

Note: These Minutes have been amended. Please see Minutes of 18 October 2017 for amendments.

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 16 AUGUST 2017

Councillors Present: Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster

Also Present: Sharon Armour (Solicitor), Gareth Dowding (Senior Engineer), Charlene Hurd (Democratic Services Officer), Masie Masiwa (Planning Officer) and David Pearson (Development Control Team Leader)

PART I

18. Minutes

The Minutes of the meeting held on 26 July 2017 were approved as a true and correct record and signed by the Chairman subject to the following amendments:

Item 16 (1) Application 17/00743/FUL

Page 8, final bullet point within Councillor Richardson's address: amend 'Englefield Parish Council' to 'Theale Parish Council'.

Page 9, third paragraph: Councillor Alan Macro asked that the final sentence was clarified to state that Councillor Richardson had referred to the Manager of *the football team* and that Councillor Bridgman's question related to the land available for pitches once the site had been developed.

Page 9, fourth paragraph: amend 'Theale Parish Council' to 'Englefield Parish Council'.

Page 10, paragraph 3, first sentence: amended to read 'Councillor Alan Law agreed that the school would increase traffic to the area and asked whether the access to the school was from the *road to the* golf course'.

Item 16 (2) Application 17/00472/FULMAJ:

Page 16, second paragraph, first sentence: amended to read 'Councillor Alan Law noted that Mr Crook had referred to ADPP6 however, *as it had not been referenced in the Officer's report, he asked for clarification.*

Page 17, second bullet point in Councillor Boeck's address: should state that he *still* lived in Brimpton.

Page 17, second paragraph: amended to include *Councillor* Richard Crumly.

Page 19, paragraph 7: amended to read 'Councillor Marigold Jaques understood that the application was against policy however, *it was well supported by the local community which was served by a thriving shop and pub – facilities which were lacking in many communities which should be noted*'.

Page 19, first paragraph: should read 'Councillor Law added that he had been Portfolio Holder when the policies in question had been agreed *and were aimed at small ribbon development hamlets such as Welford and Leckhamstead.* Therefore, he supported Officers' view that the decision would set a very dangerous precedent.

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19. **Declarations of Interest**

Councillor Graham Pask declared an interest in Agenda Item 4(2), but reported that, as his interest was a personal interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Sharon Armour, Solicitor, declared an interest in Agenda 4(2) and reported that she was unable to provide legal advice for the item.

20. **Schedule of Planning Applications**

(1) **Application No. & Parish: 17/00968/FULD - The Rancher, Manor Farm Lane, Tidmarsh, Reading, RG8 8EX**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/00968/FULD in respect of the demolition of existing b8 (egg distribution warehouse) and five garages, relocation of sewage treatment plant and erection of 4 houses; 2 x semi-detached 2-bed and 2 x semi-detached 3-bed homes with associated garden and parking.

In accordance with the Council's Constitution, Mr Colin Pawson, Parish Council representative, Mr James Hanley, Mr Alan Maskell, Ms Denise Preston and Ms Julie Broun, objectors, and Mr Chris Keen, applicant/agent, addressed the Committee on this application.

Mr Pawson in addressing the Committee raised the following points:

- He thanked the Committee for the opportunity to discuss the application and he recognised that residents opposed the proposed development.
- The reasons for objection related to matters around loss of privacy, poor design and more. He considered that the conditions, contained within the Officer's report, were sufficient to address those concerns and therefore, the Parish Council accepted the application – in principle.

Councillor Graham Bridgman noted that concerns had been raised during the site visit regarding access to the site. Mr Pawson explained that one of their concerns related to the turning space for emergency or maintenance vehicles but he was satisfied that this had now been addressed. He also noted that concerns had been raised about increased traffic but he did not consider this to be a significant issue specifically relating to this development.

Mr Hanley in addressing the Committee raised the following points:

- He lived at the Lawrence Bungalow and required adequate access to the back garden to support his gardening business. He considered that concerns around access had been resolved, in principle, but he wanted to see that this was conditioned within the application to ensure a solution was delivered – if the application was approved.
- He was concerned about access to the sewage treatment plant and wanted to see that this was considered fully within the plans.

Ms Broun in addressing the Committee raised the following points:

- She lived at number five Manor Farm Lane.
- There was an issue with regards to flooding in the area and she felt that the development would exacerbate the issue further. It was essential that the application included mitigation measures to ensure flood risk was managed appropriately.

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- Parking was an issue for visitors due to the rural setting and limited parking space. He hoped that the application would also include the provision of 4 parking spaces.

Ms Preston in addressing the Committee raised the following points:

- She lived at number two Manor Farm Lane.
- She was concerned about the hours of work detailed within the planning application and felt that 10 hours would cause too much disruption and noise. She requested that the working hours should be revised to 08:30.
- She was concerned that plant material might block access to the site or cause an obstruction.

Mr Maskell in addressing the Committee raised the following points:

- He lived at number one Manor Farm Lane.
- The calculated daily vehicle movement was not accurate and in particular – the 20 'other vehicle movements' in respect of the B8 Egg Packing Distribution Business did not exist. Vehicle movements in respect of the garages were inaccurate because they were seldom used either. Overall – the total number of vehicle movements provided a false and inaccurate picture.

Councillor Bridgman asked Mr Maskell whether he had seen the map provided in the update report which outlined a proposed access route to the sewage treatment plant. Mr Maskell stated that he had not seen the proposal, but that he would be satisfied with any proposed route provided that it was adequate for plant material/ vehicles to use.

Councillor Richard Crumly asked for clarification regarding the issue of parking in/ around the site. Residents advised that they had, in most cases, converted their front lawn to provide suitable parking spaces and that they lacked official parking spaces for visitors.

Councillor Alan Macro asked whether Mr Hanley had any concerns regarding the proximity of the new development to his home. Mr Hanley stated that he was concerned to a degree but he was not overly worried about the location of the new properties.

Councillor Graham Pask asked whether the ownership of the garages (to be demolished) was known. Ms Broun stated that the residents owned the freehold and that negotiations would ensue to agree transfer of ownership if the application was approved.

Mr Chris Keen in addressing the Committee raised the following points:

- He had prepared a statement but he wanted to address the points specifically raised at the meeting.
- He was happy to negotiate relocating access to the back garden at Lawrence Bungalow.
- Access to the treatment plant had been addressed and a map included in the update report. The route had been in situ for some time and would be suitable for the proposed use – he was happy to include amendments to Rights of Access.
- Concerns regarding flood risk could be addressed through conditions and he was happy to discuss suitable options.
- He acknowledged the concerns regarding parking but reminded Members that these were unofficial spaces of which residents were not legally entitled to use but had benefitted from for many years.

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- The traffic report provided by ITraffic was produced based on an assessment of the activity onsite and he believed that it was an accurate reflection of traffic flow.

In response to questions asked by Members, Mr Keen confirmed that he would accept changes to the conditions associated with working hours and access to Lawrence Bungalow.

Councillor Tim Metcalfe, speaking as Ward Member, in addressing the Committee raised the following points:

- He considered that the site was ideal for development – brown field, industrial use.
- Comments had been made regarding ‘overdevelopment’ and the design being ‘out of character’ but he was not convinced that this was the case.
- He was concerned about the height of the gable end and the impact it would have on the nearby property – Lawrence Bungalow. The proposed ridge height could cause a degree of overshadowing.
- The plans seemed to suggest that the new development’s parking space would be positioned in front of the existing properties – this was not suitable or reasonable.
- The update sheet suggested that there would be a fence introduced around the perimeter of the treatment plant but he was not sure why it was necessary if the treatment plant would remain as part of the field.

Massie Masiwa was invited to comment on the points raised by Councillor Metcalfe. In response, Masie Masiwa stated that the applicant was required to submit details regarding the fencing but the information had not yet been received. David Pearson advised that it was common to see agricultural land sub divided into sections and that the same principle would apply when considering the suitability of the treatment plant fencing within the field.

Masie Masiwa advised that the proposed development would be set back from the current position of the outbuilding and therefore the impact from the gable ends had been assessed accordingly and considered acceptable.

Councillor Bridgman suggested that the plan detailed two more gables which were higher than those used for comparison to neighbouring properties. He suggested that the impact had been assessed based on the incorrect gable line.

In response to concerns raised by Members, Gareth Dowding advised that there would be sufficient turning space for larger vehicles – this included a calculation based on the introduction of a bin store at the entrance of the site.

Councillor Crumly asked what the process would be in terms of pending cases referred to in point 5.9 of the Officer’s report. David Pearson advised that, if the LA was minded to refuse those applications, then the applicant would have a right to appeal the decision. Equally, the LA could take appropriate action if they had reason to believe that permissions were contravened.

Councillor Alan Macro highlighted that the impact assessment had been made based on the south ridge from the proposed development and he considered that the east ridge could impact the Lawrence Bungalow also. Therefore, he was keen to see that Permitted Development Rights were introduced on both the south and east side of the new development. Masie Masiwa advised that it was possible to add to the current condition as requested.

Councillor Webster acknowledged that the agent had introduced changes to minimise the impact and felt that he should be commended for doing so. Furthermore, the agent had

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accepted additional changes to the conditions to reassure local residents and manage the impact accordingly. Therefore, Councillor Webster proposal acceptance of Officer's recommendation to grant planning permission. The proposal was seconded by Councillor Bridgman.

Councillor Keith Chopping stated that he found no issue with the ridge height of the gable ends but he was concerned about access to the treatment plant and wanted to see that it was adequately addressed. He supported the application and requested that the condition relating to working hours was amended if the application was approved.

Councillor Law suggested that the application could be considered as overdevelopment. He noted the response provided in respect of access to the treatment plant and suggested that access should be conditioned. David Person advised that, due to the outline of the development site, a condition could be included.

Councillor Crumly considered that issues surrounding the Certificate of Lawfulness resulted in numerous uncertainties and for that reason he could not support the application.

Councillor Pamela Bale stated that she was concerned about the impact the development would have on parking in / around the area.

Councillor Marigold Jaques believed that the conditions helped to minimise the impact upon neighbouring properties but that these might not be adhered to. She felt that Members had a duty of care to consider and for that reason she could not support the application.

In considering the above application Members voted in favour of the proposal to accept Officers recommendation to grant planning permission subject to amended conditions.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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).

2. The development hereby permitted shall be carried out in accordance with the application form, the design and access statement, the amended transport statement, the amended location plan, and the following approved drawings:

- a) Proposed site plan drawing No PL-05 received on 12 April 2017
- b) Amended proposed plans drawing No PL-07C received on 28 July 2017
- c) Amended proposed elevations drawing No PL-08 C received on 28 July 2017
- d) Amended proposed section through site drawing No PL-10B received on 22 June 2017
- e) Amended existing and proposed block plan drawing No PL-03B received on 22 June 2017
- f) Visibility splays drawing No TB12502-GA-005 received on 09 June 2017.
- g) Proposed swept path analysis - fire tender and large panel van drawing No TB12502-GA-001 received on 09 June 2017.

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Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the dwellings and hard surfaced areas hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), the National Planning Practice Guidance (March 2014), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and the Supplementary Planning Document Quality Design (June 2006).

4. No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected around the dwellings and the sewage treatment plant have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment plan for the sewage treatment plant shall include the proposed access gate into the enclosure. The boundary treatment shall be completed in accordance with the approved scheme before the dwellings hereby permitted are occupied or 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 approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Supplementary Planning Document Quality Design (June 2006).

5. Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning Authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the Local Planning Authority shall be carried out to agreed timescales and approved by the Local Planning Authority in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.

Reason: In order to protect the amenities of proposed occupants of the application site. This condition is imposed in accordance with the National Planning Policy Framework (2012) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

7. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

8:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

nor at any time on Sundays or Bank Holidays.

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Reason: To safeguard the amenities of adjoining land users and occupiers. This is in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007

8. The dwellings hereby approved shall not be occupied until the refuse and recycling facilities have been provided in accordance with the approved details. The refuse and recycling facilities shall be retained for this purpose thereafter.

Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and the Supplementary Planning Document Quality Design (June 2006).

9. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026

10. No development shall take place until a scheme of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable drainage principles to deal with surface water run-off from the roof of the dwellings and within the application site. The dwellings hereby permitted shall not be first occupied until the scheme of surface water drainage has been implemented in accordance with the approved details. The approved method of surface water drainage shall be retained and maintained thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design - Part 4 Sustainable Design Techniques (June 2006).

11. No development (including site clearance and any other preparatory works) shall take place until a Construction Method Statement has been submitted to and approved in

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writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- 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
- 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 scheme given full details of how any spoil or debris arising from the proposed development will be disposed of.

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 (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

12. No dwelling shall be occupied until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

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 (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of then Housing Site Allocation DPD.

13. No dwelling shall be occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the Housing Site Allocation DPD.

14. The windows at first floor level, including roof lights in the northern elevations on all four dwellings shall be top hung and fitted with obscure glass before the dwellings hereby permitted are occupied. The obscure glazing shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring properties and to prevent the overlooking of adjacent properties in the interests of neighbouring amenity. This condition is imposed in accordance with the National Planning Policy Framework

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(March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

15. No development shall take place until a footpath signpost at the junction with the A340 has been installed in an appropriate location agreed in writing with the Local Planning Authority. The message details and location of the sign and signpost shall be agreed in writing with the Local Planning Authority and shown on a plan prior to any development commencing. The approved sign and signpost shall be retained thereafter as part of the proposed development.

Reason: To reinforce the existence of Manor Farm Lane as a designated footpath, to warn vehicles entering the site and to maintain the safety between vehicles and pedestrians. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policies CS 13 and CS14 of the West Berkshire Core Strategy.

16. Irrespective of the provisions of The Town and Country Planning (General Permitted Development) Order 2015, the car ports approved on the site shall not be used for any purpose other than as parking spaces for the dwellings, unless permission has been granted by the Local Planning Authority as a result of an application being submitted for that purpose.

Reason: To ensure that the car ports are kept available for vehicle parking in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the Housing Site Allocation DPD.

17. 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), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: To prevent the overdevelopment of the site, given the limited amenity space, and in the interests of respecting the character and appearance of the surrounding area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

18. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows including dormer windows and roof lights (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, of that Order shall be constructed at first floor level or the roof slope on the northern and eastern elevations of the dwellings hereby permitted, without

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planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties and to prevent the overlooking of adjacent properties in the interests of neighbouring amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

19. No development shall take place until details of the vehicle access route for the maintenance of the sewage treatment plant have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the route will be accessed, maintained and kept available for use at all times. Thereafter the access route shall be kept available for access to the sewage treatment plant and maintained and kept available for use at all time in accordance with the approved details.

Reason: To ensure the development is provided with adequate access for the maintenance of the sewage treatment plant. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

21. **Application No. & Parish: 17/01889/OUTD - Land Adjacent to Larch House, Sulhamstead, Reading RG7 4BB**

Councillor Graham Pask noted that the remaining members of the audience had attended to hear/ speak in respect of 17/01189/OUTD. Therefore, he suggested that Standing Orders were suspended in order that Agenda Item 4(3) could be considered prior to Agenda Item 4(2).

Members voted in favour of the proposal to suspend Standing Orders and proceeded to consider Agenda Item 4(3).

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 17/01889/OUTD in respect of outline planning permission for the redevelopment and change of use of the site to residential (C3) to provide a single storey detached dwellinghouse with rooms in the roof space. Matters to be considered: Access and Layout.

In accordance with the Council's Constitution, Mr Thomas Wright, supporter, Mrs Kim Cohen, agent, and Mr Malcolm Hatton, applicant, addressed the Committee on this application.

Mr Wright in addressing the Committee raised the following points:

- He had lived near Larch House since 1970 and much of the surroundings had changed in that time. The land had previously been used for grazing and storage which were integral parts of the farm.
- Over time the buildings had been converted into residential properties and the two outbuildings, referred to in the current planning application, were the last remaining.
- The proposed site was within an agricultural footprint and recent additions, such as a wall, provided a degree of privacy.

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- The proposed development would enhance the appearance of the area and turn the current eye-sore into a purposeful building.
- This type of application had been a topic of conversation many times within the hamlet area - there had been numerous requests to convert outbuildings into a dwellinghouse.

In response to questions asked by Members, Mr Wright advised that the nature reserve was a very popular place to walk but the section of road alongside the application site was rarely used and was quite dangerous to walk. Therefore, the footpath was not heavily used and views into the proposed development would be limited.

Mr Hatton in addressing the Committee raised the following points:

- He had owned Larch House for over thirty years and he appreciated that the current application was not necessarily straight forward but he intended to explain the reasons for his application.
- He had lived in the area for many years and fully intended on staying for years to come. The proposed dwellinghouse would provide a more modest and manageable space to live in.
- The development would enhance the immediate area with minimal impact on neighbouring properties and amenities.
- The application had not received any letters of objection and he fought hard to get the application to be considered by the Committee.
- He owned the development site which offered limited benefits in its current state. He empathised that he wanted a more modest home in the same area so the proposal in front of Members appeared to make perfect sense.

Mrs Cohen in addressing the Committee raised the following points:

- The surrounding area had been introduced progressively over time and not all hedge lines/ walls were in place originally.
- The barn had not practical use and the proposal sought to enhance the area and its use.
- Fundamentally, the proposal hadn't drawn any objections
- Local properties had undergone various extensions.

Councillor Alan Law highlighted that the current planning policy stated that developments, such as this, were not permitted due to concerns that they could set a precedent. Councillor Law noted that the policy allowed exception cases and asked whether they considered that their proposal was an exception to policy. Mrs Cohen stated that the application could be considered an exception because it was set within an area where similar developments had taken place already. She stated that the two outbuildings in the application were the only remaining farm buildings within the hamlet and so there would not be any future pressure to develop in this way. .

Councillor Tim Metcalfe stated that other developments in the area had been conversions of an existing farm building but the current proposal was to remove the farm building altogether and replace with a dwellinghouse. Mrs Cohen advised that there had also been a series of extensions in the area.

Councillor Graham Bridgman noted that on page 61, point 7.2, it referred to the dwellings situated within Hose Hill Farm and asked how they compared to the proposed plans in terms of scope and size. Members heard that the current proposal tried to emulate the

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style and size of nearby properties and that those within Hose Hill Farm were approximately 1.5 storeys tall.

In response to a question asked, Mrs Cohen confirmed that the application did not entail Tree Protection Orders.

Councillor Ian Morrin, speaking as Ward Member, in addressing the Committee raised the following points:

- He reflected on the reasons for the application being put forward by Mr Wright and noted that there were no known objectors.
- The application could be considered an exceptional case for development based on its location in a unique site – part of a settlement/ hamlet.
- Mr Wright had lived in the area for over thirty years and the application site served a limited purpose in its current state. This was a pragmatic approach which enabled longstanding residents to remain in the area.
- Redevelopment of the site would deter vandalism which had been a problem in/ around disused barns.

Councillor Webster asked if he knew what the value of the Community Infrastructure Levy (CIL) contribution would be if the development was approved. Councillor Morrin stated that he was not completely certain but it could be a significant contribution towards local amenities.

Councillor Bridgman asked whether a planning application would be required if the applicant repositioned the existing structure. David Pearson stated that he was not prepared to provide an answer on the basis that he preferred to check against legislation and case law before he could provide a definitive response. Following this, Councillor Pamela Bale asked what the policy would be if the applicant proposed to redevelop the existing barn. David Pearson advised that conversions in a rural setting would need to be assessed, according to the Development Planning Document (DPD). However, it should be noted that the original property must be considered structurally sound in order that it can be 'converted'.

Councillor Law highlighted that the application was against planning policy and reminded the Committee that Full Council had voted in favour of the recent changes to the Housing Sites Allocation DPD (HSADPD) policies which stated that applications, such as that in front of the Committee this evening, should be permitted by exception only. He asked Members to consider whether the current application could be considered an exception.

Councillor Law stated that the current application was not acceptable and proposed acceptance of the Officer's recommendation to refuse planning permission. The proposal was seconded by Councillor Crumly.

Councillor Webster asked whether planning officers had statistics relating to the number of 'self-build' properties in West Berkshire. David Pearson explained that he did not have the figures readily available but suggested that policies were not intended to be interpreted as it had been for self-build properties. Sharon Armour advised that CIL was not applicable if an applicant met the exemption criteria set out in the CIL regulations.

Councillor Keith Chopping stated that each application should be considered on its own merits and acknowledged Mr Wright's reasons for supporting the application – notably that there were no local objections. Councillor Chopping stated that, in light of CS1 of the newly appointed HSADPD, the application could be considered an infill. Therefore, he supported the application. In response, David Pearson explained that infill policies clearly indicated that the current application would not fit the criteria.

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Councillor Bridgman supported the comments made by Councillor Law. He recognised that the development would be welcomed in the area but noted, beyond this, that it contradicted local planning policy.

Councillor Alan Macro also agreed with Councillor Law's comments, that the application was against planning policy, and could not find a reason for approval. He did not believe that reasons surrounding CIL contribution should factor into considering reasons for approval.

Councillor Webster was in a quandary regarding heart felt reasons for approval versus refusal based on her knowledge of planning policy. She concluded that the application did not comply with policy and so, it was with a heavy heart, that she could not support the application.

Councillor Tim Metcalfe concurred with previous comments regarding suitability of the application against planning policy.

In considering the above application Members voted in favour of the proposal to accept the Officer's recommendation for refusal.

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

1. Outline planning permission is sought for the redevelopment and change of use of the site to residential use to provide a single storey detached dwellinghouse on land adjacent to Larch House, Sulhamstead. The site is situated within open countryside outside of any defined settlement boundary. According to Core Strategy Policy CS1, new homes will be primarily developed on land within settlement boundaries and allocated sites, in accordance with the settlement hierarchy outlined in the Spatial Strategy and Area Delivery Plan Policies (Policies ADPP1 and ADPP6). According to Policy ADPP1, only appropriate limited development will be allowed in the open countryside. According to Policy ADPP6, development in the open countryside of the East Kennet Valley will be strictly controlled. Policy C1 of the House Site Allocations DPD (2006-2026) provides a presumption against new residential development outside the settlement boundaries, with a few prescribed exceptions.

The application site is located outside of any defined settlement boundary, and does not fall within any of the specified exceptions to the presumption against new residential development. Moreover, the site is in a remote, unsustainable location that would not facilitate sustainable travel to key services and facilities. The application is therefore contrary to the NPPF, Policies ADPP1, ADPP6, CS1 and CS13 of the West Berkshire Core Strategy (2006-2026), and Policy C1 of the House Site Allocations DPD (2006-2026).

2. Core Strategy Policies CS14 and CS19 seek to ensure that new development demonstrates high quality and sustainable design that respects and enhances the character and appearance of the area, and should be appropriate in terms of location, scale, and design in the context of the existing settlement form, pattern and character. According to Policy C3 of the Housing Site Allocations DPD, the design of new housing in the countryside must have regard to the impact individually and collectively on the landscape character and its sensitivity to change.

The existing buildings are low key, utilitarian in character and inconspicuous. The proposed building represents a significant increase in built form on the site; it has a

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greater footprint, floor space, number of storeys, and height that the existing buildings. According to the illustrative elevations, despite a simple form, the building would have a residential character. The conversion of the existing paddock to create a substantial residential curtilage would also have an urbanising effect on the character and appearance of the area.

Overall, the replacement of the existing low key utilitarian buildings with a substantial residential dwelling and associated residential curtilage would have an adverse effect on the character and appearance of the area. As such, the proposed development is contrary to the NPPF, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD (2006-2026), and the West Berkshire Quality Design SPD.

22. **Application No. & Parish: 17/01276/HOUSE - 4 Mortons Lane, Upper Bucklebury, RG7 6QQ**

(Sharon Armour declared a personal interest in Agenda Item 4(2) by the virtue of the fact that the applicants were known to her. Therefore, she was unable to provide legal advice and would vacate the meeting during the course of consideration on the matter.)

(Councillor Graham Pask declared a personal interest in Agenda Item 4(2) by virtue of the fact that he knew a number of local residents near the application site. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Sharon Armour left the meeting.)

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/01276/HOUSE in respect of a loft conversion with roof alternations and Velux windows.

- Councillor Pask advised that the Parish Council had submitted their request to speak. However, it was received after the agreed deadline of 16:00 (as stated within in Part 7, point 7.13.2 of West Berkshire Council's Constitution). For this reason there were no speakers registered to address the Committee on this application.
- Councillor Emma Webster stated that the item was called in due to the proposed change in the roof line. She explained that the main issue appeared to be around limited parking - notably since the garage had been converted into an office.
- Councillor Webster referred to the report and the Highways Officer comments contained within. She recognised new polices could not be applied retrospectively but stated that if Members were minded to approve the application, she would expect to see adequate plans to propose an additional parking space on site.
- In response to questions asked, Gareth Dowding advised, if the application was for the consideration of a 4-bed new build dwellinghouse, he would expect to see plans to provide at least 3 parking spaces. He provided Members with the measurements of the existing parking space and that of the area required for 2 formal parking spaces. Councillor Graham Bridgeman suggested that there could be sufficient grounds to refuse the application based on the issue of parking alone.
- Councillor Marigold Jaques requested clarification from Officers in terms of the reason why a planning Application was required for a loft conversion. David Pearson advised that a planning application was required due to the change in the

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roof line in an Area of Outstanding Natural Beauty (AONB) and the potential impact this may impose.

- Councillor Alan Law advised that he agreed with the comments presented by Councillor Bridgman but considered that it would not stand as a reason for refusal if the decision went to appeal.
- Councillor Richard Crumly expressed his support towards the comments made by Councillor Bridgman and suggested that there should be adequate plans to include an additional parking space, if the application was approved.
- Councillor Pamela Bale challenged whether there was an opportunity to request that the garage reverted back to a usable parking space. David Pearson advised that it would be hard to enforce such a condition and it would be far easier to see a second space at the front of the property.
- Councillor Keith Chopping proposed to accept Officers recommendation for approval with the inclusion of a condition to ensure that a second parking space would be provided. The proposal was seconded by Councillor Marigold Jaques.

In considering the above application Members voted in favour of the proposal and accepted the conditions as set out in the Officers report – with the inclusion of a condition to provide adequate plans for the provision of a second parking space at the front of the property.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions:

Conditions

- 1. Full planning permission time limit**
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.
- 2. Standard approved plans**
The development hereby permitted shall be carried out in accordance with the approved drawings: LP-3250-02 and Block Plan; received on 17th May 2017.

Reason: For the avoidance of doubt and in the interest of proper planning.
- 3. Materials as Specified**
The materials to be used in the development shall be as specified on the plans or the application forms. No other materials shall be used unless prior agreement in writing has been obtained from the Local Planning Authority. Where bricks and tiles are specified these shall match those on the existing development to the satisfaction of the Local Planning Authority.

Reason: To ensure that the materials are appropriate to the existing development, the site and its surroundings. This condition is imposed to comply with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

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4. Hours of work (construction)

No demolition or construction works shall take place outside the following hours:

- 8:00am to 6:00pm Mondays to Fridays;
- 8:30am to 1:00pm Saturdays;
- nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026).

5. Windows PD removal

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows which would otherwise be permitted by Schedule 2, Part 1, Class A of that Order shall be constructed at second floor level on the east elevation without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

6. Details of rooflights No related development shall commence until details of the rooflights to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority on an application made for the purpose. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application. Thereafter the roof lights used in the development shall be in accordance with the approved details.

Reason: To ensure that the rooflights are appropriate to the existing development, the site and its surroundings. This condition is imposed to comply with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026)

23. Appeal Decisions relating to Eastern Area Planning

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

24. Site Visits

A date of 30 August 2017 at 9.30am was agreed for site visits if necessary. This was in advance of the Eastern Area Planning Committee scheduled for 6 September 2017.

(The meeting commenced at 6.30 pm and closed at 9.00 am)

CHAIRMAN

Date of Signature