

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 22 MARCH 2017

Councillors Present: Peter Argyle, Pamela Bale, Graham Bridgman, Richard Crumly, Marigold Jaques, Alan Law, Tony Linden (Substitute) (In place of Emma Webster), Mollie Lock (Substitute) (In place of Alan Macro), Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Quentin Webb (Substitute) (In place of Keith Chopping)

Also Present: Jessica Bailiss (Policy Officer (Executive Support)), Masie Masiwa (Planning Officer), David Pearson (Development Control Team Leader) and Shiraz Sheikh (Acting Legal Services Manager)

Apologies for inability to attend the meeting: Councillor Keith Chopping, Councillor Alan Macro and Councillor Emma Webster

PART I

82. Minutes

The Minutes of the meeting held on 8th February 2017 were approved as a true and correct record and signed by the Chairman, subject to the following amendment:

Councillor Alan Law drew attention to page nine of the minutes and stated that the second sentence of paragraph four should read as follows 'Councillor Alan Law advised that as Chairman for only the first part of the site visit, he had been made aware of a possible request by the Case Officer, but during his time as Chairman, no request to visit was made.'

Councillor Quentin Webb stated that he took over as Chairman for the second part of the site visit and was not made aware that a request had been made.

83. Declarations of Interest

There were no declarations of interest received.

84. Schedule of Planning Applications

(1) Application No. & Parish: 16/03518/FULD - Pelynt, Crookham Common Road, Brimpton

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 16/03518/FULD in respect of the demolition of the existing dwelling and construction of a self-build replacement dwelling.

In accordance with the Council's Constitution, Catherine Bamforth, supporter and Sarah Dutfield and John Hunt, agent and applicant, addressed the Committee on this application.

Catherine Bamforth in addressing the Committee raised the following points:

- She had lived in the village of Brimpton for 17 years and she would also be voicing the opinion of others living in the village.

EASTERN AREA PLANNING COMMITTEE - 22 MARCH 2017 - MINUTES

- The current owner of Pelynt, John Hunt, had lived in Brimpton all of his life and wished to bring his children up in the village. His parents also still lived in the village.
- The bungalow as it stood was dilapidated and as far as Mrs Bamforth understood, was not viable for re-use.
- Pelynt suffered from rising damp and mildew issues.
- John Hunt's family had outgrown the space. The proposed dwelling was of rural design, was more in keeping with the surrounding area and would be ample size for modern family living.
- The proposal was environmentally and eco friendly.
- Bats occupied the loft of the current property and therefore it was proposed that the new house would be set back further on the site, to allow the bats to be re-homed in a sympathetic manner.
- The work unit that formed part of the application would allow the applicants to work from home and therefore reduce traffic in the village.
- Prior to the application being submitted, Mr Hunt canvassed the opinion of the local community.
- No objections to the application were received and it was supported by Brimpton Parish Council. Mrs Bamforth urged the Committee to approve the application.

Councillor Richard Crumly queried how many two storey properties were near to the application site. Mrs Bamforth confirmed that there were about five.

Councillor Graham Bridgman asked for clarification on whether Brimpton Parish Council had no objections to the application or if they supported it. Planning Officer, Masie Masiwa, confirmed that the Parish Council had made no objections to the application.

Councillor Alan Law noted that bats occupied the property currently and asked if Planning Officers had been made aware of this. Mrs Bamforth was unsure if Officers were aware.

Sara Dutfield and John Hunt in addressing the Committee raised the following points:

- There were two areas that Mrs Dutfield would focus on including the design of the proposed property and the overall size.
- Regarding the design and appearance, there was no key characteristic for the area and no single house style or design prevalent on surrounding properties.
- The proposed dwelling had taken references from the surrounding area, including the relatively newly built Holdaways Farm, which had glazed elevation and sat in a more prominent position to Pelynt.
- The height of the proposed dwelling was similar to numerous properties in the immediate area including Holdaways Farm.
- The design was considered to be of high quality and would complement the existing area.
- In respect of the overall size, Mrs Dutfield stated that Mr and Mrs Hunt had been honest about their intentions and consciously applied for their final vision for the site rather than something smaller in scale that would require extending in the future.

EASTERN AREA PLANNING COMMITTEE - 22 MARCH 2017 - MINUTES

- Mrs Dutfield stated that Policy ENV23 existed, as set out in the supporting text, to protect the nature and character of the rural environment and to avoid dwellings, which were excessive in size and massing and thereby physically and visually intrusive. The emerging HSA DPD policy on replacement dwellings assessed the basis of the impact of a new property on the character and local distinctiveness of the rural area, compared to that which existed.
- Mrs Dutfield quoted paragraph 4.57 of the HSA DPD, which stated that “Any size increase had to be considered on the basis of the impact of a particular property in a particular location”.
- It had been explained at the site visit by the Case Officer, that the plot was not visible from the footpaths to the rear.
- The line of trees to the front of the site would be retained and therefore Mrs Dutfield felt that the proposed dwelling would be visually intrusive.
- The views of local people had been listened to and there had been no letters of objection received. With this in mind Mrs Dutfield urged Members of the Committee to approve the application.
- Mrs Dutfield confirmed that a full bat survey was submitted with the report.

Councillor Crumly queried if the family would be running their business from the area above the garage. Mrs Dutfield confirmed that Mr and Mrs Hunt’s business was primarily run from a unit at Calleva Park in Tadley. The area above the garage would only be used for working from home purposes.

Councillor Tony Linden queried if there would be any visitors to the house as a result of the business. Mr Hunt confirmed that they ran an air conditioning company and therefore were often out on site. The area above the garage would be a quiet place to work and there would be no additional visitors.

Councillor Tim Metcalfe was concerned about the entrance to the property as the line of trees impaired vision on exit, requiring drivers to encroach onto the road, in order to see traffic coming from either side. Councillor Metcalfe asked if there was any chance of the sight lines being improved. Mr Hunt confirmed that ideally they would like to remove the hedge that was of concern. Mrs Dutfield confirmed that this had been explored however, it would require removal of the trees, which were considered a nice feature to the front of the application site. Mr Hunt confirmed that there was a mirror to aid drivers exiting the site.

Councillor Pamela Bale appreciated that the applicants would need to work from home on occasion however, felt that the size of the work space proposed was particularly generous. Mr Hunt confirmed that due to the nature of his business they had to layout large drawings. There was space for two large desks to allow this to happen and adequate floor space.

It was also noted that there was a double garage on the site and it was confirmed by the agent that this would remain if planning permission was granted.

Councillor Crumly read out comments from Ward Member, Dominic Boeck, who raised the following points:

- Pelynt was unsightly and was not suitable to meet modern needs
- The proposed dwelling was in keeping with the setting.
- Neighbours within the surrounding area had no issue with what was proposed for the site.

EASTERN AREA PLANNING COMMITTEE - 22 MARCH 2017 - MINUTES

- None of the footpaths within the village would be adversely affected by the development.
- The Hunt family wanted to continue to live within the village of Brimpton and were an asset to the community.

Councillor Law referred to page four of the update report, which stated that no conclusion had yet been reached on the extent of the lawful residential curilage, or the need for planning permission for the recently constructed outbuilding. It also stated that the presence of an outbuilding was a material consideration, which Members could take into account. David Pearson stated that no conclusions had been reached as to whether the outbuilding required planning permission however, the building existed and Members needed to consider whether to approve the plans for the site. Regarding the curtilage, the replacement dwelling was proposed for the part of the site where the curtilage was defined and therefore Members were able to take a decision on the application.

Councillor Law queried if conditions regarding the curtilage being lawfully certified could be added, if the application was approved. David Pearson advised that conditions could not be added for an additional application, however an informative could be.

Councillor Mollie Lock asked if the garage was placed on agricultural land. David Pearson stated that this issue was yet to be resolved and would require further examination of records held by the Planning Department. Councillor Lock also queried if the garden was classed as agricultural land. David Pearson stated that they were still seeking clarification on this. It would be appropriate for an application for a certificate of lawfulness to be submitted.

Councillor Graham Pask asked if the application was approved, would it give the applicant the right to use all the area within the red line, shown on the map on page four of the update report. David Pearson stated that it was within everyone's interest for the issue to be resolved as soon as possible.

Councillor Bridgman asked for clarification on whether the plan on page four of the update report was the most up to date version. Masie Masiwa confirmed that this was the most recent version of the plan. David Pearson stated that they were still unclear about the status of the area where the garage was located. The red line was now being shown closer to the existing dwelling than in the previous plan.

Councillor Graham Pask asked if Members would be making a sound planning decision if they assumed the red line shown was the true curtilage for the site. David Pearson stated that the Committee could make a decision based on the amended plan as the area in which the replacement dwelling was proposed to be sited was accepted as residential curtilage.

Councillor Bale commented that the closer the red line was to the road the smaller the plot would be and the impact of the dwelling would be more significant. David Pearson stated that the policy C7 of the HSADPD regarding replacement dwellings did not include any reference to plot sizes.

Councillor Bridgman asked for clarification that the site was not within the Area of Outstanding Natural Beauty (AONB). David Pearson confirmed that this was correct.

Councillor Marigold Jaques stated that she had listened carefully to the applicant and the agent and acknowledged that the existing property was in a dilapidated state and needed replacing. Councillor Jaques was however, concerned to the extent to which the application was contrary to planning policy. Councillor Jaques felt that the size of the home, office and garage would have a negative impact on the landscape.

EASTERN AREA PLANNING COMMITTEE - 22 MARCH 2017 - MINUTES

Councillor Law referred to both old and new planning policy. He stated that the new policy referred to the setting of the application. Although Councillor Law supported the concept of replacing an out of date bungalow with a superior building, he was concerned about the overall increase in size. He noted that both the Parish Council and local community were not opposed to the application however, Members needed to consider the whole district and not just one particular area. Councillor Law stated that the application proposed an increase that was almost five times the size of the original dwelling and would set a precedent. On this basis he was minded to refuse the application.

Councillor Crumly expressed a differing view to Councillor Law. He felt that the ageing, dilapidated bungalow was a blot on the landscape. The site in question was of considerable size and the bungalow was particularly small in comparison and did not meet the needs of modern family living. The Hunt family required a modern house and Councillor Crumly supported this application. Councillor Crumly proposed that the Committee approve the application and this was seconded by Councillor Metcalfe.

Councillor Richard Somner was concerned that if the application was refused then numerous extensions to the existing dwelling would be applied for in the future.

Councillor Quentin Webb referred to the reasons for refusal under section eight of the planning report. He was in agreement with Councillor Law and felt that the increase in size was a step too far.

Councillor Lock felt that there were still questions to be answered around the use of the land and whether it was designated for agricultural use. Councillor Lock was also concerned about the size of the garage and office.

Councillor Tim Metcalfe referred to a recent application that was approved in Purley, which had consisted of a mixture of different sized houses, including some that had four bedrooms. He recalled that some Members had expressed concern about the size of the gardens as they were particularly small and stressed that the application in question consisted of a good sized plot and garden. Councillor Metcalfe referred to new planning policy, which stated that any building should look comfortable within a plot and he felt in this case it would.

Councillor Linden stated that he was still undecided over the application. He queried if the Committee voted to approve the application, would it be referenced up as it was against many of the Council's planning policies. David Pearson stated that although the application was contrary to policy, Officers would not be minded to reference the decision up if the application was approved. David Pearson advised Members to give careful consideration to new policy guidance when making a decision on the application. Planning Officers believed that the proposal if approved, would have large impact on the surrounding area particularly if the line of trees at the front of the property were ever removed.

Councillor Bridgman was not concerned that the application would set a precedent if approved, as each planning application was considered in context and on its own merits. Councillor Bridgman concurred with the point made by Councillor Somner about further extensions and felt that the application was clear about its intentions. Councillor Bridgman was also not concerned about the sight lines and felt that the row of trees should be retained to the front of the site as it would help retain the 'countryside' feel.

Councillor Bridgman moved on to talk about the AONB. Both policies C6 and C7 referred to the AONB and the impact of restricting development in the AONB. C6 covered how extensions should be subservient to the existing building. Councillor Bridgman stated that he was concerned about the percentage increase.

EASTERN AREA PLANNING COMMITTEE - 22 MARCH 2017 - MINUTES

Councillor Graham Pask asked if policies mentioned by Councillor Bridgman were relevant to open countryside outside of the AONB. David Pearson confirmed that the text of policy C7 did not mention the AONB and it did cover the district as a whole. Paragraph 5.4.7 stated that if a replacement dwelling was disproportionate then it would be deemed unacceptable. David Pearson stated that in his opinion the proposed dwelling was a step too far.

Councillor Peter Argyle added to the points made by both Councillor Metcalfe and Councillor Bridgman and put great weight on the fact that both the Parish Council and the residents supported the application.

Councillor Bale stated that although the proposed property was large this was not her main concern and her biggest issue was with the garage and work unit.

Councillor Law referred to new planning policy that gave emphasis to proportionality when considering housing within the countryside.

Councillor Somner noted that the applicant could submit an application for a smaller extension and then apply to extend it further in the future. David Pearson stated that they could not stop future occupants from applying for extensions. Each application would have to be judged on its merits.

Councillor Jaques queried whether the applicant had been advised on revising the scale of the proposal and Masie Masiwa confirmed that the applicant had been advised to withdraw and revise the application.

Councillor Graham Pask asked the Committee to vote on the proposal made by Councillor Crumly and seconded by Councillor Metcalfe to approve the application. At the vote this proposal was refused. Councillor Bridgman abstained from voting.

Members highlighted that there were some words missing from the Reasons section of the Planning Officer's report on page 28, paragraph 8.1. Masie Masiwa confirmed that Reason one should read as follows 'The application site is located on a very prominent location and within the countryside.'

Councillor Metcalfe noted the reasons for refusal and stated that it had been discussed that the site was not prominent or sensitive and therefore questioned why these reasons were included. David Pearson stated that if the line of trees at the front of the site were removed then the site would become very prominent and in any event the Officer view was that the site was prominent.

Councillor Law proposed that the Committee accept the Officer's recommendation to refuse planning permission and this was seconded by Councillor Linden. At the vote this proposal was carried. Councillor Bridgman abstained from voting.

RESOLVED that the Head of Planning and Countryside be authorised to refuse planning permission for the following reasons:

1. The application site is located on a very prominent and within the countryside. The existing dwelling on the site is a modest bungalow and the new two storey replacement dwelling and carport/garage will significantly increase the built form on the site. The replacement dwelling is overly large and by virtue of its design, size, scale, bulk and massing would dominate the area and would have a detrimental impact on the open character of the area. The proposed dwelling can be viewed from surrounding vantage points including Crookham Common Road and local, thus failing to respect the original dwelling's design, size, scale, massing, character and its setting within the site and the wider landscape and the pleasant rural character and appearance of the surrounding area.

EASTERN AREA PLANNING COMMITTEE - 22 MARCH 2017 - MINUTES

As such, the proposal fails to demonstrate a high standard of design contrary to the requirements for high quality design within the NPPF, and the provisions of Policies CS14 and CS19 of the West Berkshire Core Strategy. The proposal is contrary to the guidance contained in West Berkshire Supplementary Planning Document- Quality Design 'Residential Development'. The proposal is further contrary to Policies C3 and C7 of the emerging West Berkshire Council Proposed Submission Housing Site Allocations Development Plan Document (DPD).

2. The proposed replacement dwelling and proposed garage will result in a total cumulative increase in floor space of approximately 421%, and the proposed developments are significantly disproportionate to the original dwelling. Furthermore proposed replacement dwelling and proposed garage will result in a total cumulative increase in volume of approximately 312% the proposed replacement dwelling and garage would result in a large, visually prominent, incongruous and bulky residential development within the countryside. Its size, scale, bulk and massing would result in a materially large and dominant structure within the site, not subservient or sympathetic to the original dwelling.

The design, size, bulk and scale of the proposal are contrary to the National Planning Policy Framework, Policies ADPP1, ADPP6, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026. The proposal fails to accord with Policy ENV23 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and the guidance contained within the West Berkshire Supplementary Planning Document: Quality Design: Part 2 Residential Development and the Replacement Dwellings and Extensions to Dwellings in the Countryside (July 2004). The proposal is also contrary to Policies C3 and C7 of the emerging West Berkshire Council Proposed Submission Housing Site Allocations Development Plan Document (DPD).

3. At the heart of the NPPF is a presumption in favour of sustainable development, the NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. The proposal makes no significant contribution to the wider economic dimensions of sustainable development as there would only be a minor benefit in terms of additional employment during the construction period. With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment. It is considered that the proposal fails to sufficiently respect and preserve the existing natural and built environment and does not protect and enhance the prevailing pattern of development in the local area and the site specifically and the character and appearance of the site itself. The proposal makes no significant contribution to the wider social dimension of sustainable development due to the significant visual intrusion it will cause which will damage the character and appearance of the local area to the detriment of its enjoyment by local residents.
4. For the above reasons, it is considered that the proposed development is not sustainable development as set out in the NPPF.

EASTERN AREA PLANNING COMMITTEE - 22 MARCH 2017 - MINUTES

85. Appeal Decisions relating to Eastern Area Planning

Members noted the outcome of appeal decisions relating to the Eastern Area.

(The meeting commenced at 6.30 pm and closed at 7.33 pm)

CHAIRMAN

Date of Signature