

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, 12 DECEMBER 2012

Councillors Present: Jeff Beck, Paul Bryant (Chairman), Hilary Cole, Paul Hower, Garth Simpson, Anthony Stansfeld, Julian Swift-Hook, Ieuan Tuck and Tony Vickers

Also Present: Michael Butler (Principal Planning Officer), Derek Carnegie (Team Leader - Development Control), Sarah Clarke (Team Leader - Solicitor), Paul Goddard (Team Leader - Highways Development Control) and Jenny Legge (Principal Policy Officer).

Apologies for inability to attend the meeting: Councillor David Allen, Councillor George Chandler and Councillor Virginia von Celsing

PART I

31. Minutes

The Minutes of the meeting held on 21 November 2012 were approved as a true and correct record and signed by the Chairman.

32. Declarations of Interest

Councillors Jeff Beck, Paul Bryant, Julian Swift-Hook and Ieuan Tuck declared an interest in Agenda Item 4(2), but reported that, as their interest was personal and not prejudicial, they determined to remain to take part in the debate and vote on the matter.

Councillor Julian Swift Hook also clarified for Members and the public that he would be using an electronic device for reference to issues at the meeting only.

33. Schedule of Planning Applications

33(1) Application No. and Parish: 12/02509/FULD - Sunnybank, Collaroy Road, Cold Ash, Thatcham.

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 12/02509/FULD in respect of a development at Sunnybank, Collaroy Road, Cold Ash, Thatcham.

In introducing the report, Derek Carnegie drew the committees' attention to the comment made by the Parish Council on page 7, paragraph 11 of the report and the additional Highways conditions for the provision of a 1.2 metre wide footway fronting the site, detailed in the update. He observed that although a footpath would be desirable from the view point of the Highways Officer, it would impact the amount of landscaping to the front of the proposed houses and might make it difficult to achieve a reasonable gradient to the driveways.

The Chairman noted that the update included a Japanese Knotweed management plan and enquired if it had been confirmed that it was present on site. Derek Carnegie confirmed that local residents had notified the Planning Officers of its existence, but he was unaware that any investigation had yet taken place. Conditions had however been applied to address this point should it prove to be necessary.

WESTERN AREA PLANNING COMMITTEE - 12 DECEMBER 2012 - MINUTES

Councillor Paul Bryant was concerned that objections might be raised that had not been verified and would incur unnecessary expense for developers. Derek Carnegie offered the view that Planning Officers were aiming to achieve a balanced report and endeavoured to put forward complete, relevant and enforceable conditions.

Councillor Jeff Beck suggested that conditions for 'hours of work' and 'demolition and dust' should be added to the application were it to be approved. Derek Carnegie consented to this as the site was in a residential area.

The Chairman noted that £442 was being requested by the Primary Care Trust (PCT). He enquired if there were any restrictions as to how the money should be spent. Derek Carnegie explained that the funds would go towards mitigating any harm caused by the development and would therefore be used to make extra provision by the PCT for the new residents.

In accordance with the Council's Constitution, Councillor Geoff Findlay, Parish Council representative, Mr John Cleator, objector, Mr Steve Hammond, supporter and Kerry Pflieger, applicant/agent, addressed the Committee on this application.

Councillor Geoff Findlay in addressing the Committee raised the following points:

- There was widespread objections by residents as they felt the proposed development was unattractive. It did not meet the requirements set out in the Village Design Statement, nor did it match existing housing stock or enhance the look of the village.
- In-fill developments had to be sympathetic to the area, however the Parish Council believed this development would simply be 'garden-grabbing'.
- The plot was large enough to accommodate three properties, allowing three to four metres between houses. However, the current design was not in keeping with the majority of houses in Collaroy Road.
- Landscaping was difficult in this area. This was clearly shown six years previously when four houses were built. Due to the steep gradient, the two storey houses became three stories and the design had to be altered considerably after construction had commenced.
- The steep gradient had led to flooding and water-logging at the bottom of the road.
- Attempts to develop the site at 'Littlecroft' were dismissed at appeal.
- The proposed buildings were at the top of the scarp and would be clearly visible.
- Collaroy Road was narrow and very busy and extra vehicles would add to existing traffic problems.

Councillor Bryant asked what Councillor Findlay had meant by 'a design in sympathy with the area'. Councillor Findlay explained that the proposed design had an almost uniform, urban feel, whereas the rest of the village was comprised of properties of varying designs and individuality.

John Cleator in addressing the Committee raised the following points:

- He was the immediate neighbour to the development; living in Persimmons Lodge and was also speaking on behalf of other residents.
- He wished to emphasise that they were not opposed to all development, however they felt this would be an overdevelopment in a rural road.

WESTERN AREA PLANNING COMMITTEE - 12 DECEMBER 2012 - MINUTES

- The three proposed properties were densely packed which caused their long narrow shape, unlike the neighbouring houses, and meant they extended 5 metres to the rear of the properties on either side.
- The roofline was significantly higher than the existing Sunnybank, which was single storey at the rear.
- The development contained two different designs, with two out of the three buildings having a higher roofline whilst having identical accommodation as the lower design.
- Residents were concerned that the high density would lead to difficulties with parking.
- If the application were to be approved, they asked for serious consideration be given to the footpath to the front of the proposed site as the increased traffic would increase the danger for school children walking to and from St. Finians and St. Marks schools.
- In summary, the residents felt that the site could accommodate two houses rather than three, with extra parking and the footpath to lessen danger for school children. In addition they asked that serious consideration be given to lower design for all proposed buildings.

Councillor Tony Vickers asked if Mr Cleator had problems with drainage and water run-off at the rear of his property. Mr Cleator confirmed that there was little top soil in his garden, as when the house was built in 1965 a large amount of earth had been removed. His subsoil was clay and when the property was constructed a system was put in place, where rain-water for Persimmons Lodge was piped directly into the stream rather than the drains.

Councillor Beck commented that Mr Cleator and the other residents had shown their support for a footpath and asked if there was a substantive amount of footway along the rest of the road. Mr Cleator confirmed that a cluster of children resided in The Rise and the bottom part of Collaroy Road and that they had to negotiate their way to school along footpath-less sections of road.

Councillor Beck inquired, hypothetically, if the impact of having a footpath and no landscaping, so that the proposed properties would be more visible, would be greater than having no footpath and having landscaping. Mr Cleator responded that if only two houses were built, then the footpath and the landscaping would both be achievable.

Councillor Roger Hunneman asked if Mr Cleator had mains drainage. He answered that he had, but was unsure if 'Sunnybank' did.

The Chairman sought clarification as to whether Mr Cleator felt that parking provision was adequate for the proposed properties. Mr Cleator explained that he had three cars, but also had visitors who had vehicles themselves. He conjectured that if the footpath were to be constructed, any additional risks to pedestrians from extra traffic would be alleviated. Councillor Bryant also questioned Mr Cleator's view that the site would be over developed as from the plans being shown, the density did not seem dissimilar to existing properties. Mr Cleator explained that the existing four houses had a frontage of 14.5 metres compared to 11 metres for the proposed property.

Steve Hammond in addressing the Committee raised the following points:

- He moved into 'Glendale' on 16 November 2012.
- He was supporting the application as Palady Homes was a local, family run business.

WESTERN AREA PLANNING COMMITTEE - 12 DECEMBER 2012 - MINUTES

- He believed that Cold Ash was in danger of being over-developed, but the village was passionate about retaining its individuality. However, refusing this application was a case of bolting the door after the horse had bolted, as Government policy called for more houses to be built.
- He felt there was little point in addressing this on an individual application basis, but that the best way forward was to find and close the loop-holes in the planning policy.
- He commented that the situation where a property with a large parcel of land was inherited and then sold on to be developed, would happen repeatedly unless legislated against.
- He speculated if it were possible for Cold Ash to be categorised as an Historic Park or similar, in order to stop the degradation of village life.
- He expressed the view that village life was being forced to adapt to people rather than people adapting to village life.
- He was concerned that Highways Officers had requested an existing hedge should be removed.
- He believed that a footpath would encourage people to park on the road.

Councillor Beck inquired as to why Mr Hammond felt a footpath would lead to more parking in the road. Mr Hammond offered the view that those who lived in villages had to be more vigilant and aware of their surroundings. Children had been clever enough to move around the village safely until now and to create a situation where they did not have to think about their own safety would be a step towards making the village more urban.

Councillor Hunneman queried if 'Glendale' would be overlooked. Mr Hammond responded that the Government wanted houses to be built and that 'Littlecroft' had extant permission for two properties to be built. There needed to be some way for villages to protect themselves against officially encouraged overdevelopment.

Councillor Anthony Stansfeld asked if Mr Hammond had any commercial dealings with Palady Homes. He confirmed that he had not. Councillor Stansfeld further enquired if he had a desire to develop 'Glendale' in a similar manner to 'Sunnybank'. Mr Hammond again stated that he did not.

Councillor Bryant garnered Mr Hammond's view about overdevelopment. Mr Hammond replied that it was too late to stop overdevelopment in Cold Ash, due to Government policy. He believed the way forward was to alter the policy so that those who inherited sizeable plots should not be permitted to develop them, but instead renovate the existing property.

Kerry Pflieger in addressing the Committee raised the following points:

- Palady Homes supported the local economy as they used local tradesmen and suppliers.
- The designs of the proposed properties provided variation and complimented the surrounding area. The ridge heights ensured a step down to the south, complimenting the street scene and topography; with plot one in particular having reduced eaves and ridge height to take account of the surroundings.
- The plots were 11-12 metres wide, with gaps between properties in keeping with neighbouring houses and benefited from usable amenity space behind with hedgerows planted to the rear.

WESTERN AREA PLANNING COMMITTEE - 12 DECEMBER 2012 - MINUTES

- Japanese Knotweed was on site and was being dealt with.
- The existing vehicular access point would be closed and two new ones created with space for three cars and a garage per house; which would mean minimal impact to the traffic in the area.
- Palady Homes were concerned about the proposed footpath, as they believed it could not be constructed without degrading the existing design; making a shorter, steeper driveway. The inclusion of a footpath would lead to an increase in the ridge height, to accommodate the increase in slab height, and would prevent landscaping.

Councillor Beck noted that Palady Homes objected to the footpath on the basis that it would raise the heights of the proposed properties. He conjectured that if the design of the houses were to be all the lower level, this would not create a problem. Ms Pflieger reiterated that the homes had been designed in order to give visual variation. She also informed the Committee that the option for a footpath had only been raised at the beginning of the week, giving them little time to consider it.

Councillor Tony Vickers suggested that some of the neighbouring homes had footpaths to the front and therefore, a footpath would not be out of keeping with the area. Ms Pflieger advised the Committee that only four houses had footpaths to the front and that the landscaping would screen the proposed properties.

Councillor Garth Simpson stated that he had visited the site and had noted that the gaps between the existing properties were between 4-8 metres, as opposed to the two metres on the design for the proposed houses. He asked that Ms Pflieger withdraw her statement that the new homes would have a comparable gap. Ms Pflieger responded by pointing out that the neighbouring houses were of varying design and plot size. The proposed design was similar to the newer properties in The Rise and, as the area was of mixed character, Palady Homes did feel the design was in keeping with the immediate area.

In his capacity as Ward Member, Councillor Simpson raised the following points:

- Cold Ash was on the boundary of an Area of Outstanding Natural Beauty (AONB) and the development should reflect the wishes of the Parish to defend the character of the village.
- The village plan wished to lower the carbon foot print of the area, and encouraged foot and cycle paths in order to make the area safer. For this reason he welcomed the prospect of an extension to the existing pavement.
- The spacing between the proposed properties was extremely tight and it would have been preferable to have seen a maximum of two rather than three houses proposed.
- There was a need for localism to combine with the (National Planning Policy Framework (NPPF)).

The Chairman asked Highways Officers for clarification regarding the proposed footpath. Mr Goddard explained that objectors had commented on the lack of a footpath and Highways Officers had sought to respond to this by proposing a new footpath, thereby reducing the distance between existing pavements. He acknowledged that a footpath could be provided, but that it would impact the design of the build as in order to maintain the gradient of the driveway the slab level would need to be increased by 190mm in places. If the footpath were not included in the plan, there would be a S.106 contribution payable, to be spent in Cold Ash Parish.

Councillor Bryant asked Officers to compare the width of the plots. Derek Carnegie advised that the older plots were 15-18 metres wide, compared to 11 metres for the

WESTERN AREA PLANNING COMMITTEE - 12 DECEMBER 2012 - MINUTES

proposed properties. After referring to the drawing, Michael Butler confirmed that the proposed design had 10 metres per dwelling, compared to 14 metres per dwelling for the neighbouring 3 houses to the north.

Councillor Vickers commented that on the site visit, he had felt a footpath would have been beneficial to the design, but considered that to include one would impact so greatly on the existing application that a new proposal would be necessary. He felt that the proposal was an overdevelopment of the site and did not complement the rural street scene. He felt unable to support the proposal. Derek Carnegie noted that only approximately 10% of the road had a footpath at present. Councillor Vickers observed that as this was a route to school, a footpath would be desirable.

Councillor Hilary Cole remarked that the design was suburban in feel and that the NPPF asked for design to be taken into account. She felt that two houses on site would be preferable to three. She believed that Government policy should not mean that the need for quality of design should be relegated.

Councillor Beck considered the design to be overdevelopment and proposed the application be refused. Councillor Cole seconded the proposal.

Councillor Hunneman concurred that this was an overdevelopment of the site; two properties and a footpath could have been accommodated.

Councillor Stansfeld asked that it be minuted that the Committee would more favourably consider a design for two houses and a footway.

In considering the above application Members voted unanimously to refuse the application contrary to Officers' recommendation.

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

Reason:

- Not in keeping with the character of the area.
- Did not provide adequate provision for pedestrians across the frontage of the site and was of poor design quality.
- Members were concerned about the scale and nature of development.
- The proposal had attracted significant neighbour comment and concern was expressed about both on-site parking provision, particularly in the light of the use of garages, and impacts on local traffic generally.

33(2) Application No. and Parish: 12/00426/FULD - Land at 1 Dalby Crescent, Newbury.

(Councillors Swift-Hook, Beck, Bryant and Tuck declared a personal interest in Agenda item 4(2) by virtue of the fact that they were Members of Newbury Town Council (and Greenham Parish Council in the case of Councillor Swift-Hook). As their interest was personal and not prejudicial they determined to take part in the debate and vote on the matter).

(Councillor Bryant declared a personal interest in Agenda item 4(2) by virtue of the fact that he was a Member of The Newbury Society. As his interest was personal and not prejudicial he determined to take part in the debate and vote on the matter).

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 12/00426/FULD in respect of development at 1 Dalby Crescent, Newbury.

WESTERN AREA PLANNING COMMITTEE - 12 DECEMBER 2012 - MINUTES

In accordance with the Council's Constitution, Councillor Diane Smith, Parish Council representative, Mr Anthony Pick (Newbury Society) and Mr Dave Tysoe, objector, addressed the Committee on this application.

Michael Butler introduced the report and drew the Committees' attention to the following:

- the alteration in the application to reduce the number of dwellings from six to four;
- Greenham Parish Council and the Newbury Society had raised concerns in the update report;
- due to the number of proposed properties, there would be no affordable housing on the site;
- density was 36 dwellings per hectare;
- the developer would agree to a S.106 agreement;
- drainage was not considered a problem, although conditions had been added to the update report;
- the library service had altered the amount of contribution required.

Councillor Beck queried the lack of conditions regarding contractor parking when compared to the previous application.

Councillor Cole asked that there be a standard set of conditions included for each application. Derek Carnegie explained that conditions had to be precise, relevant and enforceable for each individual proposal. Michael Butler concurred that conditions had to be applied case by case.

The Chairman noted that the (Sustainable Urban Drainage System (SUDS) team had raised a concern regarding surface water; however Thames Water had no objections. Paul Goddard explained that public sewers took 'dirty' water from the house and that land drainage was a different area. He would therefore not expect Thames Water to comment on storm water drainage.

Mrs Diane Smith in addressing the Committee raised the following points:

- The current street scene constituted bungalows and two storey semi-detached properties, set well back from the road.
- The four proposed houses would be replacing one bungalow and Plot 4. was positioned more closely to the road, compared to neighbouring properties.
- For Plots 1 and 2, the developer would have to extract earth in order to construct a three metre high concrete retaining wall. This would make the gardens claustrophobic.
- As there were unpredictable springs running through the hill, there was great concern as to where they would emerge after being diverted by the retaining wall.
- The proposed turning circles had caused concern and it was felt the new residents would resort to parking in an already congested road.
- Assurance was required that the earth-works would not cause subsidence in neighbouring properties.
- There was also concern about damage to the embankment hedge and the road due to heavily laden, earth moving lorries.
- It was felt that greed had superseded common sense, resulting in overdevelopment of a site where two bungalows would have been acceptable.

WESTERN AREA PLANNING COMMITTEE - 12 DECEMBER 2012 - MINUTES

- If the application were to be approved, it was asked that conditions be added that the ridge height should be no more than 56 metres (A.O.D.) and the materials used be in keeping with neighbouring properties.

Councillor Cole asked for clarification that there were springs in the hillside. Mrs Smith confirmed that there were springs and that their course was being constantly changed by housing developments in the area. Councillor Cole noted that there was a similar situation in Hampstead Norreys. Mrs Smith pointed out that there was already flooding in Sedgefield Road as the drains were unable to cope with the silt.

Councillor Bryant asked the Planning Officers if the gardens would be sloped. Michael Butler responded that these details would come under Permitted Development, unless the Committee wanted to specify levels on approval. He also noted that the retaining walls had been mentioned as boundary treatment was an issue with this application.

Councillor Hunneman sought clarification regarding the position of the concrete walls. Mrs Smith confirmed that they were to the east, south and west and were required as the hillside needed to be dug into to keep the slab heights level with Greenham Road.

Councillor Julian Swift-Hook was concerned about the visual impact on Greenham Road as it was the gateway to Greenham and Newbury. He inquired as to what extent the proposed houses would be visible. Mrs Smith explained that the ridges would be visible, as was that of the existing bungalow. Michael Butler confirmed that the existing level was 50.4 metres (A.O.D.) and the proposed floor level would be 49.35 metres (A.O.D.). If the application were to be approved a condition could be made in respect of the floor level.

Mr Dave Tysoe in addressing the Committee raised the following points:

- He was speaking on behalf of the other residents.
- The south side of Dalby Crescent was exclusively bungalows, although several properties did have loft conversions, the ridge heights were the same.
- The proposed development was at the highest point on the crescent and would dominate the head of the cul-de-sac
- The new builds would overlook and overshadow No. 3 and would be able to see into the rear garden, lounge and side bedroom. The excavation would also cause concern regarding the boundary to this property.
- A property to the rear of the site would be affected by the removal of an oak tree.
- Parking provision was regarded as inadequate for the number of dwellings. The cul-de-sac was narrow and there was already an issue with access for refuse lorries.
- All existing properties had significant frontage, the proposed houses would be one metre from the boundary.
- The excavation required would affect ground water, which currently caused the road surface to crumble.

Anthony Pick in addressing the Committee raised the following points:

- The Newbury Society, in addition to the concerns raised by residents, were also concerned with the exits from the proposed site for Plots 3 and 4.

Councillor Swift-Hook asked for clarification as to how many properties there were and how many vehicles were owned on average. Mr Tysoe confirmed that there were 18 houses on Dalby Crescent and the majority of residents had two or more cars.

WESTERN AREA PLANNING COMMITTEE - 12 DECEMBER 2012 - MINUTES

Councillor Swift-Hook further inquired as to the effect Plot 4 would have on No.3. Mr Tysoe reiterated that the rear garden, lounge and side bedroom would be overlooked.

Councillor Swift-Hook questioned the mention of the Newbury Town Design Statement (NTDS) at 6.1 in the Officers report, as the site was in Greenham. Michael Butler explained that Dalby Crescent was on the boundary and the area would affect the long views into Newbury, he therefore felt it was relevant in this case.

In his capacity as Ward Member, Councillor Swift-Hook raised the following points:

- The existing properties were built in the 1970's when fewer vehicles were owned. The new development would add 20% [actually 17% - Officer] to the number of houses and, potentially, to the number of vehicles. This might be considered acceptable, however would have considerable impact on residents.
- In the conclusion to the report, on page 23, the Officer wrote that the decision was 'finely balanced', but he believed the balance should be against approval.
- As the site was on the boundary, he felt the NTDS was relevant and the area was more in keeping with the older parts of Pyle Hill.
- He saw the key issue as the prominence of the new properties at the top of the hill and how No. 3 would be overshadowed by Plot 4. If the application were to be approved, on entering the cul-de-sac, residents would be greeted by a slab of built form, out of keeping with the area.
- The original proposal was for 14 flats, revised down to six dwellings and now four, however it would still be an overdevelopment of the site.
- He wished to commend the developers and applicant for the way they had engaged with the residents and Ward Member, however concerns remained.

Councillor Swift-Hook proposed the application be refused. The proposal was seconded by Councillor Hunneman.

Councillor Bryant challenged the view that No.3 would be overlooked as there were no windows to that side of the proposed Plot 4. He also stated that the design was normal for an urban setting. Councillor Swift-Hook replied that the overlooking would be at an oblique angle and that this was not an urban setting.

Councillor Hunneman concurred that this was an overdevelopment; Plot 4 was very close to the boundary of No.3. It was a large site, which would be better with fewer units.

Councillor Vickers addressed a question to the Planning Officers regarding the Planning Policy Task Group and the emerging policy that garages should no longer be regarded as parking provision, as modern cars were too big to fit in them and they were more generally used as storage. Paul Goddard replied that on a national level it was recognised that garages were generally not used for cars, but that guidance would not be available until the middle of 2013, at the earliest, and that if this were to be used as a reason to refuse the application it would not be supported at appeal.

Councillor Cole expressed concern regarding the unpredictable nature of springs and water run-off and the damage and misery water could cause.

In considering the above application Members voted to refuse the application contrary to Officers' recommendation.

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

Reasons:

- Overdevelopment of the site.

WESTERN AREA PLANNING COMMITTEE - 12 DECEMBER 2012 - MINUTES

- Overbearing on the neighbouring property.
- Adverse impact on the street scene.
- Members were concerned about the scale and nature of development.
- Lack of S.106 planning obligation.

34. Appeal Decisions relating to Western Area Planning Committee

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

(The meeting commenced at 6.30pm and closed at 8.45pm)

CHAIRMAN

Date of Signature