

## **EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON WEDNESDAY, 13 MAY 2020**

**Councillors Present:** Jeremy Cottam, Alan Law (Chairman), Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro (Vice-Chairman), Graham Pask, Joanne Stewart and Keith Woodhams (Substitute) (In place of Geoff Mayes)

**Also Present:** Sharon Armour (Solicitor), Jessica Bailiss (Policy Officer (Executive Support)), Stephen Chard (Principal Policy Officer), Gareth Dowding (Senior Engineer), Bob Dray (Development Control Team Leader), Kevin Griffin (Head of Customer Services & ICT), Phil Rumens (Digital Services Manager) and Shiraz Sheikh (Legal Services Manager)

**Apologies for inability to attend the meeting:** Councillor Geoff Mayes

#### **PART I**

##### **1. Election of the Chairman**

Stephen Chard invited Members of the Eastern Area Planning Committee to nominate and vote on the position of Chairman for the coming year.

**RESOLVED that** Councillor Alan Law be elected as Chairman of the Eastern Area Planning Committee for the 2020/21 Municipal Year.

##### **2. Election of the Vice-Chairman**

The Chairman invited Members of the Eastern Area Planning Committee to nominate and vote on the position of Vice-Chairman for the coming year.

**RESOLVED that** Councillor Alan Macro be elected Vice-Chairman of the Eastern Area Planning Committee for the 2020/21 Municipal Year.

##### **3. Minutes**

The Minutes of the meeting held on 11 March 2020 were approved as a true and correct record and signed by the Chairman.

##### **4. Declarations of Interest**

There were no declarations of interest received.

##### **5. Schedule of Planning Applications**

The Chairman explained that there would be a single debate for agenda items 6(1) and 6(2). These two applications sought planning permission and listed building consent for the same site, West Streatley House. There would however be two separate votes on the items.

###### **(1) Application No. & Parish: 20/00221/HOUSE - West Streatley House, High Street, Streatley**

The Committee considered two reports (Agenda Items 6(1) and 6(2)) concerning Planning Application 20/00221/HOUSE in respect of the demolition of the side extension (utility room) and the rebuilding of the extension to be more in keeping with the

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

architectural style of the main house and concerning Planning Application 20/00222/LBC2 which sought listed building consent.

Mr Bob Dray, Development Control Team Leader, introduced the reports and highlighted the following points:

- The application site was located in the defined settlement boundary of Streatley. The principle of the extension was acceptable subject to compliance with the relevant adopted policies.
- The Conservation Officer had commented that the existing single storey extension was unsympathetic to the main dwelling for a number of reasons. The Conservation Officer therefore raised no objections to the principle of replacing the existing extension with an improved extension that removed existing issues.
- The applicant's motivation for the proposed demolition and rebuilding of the side extension was not a material planning consideration. This application needed to be considered on its own merits.
- Additional conditions were proposed in the update report for the granting of listed building consent as requested by the Conservation Officer.

As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had replaced with the ability to make written submissions. This decision had been made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.

In accordance with the Extraordinary Council resolution, written submissions had been received from Mr Lloyd Jenkins, objector, and Ms Maria Peralta, agent. These submissions related to both applications.

Written submissions were read out by the Clerk to the Committee:

### **Objector Representation**

The written submission of Mr Jenkins was read out as follows:

- This was a joint submission by 11 separate households of local residents who objected to the applications. Mr Jenkins acted as signatory on their behalf.
- The objectors had reviewed the committee reports prepared by Ms Lucinda Pinhorn-Smy and made the following further representations to the Members of the Committee:
  - a. The Planning Officer had rightly dismissed the applicant's stated primary motivation for these applications – namely to gain temporary access to the rear of the property for building works – as not being a valid basis for planning consent.
  - b. However, rather than reject the applications on this fundamental basis, the Planning Officer continued to review secondary proposals for minor works to the extension itself. Clearly, the scope of these works did not require the entire extension, a listed building, to be fully demolished and rebuilt; a purpose serving only to achieve the (irrelevant) access described above. As such, objectors did not believe enough emphasis was placed on the excessive nature of the proposals to demolish and rebuild the extension, given only the ancillary works to it.
  - c. The Committee had a duty to consider the wider impact of individual applications. In this case, two dangerous precedents risked being set:

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

- i. Allowing an unnecessary demolition of a listed building could open the flood gates to similarly excessive applications, contrary to the interests of the Secretary of State; and
  - ii. Providing the applicant with grounds to pursue a legal case for access across protected land owned by Streatley Parish Council. If consent was granted, the applicant would use temporary access to build a garage and standing area for six cars in the garden; with the extension rebuilt and no front access, the garage's existence could be used in a legal case to force access to it from the rear, over ground not intended for vehicular use. This too risked opening the flood gates to similar applications.
- In summary, local residents remained united in their objections to these applications, driven solely by an intent to build to the rear of West Streatley House and force access from that direction, something the community would at no point contemplate.
  - Press coverage in the Reading Chronicle was noted.

### **Agent Representation**

The written submission of Ms Peralta was read out as follows:

- The single storey northerly extension to be replaced was built in the 1970s as a garage and was refurbished at the turn of the 21st Century to a storage/ancillary space for the Grade II listed building of West Streatley House.
- The design of the existing extension was poorly constructed and out of character with the main house, with incorrect proportions and inadequate detailing at the eaves where it abutted the house.
- The current proposal rectified the short-comings of the existing structure whilst aiding the construction of the consented scheme for the rear single storey extension – one project aiding the other. This scheme would:
  - Deliver improvements to the proportions of the street-side elevation to West Streatley House.
  - Enable the build to take place prudently and as drawn.
  - Deliver improved efficiency of the construction process for the consented scheme by the management of construction vehicle movement, where possible, to reduce any potential pressure on the already busy High Street.
  - Enable the construction work to be completed within a satisfactory building programme.
- West Streatley House was in a sad state of repair and in urgent need of the construction programme commencing. The applicant was keen to occupy the building as her home with the improvements completed. The building would undergo a scheme of consented refurbishment and extension that would benefit the property for many years to come. The programme would include landscaping and general enhancement of the setting, a scheme befitting a Grade II Listed Building of such quality.
- The consented and recent proposals had been beset by rumours and inaccuracies through social media and the local parties, but had also gained much local support.
- The applicant was currently living in a rented property and ultimately was wanting to start work on site to be able to live in the house as her main residence and thrive

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

within the local community; where West Streatley House would be allowed to embrace its standing as an asset of Streatley's High Street.

### **Ward Member Representation**

Councillor Alan Law in representing the Committee as Ward Member made the following points:

- He commented that the application, to demolish an existing extension and replace with a new extension, appeared straight forward.
- A key question, as this was a listed building, was whether or not the proposal would enhance the building. The Conservation Officer was of the view that the proposal would be an improvement over the existing extension.
- Objectors had raised a concern that a main reason for the proposal to demolish the existing extension was to secure temporary access to the rear of the property in order to carry out consented building works. Access to the property from the rear was disputed. The agent's statement concurred by stating that an ancillary reason for the application was to 'aid the construction of the consented scheme for the rear storey extension.' This related to consented application 19/01227/HOUSE.
- Consented application 19/00878/HOUSE had also received objections. This was for a single storey detached outbuilding comprising a double garage with associated car port and store, and parking for six vehicles at the rear of the house. A particular concern of residents, not mentioned by the agent, was that this scheme would be built despite the ongoing vehicle access dispute to the rear to enable the garage to be used. Planning Officers would likely advise that this was a civil matter and not a planning matter, but Councillor Law felt that this brought the reasoning for today's planning applications into question.
- The second main concern of objectors, one that was shared by Councillor Law, was the harmful impact of construction traffic and parking on the High Street. Traffic congestion and parking was the major issue for the village. Traffic measurement work was ongoing prior to the potential implementation of mitigation measures. However, the use by construction vehicles of the few remaining spaces would add to this problem. The delivery of construction materials was also a concern in this regard as traffic flow would be blocked while deliveries took place.
- These were important points for the Committee to consider.

### **Member Questions of the Ward Member**

In response to a question from Councillor Graham Pask, Councillor Law confirmed that planning permission had been granted for 19/01227/HOUSE and 19/00878/HOUSE, both of which related to the rear of West Streatley House.

Councillor Law also confirmed the view that if the permitted garage was built but not used, this was a legal matter and not a planning matter.

### **Questions to Officers**

Councillor Alan Macro queried whether the Council could enforce the build of the replacement extension once the existing extension had been demolished. Mr Dray explained that completion would not ordinarily be a condition as this would be considered as unreasonable. However, if during the debate, a planning reason was identified for work to take place swiftly then this could be looked at to see if a reasonable condition could be worded.

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

Councillor Ross Mackinnon referred to the approved planning applications for works to the rear of the property and queried if any conditions for those applications related to this proposed extension. Mr Dray did not believe this would be the case as conditions would need to relate to the application in question.

Councillor Mackinnon then queried the level of consideration that had been and could be given to the impact caused by construction traffic and parking. The construction period could last for a significant period of time. In response, Mr Dray advised that no highways objections had been raised. However, the Committee could look at conditions that would enable some controls over construction traffic and parking during the construction process.

Gareth Dowding, Principal Engineer, agreed that conditions could be added to safeguard existing access points and residents from construction traffic and deliveries.

Councillor Tony Linden queried if the Council would be liable to costs if they refused these two applications. Mr Dray stated that the officer recommendations for approval were reasonably confident based on the merits of the applications. However, if during the debate the issue of costs became a potential concern, then Mr Dray would raise this.

### **Debate**

Councillor Pask opened the debate by stating that he understood the concerns raised by objectors. However, the Committee had to focus on the applications before them. The existing side extension proposed for demolition was not of a good quality. Once demolished, Councillor Pask felt it was likely that the already permitted works would take place to the rear of the property and access would be achieved via the temporary access that would be created. A question would remain about ongoing use of the garage when the replacement extension was built when there appeared to be no legal right of access at the rear of the property, however Councillor Pask did not feel that was a planning consideration for this debate.

Councillor Pask supported the proposal to rebuild the extension to a much higher standard than the existing extension.

He agreed that parking and traffic congestion were particular issues in Streatley and stated that, if approved, it was imperative that delivery of construction materials took place outside of rush hours. Control of construction vehicle parking should also be considered.

Councillor Jeremy Cottam agreed that the proposal would be an improvement on the existing extension. This was particularly important as this was a listed building.

Councillor Macro, at a recent site visit in Streatley, observed that traffic had gridlocked due to a bus being unable to pass a parked vehicle. He therefore agreed that the delivery of construction materials and storage of materials needed to be conditioned. Conditions were also needed to ensure the completion of works within a timescale and to set working hours to limit disruption to neighbouring residents.

Councillor Jo Stewart agreed that conditions should look to ensure that the replacement extension was built. She also agreed that these applications needed to be considered in isolation from the already granted applications.

Councillor Law referred to the agent's representation. This made reference to only seeking access to the rear for the build of the conservatory extension, but not the car port. Councillor Law queried whether approval of the applications could enable the build of the car port. Mr Dray stated that this would not be part of any permission, should permission be granted, on today's applications, but there would be nothing to stop them doing so. There were no conditions in the already approved applications that would tie in

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

with a decision notice following today's meeting. Mr Dray felt that nothing could prevent the applicant from using the access to build the car port once the side extension had been demolished.

Mr Dray then commented on the potential for a completion condition and reiterated the need for this to be reasonable. He felt that a condition preventing demolition until a full scheme of works had been commissioned to complete the demolition and rebuild as a single project may be an appropriate condition. Should Members be minded to approve the application, then Mr Dray felt that they could delegate to officers to form the necessary wording for such a condition. Councillor Law offered to input with local knowledge in terms of setting timescales for works including working hours and delivery hours.

Councillor Pask then proposed acceptance of Officers' recommendation to grant planning permission for planning application 20/00221/HOUSE subject to the additional conditions proposed in relation to needing to commission the full scheme of works before the existing extension was demolished, for a construction method statement, and for time restrictions on construction deliveries and working hours.

Councillor Keith Woodhams seconded the proposal. He queried whether there would be scope for construction workers to park away from the site and be transported in via mini-bus.

Mr Dray then clarified that the proposal was to grant conditional planning permission in accordance with the Officers' recommendation in the reports, together with three additional conditions on the planning permission: hours of work, hours to make construction deliveries, and for a Construction Method Statement. The Construction Method Statement would incorporate a number of factors into a single plan including parking and unloading of materials. This could potentially encompass the mini bus for construction workers.

Hours of work and deliveries would be restricted to 9.45am – 4.00pm (Monday to Friday) and 8.30am – 1.00pm on Saturdays.

Mr Dray also confirmed that a condition would be formulated that required the commissioning of the full scheme of works before the existing extension was demolished. This would ensure the works took place as a single project. Members would be asked to delegate authority to officers for formulate the wording of this condition.

Delegated authority would also be sought for officers to agree the pre-commencement conditions with the applicant.

Both Councillor Pask as proposer and Councillor Woodhams as seconder were content with the conditions outlined by Mr Dray.

**RESOLVED that** the Head of Development and Planning be authorised to grant planning permission (pursuant to application 20/00221/HOUSE) subject to the following conditions:

### **Conditions**

#### **1. Commencement of development**

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. Approved plans**

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

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

1618-L04 (Block Plan), received 28th January 2020

1618-P31 (Existing Elevations), received 28th January 2020

1618-L01 (Location Plan), received 28th January 2020

1618-P30B (Proposed floor plans), received 10th March 2020

1618-P32C (Proposed Elevations), received 10th March 2020

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

### **3. Samples**

No above ground development shall take place until samples and an accompanying schedule of all materials and finishes visible external to the building have been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.

Reason: To ensure that the materials are appropriate to the special qualities of the Conservation Area, and the setting of nearby listed buildings. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **4. Rainwater goods**

All new rainwater goods shall be cast iron painted to match the existing.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **5. Construction method statement**

No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include measures for:

- (a) 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) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
- (e) Temporary access arrangements to the site, and any temporary hard-standing;
- (f) Wheel washing facilities;
- (g) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (h) Hours of construction and demolition work;
- (i) Hours of deliveries and preferred haulage routes.

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. 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 Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

required because the CMS must be adhered to during all demolition and construction operations.

### **6. Hours of work (construction/demolition)**

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

Monday to Fridays: 09:45 to 16:00

Saturdays: 08:30 to 13:00

No work shall be carried out at any times on Sundays or Bank Holidays

Reason: To safeguard the amenities of adjoining land uses and occupiers and to avoid vehicular conflicts on the public highway. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

### **7. Delivery hours (construction/demolition)**

No deliveries during the delivery phase shall be taken at or despatched from the site outside the following hours:

Monday to Fridays: 09:45 to 16:00

Saturdays: 08:30 to 13:00

No deliveries shall be carried out at any times on Sundays or Bank Holidays

Reason: To safeguard the living conditions of surrounding occupiers and minimise the impact on the local road network during peak hours. 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 Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **8. Contract for demolition and rebuild**

No works for the demolition of the existing side extension shall take place until a valid contract for the carrying out and completion of its full demolition and the erection of the replacement side extension (for which planning permission is hereby granted) has been entered into, and evidence of that contract submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the demolition is followed by rebuilding within a single programme of works to ensure the timely rebuild of the replacement extension, in order to maintain the character and appearance of the grade II listed building and the conservation area. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

Councillor Pask then proposed acceptance of Officers' recommendation to grant listed building consent for planning application 20/00222/LBC2 subject to the conditions in the planning report and the update report. This was seconded by Councillor Woodhams.

**RESOLVED that** the Head of Development and Planning be authorised to grant listed building consent subject to the following conditions:

#### **Conditions**

##### **1. Commencement of works**

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



## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **2. Approved plans**

This listed building consent relates only to work described on the following drawings:

1618-L04 (Block Plan), received 28th January 2020

1618-P31 (Existing Elevations), received 28th January 2020

1618-L01 (Location Plan), received 28th January 2020

1618-P30B (Proposed floor plans), received 10th March 2020

1618-P32C (Proposed Elevations), received 10th March 2020

The works shall be carried out in strict conformity with the approved plans and associated approved submitted information.

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.

### **3. Samples**

No above ground development shall take place until samples and an accompanying schedule of all materials and finishes visible external to the building have been approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site or by arrangement with the Planning Officer. All materials incorporated in the work shall match the approved samples.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **4. Rainwater goods**

All new rainwater goods shall be cast iron painted to match the existing.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **5. Making good**

All works of making good and repair to the retained fabric, whether internal or external, shall be finished to match original/adjacent work with regard to the methods used and to materials, colours, textures and profiles.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **6. Details of openings**

No works to window or door openings shall take place until detailed plans and specifications of such works have been submitted to and approved in writing by the Local Planning Authority. Such details shall include materials and finishes, at a minimum scale of 1:20 and 1:2. The windows and doors shall be installed in strict accordance with the approved details.

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

Reason: To protect the special architectural or historic interest of the building. This condition is applied in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **7. Details of roof eaves and fascias**

No works shall take place to the roof until detailed plans and specifications of the eaves and fascia have been submitted to and approved in writing by the Local Planning Authority. Such details shall be provided at a minimum scale of 1:20. Thereafter the eaves and fascias shall be installed in strict accordance with the approved details.

Reason: To protect the special architectural or historic interest of the building. This condition is applied in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **(2) Application No. & Parish: 20/00222/LBC2 - West Streatley House, High Street, Streatley**

The debate and resolution for Agenda Item 6(2), concerning Planning Application 20/00222/LBC2 which sought listed building consent, was contained within Agenda Item 6(1).

### **(3) Application No. & Parish: 19/02522/FUL - Church View Barn, Back Lane, Stanford Dingley**

The Committee considered a report (Agenda Item 6(3)) concerning Planning Application 19/02522/FUL in respect of the demolition of a side extension (utility room) and the rebuilding of the extension to be more in keeping with the architectural style of the main house.

Mr Bob Dray, Team Leader – Development Control, introduced the report and highlighted the following points:

- The application had been brought to Committee due to the level of objections and because Officers were recommending permission be granted.
- The application site was within the Area of Outstanding Natural Beauty (AONB) and had no settlement Boundary.
- The table on page 43 of the report showed comparative dimensions between the existing stable block and proposed building, which highlighted the increase in scale.
- Originally there had been plans to site a larger building to the west of the site against the boundary. There had however, been concerns raised about the loss of amenity to number five and that it had been positioned directly opposite the listed building. The design of the previous scheme had been considered to be bulky in the proposed position and was slightly taller the current proposal at 3.98 metres height.
- Regarding the change of use, there was no record of the western end of the site having consent for residential use, hence the proposed change of use was incorporated into this application.
- The main issues with the application were set out within the report and because the site was outside of the settlement, Planning Policy C6 applied to the

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

application. This policy ensured extensions built in the countryside were subservient to a main dwelling.

- In the view of Officers the scaling and size of the proposal was subservient to the main dwelling. It would replace a building that was similar in scale.
- Officers were content regarding the impact on neighbouring amenity and that separation distances were acceptable. Any issues regarding the impact on amenity to number five relating to the previous proposal had been overcome. Any concerns raised by the Conservation Officer had also been overcome.
- Regarding the extension of the curtilage in the countryside this would ordinarily conflict with Planning Policy C8. However, based on evidence that was consistent with comments in the representations, the area in question had been used as a garden for at least ten years. This would mean that its use as a garden was immune from enforcement action. The ability for the applicant's to make a Lawful Development Certificate was therefore a material consideration for this application, including the ability to remove permitted development rights to conserve local character, and this outweighed the conflict in the view of Planning Officers.
- Regarding the update report, there had been no further representations received. The recommendation regarding the commencement condition had been amended to account for the change of use being retrospective. There was an additional condition to ensure the pedestrian gates were provided before the garage was brought into use.

As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had replaced with the ability to make written submissions. This decision had been made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.

In accordance with the Extraordinary Council resolution, written submissions had been received from Mr Fullerton, objector.

Written submissions were read out by the Clerk to the Committee:

### **Objector Representation:**

The written submission of Mr Fullerton was read out as follows:

- Mr Fullerton was the direct neighbour of Church View Barn and owner of Chalk Pit Cottage.
- This updated planning application for a new garage (to be clear, not a replacement one, as the current structure is wooden stable block, designed for equestrian use and with a much lower roof line), change of use to residential use, associate parking and landscaping was an improvement to the previous planning application siting which I objected to (and so did a further 10 residents), as the new proposed location had been moved away from being opposite to our Grade II listed cottage and nearer to the main building of the property. However, Mr Fullerton believed the Committee should still consider that this application was a fundamental change to the workings of the property, with a change to the main driveway and thus a change to how the original planning application for the build of the house was approved (some 12 years ago). Mr Fullerton had concerns about the change of use of the paddock area to residential use and if this was approved it must come with restrictions on any further building on the land whatsoever (I would not think it fair if this application was then

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

only used for getting the change of use, followed by a new planning application to position the garage at the previous location).

- Mr Fullerton was also of the view that the Committee should consider how this planning design for the property was applied for in two parts, firstly by gaining planning application for the conversion of the existing internal garages into living accommodation and only then later applying for separate planning permission for this detached garage. This had been tried unsuccessfully by another new build near our property (Blossom Cottage) and this new application might set some precedent for such a method of getting new detached garages built, especially at the other property.

### **Ward Member Representation:**

Councillor Graham Pask in addressing the Committee as Ward Member raised the following points:

- What had been read out from Mr Fullerton, who represented the neighbours who lived opposite the application site, clearly reflected the concerns of residents.
- There had been much improvement from the original scheme, in that the proposed building would be positioned lower; would be smaller in size and was set back closer to the property itself, positioning it further away from the row of terraced houses.
- Councillor Pask thanked Planning Officers for the comprehensive report.
- Main concerns stemmed from development of the site that had happened 12 years previously, when the dwelling on the site had almost doubled in size. Recently the double garage had been converted into living space for the main house.
- The plot was located in the countryside where there were many bridleways. There were many riding establishments in the local area and many properties had stables/paddocks for equestrian use. Councillor Pask was concerned about the change of use of the land to domestic curtilage.
- It had been reported to the Committee that the land in question had been used for domestic use in excess of ten years. He highlighted that this was where concerns had stemmed from.
- Councillor Pask was interested to hear the Committee's view of the application.
- The current application was a huge improvement from the original scheme however, he sympathised with the concerns raised by residents.

### **Member Questions to the Ward Member:**

There were no Member questions.

### **Member Questions to Officers:**

Councillor Alan Macro stated that he had viewed the site on Google StreetView and it seemed that the stable block had already been demolished. Councillor Macro queried if this was the case and if it would impact on the context of the application.

Mr Dray stated that he was not aware that the stable block had already been demolished and queried the date of the image Councillor Macro had viewed. Mr Dray stated that he would check the image that Councillor Macro was referring to and report back to Members. Councillor Pask stated that he was also not aware that the stable block had been demolished. Mr Dray stated that if the Committee resolved to grant planning permission and it was subsequently found the stable block had been demolished, then

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

any necessary minor amendments to conditions could be made under delegated authority in consultation with the Chairman.

Councillor Jeremy Cottam queried if there were any further stables on the site. Mr Dray stated the existing stables were the only stables on the site. If in the future there was a desire for a stable block on the land then this would need to be considered on its own merits however, previous extensions would help inform any decision making. Councillor Cottam referred to points raised by Councillor Pask regarding the eradication of good use of the countryside. He felt that it would be helpful to advise the applicant that the Council would be concerned about any future applications for further stables.

Councillor Alan Law stated that the report made the point that the original building was half the size of the dwelling that was erected on the site in 2008. Councillor Law felt that any extension should be judged against the original building that stood on the site prior to 2008. He noted that the report highlighted that the application contradicted planning policy however, stated that mitigation had taken place. Councillor Law queried the mitigation argument and asked for clarification. Mr Dray clarified that the starting point for assessing this application was against Policy C6, including whether the proposal was subservient to the original dwelling, and that the "original dwelling" in this specific policy context would be the replacement dwelling as built circa 2008, not the former dwelling that preceded it. However, he also advised that the historical growth of built form on the site was also relevant as a material consideration.

Councillor Law sought further clarification. In 2008 the building had been increased in size by 108% and he asked if he was correct in understanding that the building size prior to this increase could not be judged against. Mr Dray stated that in terms of the interpretation of Policy C6 the term 'original as built' must be taken as the new dwelling in its original form. Members could however, also consider growth over time if they believed it to be relevant. Section 6.9 of the report had taken into account the overall growth on the site and that the replacement dwelling in 2008 was a 108% increase in floor space compared to the dwelling that originally stood on the site prior to 2008. This section of the report also considered the character of the area and the scale of other buildings in the vicinity. All elements had supported Officers in making a decision regarding the proposal. Councillor Law confirmed that he was satisfied with the response from Mr Dray and the information contained in section 6.9 of the report.

Councillor Pask referred to the percentage increases that had once been used in planning and as far as he understood these increases were not supposed to be incremental. He noted that the dwelling on the site was already 108% larger than what had originally stood on the site. There was now a proposal to change the stable into a garage and therefore further increasing the domestication of the site and its character. Councillor Pask asked if it was irrelevant to the application that there had already been an increase of 108% from a small cottage on the site. Mr Dray stated that it was not irrelevant however that application was compliant to policy, regarding subserviency, design and being in-keeping. Officers had viewed other material considerations and it was felt that the proposal was acceptable.

### **Debate:**

Councillor Tony Linden stated that he had listened to the view of the Officer and of the Ward Member and he was minded to support approval of the application. He proposed that Members agree the recommendation by Officers to grant planning permission.

Councillor Cottam voiced his concern about the application and felt that the historical aspect that had been discussed must be taken into consideration when making a decision. He was concerned about the level of growth on the site given the rural location.

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

He felt that the applicant had deliberately sought to change the use of the original garage into living space and now wanted to resolve this by creating a garage that was double the size.

Councillor Macro concurred with Councillor Cottam. He had viewed the current Google satellite view of the site and the stable block was present however, the street view for 2010 showed that it was not there at that point. Councillor Macro felt concerned about the amount of building that had taken place on the site and felt that it was stretching planning policy to its limit.

Councillor Keith Woodhams stated that he had listened to the debate and was happy to second the proposal by Councillor Linden.

Councillor Pask queried if Councillor Linden's proposal was subject to the removal of permitted development rights on the site and Councillor Linden concurred with Councillor Pask. Mr Dray stated that such matters were captured by the conditions in the recommendation.

The Chairman invited Members of the Committee to vote on the proposal by Councillor Linden, seconded by Councillor Woodhams. At the vote the motion was refused.

Councillor Macro proposed that planning permission be refused, against the recommendation by Officers due to accumulation of development on the site and because the application conflicted with planning policies for the countryside. This was seconded by Councillor Cottam.

Mr Dray summarised that essentially the proposal failed to respect the character and appearance of the area and summarised the reasons for refusal including the amount of extensions that had taken place over time on the site; the effect on the character of the area with respect to rurality and because the proposal was against Planning Policy C6 and other linked policies.

The Chairman invited Members of the Committee to vote on the proposal by Councillor Macro, seconded by Councillor Cottam to 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:

- 1) The application site is located in an area of open countryside within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The host dwelling is itself a substantial replacement dwelling that has doubled the amount of built form at the site since 2007. The integral garage has subsequently been converted to additional living accommodation. The site is therefore particularly sensitive to further inappropriate forms of development.
- 2) Owing to its location, size, height, scale, massing, character and appearance, the proposed building would not be an appropriate development in the context of the existing settlement form, pattern and character. The cumulative effect of the existing development on the site and the new development proposal would be to detract from the rural character and appearance of the area.
- 3) The proposal therefore conflicts with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies C1, C3 and C6 of the Housing Site Allocations DPD, the North Wessex Downs AONB Management Plan 2019-24, the Stanford Dingley Parish Design Statement (2010), Part 2 of the Council's adopted Quality Design SPD (2006) and the Council's House Extensions SPG.

## **EASTERN AREA PLANNING COMMITTEE - 13 MAY 2020 - MINUTES**

*(The meeting commenced at 6.30 pm and closed at 8.08 pm)*

**CHAIRMAN** .....

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