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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, 31 AUGUST 2016

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

Also Present: Derek Carnegie (Team Leader - Development Control), Sarah Clarke (Team Leader - Solicitor) and Jenny Legge (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Billy Drummond

PART I

20. Minutes

The Minutes of the meeting held on 10 August 2016 were approved as a true and correct record and signed by the Chairman, with the following amendments:

Item 1, page 6, 4th paragraph: change 'hadvacated' to ' had vacated'

Item 1, page 6, last bullet point: change 'roof lights' to 'eye-lid lights'.

Item 1, page 8, 5th paragraph: include the amended wording for Condition 2: 'In addition this shall include the painting of all the roof cowls grey'.

Item 2, page 10, 5th bullet point from the bottom of the page: change 'The site much planning history' to 'The site had much planning history'.

Item 2, page 10, last bullet point: change 'provision of office space' to 'provision of poor office space'.

Councillor Hilary Cole's name was misspelt throughout as Councillor Hillary Cole.

21. Declarations of Interest

All Members declared an interest in Agenda Item 4(1), and reported that, as their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

Councillor Paul Bryant declared that he had been lobbied on Agenda Item 4(1).

Councillor Virginia von Celsing declared an interest in Agenda Item 4(2), and reported that, as her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

22. Schedule of Planning Applications

(1) Application No. and Parish: 16/01603/FULMAJ, Land North of Winterbourne, Winterbourne

(All Councillors declared a personal interest in Agenda Item 4(1) by virtue of the fact that they knew the occupant of the adjacent property. As their interest was personal and not

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prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

Councillor Paul Bryant declared that he been lobbied Agenda Item 4(1))

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 16/01603/FULMAJ in respect of land north Of Winterbourne Farm, Winterbourne.

In accordance with the Council's Constitution, Mr John Hayward, Parish Meeting representative, Mr Charles Flower, supporter, Mr Paul Clarke, applicant and Mr Mark Cherrington, agent, addressed the Committee on this application.

Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was unjustifiable. Officers strongly recommended the Committee refuse planning permission.

Councillor Hilary Cole sought clarification as to whether, should the Committee be minded to approve the application, it would be referred to the District Planning Committee (DPC) for determination. Derek Carnegie confirmed that in his view, it was out of policy and would therefore need to be referred to the DPC. Councillor Cole asked if this would also be the case for the second application being considered. Derek Carnegie confirmed that it would be.

Councillor Anthony Pick asked where the proposed car park would be on the site. Derek Carnegie indicated on the visual display that it would be to the north west of the house.

Councillor Howard Bairstow asked Officers whether they would have made a different recommendation if the proposal were for a barn conversion rather than a new dwelling. Derek Carnegie considered that the recommendation would remain the same.

Councillor Jeff Beck drew the Committee's attention to page 33, point 7.2 where it was stated that the, 'site lies outside of any defined settlement boundary', however he recalled Derek Carnegie observing that Winterbourne had no settlement boundary. Derek Carnegie confirmed that there was a settlement boundary approximately a mile and half away in Chieveley, but Winterbourne had no such boundary.

Councillor Garth Simpson suggested that the footpath and the existing structure of the barns within the curtilage were, in practice, a physical boundary. Derek Carnegie explained that this was not a planning boundary.

Councillor Clive Hooker noted that there had previously been a residential property on the site and wondered if that should add weight to the application. Derek Carnegie concluded that this was not a planning consideration of relevance in this case.

Mr Hayward in addressing the Committee raised the following points:

- The majority of Winterbourne village were in favour of the application. They were also supportive of the previous application and are even more strongly in favour of the current proposal.
- Planning Officers had received eighteen letters of support and there were no objections from the Parish Meeting or the other consultative bodies.
- Neighbouring Chieveley Parish Council and the North Wessex Downs Area of Outstanding Natural Beauty (AONB) also supported the application.
- Although Planning Officers had concluded that the application was contrary to policy, as Winterbourne has no settlement boundary and argued that the flint wall delineated the settlement pattern, he did not consider this correct. The walls were the remains of three historic Winterbourne manors.

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- The site would not be an isolated house in the countryside, as there was an existing property on one side 40m away and the long awaited bund for flood relief on the other.
- Officers suggested that the house would be detrimental to the AONB, but the AONB organisation were supporting the application.
- The northern approach to the village was currently a mess. The barns were an ugly, dangerous, eyesore. It would be preferable to have a sensitively designed dwelling that fit well with the neighbouring property and with the village as a whole. The design included off road green car parking space and extended landscaping.
- He asked that the Committee take into account residents' views and approve the application

Mr Flower in addressing the Committee raised the following points:

- He had an interest in the AONB as he had been on the committee that had set it up in 2002.
- The village was very active on behalf of the AONB and was working on an ambitious programme which included, restoration of the dovecote, planting woodland etc. This would create significant gains for the environment and the village.
- By approving the application, this Committee would help the village rid the site of the derelict barns and farmyard and thereby improve the view of visitors who approach from the bridleway.
- Due to misuse of the derelict barns, the farmhouse had been burgled three times. The cost of clearing the abandoned barns would be offset by the money raised from the development.
- The owner of Winterbourne Farmhouse had rebuilt the dovecote from rubble, without public money and he felt she deserved better treatment.

Mr Clarke in addressing the Committee raised the following points:

- He was a share holder in the derelict dairy site.

Mr Cherrington in addressing the Committee raised the following points:

- The revised scheme had been developed with the local community and the AONB and they had an active interest in how the site might be delivered.
- The scale of the house had been reduced and there had been careful attention to landscaping with respect for the natural land.
- He respected the view of Officers and their view on policy. However, while it was policy to restrict residential development in the countryside, it did not prohibit it and there was therefore some element of leeway.
- He was confident that the end of the settlement boundary was the bridleway and not the flint wall.
- The National Planning Policy Framework (NPPF) had a presumption in favour of sustainable development and this application would change the village for the better. The AONB would be preserved and enhanced and would benefit from, for example, improved hedgerows, 94 trees, meadow planting and a five year maintenance programme.
- Officers could Condition the planting and landscaping.

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- The proposed public car park would benefit the village during local events and would improve highway safety by removing congestion from the main street.
- The derelict buildings would be removed

Councillor Cole noted that Mr Cherrington had made reference to material considerations and the NPPF and that he was acquainted with the policy for houses in the countryside and wondered how this application related to West Berkshire Council's (WBC) emerging Submission Housing Site Allocations Development Plan Document (DPD). Mr Cherrington responded that in this particular instance the proposal was within a settlement pattern and the site would be treated safely without problems in the future.

Councillor Cole remarked that the support of the AONB both fascinated and surprised her as they were usually stridently against development in West Berkshire. She conjectured that if the application had not proposed such beneficial activity to the landscape, that the AONB would not have been so supportive. Mr Cherrington concurred.

Councillor Cole sought clarification as to how the dwelling would benefit the rural economy. Mr Cherrington assured the Members that the build project would profit the village. The improved visage would attract tourism and enhance visitor's enjoyment of the countryside. He concluded that he was not profiteering out of planning applications, but was building a home that enhanced the area and was sustainable.

Councillor Paul Bryant questioned Mr Clarke as to why the barns couldn't just be pulled down and the ground returned to farm land. Mr Clarke explained that it would not be economically viable. The yard was mostly concrete and would be expensive to remove. The Council approved flood relief strip adjacent to the site, and the footpath meant that the plot was not sizeable enough to be cropable, and the demise of the dairy farm had already shown that a business of this type was not viable.

Councillor Beck asked Mr Clarke what the surface dressing for the car park would be. Mr Clarke explained that it would be a green area with a solid base and would maintain the look of a meadow. Councillor Beck inquired whether the amount of water run-off this would produce had been considered. Mr Clarke confirmed that this had been catered for by using the land to alleviate the amount of water going onto the road. The Environment Agency had been consulted.

Councillor Dennis Benneyworth conjectured who would control the use of the public car park. Mr Clarke observed that 'dos' in the village caused congestion and that the car park would be controlled in conjunction with the Parish Meeting. Councillor Cole again wondered how the area would be policed to ensure that it was not used by people leaving their cars for the day. Mr Clarke conjectured that the Parish Meeting would use a democratic approach and were honourable and honest. They would wholeheartedly get behind how it was organised and it would be wrong to raise problems before they arose.

Councillor Bryant, speaking as Ward Member, in addressing the Committee raised the following points:

- He contemplated what options were available for this type of site. It was not economically viable to repair and reuse the barns or pull them down and return to the land to agricultural use. To let it remain untouched would leave an eyesore. To redevelop it would need it to be identified as an exception site and this was not one. The only option left was to build a house.
- The consultation process had brought forward no objectors. The AONB and the Parish Meeting were in favour of the plan.

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- The proposal was against policy, but planning was not an exact science and there were anomalies all over the place. He recalled a recent application which had been approved, against policy, at Delamere Stables as it was the sensible thing to do. He felt it was better to replace the barns with a good looking house.
- Using points, including, 6.1.12, 6.1.16, 6.2.2, 6.2.5, 6.5.14, from the Officers report to highlight his views, Councillor Bryant summarised his position thus: the proposed site was not in an isolated position and could be considered a brown field site; the derelict barns would be replaced with a well-designed house; there was no pattern in the types of property in the village, therefore the house design could not follow any pattern, but it was sympathetic to its surroundings and any impact from the dwelling would be less than that made by the existing units on the site.

Councillor Cole noted that the Parish Meeting hadn't found an 'identified need' for a rural exception. She asked was there an 'identified need' for a substantial house. Councillor Bryant was certain it would attract a buyer's. Councillor Cole sought confirmation that this was a speculative build. Councillor Bryant agreed.

Commencing the debate, Councillor Pick asserted that a purpose of planning policy was to support AONBs and the villages. He felt the Committee should promote planning applications that support AONBs rather than oppose them. He failed to understand how this development was harmful. He personally supported this application and hoped that the approval of the village would sway the Members. Derek Carnegie asked Councillor Pick if he could identify ways in which the site was sustainable, as sustainability was a major tenet of planning policy. Councillor Pick opined that in terms of transport the occupant would need a vehicle, however the proposal would provide benefits to the area and would not set a precedent for further development.

Councillor Hooker commented that if sustainability were to be based solely on public transport accessibility any development in the rural areas in West Berkshire, and this village in particular, would be precluded. Derek Carnegie advised that Winterbourne was not a village in planning terms.

Councillor Cole pointed out that some discussion points were not planning issues, for example the derelict barn, the restoration of the dovecote and the extended planting. Although these proposals would benefit the AONB, they were not planning matters.

Councillor Cole proposed to support Officer recommendation to refuse planning permission. This was seconded by Councillor Adrian Edwards.

Councillor Beck offered the view that common sense should prevail. The site was adjacent to an existing settlement and next door to an existing farm house. Where was the harm? Councillor Garth Simpson concurred with Councillor Beck and sided with the supporters in the village.

Councillor Edwards had visited the site and didn't like the derelict barns and on first impression he felt that anything would be an improvement, however this proposal was against policy. He was concerned that if Members approved this application, a precedent would be set which would allow for further development in this area.

Councillor Paul Hewer agreed with Hilary Cole, but struggled to see a better way to resolve the untidy site. He saw buildings all over the place in the countryside and felt it was an improvement to have the derelict buildings replaced by a home. Derek Carnegie asserted that WBC was a policy led authority which put great emphasis on sustainability. More houses could be built 'all over the place' if precedents for developing in the countryside were set.

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Councillor Cole reflected that this could be a case of development by dereliction. It was easy to let buildings fall into disrepair and although it was easy to demolish them, there was no gain in this. She noted that Councillor Bryant had mentioned Delamere Stables and that this was also out of policy and had been referred to the DPC for determination.

Councillor Hooker invited the Committee to vote on the proposal of Councillor Cole as seconded by Councillor Edwards to refuse planning permission as per Officer recommendation. At the vote, three members voted in favour and seven against. The proposal was rejected.

Councillor Beck proposed to approve conditional planning permission, against Officer recommendation. This was seconded by Councillor Simpson.

Sarah Clarke asked if Members would detail the Conditions required and pointed out that the extended landscaping that the AONB had based their support on, could not be Conditioned. Only that which was pertinent to the plan. Councillor Beck answered that Officers usually supplied Conditions at a later time. Councillor Bryant concluded that the Committee should ask Officers to draft Conditions in readiness for the DPC meeting.

Councillor Hooker invited the Committee to vote on the proposal of Councillor Beck as seconded by Councillor Simpson to grant planning permission, against Officer recommendation. At the vote, seven members voted in favour and three against and the motion was carried.

Councillor Edwards asked that his vote against this proposal be recorded.

RESOLVED that the application should be granted contrary to Officers recommendation but that the matter should be referred to the District Planning Committee because of the policy implications where, if required, planning conditions could be applied.

(2) Application No. and Parish: 16/01675/HOUSE and 16/01676/LBC2, Long Acre Farm, Seven Barrows, Lambourn

(Councillor Virginia von Celsing declared a personal interest in Agenda Item 4(2) by virtue of the fact that she had had recent dealings with the agent. As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 16/01675/HOUSE and 16/01676/LBC2 in respect of Long Acre Farm, Seven Barrows, Lambourn.

In accordance with the Council's Constitution, Mr Riggall, Parish Council representative, Mr Mark Preston, applicant and Mr Mike Fowler agent, addressed the Committee on this application.

Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. He invited Debra Inston (Principal Conservation & Design Officer) to comment in more detail and on the update report.

Debra Inston informed the Committee that this was a listed building and not an ordinary building in the countryside. When making their decision they should consider if the proposal harmed the fabric and character of the original cottage. It was the council's duty to preserve buildings and settings of architectural interest. The particular interest in this cottage was its modest appearance. In the update report, Historic England made a strong objection as they felt this proposal would create a high degree of harm on the building. The original worker's cottage was built in the eighteenth century, extended from the back in the nineteenth century, with a further extension in the twentieth century.

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The property's special interest was derived from its modest, but decorated appearance, the building techniques used in its construction and the detailing on the facade. Whilst it had been extended, this had been to the rear of the building and had been subservient and of the same architectural language. The proposed design replicated the existing cottage in a bookend effect, not subservient to the main cottage. In 100 years time it would be difficult to see what was the original house.

Historic England's serious concern was that this was a very important example of a cottage orné. Its character was notable for its modest size and not just for the decorated facade. Debra Inston echoed Planning Officers concerns that this application would cause significant harm to the dwelling. This level of harm should only be allowed if it was for public benefit. This proposal was for private benefit and would be against the National Planning Policy Framework (NPPF) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

In conclusion the report detailed that the proposal was unjustifiable. Officers strongly recommended the Committee refuse planning permission.

Councillor Hilary Cole asked for clarification if it was the mimicking of the original house that was not acceptable and if the proposed design was for a modern glass cube for example, would this be granted permission. Debra Inston explained that this was not the case. The size of the development was not acceptable. Officers had suggested a compromise of a single storey building to the back of the property, however the applicant had wanted to put bedrooms at first floor level.

Mr Riggall in addressing the Committee raised the following points:

- Lambourn Parish Council were pleased with the applicant's presentation and had no objection to the proposal. All the restoration and alterations that had so far been carried out on the house had been completed to a very high standard and were in keeping with the surroundings. They supported the application.

Mr Preston in addressing the Committee raised the following points:

- The cottage had originally been two shepherds' cottages, however the needs of the occupants had moved on.
- Since buying the cottage he had had two children and his wife wanted their children's bedrooms to be on the first floor, for security reasons.
- During his time in the cottage he had gone to great extent to carry out considerate alternations for example, replacing asbestos and corrugated sheet barns with stables in a style sympathetic to the main building.
- In order to continue to live in the house, there would have to be an extension. He believed the design was subservient to the original cottage and that there would be no change to the facade of the cottage.

Mr Fowler in addressing the Committee raised the following points:

- As the architect, his ambitions for this project were not a million miles away from those of the Principal Conservation & Design Officer.
- The proposed extension was subservient and would be partly stuck in the ground due to land form. The location of the extension on the site had been agreed with Officers as the best position.
- The gothic frontage would not be changed and he believed that the settings formed part of the significance of the building and this was mainly the view of the

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house from the south. With the extension being sited to the north of the house this view would not be affected.

Councillor Paul Bryant inquired as to when the existing extensions were erected. Mr Fowler explained that the house was built in 1825 with the first extension of two blocks at some time around 1840-1860, the last extension was in 2009.

Councillor Adrian Edwards asked if there had been a discussion with Officers about redesigning the 2009 extension, rather than creating a bookended property. Mr Fowler confirmed there had been a discussion and the location was agreed during this. Debra Inston explained that it wasn't the location of the extension that was in dispute, but the scale and form of the construction.

Councillor Cole pointed out that the glazed link looked very long and would mean that the new bedrooms would be a long way from the principal bedrooms, and this made her wonder about how secure they would be for the children being that far away from their parents at night.

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

- Regarding the aesthetics of the proposal, this was a lovely building in a very attractive setting. He did not believe that it detracted from or dominated the original building.
- The distance of the new house from the old ensures that it stands alone.
- He had known the site for many years and it had been very much improved by its current owner.

Commencing the debate, Councillor Garth Simpson recalled an application for a converted coach-house at Donnington Golf Course where past extensions were tolerated and the proposal was allowed because of growing family needs.

Councillor Howard Bairstow commented that the only people who regularly saw the facade were the family and the lads out on the gallops and this view would not be affected.

Councillor Cole asked Officers whether the proposal would have been acceptable if this were not a Listed Building. They confirmed this was so. Derek Carnegie continued that the Council had a very important duty to apply legislation and protection to the highest degree, which was why we had specialists such as Debra Inston. The second storey was what made the design unacceptable. He suggested that the parents sleep at ground level and the children on the first level.

Councillor Cole agreed with regard to security and viewed this as a 'red herring'. She drew the Committee's attention to page 43, point 6.3 which referred to West Berkshire Council's (WBC) emerging Submission Housing Site Allocations Development Plan Document (DPD) and the need for the enlargement to be subservient.

Councillor Bryant found it exceedingly difficult to consider Listed Building applications as they were rarely simple. He felt the original building had been already degraded by the previous extensions. He didn't see the problem with bookends and felt that although it wasn't subservient, the building was separate. His objection was to the modern glass element. He was in a dilemma and looking for guidance.

Councillor Edwards asserted that WBC had an obligation to look after and preserve Listed Buildings as part of our heritage. If there had been an Officer like Debra Inston in Victorian times, the first extension might not have been built. The cottage had been designated a Listed Building by a national body, not WBC. Although, the heritage side of

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things could cause difficulties, when an expert objects to an application and Heritage England have given a clear objection with a detailed explanation, he felt the Committee should listen.

Councillor Edwards proposed to support Officer recommendation to refuse planning permission. This was seconded by Councillor Jeff Beck.

Councillor Pick observed that the extension would increase the house size by 97% and ask Officers to explain how this was calculated. Debra Inston commented that this did not include the later extensions, but was the percentage increase on the original build.

Councillor Pick concluded that he respected the views of Officers and Councillor Cole, however if a building were to survive it had to be viable for occupation. In this case there was a responsible owner.

Councillor Virginia von Celsing related that she lived in a Listed Building and was appalled at the decision that the Committee made on Donnington Golf Course, as she felt they had allowed a beautiful building to be ruined. However, in this case she felt that the new elevation would not cause enough harm to the original building and wanted Listed Buildings to continue in modern day usage.

Debra Inston reiterated that the southern elevation was not the only element of significance. What made the cottage special was its modesty of size combined with its decorative facade and its construction as a farm worker's cottage.

Councillor Cole recognised the point being made by Officers. However, living conditions and expectations changed.

Councillor Bairstow approached the debate from the point of view of the owner, wondering how he would juggle the need for space with the need to protect the Listed Building. He might have very well decided on the same solution as the applicant and compromised with a bookend design. Debra Inston reiterated that a single storey building was another compromise that could have been considered.

Councillor Simpson concluded that the Listed Building portion of the property was very small and given the architect had proposed a fairly attentive design, which he found interesting and distinctive, he did not feel that it imposed too much on the Listed Building.

Councillor Hooker invited the Committee to vote on the proposal of Councillor Edwards as seconded by Councillor Beck to refuse planning permission as per Officer recommendation.

Sarah Clarke reminded Members that they were voting on two applications.

At the vote, two members voted in favour, five voted against, and 3 abstained. The proposal was rejected.

Councillor Cole asked if Members were minded to vote to grant permission would the decision be referred to the District Planning Committee (DPC) for determination. Derek Carnegie confirmed that it would.

Councillor von Celsing proposed to approve conditional planning permission (with Officers to draft Conditions in readiness for the DPC meeting), against Officer recommendation. This was seconded by Councillor Bairstow.

Councillor Hooker invited the Committee to vote on the proposal of Councillor von Celsing as seconded by Councillor Bairstow to grant planning permission, against Officer recommendation. At the vote, five members voted in favour, two voted against, and 3 abstained. The motion was carried.

Councillor Edwards asked that his vote against this proposal be recorded.

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RESOLVED that the application should be granted contrary to Officers recommendation but that the matter should be referred to the District Planning Committee because of the policy implications where, if required, planning conditions could be applied.

23. 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 8.40 pm)

CHAIRMAN

Date of Signature