

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 10 OCTOBER 2018

Councillors Present: Jeff Beck, Paul Bryant (Vice-Chairman), James Cole, Adrian Edwards, Paul Hewer, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing

Also Present: Michael Butler (Principal Planning Officer), Paul Goddard (Team Leader - Highways Development Control), Councillor Gordon Lundie (Council Member), Lydia Mather (Senior Planning Officer) and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Dennis Benneyworth and Councillor Hilary Cole

Councillor Absent: Councillor Billy Drummond

PART I

21. Minutes

The Minutes of the meeting held on 19 September 2018 were approved as a true and correct record and signed by the Chairman.

22. Declarations of Interest

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

Councillor Virginia von Celsing joined the meeting at 6.33pm and confirmed that she had no interest to declare.)

23. Schedule of Planning Applications

(1) Application No. and Parish: 18/01564/FULD - The Coach, Worlds End, Beedon, RG20 8SD

(Councillor Clive Hooker declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was the Ward Member and had been involved in the application but confirmed that he would consider it afresh. 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 but would step down as Chairman for the item on order to address the Committee as Ward Member.)

(Councillor Paul Bryant, Vice-Chairman, in the Chair)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/01564/FULD in respect of the erection of two semi-detached dwellings within the curtilage of The Coach, in Worlds End, Beedon.
2. In accordance with the Council's Constitution, Giles Rainy Brown and Peter Logie, objectors, and Chris Roberts, agent, addressed the Committee on this application.
3. Lydia Mather introduced the report and update sheet to Members, which took account of all the relevant policy considerations and other material considerations.

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In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers, on balance, recommended the Committee grant planning permission.

4. Councillor Paul Bryant noted that no representative from the parish council was to address the Committee on the application and asked that his disappointment in their absence, on a high profile application within the community, be recorded.
5. Giles Rainy Brown and Peter Logie in addressing the Committee raised the following points:
 - Objectors concerns related to the size, safety and sustainability of the proposed development and it would be excessive to shoehorn two dwellings onto a small site.
 - The need for the dwellings was not clear and not stipulated in the Council's site allocation policies.
 - The townhouse style of the development was out of keeping and would not contribute to the character of the area, a requirement of the National Planning Policy Framework.
 - The majority of houses in the area had large front gardens and were set back from the road. The proposed parking spaces at the front of the dwellings would overhang the pavement by 40cm.
 - Health and safety issues would be caused such as large delivery vehicles and residential traffic being in conflict. The pub was also used as a pick up point for a local school bus.
 - A neighbouring property, the Old Stores, would suffer a loss of light.
 - The position of the oil tank in relation to residential properties would contravene guidance.
 - It was wrong that the application did not include the pub and the Committee should ensure the sustainability of that rural enterprise.
 - If the Committee were minded to approve the application, a condition should be applied to ensure the availability of all 17 of the pub's car parking spaces throughout construction.
6. Councillor Garth Simpson asked what the distance would be between the windows of the Old Stores and the proposed dwellings. Mr Rainy Brown estimated it would be a couple of metres.
7. Councillor Bryant requested more information regarding the school pick-up. Mr Logie advised that parents dropped off children at the site and the school bus would pull up for the children to board.
8. Councillor Bryant sought clarification regarding the assertion that vehicles would overhang the footway at the front of the proposed properties. Mr Logie advised that the spaces at the front would measure 4.4m when they were required to be 4.8m.
9. Councillor Simpson asked whether the pub's car parking spaces were regularly full. Mr Logie responded that at weekends the car park was often full and cars would park on the street.
10. Chris Roberts, in addressing the Committee raised the following points:

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- The capital gain from the sale of the properties would ensure the viability of a valued community public house, which was facing economic challenges despite being run well by the current tenants.
 - The applicant had volunteered to install a speed bump in the car park as a traffic calming measure and the pub garden would be re-provided.
 - A construction management plan would be used to ensure that any disruption would be minimal.
 - The proposal would not be detrimental to the Area of Outstanding Natural Beauty and the Council's policy required the properties to front the highway.
11. Councillor Jeff Beck requested more information on the beer garden. Mr Roberts advised that an area on the site currently not open to the public would be developed.
12. Councillor Beck asked how the residential parking spaces at the rear of the proposed dwellings would be allocated. Mr Roberts advised that the applicant would take the advice of the Highways Officer on how best to allocate the spaces. Regarding the spaces to the front, the footpath would be controlled by conditions.
13. Councillor Anthony Pick noted that Mr Roberts had stated the capital gain would support the business and asked how. Michael Butler responded at the Vice-Chairman's request and clarified that there was no Section 106 agreement in place to stipulate that the capital gain was reinvested into the business. Planning permission was not personal so the disposal of the land value would be the landowner's decision. The Committee was not in a position to control this.
14. Councillor Pick asked whether the land proposed for the new beer garden would be suitable for conversion. Mr Roberts advised that indicative drawings had been submitted to the case officer.
15. Councillor Pick further asked what plans there were to mitigate the risk of flooding. Mr Roberts advised that the residential gardens would help and permeable tarmac would be used in the car park.
16. Councillor James Cole asked for the agent's view on the safety of the car park as there was a long straight stretch of road past the pub's entrance. Mr Roberts confirmed that regard had been given to the perspective of the Highways Officer and additional safety measures had been volunteered.
17. Councillor Clive Hooker, speaking as Ward Member, in addressing the Committee raised the following points:
- The application had received over 50 objections which was unusual for a small development of two houses.
 - There was a concern that the proposed dwellings would be overdevelopment of the site and too close to the neighbouring property.
 - The re-provided pub garden was a welcome gesture but the development might impact the pub's long-term viability.
 - There were safety concerns regarding the access.
 - There was nothing to guarantee that the capital gain would be reinvested in the pub. The community had already lost the nearby Langley Hall pub.
 - The proposed development would change the culture of the village.

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18. Councillor Adrian Edwards asked for Councillor Hooker's views on the location of the oil tank. Councillor Hooker responded that it would be an issue for building regulations, however it was likely that the developer would need to build foundations against the oil tank which might impact on the final width of the dwellings.
19. Councillor Edwards further asked about overlooking and the impact on the neighbouring property. Councillor Hooker responded that 2 metres outside the neighbour's window a 5 metre wall would be constructed. While there would be no overlooking there would be a loss of light.
20. Turning to questions for officers, Councillor Virginia von Celsing asked for the Highways Officer's view on the car parking spaces at the front of the proposed dwellings. Paul Goddard stated that the spaces would be 40cm short of the required 4.8m length. Officers had asked that the footpath was widened to 1.5m. To accommodate the parking spaces the applicant would need to set the houses back 40cm further from the road or remove the proposed porches. Paul Goddard recommended that if the Committee were minded to approve the application a condition could be applied to ensure the matter was rectified. To clarify a further query from Councillor von Celsing, Paul Goddard responded that should the house be set further back from the road, the garden size should be decreased in order to preserve the parking to the rear of the properties.
21. Councillor Bryant asked whether the application should return to the Committee for determination should the applicant need to amend the plans as discussed. Michael Butler advised that it could be agreed by officers as a non-material amendment.
22. Councillor von Celsing asked how the oil tank might affect the construction of the development. Lydia Mather advised that it could not be considered as a planning matter because separate legislation applied. If the applicant was unable to meet the requirements of that legislation the development might not proceed.
23. Councillor Pick requested information regarding the site density. Michael Butler advised that it would equate to 24 units per hectare which was considered acceptable by officers.
24. Councillor Pick queried the consultation with the Council's drainage officer. Lydia Mather confirmed they were consulted and she had received no response.
25. Councillor Pick further queried how the conditions to mitigate the impact on the proposed dwellings of odours and road noise would be enforced. Lydia Mather highlighted that they had been recommended by Environmental Health officers and the pub was in the blue line of the development.
26. Councillor Hooker questioned whether the properties would be big enough to live in should they have to be reduced to accommodate the parking spaces at the front and to build foundations next to the current oil tank. Michael Butler responded that the dwellings would still meet best practice guidance even if their overall size was reduced by 10%.
27. Councillor Cole asked how the risks associated with the access and parking provision would be dealt with. Paul Goddard advised that it was unlikely that vehicles would achieve high speeds over 30m and suggested that if the Committee were minded to approve the application they could request a condition to introduce speed reducing features.

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28. Councillor Simpson speculated that the properties, if approved, might be tenanted as houses of multiple occupation (HMOs) with several cars which could cause parking and safety issues. Michael Butler reminded Members that the possible future tenure of the dwellings was not a matter the Committee should take into consideration.
29. Councillor Paul Hewer enquired whether The Coach was on the register of community assets. Lydia Mather confirmed it was not.
30. In commencing the debate, Councillor Jeff Beck explained that he had been a member of the Western Area Planning Committee for a number of years and in his view there were too many elements of the application that were wrong. If it went ahead, the development could lead to the demise of the pub. He proposed that the Committee reject the Officer's recommendation and so refuse planning permission. This proposal was seconded by Councillor Cole.
31. Councillor Pick stated he was at a dilemma because the agent had advised that the development would assist the viability of the pub but a smaller pub garden could have an adverse impact.
32. Councillor Edwards stated that he had been open minded until the site visit and had seen that there would be a negative impact on the neighbouring property and would be, in his view, overdevelopment of the site.
33. Councillor Cole told the Committee of a personal experience whereby he had been a passenger in a car travelling at low speeds which had unfortunately hit a child coming out of a pub. The child had survived however the accident had demonstrated that injury could still be caused at low speeds. As a result of that experience and the safety issues on the site Councillor Cole advised that he could not support the application.
34. Councillor Hewer expressed the view that although there might be a negative impact on the pub, a Planning Inspector was likely to overturn a refusal at appeal and so he reluctantly supported the application.
35. Councillor Hooker opined that a number of issues had come to light through the Committee's discussion and this was inexcusable given the time the applicant had to submit the application.
36. Councillor Simpson stated that he was unable to make a decision without more information regarding the viability of the pub. Councillor Beck responded that the Committee were entitled to consider the impact on the pub because it was included in the red line of the development.
37. Councillor Bryant advised that he would find it difficult to agree to refusal because the landowner could easily sell the land and divorce the site from the pub. Councillor Hooker stated that the Committee was not confronted with that situation.
38. At the request of officers, Councillor Beck clarified that his reasons to refuse the application in planning terms should include overdevelopment of the site, concern about the oil tank, the design was not in-keeping with the area, flooding concerns had not been addressed, there would be a negative effect on visitors to the pub, sub-standard parking provision, loss of the beer garden, safety and the overall poor quality of development. Councillor Cole added that the overshadowing effect on the neighbour should also be included.

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39. The Chairman invited the Committee to vote on the proposal of Councillor Beck, as seconded by Councillor Cole, to reject officer's recommendation and refuse planning permission. At the vote the motion was carried.

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

Reasons

The proposed dwellings are town house in design and as such fail to have regard to the rural building character of the more immediate surroundings or harmonise with them. The proposed dwellings would be cramped, being of substantial depth to fit within the site, out of character with the existing lower density surrounding development. As such the proposed dwellings are contrary to policies C1 and C3 of the Housing Site Allocations Development Plan Document 2006-2026, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Supplementary Planning Guidance: Quality Design 2006, and the National Planning Policy Framework 2018.

2. The proposed parking layout is sub-standard where the required 1.5 metre footway results in 2 parking spaces to the front of the proposed dwellings being less than the required 4.8 metres in length, resulting in parked cars being partly over the footway. It has not been adequately demonstrated how the 3 car parking spaces to the rear of the site would be used separately and without conflict between the parking spaces for the public house. As such the proposed layout of the site fails to provide an adequate parking design and layout, contrary to policy P1 of the Housing Site Allocations Development Plan Document 2006-2026.

3. The proposed access between the side elevation wall and the side elevation wall of the proposed dwelling, whilst wide enough at 4.6 metres to allow cars to pass, would not provide a separate pedestrian access and there would be poor visibility for drivers beyond these walls when entering and accessing the site. As such the proposed access fails to create a safe environment or give priority to pedestrians, contrary to policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026 and the National Planning Policy Framework 2018.

4. The site is located in an area with a history of flooding and insufficient information has been submitted on how the proposed development would not impact on the capacity of an area to store floodwater, flow of surface water, and appropriate flood risk mitigation through the implementation of sustainable drainage methods. As such the application fails to comply with policy CS16 of the West Berkshire Core Strategy 2006-2026 and the National Planning Policy Framework 2018.

5. The proposed development involves the loss of the public house beer garden. The area of land to the rear of the public house, within the blue line of the application, has been identified as an area where the beer garden could be re-provided. The area is significantly smaller than the existing garden and no detailed plans have been submitted regarding the works required to provide a replacement beer garden. As such the development fails to provide for the ongoing amenity of visitors to the public house that is likely to result in a negative impact on the operation of the public house as community asset within a rural area, contrary to policies ADPP5 and CS14 of the West Berkshire Core Strategy 2006-2026, Supplementary Planning Guidance: Public Houses, and the National Planning Policy Framework 2018.

6. The proposed dwellings are against the south boundary of the site in close proximity to the rear elevation of the neighbouring property. The neighbouring property has a ground floor habitable room with a single window towards this boundary. The proposed two storey dwelling on the boundary would result in an unacceptable level of overshadowing

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and would be overbearing on the occupants of the neighbouring dwelling, contrary to policy CS14 of the West Berkshire Core Strategy 2006-2026, Supplementary Planning Document: Quality Design 2006, and the National Planning Policy Framework 2018.

(2) **Application No. and Parish: 18/01883/FULD - Land to the rear of The Sheiling, School Lane, East Garston, RG17 7HR**

(Councillor Clive Hooker in the Chair.)

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/01883/FULD in respect of the conversion of existing stables and storage barn including new linking extension to form a 3 bedroom residential dwelling at land to the rear of The Sheiling, School Lane, East Garston.
2. The Chairman noted that Councillor Chris Tonge from East Garston Parish Council had made an application to speak within the required timescales however this had not been recorded on the update sheet for the Committee. The Committee voted to permit Councillor Tonge to speak.
3. In accordance with the Council's Constitution, Councillor Chris Tonge, Parish Council representative, Thomas Cassells-Smith, objector, Mr Davies, applicant and Mr Steven Smallman, agent, addressed the Committee on this application.
4. Lydia Mather introduced the report and update sheet to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was unacceptable and a conditional approval was not justifiable. Officers strongly recommended the Committee refuse planning permission.
5. Councillor Tonge in addressing the Committee raised the following points:
 - In the Parish Council's view the proposed development would encroach on the Area of Outstanding Natural Beauty (AONB) and contravene West Berkshire Council's planning policies.
 - Opposition to the application was widely held in the local area. Concerns included potential overlooking and the need to maintain the land for equine use.
 - Should the Committee approve the application it could open the floodgates to similar applications.
6. Councillor Anthony Pick asked what agricultural use the land could serve. Councillor Tonge responded that the land could be used as horse paddocks which was a valuable amenity in the area.
7. Councillor James Cole asked for the parish council's view regarding whether the barns were genuinely redundant, as the officer's report noted that there was contradictory evidence. Councillor Tonge noted that the barns were in use by horses at the time of the ecological assessment in 2016.
8. Councillor Clive Hooker enquired whether the paddocks would support the racing industry. Councillor Tonge responded that due to their small size it was unlikely that the site would be useful to the industry.
9. Mr Cassells-Smith, in addressing the Committee raised the following points:
 - The site was outside the settlement boundary of East Garston. If the proposal was accepted by the Committee there was a risk of infilling by a further development.
 - He believed that the applicants wished to sell the land to a developer.

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- The proposal would destroy the character of the village.
 - There were safety concerns regarding the access as a door of The Sheiling would open directly onto the access road.
10. Councillor Paul Bryant enquired on what land the objectors feared a further development could be constructed. Mr Cassells-Smith indicated the position on the block plan.
11. Mr Davies and Mr Smallman, in addressing the Committee, raised the following points:
- The application was in accordance with the Council's policy C4. The proposed buildings for conversion were structurally sound and genuinely redundant; their conversion would not lead to an application for a replacement building.
 - The buildings were converted in 1975 from former pigsties and were never intended for stabling horses.
 - The applicant had formerly permitted grazing of horses on the land but the agreement excluded the use of the buildings. The buildings were not appropriate for commercial use and they were disused.
 - It was proposed that the applicants would live in the barn conversion.
 - It would be of sympathetic design and maintain the character of the area.
 - The site was well related to East Garston.
 - A construction ecological management plan would be used to mitigate the impact on any wildlife.
12. Councillor Anthony Pick asked how the application differed to a former application on the site decided in 2017. Mr Smallman advised that the landscaping had been modified and further information had been provided regarding the use of the buildings. Councillor Pick further asked about the access road cutting through the middle of The Sheiling's garden. Mr Davies advised that it was common in the area and constant traffic was not expected.
13. Councillor Bryant questioned whether the buildings were of sound construction. Mr Smallman advised that the planning officer had accepted that the building was capable of conversion and met the test laid out in the relevant policy.
14. Councillor Adrian Edwards asked how the site was well related to the village when it was outside the settlement boundary. Mr Smallman advised it was on the edge of the village.
15. Councillor Jeff Back asked for more information regarding the access road. Mr Smallman advised that should the Committee be minded to approve the application the Committee could apply a Grampian condition to require that the current side door of The Sheiling was blocked off.
16. Councillor Cole asked whether the barns had been used for storing equine equipment. Mr Smallman advised that if they had it was without the applicant's permission. Use of the barns as field shelter had been permitted at the applicant's discretion.
17. Councillor Gordon Lundie, in addressing the Committee as Ward Member, raised the following points:

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- It was rare he disagreed with the Parish Council and he was confused why this application had attracted the level of objection it had.
 - The building was redundant and not attractive.
 - The Council had a housing target to meet and 300-500 dwellings in AONB spatial area of the District were assumed to be developed as 'windfall gains' such as this proposed development.
 - There would be a modest increase in height and footprint which would bring the buildings back into use. They had no essential function as there were no homeless horses in the area.
18. Councillor Beck asked for Councillor Lundie's view on the access; Councillor Lundie noted there would be no significant increase in traffic and there were many narrow lanes in the area. There were planning solutions available to reduce the safety risks.
19. Councillor Virginia von Celsing questioned why Councillor Lundie supported development in the area as it was the AONB. Councillor Lundie responded that he had balanced his views regarding the right of an individual to enjoy their own property, the Council's housing targets and the beautiful area and had concluded that it was a conversion not a new development so in his view should be permitted.
20. Councillor Pick asked whether there was a housing shortage in East Garston. Councillor Lundie advised that he was not in a position to comment. Councillor Pick further asked whether there might be further applications for developments in the area. Councillor Lundie stated that he would object to building on green field sites but supported the application as it was a conversion of redundant building.
21. Turning to questions for officers, Councillor Bryant asked whether the Highways Officer had considered the access onto the road or the suitability of the driveway. Paul Goddard confirmed that both had been assessed and the traffic figures did not cause a concern.
22. Councillor Bryant asked for the case officer's view on whether the railway embankment was a visual barrier between the site and the village. Lydia Mather confirmed that the settlement boundary was the other side of the embankment from the site and in her view the site was not well related to the village.
23. Councillor Bryant recalled that formerly a building had to be worthy of retention in order to be converted and asked if this was still the case. Lydia Mather advised that this test was not in the current policy.
24. Councillor von Celsing asked whether the application would be submitted to the District Planning Committee if the Committee were minded to approve planning permission. Michael Butler advised that although the application was, in officers' views, contrary to policy C4, it did not fundamentally undermine the policy so it would not need to be referred to the District Planning Committee if approved. Officers maintained a strong recommendation to refuse planning permission.
25. In commencing the debate, Councillor Bryant noted that a previous application had been refused in 2017 on sound grounds and he did not see how this application was so different as to warrant a different determination. He proposed that the Committee accept officers' recommendation and refuse planning permission. The proposal was seconded by Councillor Beck.

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26. Councillor von Celsing expressed the view that it was a beautiful site and while she could appreciate why the applicants sought to convert the buildings, she disagreed with the Ward Member's opinion.
27. Councillor Pick noted that the buildings were not viable to be used agriculturally and he was uncomfortable with the access arrangements. He declared he was unconvinced of argument to approve the application.
28. Councillor Cole opined that there was a safety issue with the access and he doubted that the buildings were genuinely redundant. They still had a use as private stables. Personally he liked the proposals but was led by the Council's policy.
29. Michael Butler reminded the Committee that any permission was not personal and the site could be sold. The buildings were structurally sound and could be converted back to stables. The Committee should consider whether the application would conserve and enhance the AONB, preserve its remoteness and maintain the areas rural character.
30. The Chairman invited the Committee to vote on the proposal of Councillor Bryant as seconded by Councillor Beck. At the vote the motion was carried.

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

Reasons:

1. Whilst the stables and land are currently unoccupied or used the application fails to demonstrate that the buildings are genuinely redundant and there will not be a subsequent request for replacement stables within the blue line of the location plan. As such the proposed conversion to residential use is contrary to the requirements of Policy C4 of the Housing Site Allocations Development Plan Document.
2. The proposed residential curtilage would be visually intrusive and have a harmful effect on the rural character of the area and its setting within the wider landscape. The site is further east than the existing pattern of residential development off School Lane and not well related to it. It is set within agricultural land and open to the north and east to the North Wessex Downs Area of Outstanding Natural Beauty. The proposed residential curtilage would introduce a formal garden area and associated domestic paraphernalia into this rural setting, contrary to Policy C4 of the Housing Site Allocations Development Plan Document, and Policies ADPP5 and CS 19 of the West Berkshire Core Strategy 2006-2026.
3. Insufficient information has been submitted with the application to assess the ecological impact of the proposed change of use and conversion works to the buildings on site to residential use. There may be protected species on site which would be impacted upon by the proposed development. As such the proposed development is contrary to Policy C4 of the Housing Site Allocations Development Plan Document, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

(3) **Application No. and Parish: 18/01646/HOUSE - Oakville, Ashmore Green Road, Ashmore Green, Thatcham**

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 18/01646/HOUSE in respect of the removal of a conservatory and

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replacement with part one part two storey extension at Oakville, Ashmore Green Road in Ashmore Green.

2. In accordance with the Council's Constitution, Bernard Clark, Parish Council representative and Mr and Mrs Mercer, applicants, addressed the Committee on this application.
3. Michael Butler introduced the report and update sheet to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was unacceptable and a conditional approval was not justifiable. Officers on balance recommended the Committee refuse planning permission.
4. Councillor Clark in addressing the Committee raised the following points:
 - The Parish Council unanimously supported the application and had been surprised the recommendation was for refusal.
 - Other extensions in the area had been approved although they had a far greater impact.
 - The planning officer at the site visit had caused confusion regarding the size of the extension.
 - While the parish council had considered the neighbour's point of view, they had formed the view that the proposal would not be overbearing on the neighbour and there was a large gap between the houses.
 - Councillor Clive Hooker asked what the parish council had considered to be the neighbour's view of a large extension next door. Councillor Clark advised he saw a wall as an advantage over a fence.
 - Mr and Mrs Mercer in addressing the Committee raised the following points:
 - The design adhered to relevant guidelines and the plans had been amended from a previous application to reduce the ridge line.
 - Guidance in relation to overshadowing did not relate to secondary windows to the side of a property and so should not be considered. A shadow study had been completed and while there would be some loss of light, the impact would be minimal.
 - There would be a beneficial impact on overlooking as the applicants would no longer be able to see into the neighbour's living room.
 - Of 18 similar applications in the area, none had been refused.
 - The plot could comfortably accommodate the extension and it would not have a detrimental impact on the area.
 - Councillor Garth Simpson asked how confident the applicants were about the results of the shadow study. Mrs Mercer responded that the architect had used a modelling tool and while they accepted there would be some overshadowing it would be a minimal amount to secondary windows and none to primary windows. Mrs Mercer reported that they had observed the current shadowing on 21 September 2018 and stated that the modelled impact had been overestimated.
 - Councillor Simpson further asked whether planning officers had been supportive or suggested any mitigation measures. Mrs Mercer advised that officers had not explained the reason for the recommendation to refuse.

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- Councillor Pick asked what distance the extension would be from the neighbour's property. Mr Mercer advised it would be 4.2m. Councillor Pick further asked whether a figure was available in relation to the loss of light. Mr Mercer advised he could not quantify it but the model appeared to be pessimistic based on his observations.
- Councillor Pick enquired upon the difference between this application and the previous application refused under delegated powers. Mrs Mercer advised that it was the same application and while they had intended to submit an appeal the deadline had been missed due to the architect's personal circumstances.
- Councillor Adrian Edwards asked why a Juliet balcony had been proposed. Mr Mercer advised that it would give the extension a contemporary look and reflect the extension of the neighbouring property.
- Councillor Hooker asked whether the proposals were discussed with the neighbour. Mrs Mercer confirmed that an amicable conversation had been held before submission of the application. The neighbour had not suggested any changes to make the application more palatable and had confirmed they had submitted an objection to the applicant via text message.
- Councillor Simpson in addressing the Committee as Ward Member raised the following points:
 - The reasons for refusal were sweeping. The design was better than other extensions and there was a need to be consistent with other permissions in the area.
 - The shadow study and images used in the applicant's presentation were useful.
 - The proposal had not been accurately described at the site visit.
 - The gap between properties would be maintained and vegetation would offer screening.
 - The proposal complied with the Council's policies.
- Turning to questions to officers, Councillor Clive Hooker requested clarification on the distance between properties. Michael Butler advised that the plans he had in front of him had been photocopies and were not scalable so would accept the applicant's assertion that the distance was 4.2m.
- Councillor Bryant asked why the Juliet balcony was considered harmful; Michael Butler advised that it would increase the propensity of the occupants to use it as a viewpoint compared to a normal window. While overlooking was important it was a secondary reason to refuse compared to the overshadowing.
- Councillor James Cole asked what officers' reactions were to assertions that the proposals were less imposing than other extensions in the area. Michael Butler advised that officers had come to a balanced view in making their recommendation.
- Councillor Beck asked whether the Committee were entitled to take into account the effect of overshadowing on the secondary windows. Michael Butler advised that officers considered that the loss of light to the whole of the neighbour's property was unacceptable.
- In relation to paragraph 6.3.2 of the committee report, Councillor Simpson questioned the assertion that vegetation would not mitigate the harm of

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overlooking. Michael Butler stated that officers accepted that overlooking was a secondary reason for refusal and noted that it would be possible for the applicant or any future landowner to cut down trees if they wished.

- Councillor Simpson further questioned the perceived loss of light described in paragraph 6.3.4 of the committee report. Michael Butler advised that the case officer had formed a view but the Committee were at liberty to disagree.
- Councillor Simpson queried the view that there would be a negative impact on the street scene when the extension would be to the rear of the property, inset and with a lower ridge height than the main house. Michael Butler advised that impact on the street scene was not given as a reason for refusal.
- Councillor Hooker enquired whether the Council undertook its own shadow studies. Michael Butler confirmed that planning officers rarely undertook detailed shadow studies as this was time consuming and they were expensive to contract out.
- Councillor Pick asked officers to quantify the additional overshadowing. Michael Butler advised that he was not in a position to offer a figure.
- In commencing the debate, Councillor von Celsing stated that she was surprised by the recommendation to refuse and proposed that the Committee reject the officers' recommendation and grant planning permission, subject to appropriate conditions. The proposal was seconded by Councillor Pick.
- Councillor Pick stated that homeowners were entitled to make alterations to their properties so long as it was not severely detrimental to others and this application was not.
- Councillor Beck stated that he agree with the officers' recommendations.
- Councillor Paul Hewer expressed the view that it was a finely balanced case and as the objectors had not been present to express their view, he concurred with Councillor von Celsing's proposal.
- Councillor Simpson expressed the view that the evidence before the Committee had increased the grounds to grant planning permission.
- The Chairman invited the Committee to vote on the proposal of Councillor von Celsing as seconded by councillor Pick to reject the officers' recommendation and approve planning permission. At the vote the motion was carried. Councillor Beck voted against the proposal and Councillor Edwards abstained from voting.

RESOLVED that the Head of Development and Planning be authorised to grant 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 consent.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 should it not be started within a reasonable time.

- The development hereby approved shall be carried out in accordance with drawings 345/P01, 02 and 03 received on 15 June 2018.

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Reason: To accord with the National Planning Policy Framework 2018 and for the purpose of clarifying what has been approved under this consent in order to protect the character of the area.

- The materials to be used in this development shall be as specified on the plans or the application forms.

Reason: In the interests of amenity in accordance with Policies CS14 and CS19 of West Berkshire Core Strategy 2006-2026.

- The new en-suite window at first floor level in the north elevation shall be fitted with obscure glass, before the extension hereby approved is occupied and the obscure glazing shall thereafter be retained in position to the satisfaction of the Local Planning Authority. Irrespective of the provisions of the current Town and Country Planning (General Development) Order 1995 (or any subsequent revision), no further openings shall be inserted within the northern or southern elevations of the development.

Reason: To prevent overlooking of adjoining properties and in the interests of the amenity of neighbouring properties in accordance with the National Planning Policy Framework 2018 and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026

(The meeting commenced at 6.30 pm and closed at 9.35 pm)

CHAIRMAN

Date of Signature