meet any of the Green Belt exceptions listed in paragraphs 89 & 90 of the NPPF and as such is inappropriate development by definition. The key issue with regards protecting the Green Belt is that its openness is maintained and it retains its open and largely undeveloped character.

9. This development, whilst of a high quality, has significant bulk scale and form and will affect the openness of the Green Belt. Paragraph 87 indicates that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The applicant advances that the development is of such high quality that this would outweigh harm caused by inappropriateness. This is however not a view shared by officers.

10. It is accepted that the quality of the submission would most likely be sufficient to overcome harm within a countryside location, however the test within the Green Belt is significantly higher and it is considered that the weight in favour of this scheme does not outweigh the harm caused.

11. It is conspicuous that amongst a large list of exceptions the NPPF does not include the building of a Paragraph 55 house as an appropriate form of development in a Green Belt location. It is considered by officers that whilst the building is of a high quality, such a building could be built in a non-Green Belt location which would sequentially be significantly less harmful. This is not the only site that such a design could be implemented on and the development is not so remarkable as to make it clear that it outweighs the harm to the Green Belt.

12. The applicant has advanced a small number of cases where development of Para 55 houses in the Green Belt have been approved at a local level, however has only been able to produce one successful appeal decision for a new dwelling on non-previously developed land. It is considered that these cases have not placed significant enough emphasis on the NPPF and Green Belt policy.

13. The development is outside of settlement limits and is not in a sustainable location. This will lead to significant dependence on motor vehicles and lead to an intensification of movements within the Green Belt.

14. Due to its bulk, volume, scale and mass the development is considered to cause harm to the openness and character of the Green Belt by virtue of the introduction of a significant quantity of inappropriate development. This harm will be amplified by residential paraphernalia and vehicles which will further impact upon the openness of the Green Belt and detract from the verdant nature of the countryside.

Impact on the character of the area/quality of the design/special circumstances:

15. The site is located in a rural location with verdant green character. The adjoining

uses are primarily residential, with predominantly substantial dwellings in large plots surrounding the site. Dwellings are generally set back from the road with well vegetated frontages.

16. The site is currently largely undeveloped and in a horticultural use and is well maintained with some limited supporting development on site such as parking and small storage areas. An existing pond is set in the northern part of the site and the plot benefits from good mature screening particularly when viewed from the north and south of the site.

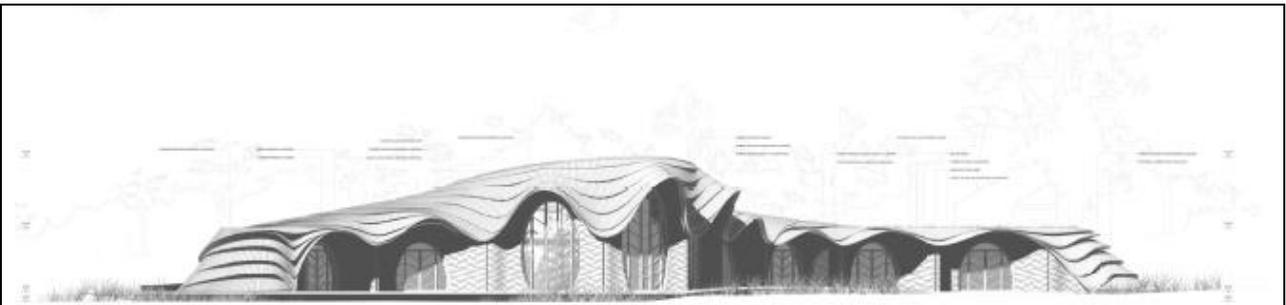
17. The preceding application was withdrawn as officers and the South East Design Panel considered that the design of the building was not of high enough quality to be considered for an exception to policy under paragraph 55 of the NPPF. The application was subsequently revised and the quality of the design improved and this has resulted in this submission.

18. As with the previous proposal the proposed new dwelling is located in the north-west corner of the site next to the existing pond and it would extend south along the side of a new proposed pond. The size of the proposed new house is 579 sq.m and incorporates 4 bedrooms and the usual rooms one would expect to find in a dwellinghouse.



19. The form of the building has been designed to integrate well into the plot. The house is largely single storey graduating to a two story height central element. The house is sited near to the tree line that runs along the western part of the side. This allows the central area of the site to remain open and for the building and garden to integrate. The building forms a natural wing shape and it is considered that the design of the building is attractive and emerges well from its surroundings. A new access point is taken from the road

20. The building material has been developed from a palette of materials to reflect the design and traditional materials. The external skin consists of mixed materials incorporating Timber shingles, Sedum Roof; Straw bale; and Timber decking.



21. The architectural quality of the building has been reviewed by South East Regional Design review panel. The Design review panel have endorsed this revision of the scheme as a design that has the quality and resolution expected of a “paragraph 55” dwelling. The Design panel’s recommendation is made on the proviso that the dwelling is constructed to the high standard indicated and that adequate conditions are utilised to ensure quality is maintained. Subject to sustainability test and appropriate conditions the Review panel are satisfied with the quality of the scheme.

22. In light of the design panels comments it is considered that the design of the building is of sufficient quality to meet the tests of Paragraph 55 and would be potentially be considered suitable as an exception in a rural location (i.e. if this development was in the designated countryside and not the Green Belt). As this building is within the Green Belt it also needs to pass any appropriate Green Belt tests and as previously detailed it is considered that this development does not constitute very special circumstances.

Impact on trees and landscapes:

23. The trees and landscape officer has raised an in principle objection to the development due to the harm to the Green Belt and quality of the Landscape. The Landscapes officer considers that the development will have a significant impact upon the unspoilt nature of the rural locality. In the case that the development was approved then then conditions could be applied to retain and improve existing trees, however conditions would not be able to overcome the harm caused to the landscape and open character of the Green Belt by the development.

Sustainable Design and Construction:

24. The proposal should seek to use sustainable methods of construction and materials that are in line with Core Strategy policy CP1 and MDD Local Plan Policies CCO4 and CC05. The applicant has provided an Energy Statement (Burohappold Engineering). In terms of concept and design, this scheme is commendable in bringing together a range of renewable technologies and incorporating them within a building that is constructed largely of sustainable materials which contain relatively low levels of embodied energy. The proposed renewable sources of energy and sustainable building technologies are clearly not, in their own right innovative: solar thermal, solar PV and ground source heat pumps are all now relatively established or mature technologies. The proposed use of a gas boiler for winter hot water is at odds with the overall philosophy for the site. The use of straw bale construction is also commendable. It is clear that that the development can exceed the sustainable design and construction standards required by the MDD.

Occupiers amenity:

Amenity space:

25. The submitted site plan shows a total garden space that vastly exceeds the Borough's minimum amenity space standards and as such this element is acceptable.

Internal Space standards:

26. The floor space of the proposed dwelling is substantially above Borough minimum standards for both gross total floor space and gross living space standards and as such is acceptable and compliant with MDD Policy TB07

Ecology:

27. The Borough Ecologist has reviewed the submitted environmental details provided for the site. The Borough Ecologist has indicated that a number of the Wildlife Enhancements on the site may not be fully achievable however it is acknowledged that the development does put forward suitable mitigation for the harm caused and finer detail can be secured by condition and refinement of mitigation details. The only area of significant concern for the Ecologist is the impact of lighting upon bats. This however can be controlled by condition and if necessary further ecological information required to demonstrate that lighting would not affect protected species.

Impact on neighbouring residential amenity:

28. In addition to the overarching requirement for good design Core Strategy Policy CP3 requires that development should not harm the amenity of adjacent sites. The Wokingham Borough Design Guide establishes the minimum separation distances generally required to achieve acceptable residential amenity and standards for private amenity space. 22 metres back-to-back separation distance is generally required between two-storey dwellings and 12 metres back-to-flank in order to achieve acceptable privacy and avoid overbearing relationships or reduced daylight.

29. The nearest property to this development is "the Glade" which is located 15m away from the proposed development at its' nearest point. The proposal will have a rear to side relationship with The Glade and the development is single story near to this property. The proposed dwelling is built in a dug out earth bank at this point and due to the levels being significantly lower on the applicant site no significant impact will arise. All other dwellings are sited well beyond Borough Minimum distances and it is considered that the proposal complies with the standards set out in the Borough Design Guide and as such no unacceptable loss of light, overbearing or overlooking is likely to occur.

Environmental Health:

30. The proposed use is sensitive in nature being residential. Whilst WBC Environmental Health have no knowledge of known pollution or contamination on this site, on a precautionary basis the possibility of contamination should be considered when considering sensitive proposals such as residential in accordance with then National Planning Policy framework (NPPF 2012) and the principles of sustainable development. Should contamination be encountered during the proposed development

an assessment of potential contamination would be required. In view of the nature of the proposed development a precautionary condition would be recommended.

Impact on highway safety and parking:

31. Core Strategy policy CP6 seeks to ensure development has acceptable access and parking arrangements. There is an existing access which is shared with a public right of way and it is proposed that a new access be created into the site onto A4130 Remenham Hill. This would remove any potential conflict with pedestrians using the PROW at the existing access. The existing access into the site (off the track) will need to be stopped up for vehicles whilst retaining suitable access for pedestrians into the site and using the PROW.

32. The A4130 Remenham Hill has a speed limit of 30mph in this location and changes to 40mph further to the west. The visibility available onto Remenham Hill from the proposed access complies with current guidance and therefore the Highways Officer has no objection to a new access. Subject to conditions adequate parking could be secured at the site. The construction of the access will be subject to separate consent from the Highways Operations team

33. The Council's Highways Officer has raised no objection to the proposed dwelling, as the access and off road parking provision are sufficient for the scale of dwellings proposed. This aspect is therefore acceptable in accordance with policy CP6.

Archaeology:

34. The site is in a location of archaeological potential, as shown by finds at Park Place and the surrounding area. Some parts of the site are likely to have been disturbed through previous uses, which include some quarrying; there may therefore be areas that can be eliminated from investigation. The Borough Archaeologist therefore recommends that a condition requiring approval of a written scheme of archaeological investigation is attached to any planning permission granted, to mitigate the impact of the development.

Impact on Borough Services, Amenity, Infrastructure and affordable housing

35. The development is recommended for refusal, however would be CIL liable unless "self-build" exemption is sought by the applicant in the case that they secured a permission on the site.

CONCLUSION

The proposal seeks to erect one dwelling within the designated Green Belt. The site is currently a vegetated undeveloped greenfield plot, located within the Green Belt in Remenham. The site is currently being used for horticultural purposes by the applicant.

The proposed development is inappropriate by definition. The proposed dwelling is considered to be of a high standard of design, however the quality of its design is not considered to outweigh the substantial harm the proposal would cause to the openness of the Green Belt.

This is an application for a new dwelling in a Green Belt location and despite the high

quality of the design, it is considered contrary to both National and Local Planning policy due to the harm caused to the Green Belt and is therefore recommended for refusal.

CONTACT DETAILS		
Service	Telephone	Email
Development Management	0118 974 6445	<u>Development.control@wokingham.gov.uk</u>