

Note: These Minutes have been amended. Please see Minutes of 29 November 2017 for amendments.

## **EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON WEDNESDAY, 8 NOVEMBER 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), Quentin Webb (Substitute) (In place of Richard Somner) and Emma Webster

**Also Present:** Jessica Bailiss (Policy Officer (Executive Support)), Gareth Dowding (Senior Engineer), Bob Dray (Principal Planning Officer), David Pearson (Development Control Team Leader), Shiraz Sheikh (Acting Legal Services Manager) and Simon Till (Senior Planning Officer)

**Apologies for inability to attend the meeting:** Councillor Richard Somner

#### **PART I**

#### **30. Minutes**

The Minutes of the meeting held on 18<sup>th</sup> October 2017 were approved as a true and correct record and signed by the Chairman subject to the following amendments:

**Item 27 (1) Application 17/02012/FULD:**

Page 7, second paragraph after first set of bullet points to read as follows: Mr Leedale stated that the units closest to Tidmarsh Lane had been reduced in size **and by one unit.**

Page 7, first paragraph to read as follows: Mrs Cuthbert responded that they had chosen not to report the issue as they felt the complaint would not **be** acted upon.

Councillor Tim Metcalfe stated that Cheryl Willett had reported that she had negotiated with the applicant over the sum of money for affordable housing. Councillor Metcalfe felt that this figure and the Community Infrastructure Levy (CIL) amount should be included within the minutes. Officers could not recall a CIL amount being discussed however, agreed to add detail on the affording housing figure, which was **£450k.**

Councillor Metcalfe was of the view that Members had agreed that action should be taken to tidy up the site. Officers recalled this being discussed however did not recall that Members had stated a resolution to this affect.

#### **31. Declarations of Interest**

Councillor Pamela Bale declared an interest in Agenda Item 4(1), and reported that, as her interest was a disclosable pecuniary interest or an other registrable interest, she would be leaving the meeting during the course of consideration of the matter.

Councillor Emma Webster declared an interest in Agenda Item 4(1), but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

#### **32. Schedule of Planning Applications**

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### (1) **Application No. & Parish: 17/01540/RESMAJ - Land north of Pangbourne Hill, Pangbourne, Reading, Berkshire**

*(Councillor Pamela Bale declared a personal and prejudicial interest in Agenda Item 4(1) by virtue of the fact that she voted against the outline planning application (15/03320/OUTMAJ). As she had pre-determined the decision on the application she would be leaving the meeting during the course of consideration of the matter and would take no part in the debate or voting on the matter. Councillor Bale stated however, that she would still make a representation as Ward Member. Councillor Bale left the meeting at 6.40pm.)*

*(Councillor Emma Webster declared a personal interest in Agenda Item 4(1) by virtue of the fact that the objectors, Mr J.G.F Dawson and his wife, were known to her. As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)*

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/01540/RESMAJ in respect of reserved matters following outline planning permission 15/03320/OUTMAJ.

In accordance with the Council's Constitution, Mr John Higgs, Parish Council representative, Mr J Dawson, objector, and Mr Douglas Bond, agent, addressed the Committee on this application.

Mr John Higgs in addressing the Committee raised the following points:

- He was concerned regarding the entrance to the site and queried why the visibility splay length of 43 metres was still being shown within the report. According to the outline application that was approved, visibility splays should be 63 metres and 72 metres in length.
- There were no cycle tracks close to the site and therefore any reference to cycle tracks should be discarded. The Thames path could not be used as a cycle track as it was a footpath.
- Mr Higgs disagreed that there was a regular two hourly bus service that served the area. There were buses at 11am, 1pm and 6pm and this could not be considered as a frequent service. The service also no longer served the Whitchurch Hill area.
- Although the highway that was used to access the site had a 30mph speed limit, many vehicles travelled at 60mph and therefore visibility splays should be increased to 90metres.
- The footpath from the site to the village was not clear from the plans. Pedestrians would have to cross the road by the church, which was considered to be far too narrow.
- Originally Thames Water had stated that the sewage network would not be able to support the new development however, Thames Water now seemed to be satisfied with the application. Mr Higgs wanted to know what had changed in terms of the sewage system, which meant that it could now support the development.

Councillor Tim Metcalfe asked if the entrance to the site was used solely for the estate. Mr Higgs stated that the entrance had been used by Southern Electric over the years and also by a local farmer however, the farmer mainly used the tracks rather than travelling over the fields.

Mr J Dawson in addressing the Committee raised the following points:

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- He had a civil engineering background, which included being the Chairman of an engineering consulting firm. He held fellowships in engineering institutions across the UK and other parts of the world. He had been president of the UK association of Consulting Engineers including a spell as chairman on the Professional Liability Committee.
- There was an extensive history of sewer leakages within the area. Thames Water had said in the past that a six inch pipe had the capability under pressure to take the flow and Mr Dawson felt that this was true under modern conditions. In Pangbourne Hill however, there was a Victorian aged six inch pipe that was rough and uneven according to the operatives to who had cleaned up spillages and blockages. Rubbish snagged on the joints and caused blockages, causing sewage to leak into close by houses and gardens.
- The option to replace the sewage system was deemed impossible due to the depth of the system. It was also only ten feet away from special dwellings.
- Revised transport statements failed to take into account the updated traffic census taken at the site entrance. This had showed a substantial increase in traffic movements above the outdated figures to about 2000 movements a day.
- A significant number of vehicles travelled at over 60mph on a downhill slope (about one in 20 vehicles). Vehicles travelling at this speed required a distance of about 150 metres to stop.
- The Government's main manual signed at Minister level stated that urban rules should not apply in special circumstances and in Mr Dawson's opinion this included Pangbourne Hill.
- Mr Dawson considered the conditions used by the Council to be dangerous. A risk assessment was required as there had been accidents near to the site.
- Mr Dawson pleaded that the Committee refused the application based on the reasons stated above.

Councillor Graham Bridgman referred to what the Committee could and could not decide upon that evening and read out paragraph 6.16.1 on page 45 of the report, which listed the areas that were not relevant to the current application. Areas including sewage infrastructure and highways were among the areas listed and Councillor Bridgman asked Mr Dawson if he would accept that the points he had raised were areas that could not be considered by the Committee. Mr Dawson argued that sewage plans were due to be submitted in December 2017 and that plans that accompanied the report showed amendments to the site access. Therefore he felt that the points he had raised were relevant.

Councillor Alan Macro asked Mr Dawson how many of the 2000 daily traffic movement were travelling in excess of the speed limit and Mr Dawson confirmed that this was around 60.

Mr Douglas Bond in addressing the Committee raised the following points:

- He suggested that Members view the aerial photo on page 13 of the plans.
- The application supported the allocation of residential development in the district.
- In principle, a residential development for up to 35 dwellings on the site had already been approved.
- A number of the issues raised by objectors went beyond consideration of the current application as had been highlighted by Councillor Bridgman.

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- The application was for a high quality scheme and was in keeping with planning policy as it was a high quality development.
- The proposal would not be prominent on the street scene and existing trees and vegetation would be retained on the site.
- The proposal was visually pleasing and consisted of sweeping hills.
- The proposal adhered to the Council's housing mix policy, without having a detrimental impact upon the surrounding area.
- The application was supported by good architectural design, with high quality landscaping, which was sympathetic to the Area of Outstanding Natural Beauty (AONB).
- The development would offer high quality open spaces, including a play area.
- Regarding scale of the development, it would not overlook any existing dwellings. The scheme was in keeping with planning policy and the surrounding area.

Councillor Alan Law referred to the plans on page 13 of the plans document and asked for clarification on whether the affordable housing content was distributed across three sections. Mr Bond confirmed that this was correct.

Councillor Keith Chopping asked Mr Bond if he had any comments on the points raised by Mr Dawson. Mr Bond confirmed that many of the points raised by Mr Dawson had formed part of the outline application that had already been approved. He referred to Mr Bob Dray's (Planning Officer) presentation. The orange area on the map highlighted on one of the slides of Mr Dray's presentation showed the Pangbourne Hill frontage. This covered vehicle and pedestrian access, which had been approved. The application before Members was only concerned with the detailed design of the residential area. Sewage issues had been addressed at the outline stage. Thames Water had been consulted on the present application and had raised no comments.

Councillor Bridgman stated that he was aware of the landscaping proposals detailed on pages 38 and 39 of the Planning Officer's report. He referred to paragraph 6.7.5, which detailed recommendations from the Tree Officer regarding the planting of tree species such as Beech, Lime and/or Oak at 10-12 standard size to ensure greatest chance of long-term establishment. Councillor Bridgman asked Mr Bond if he had any comments on what had been advised by the Tree Officer. Mr Bond confirmed that he had no issue with what the Tree Officer had recommended. There was plenty of space on site for the planting of trees, which were native to the area.

Councillor Bridgman moved on to paragraph 6.7.8, which stated that the Lead Local Flood Authority had identified that a number of trees were proposed to be planted in close proximity to proposed soakaways. Mr Bond confirmed that this would be addressed by a revised landscaping scheme.

Councillor Metcalfe felt that further soft landscaping was required to help screen the electrical sub-station. He suggested that a hedge could be placed around the perimeter. Mr Bond commented that this was within the scope of the application and could be addressed.

Councillor Pamela Bale, as Ward Member, raised the following points:

- Councillor Bale acknowledged that the current application was for reserved matters only however, things had changed and therefore should be considered by Members.

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- Councillor Bale was pleased that the developer had worked closely with the Planning Department to revise the layout of the houses.
- Councillor Bale queried if there would be permitted development restrictions placed on the houses.
- The report gave great emphasis to the bus service however, there was no guarantee that this service would continue.
- Members had approved the footpath as part of the previous application however, the traffic island and narrow pavement was considered to be unsafe.
- Traffic lights had been installed as part of a similar development in Purley to ensure children could safely walk to school. The development at Pangbourne Hill would make it so children had to cross a busy road to get to school and therefore Councillor Bale felt this required further attention.
- Councillor Bale referred to the list of conditions on page 27 and in particular 17/02254/COND4 which concerned the approval of details reserved by conditions: 13 - Tree Protection, 21 – drainage and 22 – sustainable drainage of approved application 15/03320/OUTMAJ. Councillor Bale noted that the conditions were pending consideration by the 22<sup>nd</sup> December 2017 and assumed that drainage in particular had not yet been resolved.
- Councillor Bale stated that she had asked local people through her article in the Pangbourne Magazine, to be careful about what they put down the drain. She was concerned that the situation would get worse once the new development had been built.
- Councillor Bale stated that there were solutions such as the installation of macerators within each dwelling or at the entrance to the site. This was an option that needed to be considered by the developer.

The Chairman asked Planning Officers if they were able to respond to comments raised. Mr Dray stated that visibility splays were addressed through the original planning permission. There had been a lot of debate on the provision of longer visibility splays than normal for the road speed limit, and 63.6 metres and 72 metres had been agreed by the Highways Authority. This area was outside of the consideration of the current planning application, which was for reserved matters only. Councillor Law acknowledged that this area had been settled however, queried if it was different to what had been agreed. Bob Dray stated that the conditions allowed for alternative distances to be agreed pursuant to conditions, but that the now approved splays were as previously agreed. Highways Officer, Gareth Dowding added that a road safety audit had been carried out along with several checks and the distances of 63.6 and 72 metres had been agreed as adequate.

Mr Dray referred to the following points that had been raised by the Parish Council:

- Highways works – it had been a condition within the outline planning report that the footway should be provided.
- Drainage – this had been assessed as part of the outline application. Several letters had been sent to Thames Water asking them to review the application and no objections had been raised.
- A macerator could be suggested to the developer as part of the assessment of planning conditions; however, it did fall outside the remit of the reserved matters application.
- Screening of the electrical substation – this seemed a reasonable suggestion as there was space for additional soft landscaping and the applicant had raised no particular concern about implementing this.

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Councillor Emma Webster referred to Mr Dray's last point about landscaping around the electrical sub-station and asked if a condition could be added for additional trees in this area. Bob Dray stated that if Members felt this was essential then it could be stipulated within conditions.

Councillor Bridgman asked for clarification regarding permitted development rights, which were detailed on page 45 of the report. Mr Dray reported that Class B permitted development rights could not be applied in the AONB and therefore there would be no permitted development rights for such roof alterations on the site.

Councillor Macro referred to the reference on garden sizes on page 42 of the report. It stated within the report that the size of the gardens belonging to affordable homes were smaller and therefore Councillor Macro asked for confirmation that the gardens met with the SPD. Mr Dray confirmed that some gardens were smaller but all were judged to comply with the Supplementary Planning Document (SPD).

Councillor Chopping noted that Councillor Bale had made a reference to traffic lights or a form of crossing to help pedestrians to cross the road safely. Mr Dray stated that highway plans for the site had already been approved as part of the outline application however, West Berkshire Council was the Highways Authority for the area and therefore there were now other ways Members could make a request for such a facility outside of the planning process.

Councillor Law asked who would be responsible if a sewage leak was to occur at the bottom of Pangbourne Hill following development of the site and Mr Pearson confirmed that Thames Water would be responsible.

Councillor Law stated that there was a lot about the application that he liked including the access, scale and affordable housing content. He felt that the proposal to screen the electrical sub-station was a good idea. Councillor Law declared that on this basis he would be minded to support a proposal to approve the application.

Councillor Webster stated that she was happy with the level of detail contained within the report and would support approval of the application. She referred to paragraphs 6.7.5 and 6.7.8 concerning screening and asked if these were best imposed using conditions.

Mr Bob Dray stated Members were within their rights to stipulate on issues around screening. It was felt that condition 11 could be amended to this affect.

Councillor Webster proposed that Members accept the Officer recommendation to approve the reserved matters application subject to the following points being added to conditions:

- Full landscaping to all sides of the electrical sub-station.
- The planting of tree species such as Beech, Lime and/or Oak to be planted along the access road and LEAP, as 10-12 standard size to ensure greatest chance of long-term establishment.
- The re-location of a number of trees that were planned to be planted in close proximity to proposed soakaways.
- Additional low level screening to the rear of plots 10 and 11.

Councillor Law seconded this proposal. The Chairman invited Members of the Committee to vote on the proposal put forward by Councillor Webster and seconded by Councillor Law. At the vote the motion to grant planning permission was approved.

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

### **Conditions**

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### **1. Reserved matters pursuant to outline permission**

This permission relates solely to the reserved matters referred to in Condition 2 of the Outline Planning Permission granted on 22 February 2016 under application reference 15/03320/OUTMAJ. Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions applied on that outline planning permission.

Reason: The reserved matters cannot be considered separately from the permission to which they relate and the conditions applied on that outline permission are still applicable.

### **2. Approved plans**

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

- Location Plan (P1389.04)
- Site Layout (SL-01/B)
- Site Levels (SL-02/B)
- Street Scenes 2 of 2 (SS-02)
- Site Sections (SS-03)
- Plans and Elevations for all units contained within the House Type Pack (43 pages, received 03/10/2017)
- Junction Visibility Sheet 1 of 2 (5023/004/A)
- Junction Visibility Sheet 2 of 2 (5023/005/A)
- Forward Visibility (5023/006)
- Room in Roof Section
- Transport Statement (Bellamy Roberts, ITR/5023/TS.3, September 2017)

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

### **3. Building and hard surfacing materials (prior approval of samples)**

Notwithstanding the details submitted with this application, the construction of the dwelling shall not take place until samples, and an accompanying schedule and/or plan, of the materials to be used in the construction of the external surfaces of the dwellings and hard surfaced areas of the development have been submitted to and approved in writing by the Local Planning Authority. 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. Given the scale of the development and the sensitivity of the location within the AONB, samples of materials are required. This information is required before construction because samples of the proposed materials have not been submitted with the application. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD (2006-2026), Supplementary Planning Document Quality Design (June 2006), and the Village Design Statement for Pangbourne.

### **4. Architectural detailing (provision)**

No dwelling shall be first occupied until the detailing of its elevations has been

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completed in accordance with the approved plans. This includes (but is not necessarily limited to) the provision of bargeboards, lintels (materials, keystone details), string/soldier courses, fenestration, quoins, porches, plinths, chimneys (corbelling), eaves detailing, cills, hanging tiles (varying tiles/detailing).

Reason: The articulation of elevations with such detailing makes an important contribution to the design quality of the development. The completion of these features prior to first occupation is therefore necessary to ensure that the buildings respect the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD (2006-2026), Supplementary Planning Document Quality Design (June 2006), and the Village Design Statement for Pangbourne.

### **5. Privacy screens**

Notwithstanding the details submitted with this application, no dwelling with a roof terrace (Plots 1-12 and 17-22) shall be first occupied until the privacy screens for that dwelling has been installed on the roof terraces in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The submission(s) shall include details of the location and specifications of the privacy screens. Thereafter the privacy screens shall be retained in their approved condition at all times.

Reason: Without privacy screens to minimise overlooking between dwellings, the roof terraces on these plots would result in an unacceptable loss of privacy to neighbouring dwellings. The prior approval of this information is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

### **6. Cycle storage units 26-31 (prior approval)**

Notwithstanding the details submitted with this application, no apartment within the apartment block (units 26-31) shall be first occupied until a secure purpose-built cycle store has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the location and specifications of the store. Thereafter the cycle store shall be retained and kept available for cycle storage at all times.

Reason: To encourage the use of cycles in order to reduce reliance on private motor vehicles. The prior approval of this information is required because insufficient information has been submitted as part of the application. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policy P1 of the Housing Site Allocations DPD, and the West Berkshire Council Cycle and Motorcycle Advice and Standards for New Development (November 2014).

### **7. Refuse/recycling storage units 26-31 (prior approval)**

Notwithstanding the details submitted with this application, no apartment within the apartment block (units 26-31) shall be first occupied until a storage area for refuse



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and recycling receptacles (and collection areas if necessary) has been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the location and specifications of the store. Thereafter the store shall be retained and kept available for receptacles storage at all times.

Reason: To ensure that there is adequate refuse and recycling storage facilities within the site, to ensure safe and adequate collection in the interests of highway safety and local amenity. The prior approval of this information is required because insufficient information has been submitted as part of the application. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and the West Berkshire Quality Design SPD (Part 1, Section 2.13).

### **8. Parking and turning (provision)**

No dwelling shall be occupied until the vehicle access, parking, and turning spaces associated to that dwelling have been surfaced, marked out and provided in accordance with the approved plans. The access, parking, and turning spaces 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 applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD (2006-2026), and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **9. Emergency water supplies (prior approval)**

No dwelling shall be first occupied until private fire hydrant(s), or other suitable emergency water supplies, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (in consultation with Royal Berkshire Fire & Rescue Service).

Reason: At present there are no available public mains in this area to provide suitable water supply in order to effectively fight a fire. Suitable private fire hydrant(s), or other suitable emergency water supplies, are therefore required to meeting Royal Berkshire Fire & Rescue Service requirements, in the interests of public safety. This condition is applied in accordance with the National Planning Policy Framework.

### **10. Hard landscaping (prior approval)**

Notwithstanding the details submitted with this application, , no dwelling shall be first occupied until a detailed hard landscaping scheme has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development. The scheme shall include consistent landscaping of market and affordable housing.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because the hard landscaping scheme submitted

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with the application includes different surfacing materials for the market and affordable housing, which undermines the integration of the affordable housing into the development; minor amendments are therefore required. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS6, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Pangbourne Village Design Statement, the Planning Obligations SPD, and Quality Design SPD.

### **11. Soft landscaping (prior approval)**

Notwithstanding the details submitted with this application, no dwelling shall be first occupied until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate amendments to the submitted landscaping scheme, including (but not necessarily be limited to):

- (a) Additional soft landscaping to provide a visual screen around the perimeter of the substation.
- (b) Additional tree planting to create an avenue of trees either side of the access road (south-side of the road between the cemetery car park and Plot 35; north-side of road between western field access and north-west of Plot 1, and along the southern edge of the LEAP). The tree species shall be Beech, Lime and/or Oak, planted as 10-12 standard size.
- (c) Additional soft landscaping to provide low level screening along the eastern boundary of Plots 10 and 11 (for example, a Beech or Hornbeam hedgerow).
- (d) Re-location of any trees located in close proximity to soakaways.

The scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved scheme within the first planting season following completion of building operations or first occupation of the final market dwelling to be occupied (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because minor amendments are required to the soft landscaping scheme that has been submitted with the application. The four specific requirements have been identified as necessary to (a) visually screen the substation in the interests of visual amenity, (b) enhance tree planting in public places to contribute to a long term verdant character, (c) ensure the development is sufficiently screened from views to the east, and (d) avoid potential damage to drainage infrastructure. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), the Pangbourne Village Design Statement, and Quality Design SPD.

### **12. Internal visibility splays before development (provision)**

Visibility splays shall be provided as follows. All visibility splays shall, thereafter, be

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kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

- (a) The Cemetery Car Park shall not be first used until the visibility splays at the access to the car park has been provided in accordance with drawing 5023/004/A;
- (b) No dwelling shall be first occupied until the visibility splays on the corner opposite Plot 1 have been provided in accordance with drawing 5023/006;
- (c) No dwelling on Plots 32-35 shall be first occupied until the visibility splays at the shared access to these plots have been provided in accordance with drawing 5023/004/A;
- (d) No dwelling on Plots 1-16 and/or Plots 23-24 shall be first occupied until the visibility splays at the road junction between Plots 1 and 25 have been provided in accordance with drawing 5023/005/A;
- (e) No dwelling on Plots 9-16 and/or Plots 23-24 shall be first occupied until the visibility splays at the road junction opposite Plots 3 and 4 have been provided in accordance with drawing 5023/005/A.

Reason: In the interests of road safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### **13. Permitted development restriction (extensions/outbuildings)**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A and/or E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the North Wessex Downs AONB Management Plan 2014-2019, Quality Design SPD (June 2006) and the Village Design Statement for Pangbourne.

## **INFORMATIVES**

### **Proactive actions of the LPA**

The Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. In particular, the LPA:

- a) Provided the applicant with a case officer as a single point of contact.
- b) Alerted the applicant to issues that were raised during the consideration of the application.
- c) Accepted amended plans to address issues arising during the consideration of the application.
- d) Agreed an extension of time before determining the application to enable negotiations with the applicant.

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- e) Entered into protracted considerations/negotiations in order to find a solution to problems with the proposed development, rather than refusing planning permission without negotiation.

### Outline plans

A number of plans and supporting documentation accompanies the application which duplicates the plans and documentation submitted with the outline application. A number of documents also relate to planning conditions on the outline permission. These documents are not relevant to the reserved matters application and do not form part of the approved application. Their submission should not in any way be construed as implying that they are acceptable.

### 33. **Application No. & Parish: 17/02446/FULD - Pamber Green, Blandys Lane, Upper Basildon, Reading, Berkshire RG8 8PG**

*(Councillor Pamela Bale rejoined the meeting at 740pm)*

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/02446/FULD in respect of the demolition of an existing dwelling and erection of two new dwellings.

In accordance with the Council's Constitution, Mr Paul Smith, objector, addressed the Committee on this application.

Mr Paul Smith in addressing the Committee raised the following points:

- Mr Smith and his wife lived at Hamstead House, which was opposite the application site.
- He asked that Members reject the application as it would be detrimental to the rural street scene and the individual homes that surrounded it, which included some thatched properties.
- There had been an appeal against a decision taken to refuse development of three dwellings on the Claregate site, which was a site to the south of the Moorings site and this had been allowed on appeal. West Berkshire Council had refused the application on grounds, which were now being given to approve the site at Pamber Green.
- Mr Smith was not satisfied with the density of the screening proposed on the eastern edge of the site or alongside the Listed building, Moorings.
- The size of the properties was not acceptable. They would be in view from the adjacent road, surrounding dwellings and open fields to the north and west. The dwellings would also be elevated making them more prominent.
- Due to the position of plot one on higher ground, landscaping could not be used to soften its impact upon the Moorings. The report stated that adequate would reduce the impact on the setting of the Moorings and this statement in Mr Smiths' opinion highlighted that there was a problem.
- Mr Smith stated that if the application was approved there were four areas he would like to see included:
  - Demolition restrictions
  - The exclusion of bonfires due to risk to close by thatched properties
  - A restriction on the installation of air handling and heat exchange plant
  - Restrictions on hours of work

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- Mr Smith urged the Committee to refuse planning permission for the reasons outlined above.

Councillor Alan Law asked for clarification on the Claregate case. Mr Smith explained that it had involved a single storey property on the other side of the Moorings at the southern side of the application site being demolished and replaced with three dwellings.. The application was refused and then approved at appeal.

Councillor Richard Crumly referred to Mr Smith's description of the character of the area including that there were thatched properties. He thought that residents might have been pleased to see the existing bungalow removed as it was not in a very good state. Mr Smith stated that he had no objection to the principle of developing the site. However, it was the design of the proposed dwellings which was a concern. He felt that the dwellings should sit lighter within the site and due to their prominence it would set a poor precedent if the application was approved.

Councillor Keith Chopping noted Mr Smith's criticism of the site had included the elevation of the properties. However, the elevation of plot two was not that dissimilar to the existing property High Banks. Mr Smith acknowledged that the height was similar and felt that this formed part of the problem as the similarity of the dwellings would suburbanise their setting.

Councillor Alan Law as Ward Member raised the following points:

- He was disappointed that there had been no representation from the Parish Council especially as it had made a succinct objection to the application.
- He felt the application to be a quandary and referred to paragraph 6.2.7, which stated that the Planning Officer had considered on balance that the proposed works would have an acceptable level of impact.
- He concurred with Mr Smith in that he had no issue with the principle of developing the site and he felt that the site was capable of accommodating two large dwellings.
- The site visit had been particularly helpful as it had highlighted the elevation issue. He felt that due to the proposed height of the dwellings the impact would be suburbanising.
- Due to the implementation of visibility splays any new property created a suburban look. The houses opposite the site had already caused a suburbanised feel to the road.
- Councillor Law stated that he was satisfied with the size of the properties however, it was the impact on the location, the street scene and the AONB that posed a problem for him.
- In accordance with the National Planning Policy Framework any development within the AONB should enhance it and in his view this was not the case in this instance.
- The ground sloped upwards on the site and therefore it was the height of the site that was the problem. The applicant for the Claregate site had been required to bring the site levels down and Councillor Law felt this was required as part of the current application.
- Councillor Law stated that Members had three options. They could approve or refuse the application, or alternatively they could approve the application with a

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condition added to reduce the floor level of the site by an amount that would reduce the impact without requiring a new application.

Councillor Emma Webster asked Councillor Law to clarify the difference in impact between reducing the site by 3 metres to reducing it by one metre. Councillor Law stated that he would be happier with a reduction by one metre than the site remaining at the existing proposed level.

Councillor Bridgman referred to the Claregate site and asked what the size of the site was in comparison to the site under consideration. Councillor Law confirmed that the size of the two sites was about the same.

Councillor Crumly asked for clarification on whether the Committee was considering reducing the ridge height of the two dwellings. Councillor Law stated that it would be the foundation that would be reduced in height rather than the ridge height of the properties.

Councillor Marigold Jaques noted that the levels at Claregate had been reduced by three metres. The Moorings was two metres lower than plot one and there was a slope down to the road and therefore 3 metres in the case of the current application would be excessive and one metre would be more acceptable.

The Chairman asked Officers what would be deemed as an acceptable height reduction, without a further planning application being required. Mr David Pearson stated that a condition should not substantially change an application. If the Committee was seeking to lower the foundation by one metre, then this was to the upper limit of what could be conditioned. To ask the applicant to implement a lower ground level of up to one metre would be reasonable.

Councillor Chopping asked if the floor level was what would need to be reduced or if it was the foundation. The aim was to reduce impact. Mr Pearson confirmed that the ground and floor level would need to be reduced so the properties sat lower on the plot. Councillor Chopping was concerned that the floor level could be lowered however, the ridge height kept the same. Councillor Bridgman confirmed that the ridge level relative to surrounding fixed points would reduce as a result of lowering ground levels.

Councillor Macro asked if demolition and bonfires could also be added to conditions. Mr Pearson felt that demolition was a reasonable point to be included within the method statement however, other legislation dealt with the burning of waste. It was not the role of planning applications to reduce risk on other close by properties. Councillor Law queried if this could be included as an informative. It was felt that this would be acceptable.

Councillor Quentin Webb referred to landscaping and queried if hedges were required as part of the new design. Mr Simon Till confirmed that the landscaping section of the report detailed the sizes and varieties of hedges required. If felt appropriate, Members could control the size and type of hedges alongside Blandys Lane and the Listed building with conditions. Councillor Webb acknowledged that by doing this Members could ensure that the impact on the view of the ridge height of the properties could be softened.

Councillor Chopping felt that the two properties were of good design and were a vast improvement on what currently stood on the site. The design was similar to that of High Banks, which was a very attractive property. The site was within the settlement boundary so there was a presumption in favour of sustainable development. Councillor Chopping stated that he was happy with the proposal as long as a condition was added to reduce the impact of the properties by one metre. It was felt that condition 15 could be amended to this affect. Conditions should also cover concerns raised by Councillor Webb concerning landscaping. On these grounds Councillor Chopping proposed that the Officer recommendation to approve planning permission be granted.

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The Chairman summarised the conditions that needed to be added as follows:

- Landscaping alongside Blandys Lane and the Listed building;
- Reduction in the levels by one metre;
- Hours of working.

The Chairman asked if Officers were happy with the proposed conditions and Mr Pearson confirmed that he was. Councillor Richard Crumly therefore seconded the proposal by Councillor Chopping.

Members felt that there was an additional condition that needed to be added to the proposal covering:

- Restrictions on the locations air handling and other plant.

Both Councillor Chopping and Councillor Crumly confirmed that they were happy with this addition. Conditions were summarised in full as follows:

- Landscaping alongside Blandys Lane and the Listed building;
- Reduction in the levels by one metre;
- Hours of working;
- Demolition;
- Restrictions on the locations air handling and other plant;
- An informative on the risk of bonfires to nearby thatched properties.

Mr Pearson did not feel that a condition to restrict air handling and other plant would be reasonable, as the installation of such plant is either outside of the remit of planning or subject to existing controls under the permitted development regime. Councillor Webb felt that demolition works were already covered by the Construction Method Statement on page 68.

Councillor Bridgman felt that reducing the levels on site by one metre was a good idea. However, the highest of the two proposed properties was 1.3 metres lower than High Banks. Councillor Law stated that this needed to be viewed in context. High Banks was a larger property but it was down hill from the application site and on the opposite side of the road. The proposal was imposing and would detract the AONB and street scene.

The Chairman invited Members of the Committee to vote on the proposal put forward by Councillor Chopping, seconded by Councillor Crumly. At the vote the motion to grant planning permission was approved.

**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.

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### **2. Standard approved plans**

The development hereby permitted shall be carried out in accordance with drawing numbers 1066.12, 1066.15, 1066.11, 1066.13 and 1066.14 received on 30 August 2017.

Any material change to the approved plans will require a formal planning application to vary this condition under Section 73 of the Act. Any non-material change to the approved plans will require a non-material amendment application prior to such a change being made.

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

### **3. Samples of materials**

Development of the approved dwellings shall not commence until a schedule and samples of the external materials to be used in construction of the dwellings has been submitted and approved in writing under a formal discharge of conditions application. Development of the dwellings shall take place in accordance with the approved schedule and samples of materials.

Reason: Additional information on materials is required due to the visual sensitivity of surrounding views from the AONB. This condition is imposed in accordance with the National Planning Policy Framework (2012) and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **4. Construction method statement**

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (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 any security hoarding
- (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

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), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **5. Parking in accordance**

No dwelling shall be occupied until the vehicle parking and turning spaces have



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been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall thereafter be kept available for parking of private motor cars 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) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **6. Drive gradient**

The gradient of the private drives on the site shall not exceed 1 in 8.

Reason: To ensure that adequate access to parking spaces and garages is provided. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### **7. Access surfacing**

No development shall take place until details of the surfacing arrangements for the vehicular access(es) to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access(es) for a distance of 3 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### **8. Visibility splays**

No development of the dwellings hereby approved shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access. The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### **9. Cycle storage**

No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

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Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **10. Landscaping plan**

No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

- a) Completion of the approved landscape scheme within the first planting season following completion of development.
- b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

The scheme shall ensure the reinstatement of a hedge alongside Blandys Lane and reinforcement of the boundary vegetation alongside Moorings to the south.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in the interests of improving the visual contribution of the site to surrounding amenity and to soften the impact of the development on views from Blandys Lane, alongside the Grade II Listed dwelling to the south and within the wider AONB, in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

### **11. Tree protection**

No development (including site clearance and any other preparatory works) shall take place 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. This 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

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with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

### **12. Removal of Permitted Development Rights for extensions and outbuildings**

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 (as amended), or any subsequent revision thereof no extensions or outbuildings shall be erected in the curtilage of the dwellings hereby approved without planning permission having first been granted on a planning application made for this purpose.

Reason: The site is in a visually sensitive location in the AONB and adjacent to the curtilage of a Grade II Listed building. This condition is imposed in order to prevent the overdevelopment of the site, detrimental visual impacts in a sensitive location in the AONB on the edge of the settlement or adverse visual impacts on the setting of the adjacent Grade II Listed building in accordance with the National Planning Policy Framework (2012), and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **13. Removal of Permitted Development Rights for alterations to roof**

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 (as amended), or any subsequent revision thereof no alterations or extensions to the roofs of the dwellings hereby approved without planning permission having first been granted on a planning application made for this purpose.

Reason: The site is in a visually sensitive location in the AONB and adjacent to the curtilage of a Grade II Listed building. This condition is imposed in order to prevent detrimental visual impacts in a sensitive location in the AONB on the edge of the settlement or adverse visual impacts on the setting of the adjacent Grade II Listed building in accordance with the National Planning Policy Framework (2012), and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **14. Removal of Permitted Development Rights for side windows in south facing elevation of plot 1**

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 (as amended), or any subsequent revision thereof no additional windows shall be installed in the south facing elevation of the approved dwelling on plot 1 unless they are obscure glazed and fixed shut except for parts that are more than 1.7 metres above the floor level of the room served.

Reason: In order to prevent any adverse impact on the privacy and amenity of the neighbouring dwelling, Moorings in accordance with the National Planning Policy Framework (2012) and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **15. Levels**

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Irrespective of the details of levels shown on the approved plans, no development of the approved dwellings or other operations on the land (excluding demolition of the existing dwelling and structures) shall commence until full details of the proposed ground levels, floor levels and all engineering operations to the bank alongside Blandys Lane have been submitted and approved under a formal discharge of conditions application. Such details shall ensure a reduction in finished floor level of the proposed dwellings of no less than 1 metre below those shown on drawing numbers 1066.13 and 1066.14 received 30 August 2017. The dwellings hereby approved shall not be occupied until the levels have been created in accordance with the approved details.

Reason: Additional information on levels is required in order to ensure that no detrimental impact on visual amenity in the North Wessex Downs AONB and neighbouring amenity arises from the proposed works in consideration of their two storey nature and the high existing levels on the site compared to those of other properties on the west of Blandys Lane, and in particular the Grade II Listed dwelling known as Moorings to the south. This condition is imposed in accordance with the National Planning Policy Framework 2012 and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **16. Set back of gates**

No gates shall be installed across the access drive to the site shall unless they are erected at a distance of at least 5 metres from the highway edge. Any such gates shall open inwards.

Reason: To prevent the obstruction of the highway, in the interests of highway safety in accordance with the National Planning Policy Framework (2012) and Policy CS13 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **17. Sustainable Drainage condition**

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 development hereby permitted and within the application site. The development 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 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).

### **18. The hours of work for all contractors, site operatives and other persons employed in the development of the dwelling hereby approved shall, for the duration of development, be limited to:**

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7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with the NPPF (2012) and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

**INFORMATIVE**

During the committee meeting on 8th November 2017, Members expressed concerns with the lighting of bonfires on the site due to the presence of thatched roof on Moorings and Thatchers to the south. The applicant is advised not to light bonfires in the vicinity of these buildings.

**34. 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 8.35 pm)*

**CHAIRMAN** .....

**Date of Signature** .....