

These Minutes have been amended. Please see Minutes of 27 October for amendments.

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 6 OCTOBER 2010

Councillors Present: Barbara Alexander, Jeff Beck, Paul Bryant (arrived at 7:15pm and did not assume the Chair of the meeting), George Chandler, Hilary Cole, Paul Hwer (Vice-Chair, in the Chair), Roger Hunneman, Gwen Mason, Anthony Stansfeld, Julian Swift-Hook and Tony Vickers

Also Present: Sharon Armour (Solicitor), Derek Carnegie (Team Leader - Development Control) and Robert Alexander

Apologies for inability to attend the meeting: Councillor Gordon Lundie

Councillor Paul Hwer in the Chair.

PART I

26. Minutes

The Minutes of the meeting held on 15 September 2010 were approved as a true and correct record and signed by the Chairman.

27. Declarations of Interest

Councillor Roger Hunneman declared an interest in Agenda Item 4 (3), and reported that, as his interest was personal and prejudicial, he would be leaving the meeting during the course of consideration of the matter.

Councillor Julian Swift-Hook declared an interest in Agenda Item 4 (3), 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.

28. Schedule of Planning Applications

28(1) Application No. & Parish: 10/01524/COMIND Chieveley

Derek Carnegie explained that the application would not be discussed as it had been withdrawn after the agenda was published. The application would be re-submitted at a later date.

29. Application No. & Parish: 10/01948/HOUSE Kintbury

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 10/01948/HOUSE for the conversion and extension of a garage to provide living accommodation.

Mr Carnegie outlined the report as detailed in pages 22 to 25 of the agenda and raised the following points.

- Kintbury Parish Council had supported the application
- Highways had raised no objections
- Archaeology raised no objections and stated that no evidence suggested that there would be a significant impact on the archaeological resources.
- There were no letters of correspondence from neighbours.

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Derek Carnegie, explained that this application sought consent to raise the roof height of the existing double garage on the site in order to create a first floor with a games room, home gym and shower and a ground floor space which provided one single garage space, garden store, cloakroom and pool room serving a proposed outdoor swimming pool.

Derek Carnegie raised a few concerns with the development;

- The development was not in keeping with Policy ENV.24 as it was disproportionate to the original dwelling size, it would be extended the proposed application to 167% of the original size of the dwelling.
- The impact on the character of the area within the AONB would be affected negatively due to the increase in ridge height of the garage.
- Mr Carnegie further mentioned that West Berkshire Council's SPG 04/03 states that extensions should be subordinate to the existing dwelling and not capable of being severed from it.

In accordance with the Council's Constitution, Mr Caspar Williams, applicant, addressed the Committee on this application.

Mr Williams in addressing the Committee raised the following points:

- Mr Williams agreed that, although an increase of, 167% seemed large; there were a number of mitigating circumstances.
- The original house had four bedrooms with 1 bathroom, with an integrated garage, which the applicant felt, by today's standard was not acceptable.
- The plot was over half an acre, and development on the plot would represent a 2% increase in ground area since the 1980s, and would mean an overall growth of 13% on the plot.
- The proposed extensions would result in a homogenous design – it would not look outlandish and served the need of the applicant's wife and son.

Councillor Hilary Cole raised a concern to both the Committee and applicant, concerning the annexe being turned into accommodation. Mr Williams responded that his wife and himself were self employed, and they required somewhere where one of them could work while the other worked in the house. They currently used two bedrooms as two separate offices. Councillor Cole asked if the annexe would be used as office space, Mr Williams responded that this was correct.

Councillor Julian Swift-Hook enquired whether there was the possibility the garage could be developed into a separate dwelling rather than for ancillary. The Applicant responded that he had no intentions of developing it into a separate dwelling, and reminded committee Members that he would need to make another application should he hope to make it a separate dwelling.

Councillor George Chandler asked whether the loft space in the garage was used at the moment. Mr Williams informed the Committee that there was not enough room in the loft to use it presently.

Councillor Anthony Stansfeld speaking as Ward Member raised the following points:

- It was a large plot of land, well hidden and within the curtilage.
- Councillor Stansfeld did not believe the proposal would harm the Area of Outstanding Natural Beauty.

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- The site looked better now than a few years ago, and the proposed design would enhance it.

Councillor Tony Vickers agreed with Councillor Stansfeld on the “where is the harm” principle, however he noted that the only problem or harm was with West Berkshire Councils current planning policy. Councillor Vickers questioned whether it would be possible to approve the development without disregarding the ENV.24 policy, or the Council’s own decisions made by the Planning Policy Task Group. Derek Carnegie informed Members that a development that was 50 to 100% bigger than the original size of the building should not be permitted without good reason. Therefore careful consideration must be given to a development that was 167% increase on the original dwelling. Mr Carnegie commented that the authority was required to think much more about policy and the affect on the AONB.

Councillor Cole agreed with Councillor Vickers, and informed Members that she would be happy to approve the application if it was for business rather than residential use. Councillor Cole said to Members that if it was going to be an office it needed to display this instead of a games room. Secondly, Councillor Cole noted that although she could understand the merits of the application, as explained by Councillor Stansfeld, she felt the Committee needed to uphold policy, suggested the policy could be tested, if the applicant took it to appeal.

Councillor Stansfeld informed the committee that within one mile of the development site, four houses of eight bedrooms, or more, had been given permission on a vastly smaller plot of land. Councillor Stansfeld went on to say that the proposed extension at this site under discussion was not visible from the road, and was reasonable in size.

Councillor Swift-Hook noted the fact that this particular policy had caused the committee difficulties on a number of occasions. The Councillor went on to say that Councillor Stansfeld was Ward Member, and that he lived in the area, so was aware of the character of the village and settlement. Councillor Swift-Hook suggested that if the committee was to interpret the policy as law then it would be refused, however it was not law. The proposed development was in a settled area, and would not cause any harm to the AONB.

Councillor Chandler felt that there was always discussions and issues when it came to applications on extensions within the AONB. Councillor Chandler felt that policy was policy, and also believed that an ancillary building on a site of this size was not appropriate.

Mr Carnegie informed the Committee that in practice the proposed development was very simple, however the policy complicated matters. Mr Carnegie further mentioned that he would be happy to see it go to the District Committee for a decision and for further clarification on policy.

Councillor Vickers noted he would be happy to see the application refered to the District Planning Committee.

Councillor Cole wished to withdraw her proposal of refusal, and wished to propose to refer the application to the District Planning Committee.

Councillor Roger Hunneman supported the application to be referred to District Planning Committee.

Councillor Julian Swift-Hook also supported the application to be referred to District Planning Committee, but suggested it needed to be referred up with a decision, and noted one of approval was best advised. Councillor Swift-Hook proposed the application

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was referred to district planning committee with approval attached. Councillor Jeff Beck seconded the proposal.

Councillor Gwen Mason agreed with Councillor Swift-Hook, and added that the proposed extension would be an enhancement.

In considering the above application Members voted to recommend the application to the District Planning Committee, with a recommendation of Approval.

30. **Application No. & Parish: 10/02051/HOUSE Greenham**

Councillor Paul Bryant joined the Committee at 7:15pm.

(Councillor Roger Hunneman declared an interest in Agenda Item 4 (3), by virtue of knowing the applicant. Because his interest was personal and prejudicial, he left the meeting during the course of the consideration of the matter and did not vote on the application.)

(Councillor Julian Swift-Hook declared an interest in Agenda Item 4 (3), by virtue of being a Member of Greenham Parish Council and having been lobbied on the application, however he declared that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the matter.)

Councillor Roger Hunneman left the meeting at 7:20pm.

Before the application was discussed Councillor Julian Swift-Hook wished to propose to defer the application due to the errors in the measurements, and for the reasoning that the only neighbour to the property, Mr Watts, had not received notification of the site visits and had not received notice of the meeting taking place until the 5 October 2010.

Councillor Swift-Hook informed the committee that Mr Watts had wished Councillors to view the proposed development from his house as it would be possible to see how the proposed development would be overbearing on his property. Councillor Swift-Hook also notified Members that the update sheet showed a number of errors which were significantly different to the submitted plans, over 30% difference in size and scale. As well as the orange notice of a planning application being displayed outside the wrong house, Councillor Swift-Hook wished to defer the application to another meeting.

Derek Carnegie did not wish for anyone to feel at a disadvantage, and informed the Committee he would be happy for the application to be deferred to another meeting.

Councillor Jeff Beck said that if the application was to come back to committee, he would like revised agenda papers to be issued to bring attention to the loss of access to the rear of the property, and two extra conditions should the committee be minded to approve the application. The two conditions referred to hours of work, and regulation of road access. Councillor Swift-Hook felt these were valid points.

Councillor Hilary Cole seconded Councillor Swift-Hook's proposal of deferring the application, and enquired whether Mr Watts received any notification. Councillor Swift-Hook informed the committee that he did not receive any information regarding permission to speak at the committee. Councillor Swift-Hook noted that the applicant also deserved a fair hearing.

All Members voted to defer the application to another meeting.

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

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

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(The meeting commenced at 6.30 pm and closed at 7.25 pm)

CHAIRMAN

Date of Signature