

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## WESTERN AREA PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD ON WEDNESDAY, 21 NOVEMBER 2018

**Councillors Present:** Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Hilary Cole, James Cole, Billy Drummond, Adrian Edwards, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing

**Also Present:** Derek Carnegie (Team Leader - Development Control), Jo Reeves (Principal Policy Officer) and Matthew Shepherd (Planning Officer)

**Councillor Absent:** Councillor Paul Hewer

#### PART I

#### 29. Minutes

The Minutes of the meeting held on 31 October 2018 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

**Page 6, paragraph 5:** replace the paragraph with the following:

Councillor Garth Simpson commented that the Parish Council had a major concern with Condition 11, specifically Access and potential loss of an existing mature hedgerow. A site survey the previous weekend led him to the conclusion that the proposed three-access treatment was not realistic and that a valuable signature of the eastern gateway to Cold Ash was at risk. The Committee raised concern that in achieving three sets of visibility splays for the proposed driveways much of the mature hedgerow could be lost. Councillor James Cole said that there was a distinct possibility that the entire hedgerow could be lost

**Page 10, second bullet from the top:** replace 'OBS5' with 'OV35'.

**Page 10, paragraph 6:** delete 'from top down'.

**Page 11, paragraph 14:** replace '50mm' with '0.5m'.

**Page 12, paragraph 33:** replace three references to 'river' with 'River Bar'.

In reference to Agenda Item 4 (1) (18/01564/FULD - The Coach, Worlds End, Beedon) which was considered at the meeting on 10 October 2018, it was recalled that the Committee's disappointment with the absence of the Parish Council had been recorded. It had subsequently come to light that Mr Steve Price, the Chairman of Beedon Parish Council, had sent an email to the Chairman of the Committee which advised he had not known he was permitted to speak at the meeting and enclosed his views. The Chairman wished to record his apologies to Mr Price. In addition, he requested that any persons wishing to address the Committee at a future meeting contact the Planning Registration Team via email at [planapps@westberks.gov.uk](mailto:planapps@westberks.gov.uk) or via phone on 01635 519148.

#### 30. Declarations of Interest

Councillor James Cole declared an interest in Agenda Item 4(1) and reported that, as his interest was an other registrable interest, he would not participate in the Committee's discussion but would address the Committee as the Ward Member.

31. **Schedule of Planning Applications**

**(1) Application No. and Parish: 18/01441/HOUSE - West Woodhay**

*(Councillor James Cole declared an other registrable interest in Agenda Item 4(1) by virtue of the fact that he owned land which abutted the site. As his interest was personal and not a disclosable pecuniary interest, he would stand down from the Committee during the course of consideration of the matter and would take no part in the debate or voting on the matter, but would remain present and address the Committee as Ward Member.)*

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/01441/HOUSE in respect of the demolition of a garden store, external alterations to the Eastern Pavilion including the provision of rooflights (retrospective), the erection of new Western Pavilion to provide home office facilities at ground level, guest accommodation at first floor and a basement level garage at Hayward Green Farm, West Woodhay.
2. In accordance with the Council's Constitution, Robert MacDonald, Parish Meeting representative, Mr Ewan Christian and Mr Harry Henderson, objectors, and Mr Steven Sensecall, agent, addressed the Committee on this application.
3. Matthew Shepherd introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. 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. Mr Macdonald in addressing the Committee raised the following points:
  - The Parish Meeting objected to overdevelopment of the AONB.
  - The site was previously a farm before permission was granted for a small dwelling. There had been 25 planning applications under different names in recent years. There had been no engagement with the neighbours or Parish Meeting for any of the applications.
  - It was unlikely that the applicant would comply with conditions.
  - The dwelling on the site was already having an impact on neighbours' boreholes, ponds and aquifers.
  - It was disappointing that there had been no consultation response from the SUDS officer or AONB board.
  - A near identical application submitted the previous year had been refused.
  - The internal and external lighting would have an adverse impact on the dark night skies.
  - There was inconsistency in the planning approach as an underground car park was proposed for permission whereas an application for a four bedroom house in West Woodhay had recently been refused additional parking spaces.
  - There were inconsistencies around the presentation of the building's residential curtilage, including apparent increases over time.
5. Councillor Paul Bryant asked why there was a concern regarding water when Thames Water had raised no objections. Mr Macdonald responded that there were pumps under the existing dwelling on the site which neighbours believed was having an adverse impact on boreholes in the area. Boreholes were not Thames

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

Water's responsibility and a full survey should be carried out before the application was determined.

6. Councillor Anthony Pick asked whether the strict lighting conditions were satisfactory. Mr Macdonald expressed the view that the applicant had previously demonstrated poor compliance with conditions and he was concerned that the additional pavilion would increase the impact of light pollution on neighbours by the site.
7. Mr Christian and Mr Henderson in addressing the Committee raised the following points:
  - The level of light pollution was inappropriate for a rural area.
  - There were discrepancies regarding the residential curtilage.
  - The basement of the main house was below the water level and required pumps to keep it dry. This was having an adverse impact on the area. A large underground car park would require more pumps. A survey should be undertaken at the expense of the applicant.
  - All windows faced away from the site's central courtyard and therefore all light pollution would impact upon neighbours. If the Committee were minded to grant the application the Pavillion should be rotated so the light spilled into the courtyard.
  - Visitors to the village had made adverse comments regarding the existing dwelling on the site.
  - The Committee should not permit any further development on the site.
8. Councillor Bryant asked where the pumped water went. Mr Christian advised that surrounding buildings with a slightly elevated ground level were having issues with their water supplies. Water was being pumped down the valley. West Woodhay was a wet area.
9. Councillor Pick expressed the view that officers had understood the lighting issue and suggested appropriate conditions, he asked why these were not accepted. Mr Christian noted that he had not read the proposed conditions, which in any event could only deal with external and not internal lighting. All except one window faced away from the courtyard and the applicant should bear the burden of light pollution rather than the neighbours and road users.
10. Councillor Adrian Edwards asked whether Thames Water were responsible for boreholes. Councillor Hilary Cole advised that the Council's Environmental Health Team was responsible and they had submitted no objections.
11. Mr Sensecall in addressing the Committee raised the following points:
  - Officers had confirmed that the application was in accordance with the relevant policies.
  - In relation to the character of the AONB, the tighter cluster of buildings would be a visual improvement and was not deemed unacceptable.
  - Demolition of the garden store and a planning condition to instruct that use of the pavilion be ancillary would prevent overdevelopment.
  - The officer considered that the lighting would cause no significant harm. The nearest neighbour was 200m away. The applicant would accept an external lighting condition relating to the whole site.

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

- Neither Thames Water nor Environmental Health had raised objections. No further information had been requested from the applicant in relation to water issues. There was no evidence to support claims that there were problems with boreholes in the area.
  - There was a long planning history on the site. The house and existing permission had consent. The additional pavilion would add symmetry and accord with the neoclassical style of the house.
12. Councillor Virginia von Celsing asked why the Committee should trust that the garden store would be demolished when previous conditioned demolitions had not. Mr Sensecall advised that although there had been discussions, demolition of a building had not previously been included in the list of decisions.
  13. Councillor von Celsing asked for a view on whether the house was already light polluting in the AONB. Mr Sensecall expressed the view that it was not.
  14. Councillor von Celsing asked whether a neoclassical style house was appropriate where a small farmhouse had previously been sited. Mr Sensecall advised that the Committee were not looking at the application from that starting point.
  15. Councillor Bryant asked where the pumped water went. Mr Sensecall advised that it filled a pond near the eastern boundary.
  16. Councillor Edwards enquired whether a hydrological survey had been undertaken prior to the proposal that the ground should be dug out for a car park. Mr Sensecall advised that it had not. Councillor Edwards posited that it would be sensible, before removing a large amount of earth in a wet area, to establish whether there might be any impact on the water table.
  17. Councillor Beck asked why there had been no engagement by the applicant with the Parish Meeting. Mr Sensecall stated that he could not speak for the applicant but expressed the view that he could see how engagement would be beneficial. He maintained that a lack of engagement was not a sufficient planning reason to refuse the application.
  18. Councillor Pick asked what light pollution would be caused by the internal lighting. Mr Sensecall responded that it would not be reasonable to impose a condition on internal lighting.
  19. Councillor Pick enquired whether the applicant would be amenable to the removal of permitted development rights. Mr Sensecall noted that the Committee could remove permitted develop rights if it chose.
  20. Councillors Anthony Stansfeld and James Cole in addressing the Committee as the Ward Members raised the following points:
    - What had formerly been a henhouse outside a hamlet now looked like a Travelodge and was the consequence of weak planning.
    - The officer's report was inadequate and had not made clear what the application was for. It had been described as the demolition of a garden store but the application was actually for the erection of a large dwelling, bigger than the average dwelling.
    - The paper trail regarding changes to the residential curtilage of the site was inadequate.
    - The Council wanted development that enhanced the AONB, not developments that were only 'not unacceptable'.

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

- There would be a significant ecological impact, including on swallows and newts.
  - They agreed with other issues raised by the Parish Meeting and objectors.
  - The proposals did not respect the area and would be a carbuncle in West Woodhay.
  - The Committee should not worsen the damage already done by permitting the site and existing pavilion.
  - A mansion had been built on a marshy field. Thames Water's nearest waste water infrastructure was half a mile away from the site. Councillor James Cole stated he could provide more information regarding the water flow.
21. Councillor Beck requested more information regarding the water flow. Councillor James Cole advised that he owned the land downstream from the site. Overspill from the small pond near the site's eastern boundary would flow into woodland and eventually into the River Enborne. The issue was not relevant to Thames Water. The land in the area was wet and the existing house on the site could not have been built without water pumps. Further construction on the site would require more pumps. No survey had been completed regarding the water impact.
  22. Councillor Bryant asked if it was the Ward Members' view that not development larger than a three bedroom house should be permitted in the AONB. Councillor Stansfeld stated that three large houses would not be permitted anywhere else in the AONB so questioned why they should be permitted in West Woodhay. Councillor Bryant challenged that similar houses could be found near Kintbury.
  23. Councillor Hooker asked what observations there were regarding the absence of a response from the AONB Board. Councillor Stansfeld explained that the Board was comprised of three volunteers who looked after the entirety of the North Wessex Downs AONB which stretched eastwards towards Swindon.
  24. Turning to questions to officers, Councillor Hilary Cole sought to view the photographs of the site and these were displayed to the Committee.
  25. Councillor Beck requested more information regarding allegations about the residential curtilage of the property. Matthew Shepherd advised that the curtilage shown matched a previous application on the site and officers were content with the red line proposed in the application.
  26. Councillor Pick queried why there was no comment from the SUDS officer. Matthew Shepherd advised that the officer was invited to respond to the consultation and was prompted but could not be compelled to provide a response. The site was not in a critical drainage zone and there had been no evidence submitted in relation to the ground water issues. Derek Carnegie added that the SUDS officer would not usually be concerned about a property of such a distance from the nearest property.
  27. Councillor Pick enquired whether Condition 7 applied to the whole site. Matthew Shepherd advised that it included the eastern pavilion but he would not recommend applying the condition to the main house as it had been covered in a previous planning permission.
  28. Councillor von Celsing asked for more information on the property's curtilage. Derek Carnegie advised that officers were content that the curtilage had been accurately allocated in the submitted plans.

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

29. Councillor von Celsing asked if officers could expand on the judgement that there would be no adverse impact on the AONB. Derek Carnegie advised that the AONB Board had been consulted for their views and that if they had advised there would be an adverse impact then it would have added weight to that argument.
30. Councillor Bryant noted the Parish Meeting's claim that an application nearby had been refused on the grounds that it had sufficient parking already and asked whether the Council had set a maximum level. Matthew Shepherd advised that the Council could not set a restriction.
31. Councillor Edwards asked whether a hydrological survey was required when an excavation was carried out. Matthew Shepherd advised that there had been nothing to ask the agent to action as no evidence of any risk had been received.
32. Councillor Dennis Benneyworth asked for more information regarding the windows. Matthew Shepherd explained that most of the pavilion windows would face the trees on the edge of the site. Lightspill from internal lighting could not be controlled through the Planning process. Councillor Benneyworth asked if additional screening could be conditioned. Matthew Shepherd advised that Condition 6 covered the matter.
33. Councillor Hooker asked what the distance was to the nearest neighbour from the proposed pavilion. Matthew Shepherd estimated 300 yards.
34. Councillor Beck enquired whether a condition to require a hydrological survey could be imposed if the Committee were minded to approve the application. Derek Carnegie advised that it would be preferable to complete the survey before consent was granted in case any issues arose.
35. In commencing the debate, Councillor von Celsing expressed the view that the application would be fundamental overdevelopment of a site in the AONB and proposed that officers recommendation not be accepted and instead planning permission be refused. The proposal was seconded by Councillor Beck.
36. Councillor Beck stated that reasons for refusal should include: no reply had been received from the AONB Board and a response should be awaited for this significant development, no response had been received from the SUDS officer and the Committee had heard of a potential significant impact on water access for nearby residents. Derek Carnegie suggested that the Committee may have a case to defer determination of the application until all the information required had been gathered.
37. Jo Reeves advised the Chairman that that a motion had already been put to the Committee so it should be determined before an alternative proposal to defer was entertained.
38. Councillor Edwards recalled that at the Parkway development in Newbury water pumping had been required. Despite a survey which concluded there would be no harm to the area, cracks began to appear in nearby Victoria Park. While the application before the Committee was not on the same scale the terrain was marshy and there was a risk that nearby houses. It was imperative that a survey was completed.
39. Councillor Pick expressed concern that the application was able to be brought to the Committee without a comment from the SUDS officer.
40. Councillor Hilary Cole stated that the proposal to refuse planning permission could be withdrawn, rather than voted upon.

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

41. Councillors von Celsing and Beck withdrew the proposal to refuse planning permission.
42. Councillor Beck proposed that the Committee defer determination of the application until the requested information was available. This was seconded by Councillor Pick.
43. The Chairman invited the Committee to vote on Councillor Beck's proposal as seconded by Councillor Pick, to defer planning determination. At the vote the motion was carried.

**RESOLVED that** the application be deferred to a later meeting.

*The Committee adjourned between 8.03pm and 8.05pm.*

### **(2) Application No. and Parish: 18/01864/HOUSE - Cold Ash**

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/01864/HOUSE in respect of the proposed first floor extension to current bungalow and associated alterations, new sauna, plus rendering of the entire property and widening of the existing access at Glendale Manor, Collaroy Road, Cold Ash.
2. In accordance with the Council's Constitution, Mr Philip Greatrix, objector, and Mr Stephen Hammond, applicant, addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers strongly recommended the Committee grant planning permission.
4. Mr Greatrix in addressing the Committee raised the following points:
  - His wife had intended to address the Committee but had had to go home to look after their two young children.
  - They had lived next door to the property for two and a half years. In that time there had been ten applications to respond to.
  - They were not opposed to development so long as it was considerate. The Council's policy regarding home extension advised that the impact on neighbours should be a primary concern.
  - The bedroom window would overlook Mr Greatrix's property and the sauna would be located 30ft from his children's bedrooms.
  - A condition had been removed from the previous permission which would impact on overlooking. The previous application had also included a restriction on outbuildings.
  - The applicant had made no attempts to address their neighbours' views and had not been considerate.
  - There would be a detrimental impact on their privacy; Mr Greatrix's son had already been subject to the Hammonds' CCTV. This had been reported to the government watchdog.
  - Mr Greatrix and his family were being forced to change the way they lived in their own home as a result. This impacted upon his human right to live a private and family life.

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

- Another developer on the road was unable to stand up to Mr Hammond because he was seeking an extension on his home.
  - The obscure glazing had been removed from the previous permission.
  - It would be possible for the applicant to amend the internal dimensions and move the proposed bedroom to the front of the property in order to reduce the impact on privacy but they had not.
5. Councillor Beck asked Mr Greatrix to expand on his objection to the location of the sauna. Mr Greatrix explained that the sauna would be sited on a lower ground level than the waste water pipe so when it was cleaned water would need to be pumped uphill. No account had been taken of the noise impact. The applicant had sent letter regarding the noise of Mr Greatrix's children playing in the garden; their noise would not overshadow the noise of sauna parties.
  6. Councillor Bryant asked whether there was an objection to the simplified roof lines of the extension; Mr Greatrix advised that it was not a concern.
  7. Councillor Simpson asked for an estimate of the view Mr Greatrix would have into the proposed bedroom window. Mr Greatrix guessed that for someone of his height it would be 100% and for someone of his son's height it would be around 30%. Councillor Simpson further asked what detail of Mr Greatrix's home that applicants would be able to see from their bedroom window. Mr Greatrix advised that they would be able to see right through the house, including the study and people who entered the front door.
  8. Councillor Simpson noted that there had been letter from the applicant stating that their property was overlooked by Mr Greatrix's garden and asked how much time the family spent there. Mr Greatrix advised that it was a small garden measuring around 10ft by 12ft. The family would have lunch in the garden in the summer and there was a trampoline and small lawn but the family did not use the garden frequently anymore.
  9. Mr Hammond in addressing the Committee raised the following points:
    - He and his wife bought the property in 2012 as their forever home.
    - In February 2018 the Committee approved the extension, but the application was resubmitted in July 2018 with a redesigned road, sauna and all weather surface to the front of the house.
    - Concerns had been expressed regarding the complex design of the roof so it had been simplified.
    - The extension would be inkeeping with the area.
    - The sauna would house a hot tub currently stored in a green polytunnel and the surface to the front of the property would support pedestrians.
  10. Councillor Beck asked what would be the use of the room, about which the objector was concerned. Mr Hammond advised it would be a bedroom.
  11. Councillor Hilary Cole asked if the sauna and hot tub would be stored in the same place; Mr Hammond confirmed that was correct.
  12. Councillor Bryant asked for more information regarding pumping the hot tub. M Hammond advised that it would need to be emptied via a pump two or three times a year and refilled with a hose. The pump was portable.

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

13. Councillor Billy Drummond asked why the neighbours had not been consulted regarding the application. Mr Hammond advised that due to a number of disputes between them there was a police condition only to communicate via a solicitor.
14. In response to a query from Councillor Simpson, Mr Hammond advised that the neighbour's kitchen could not be seen from the loft window.
15. Councillor Simpson asked for more information regarding Mr Hammond's statement that they were overlooked daily by Mr Greatrix's property. Mr Hammond advised that it was a risk which existed permanently. Councillor Simpson expressed the view that Mr Hammond had made a gross overstatement.
16. Councillor Simpson in addressing the Committee as Ward Member made the following points:
  - The Parish Council had been unable to attend and had sent apologies.
  - There was a vexatious history and there had been no consultation.
  - Supplementary Planning Guidance on extensions was clear.
  - The application would be overdevelopment and increase overlooking. All other houses in the area had rooflights and Glendale Manor should reciprocate to lessen the impact on the neighbours.
  - He did not understand why the obscure glazing condition had been removed.
  - The Greatrix family suffered overlooking and a loss of privacy.
  - The scale of the sauna block was unacceptable and the balcony should be reviewed.
17. Councillor Hilary Cole stated that the extant permission granted by the Committee in February 2018 could be built out, regardless of the outcome of this application. Councillor Simpson expressed the view that the Committee had made the wrong decision.
18. Councillor Beck asked why Councillor Simpson objected to the siting of the sauna, who responded that it would be an area of entertainment close to the children's bedrooms next door.
19. Turning to questions for officers, Councillor Pick enquired what paragraph 6.3.4 of the committee report meant. Gemma Kirk advised that under Permitted Development Rights, the applicant could insert windows in the side elevation. Councillor Bryant asked whether it was in the Committee's gift to remove Permitted Development Rights, Derek Carnegie confirmed it was. Derek Carnegie further reminded the Committee that the application approved in February 2018 could be built immediately.
20. Councillor James Cole asked whether it was in the Committee's gift to change the windows. The Chairman advised that the Committee must determine the application before them.
21. In commencing the debate, Councillor Bryant noted that the Committee held an extensive discussion in February 2018. The sauna could be erected under Permitted Development Rights and the Committee had heard there would not be an issue with the noise. The objector had no issue with the roof line. He proposed that the Committee accept officer's recommendation and grant planning permission. Councillor Hilary Cole seconded the proposal.

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

22. In seconding the proposal, Councillor Hilary Cole expressed the view that people did not live in their bedroom and most people would be able to see into their neighbour's garden from their bedroom. She stated that it was disappointing that the Committee were being asked to arbitrate a neighbour dispute; the applicant had advised that they could only communicate via a solicitor. The application was an improvement on the previous design and the applicant could hold parties sauna or no sauna.
23. Councillor James Cole considered that the problem would be the noise of parties in the sauna against the fence line.
24. Councillor Dennis Benneyworth determined that he would reluctantly accept the proposal as he did not believe that the Council would be successful at any appeal. He expressed the view that the applicant should have altered the internal design to locate the bedroom at the front of the property.
25. Councillor Pick stated that he was uncomfortable with the situation and undecided.
26. The Chairman invited the Committee to vote on the proposal of Councillor Bryant, as seconded by Councillor Hilary Cole. At the vote the motion was carried.

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

### Conditions

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below:

- (i) Location Plan (1:1250) 2775-01C received on 03.07.2018;
- (ii) Block Plan (1:200) 2775-05F received on 03.09.2017;
- (iii) Proposed 2775-05F received on 03.09.2017;
- (iv) Site Section A:A 2775-05F received on 07.09.2018;
- (v) Proposed Sauna 2775-05C received on 03.07.2018;
- (vi) Landscape Plan 2775-05F received on 23.10.2018;

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

3. The materials to be used in the development hereby permitted shall be as specified on the approved plans.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance 04/2 House Extensions (July 2004) and Cold Ash and Ashmore Green Village Design Statement (2002).

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

7:30am to 6:00pm Mondays to Fridays;  
8:30am to 1:00pm Saturdays;  
nor at any time on Sundays or Bank Holidays.

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policy CS14 of the West Berkshire Core Strategy (2006-2026).

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions and buildings or any other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, D, 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 imposed in accordance with the National Planning Policy Framework (July 2018), Policies CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006).

6. The gradient of private drives shall not exceed 1 in 8 or, where buildings are likely to be occupied by the mobility impaired, 1 in 12.

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 (July 2018) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

7. No development (including site clearance and any other preparatory works) shall commence on site until protective fencing is erected in accordance with the tree and landscape protection scheme identified in the Construction Site Plan Ref: 2775-05 F (A) received on 05.11.2018. At least 2 working days notice shall be given to the Local Planning Authority that the protective fencing has been erected. The protective fencing shall be maintained and retained for the full duration of the works or until such time as agreed in writing with the Local Planning Authority. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF (July 2018) and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because the installation of tree protection measures is required to be undertaken before construction begins on site to ensure the protection of the trees protected by Tree Preservation Orders.

8. The hereby permitted development shall not be carried out except in accordance with the Construction Method Statement (Oct 2018) received on 24.10.2018 and Construction Site Plan (2775-05 F (A)) received on 05.11.2018, unless otherwise agreed in writing with the Local Planning Authority.

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 (July 2018) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

9. The hereby permitted development shall not be carried out except in accordance with the SuDS Drainage Plan (2775-05F) received on 23.10.2018, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National

## **WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES**

Planning Policy Framework (July 2018), Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

10. The hereby approved extension shall not be brought into use until 2 metre obscure glazed privacy screens are fitted on the north and south elevations of the proposed balcony, in accordance with Proposed (2775-05F) received on 03.09.2018. The screens shall be permanently retained in that condition thereafter.

Reason: To prevent overlooking of Alamein and the approved dwelling under 16/03610/FULD in the interests of amenity. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

11. The development shall not be brought into use until the vehicle parking spaces have been surfaced and provided in accordance with the approved plans. The parking 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 imposed in accordance with the National Planning Policy Framework (July 2018), 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).

Informatives: DEC4 (Approval – need for revision/ Reps rec'd), HI1 (Access construction), HI3 (Damage to footways, cycleways and verges), HI4 (Damage to carriageway), HI8 (Excavation in close proximity to the highway).

### **32. Application No. and Parish: 18/02595/HOUSE - Welford**

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 18/02595/HOUSE in respect of a two storey rear extension at Cobb Cottage, Lambourn Road, Weston.
2. In accordance with the Council's Constitution, Ms Caroline Conran, objector, addressed the Committee on this application.
3. Derek Carnegie Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers recommended the Committee grant planning permission.
4. Ms Conran in addressing the Committee raised the following points:
  - There had been a significant number of objections to the application. Many were anonymous due to their sensitive nature.
  - The extension was not inkeeping with the area.
  - The application was retrospective to change the material of construction from brick to breeze block and render.
  - The grey colour was intrusive and visible from the riverbank. The plans were incorrect.
  - The Parish Council signed off the application without hearing the objections, possibly because the applicant was a councillor and the meeting was not quorate.

## WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES

5. Councillor Anthony Pick asked in what way the plans were incorrect. Ms Conran replied that she did not know but had been told that by others in the village. The Chairman recalled from the site visit that a door had not been bricked up.
6. Councillor Pick asked why render would be unsuitable. Ms Conran expressed the view that brick would be softer and more countrified.
7. Councillor Pick asked whether residents had been consulted, Ms Conran advised they had not.
8. Councillor James Cole asked if the objections would stand if the extension was painted white. Ms Conran suspected they would.
9. Councillor James Cole asked how long the cabin had been in the property's garden. Ms Conran estimated around a year.
10. Councillor Garth Simpson noted that the property next door to the site was render with imitation mortar lines and was not clear what the objection was.
11. Councillor Anthony Stansfeld in addressing the Committee as Ward Member raised the following points:
  - The extension had been constructed cheaply but render would be inkeeping with the area.
  - There were other issues at play which were not planning matters.
  - There was a hut with a chimney in the rear garden which was close to the river, a Site of Specific Scientific Interest (SSSI). He hope that the Council's planning enforcement officers would investigate.
12. Turning to questions for officers, Councillor Pick sought clarification that this was a retrospective application. Derek Carnegie explained that the extension already had planning permission and this application was retrospective to seek a change in materials.
13. Councillor Clive Hooker queried how far a developer could go using the wrong materials. Derek Carnegie advised that the applicant would know they were taking a chance and the Council had to deploy resources to enforce planning conditions carefully.
14. Councillor James Cole asked whether a decision had been taken not to enforce. Derek Carnegie advised that officers regularly had to prioritise enforcement resources.
15. Regarding the cabin in the rear garden it was noted that the matter might come under building control rather than planning regulations.
16. Councillor Bryant proposed that the Committee accept the officer's recommendation and grant planning permission. This was seconded by Councillor Pick.
17. In seconding the proposal, Councillor Pick stated that all letters of objection were identical. In situations where an applicant did not consult their neighbours, disputes arose. Determination of the application was not a proper use of the Committee's time it could have been handled promptly by officers under delegated powers. He urged the residents and the applicant to resolve their differences.
18. Councillor James Cole agreed with Councillor Pick. He stated that now enforcement issues had been identified, these needed to be actioned by the Council.

**WESTERN AREA PLANNING COMMITTEE - 21 NOVEMBER 2018 - MINUTES**

19. The Chairman invited the Committee to vote on Councillor Bryant’s proposal as seconded by Councillor Pick. At the vote the motion was carried unanimously.

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

**Conditions**

1. The development hereby approved shall be carried out in accordance with drawing Ellard 2017/06 Revision F received on 5 November 2018 and 2017/03 received on 11 October 2018.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

2. 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.

3. The new bathroom window at first floor level on the front (south) elevation shall be fitted with obscure glass before occupation. The obscure glazing shall be permanently retained in that condition thereafter. Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no additional openings shall be inserted in the side elevations of the development hereby approved.

Reason: In the interests of the privacy and amenity of neighbouring properties and in accordance with the National Planning Policy Framework 2018, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

**33. Appeal Decisions relating to Western Area Planning Committee**

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

*(The meeting commenced at 6.30 pm and closed at 9.25 pm)*

**CHAIRMAN** .....

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