

# DRAFT

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

## EASTERN AREA PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD ON WEDNESDAY, 20 OCTOBER 2010

**Councillors Present:** Pamela Bale, Brian Bedwell (Chairman), Richard Crumly, Manohar Gopal (Substitute) (In place of Peter Argyle), Keith Lock, Royce Longton, Alan Macro, Tim Metcalfe, Irene Neill (Vice-Chairman), Graham Pask, Quentin Webb (Substitute) (In place of Alan Law)

**Also Present:** Gareth Dowding (Senior Engineer), Liz Patient (Solicitor), Dave Pearson (Team Leader - Development Control), Stephen Chard (Policy Officer)

**Apologies for inability to attend the meeting:** Councillor Peter Argyle and Councillor Alan Law

#### PART I

#### 40. Minutes

The Minutes of the meeting held on 29 September 2010 were approved as a true and correct record and signed by the Chairman.

#### 41. Declarations of Interest

Councillor Royce Longton declared an interest in Agenda Item 4(1), but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the matter.

#### 42. Schedule of Planning Applications

##### **42(1) Application No. & Parish: 10/01220/HOUSE Stratfield Mortimer**

*(Councillor Royce Longton declared a personal interest in Agenda item 4(1) by virtue of the fact that he was acquainted with the objector. 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(1)) concerning Planning Application 10/01220/HOUSE in respect of Section 73A – variation of Condition 1 (time limit and plans) of planning permission 09/01814/HOUSE to incorporate a taller single storey extension and variation of Condition 3 (windows) to amend windows granted under planning permission 09/01814/HOUSE (Conversion of two semi detached cottages to one detached dwelling. Ground floor extensions to provide hall, utility, wc, family room and garden room. Remove existing rear outbuilding and detached garage).

In accordance with the Council's Constitution, Mr Bird, objector, and Mrs Lesley Nelson, applicant, addressed the Committee on this application.

Mr Bird in addressing the Committee raised the following points:

- He was of the view that the plans as circulated were incorrect as they did not reflect the reality.

*(Councillor Richard Crumly joined the meeting at 6.33pm).*

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- The plans showed that both upper floor windows to the rear of the house were the same size, but in reality the window on the left hand side was approximately a third larger than the window on the right.

*(Councillor Keith Lock joined the meeting at 6.35pm).*

In response to a question from Mr Bird, it was confirmed that the Committee was governed by regulations set down by Central Government.

There was concern among some Members that the diagram of the south elevation in the plans was inaccurate and did not reflect the actual size of the windows.

David Pearson advised that the Case Officer viewed the diagrams and plans as being reasonably accurate and the discrepancy was not felt to be a particular issue. The angle the photograph was taken at was misleading and gave the impression that the left hand window was longer than was actually the case. The majority of Members who attended the site visit were also of the view that the differences were minimal and were not a particular concern, although they felt that they should be noted.

David Pearson added that the downstairs window could be altered without a requirement for planning permission.

Mrs Nelson was asked to comment on this matter and she advised that the upper right window to the rear of the property was the same width as the left hand window, which was an original window. The height of the right hand window was reduced, but this was to allow for the slope of the extension roof.

Mrs Nelson in addressing the Committee raised the following points:

- This application proposed amendments to two of the planning conditions. The first related to the ground floor windows in the north elevation of the extension. The concerns raised in relation to these windows had been resolving by screwing them shut. The obscure glazing would also be retained.
- The slightly increased height of the extension had arisen due to a difference in ground levels.
- She was surprised at the reasons given for calling in the application when it was previously discussed. A stop notice to the building work had at no time been issued, Building Control Officers did visit the site on the request of a neighbour, with regard to concerns over the height, and she was advised that it was at her own risk to continue building work. The original application received four objections and not eight. The nine objections received regarding this application to vary conditions were from their immediate neighbour, their family and friends. Objections had not been raised by other local residents either to the original application or the variations.

Councillor Keith Lock, as Ward Member, made the following points:

- He called in the application to Committee as the extension was not constructed in accordance with original plans. He had also been advised that a stop notice had been issued.
- The level of objection (15 letters) was unusually high for what should have been a straightforward application.
- However having attended the site visit, the overlooking concerns had been resolved and he would be content for Officers Recommendation to be accepted and the application approved.

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Councillor Graham Pask then proposed to accept Officers Recommendation to approve the application. This was seconded by Councillor Quentin Webb.

In response to a Member question relating to the condition to have particular windows fixed shut on a permanent basis, David Pearson advised that conditions could be appealed and applications made to vary conditions. A decision would then need to be made on the planning merits of the application. If it was reported that the window was being opened contrary to conditions, then enforcement action could be taken.

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

### **Conditions**

#### **Windows**

1. The two large windows serving the family room at ground floor level in the north elevation of the extension hereby approved shall retain the obscure glazing and be fixed shut in perpetuity unless otherwise agreed in writing by the Local Planning Authority in respect of a planning application made for that purpose. The small window in the north elevation of the extension hereby approved shall retain the obscure glazing in perpetuity unless otherwise agreed in writing by the Local Planning Authority in respect of a planning application made for that purpose. Irrespective of the provisions of the Town and Planning (General Permitted Development) Order 1995 (or any subsequent revision), no additional openings shall be inserted in the ground floor north elevation of the single storey extension hereby approved without a planning application made to the Local Planning Authority for that purpose.

Reason: In the interests of the amenity of neighbouring properties in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

#### **Development in accordance with plans**

2. The development shall be completed in accordance with drawing title numbers 3 (B) and 4 (B) received on 7<sup>th</sup> October 2010 and drawing title numbers 5 (B), 6 (B), 7 (B), 9 (B), 10 (B), 11 (B), and 12 (B) received on 6<sup>th</sup> October 2010, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

#### **Informative**

1. The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area or the residential amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

### **43. Appeal Decisions relating to Eastern Area Planning**

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

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### **44. Site Visits**

A date of 3 November 2010 at 9.30am was agreed for site visits if required.

*(The meeting commenced at 6.30pm and closed at 7.00pm)*

**CHAIRMAN** .....

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