

# **EASTERN AREA PLANNING COMMITTEE**

## **MINUTES OF THE MEETING HELD ON WEDNESDAY, 1 DECEMBER 2010**

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

**Also Present:** Jeremy Davy (Principal Ecologist), Gareth Dowding (Senior Engineer), Emma Fuller (Senior Planning Officer), Adesuwa Omoregie (Solicitor), Dave Pearson (Team Leader - Development Control), Stephen Chard (Policy Officer), Linda Pye (Policy Officer)

**Apologies for inability to attend the meeting:** Councillor Richard Crumly and Councillor Keith Lock

### **PART I**

#### **51. Minutes**

The Minutes of the meeting held on 10 November 2010 were approved as a true and correct record and signed by the Chairman.

#### **52. Declarations of Interest**

There were no declarations of interest received.

#### **53. Schedule of Planning Applications**

##### **53(1) Application No. & Parish: 10/02199/FUL 8, 9, 10, 11 and 12 Yarrow Close, Thatcham, Berkshire**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 10/02199/FUL in respect of a change of use of land to the rear of 8, 9, 10, 11 and 12 Yarrow Close for use as part of gardens and construction of associated fencing.

In accordance with the Council's Constitution, Mr Abbey and Mr Adams, objectors, and Mr and Mrs Abbott, applicants, addressed the Committee on this application.

Mr Abbey and Mr Adams in addressing the Committee raised the following points in representing the residents of Parkside Road:

- Residents opposed the application which could set a precedent for the remainder of the landscaping buffer zone. This was created to protect the amenities of neighbouring properties, including Parkside Road.
- Originally agreed plans included the buffer zone of 5m which was required to be in place in perpetuity. Adequate landscaping was an aspect of this and also it was vital to nature conservation and the protection of great crested newts. The original plans had been approved by English Nature, West Berkshire Council and Thatcham Town Council. Conservation issues had not been fully addressed with this application and Thatcham Town Council were therefore opposed to it.
- The buffer zone was in the ownership of Yarrow Close residents who were fully aware of the restricting covenants in place to preserve it.

## **EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES**

- The primary concern for residents was a loss of privacy caused by overlooking. At present this was prevented by the vegetation in place. This was likely to be removed if permission was granted.

Mrs Abbott in addressing the Committee raised the following points:

- The application was submitted as a number of Yarrow Close residents had young families who wished to extend their small gardens by using this land which was in their ownership. It was accepted that a request would need to be made to amend the covenant to allow the land to be used as part of gardens. Gates had been installed by the developer to enable access by residents.
- The advice of Planning Officers had been followed throughout the process. This included the erection of the fence which offered a greater level of privacy than the wire mesh fence which was previously in place. It also gave greater security by preventing access into gardens.
- While brambles had been cleared from the area, all of the original plants had been retained, this enhanced the habitat for wildlife. Planting in the gardens of Parkside Road also provided some screening.
- West Berkshire Council's Ecologist had not made an objection. Newts would still be able to move freely beneath the gap of the new fence.
- Guidance in respect of distances between dwellings would still be met.
- Noise would not increase from existing levels.
- Permission would need to be sought in order to erect a structure on the site, such as a shed. This was a proposed condition of approval if granted.
- The report indicated that there was not sufficient harm to neighbours to warrant refusal of the application.
- The buffer zone was felt to add little amenity value.

*(Councillor Alan Macro joined the meeting at 6.20pm).*

- The Committee was asked to follow Officers Recommendation and grant planning permission.

*(An apology for absence was received from Councillor Lee Dillon, Ward Member for the area).*

Questions then followed from Members regarding enforcement of conditions for structures such as sheds and whether covenants could be held in perpetuity.

Emma Fuller advised that there was not the resource to continually monitor sites. There was some reliance on neighbours to report any concerns which would be investigated by enforcement officers.

David Pearson explained that covenants were a legal matter and were not material planning considerations. The covenant was most likely imposed by the developer with no involvement from West Berkshire Council. It would be for the applicant to seek to resolve any restrictions within the covenant outside of the planning process.

In considering the above application Members raised a concern that buffer zones had been used elsewhere for sheds, patios etc. If approval was granted with this application then the importance of enforcing the condition to control the erection of sheds was raised.

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

Emma Fuller confirmed that evidence was on file to show that the original conditions were adequately discharged and no breach was recorded. This was detailed in Appendix A to the report. Planning conditions were not often worded in perpetuity.

David Pearson added that landscaping conditions were not usually set in perpetuity. This was a result of Government guidance on the use of planning conditions, however this did recommend replacement of dead planting at least every five years. A requirement for a landscaping condition in perpetuity was open to challenge.

It was queried whether there continued to be evidence to show that newts were living in the area. Jeremy Davy informed the Committee that a survey was conducted in May 2010 which found newts, but no evidence of great crested newts. In addition, the pond was not ideal as a breeding pond as it was heavily shaded and had too much vegetation.

The only recent evidence of great crested newts was potentially from one photograph provided by a Parkside Road resident. Other identifiable photographs provided were of smooth or palmate newts.

The survey was only held over one night and a fuller survey covering four nights was required to be certain regarding the existence of great crested newts in the area, but in Mr Davy's opinion if there were great crested newts they would be small in number. In addition, Mr Davy confirmed that the plans proposed in the application to protect the newt population were adequate and were compliant with the good practice published by Natural England.

Councillor Mollie Lock then proposed to reject Officers Recommendation and refuse planning permission on the grounds that the buffer zones were part of the original design of the estate and maintained a natural barrier between houses. In addition, the land should be preserved as a wildlife area. The proposal was not seconded.

An alternative proposal was then made by Councillor Tim Metcalfe to accept Officers Recommendation to grant permission. Based on the evidence provided the primary objections in relation to conservation matters and overlooking were not felt to be significant concerns. A condition was already in place to ensure that sheds were not erected on the buffer zone area without approval and it was agreed that this would be enhanced to specifically cover play equipment and hard surfacing. The need for fences to have a gap beneath them was also already conditioned.

Councillor Graham Pask seconded the proposal.

**RESOLVED that** the Head of Planning and Countryside be authorised to grant planning permission subject to no new material planning considerations being raised before 8 December 2010, subject to the receipt of a satisfactory amended plan showing the retention of the ditch and amendments to the planting strip to rear of number 12 Yarrow Close, and subject to the following conditions:

### Conditions

- 1 The development hereby permitted shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development to comply with Section 91 of the Town and Country Planning Act (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) should it not be started within a reasonable time.

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

- 2 Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revision), no outbuildings, additional fences or other structures, shall be erected within the land hereby approved as garden land unless permission in writing has been granted by the Local Planning Authority in respect of a planning application made for the purpose.

Reason: To prevent the overdevelopment of the site and to safeguard the amenities of neighbouring properties in accordance with Policy CC6 of the South East Plan 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and to ensure the protection of a protected species in accordance with the guidance contained in PPS9 and Policy ENV9 of the West Berkshire District Local Plan 1999-2006 Saved Policies 2007.

- 3 The proposed fencing shall be erected in accordance with the details shown on the drawing titled Yarrow Close reference 10/21/2010. Any fencing will be erected so that a 10cm gap is retained between the bottom of the fence and the ground.

Reason: To ensure the protection of a protected species in accordance with the guidance contained in PPS 9 and Policy ENV9 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 4 Within 2 months of this permission a landscape management plan detailing the planting of a native species hedge along the western boundary of plots 8-12 Yarrow Close shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure:

a) The hedge will be planted in a double row 30cm apart with the plants staggered at 30cm centres. The first row will be 40cm from the western boundary and the second 70cm from this boundary.

b) The species make up shall comprise the following and will be retained at a maximum height of 2m

- a. Common Dogwood *Cornus sanguinea*
- b. Common Hawthorn *Crataegus monogyna*
- c. Hazel *Corylus avellana*
- d. Holly *Ilex aquifolium*
- e. Field Maple *Acer campestre*

c) Within each property a standard Rowan *Sorbus aucuparia* will be planted centrally within the hedgerow which shall be allowed to grow to its natural height.

d) Any plants that die, damaged or become diseased within the first 7 years of planting will be replaced with similar size species in the next planting season.

e) The planting shall be retained in perpetuity in accordance with the approved information.

f) The approved planting scheme shall be implemented in the first planting season after the date of this planning permission.

Reason: To ensure the protection of a protected species in accordance with the guidance contained in PPS 9 and Saved Policy ENV9 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and to protect the amenity of neighbouring dwellings and the character of the area in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

## **EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES**

- 5 Within 2 weeks of the planting of the new hedge, a 1.5m high post and two half rail fence will be erected 1m from the western boundary fence to protect the new hedge and newt corridor. This fence will be retained in position thereafter.

Reason: To ensure the protection of a protected species in accordance with the guidance contained in PPS 9 and Saved Policy ENV9 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and to protect the amenity of neighbouring dwellings and the character of the area in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

### **53(2) Application No. & Parish: 10/02437/FULD Marnhill, Wantage Road, Streatley, Reading**

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 10/02437/FULD in respect of the erection of a house and garage.

In accordance with the Council's Constitution, Mr Harrison and Mr Brakes, objectors, and Mr Chris Strang, agent, addressed the Committee on this application.

Mr. Harrison and Mr. Brakes in addressing the Committee raised the following points:

- Mr. Brakes was the owner of the property known as Mad Hatters;
- The proposed development would be overly intrusive on the family and their home where the main living area had a southern aspect. This aspect contained of a large expanse of glass windows and doors with minimal use of curtains and blinds and therefore Mr. Brakes was of the opinion that their privacy would be severely compromised;
- The proposed development would consist of a large brick wall block which would consequently have an adverse impact on the sight line from his family's living space;
- Mr. Brakes accepted that changes had to happen but a large number of mature trees had been felled prior to the previous application;
- The proposal would have a negative impact on the Area of Outstanding Natural Beauty and represented an urbanisation of the village of Streatley;
- The proposed development was an example of garden land grabbing;
- Mr. Brakes questioned the accuracy of some of the plans and drawings and stated that the site plan did not show a boundary with the application site;
- Mr. Harrison had been the owner of Hillside since 1981;
- The applicant had been cynical and clever by felling of a number of mature trees a while ago and had made a mockery of tree protection within the area;
- Mr. Harrison raised concerns in respect of the loss of amenity space and felt that the proposed development would create a dangerous precedent in an Area of Outstanding Natural Beauty;
- The owner of Wallingford Lodge had also objected to the proposed development but if that person were to move then a similar application for development in the garden of Wallingford Lodge could easily be submitted;
- Mr. Harrison was of the opinion that if the Committee allowed back garden land grabbing then it would have an adverse effect on the village in the long term.

## **EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES**

Mr Strang in addressing the Committee raised the following points:

- Mr. Strang noted that the Officer's report was detailed and had raised no objection in principle to the proposed development;
- The proposed development was in keeping with the character of the area and the layout was compatible with the wider development and density of the area;
- The site was well screened and in keeping with other modern designs in the area;
- The issue around amenity and impact on neighbouring properties had been considered in detail within the Officer's report and also during the site visit;
- Mr. Strang referred to previous comments which had been made in respect of setting a precedent but felt that this would only be an issue if there were identical sites within the vicinity and if the proposed development would be harmful to the character of the area;
- In respect of the issue of garden grabbing since PPS3 had been issued there had been a number of appeal decisions which had been allowed provided the proposed development ticked all the relevant boxes.

Councillor Alan Law (as Ward Member) stated that the Parish Council apologised for not being able to attend the meeting that night but that in no way diluted their objection. Councillor Law felt that the site visit had been instructive. He agreed that the key issue was the impact on the amenity of neighbouring properties and the character of the area. The plot sloped downwards and the proposed dwelling would overlook Hillside and would have an impact on its privacy. However, Marnhill would be the property which would be most affected together with the amenity of the people who would live in the new property as they would be overlooked by Marnhill. Consideration should be given to the local context and whether it fitted within the Village Design Statement. Within the Village Design Statement Wantage Road had a page of its own. The houses in this area were detached with generous plot widths and were screened by trees (no screening was proposed for the new property). Councillor Law felt that it was essential to consider the density in proportion to the local area and whether the conditions within the Village Design Statement were met with the current proposal. Consideration would also need to be given to the possibility of similar developments being proposed in the area and what the impact of that would be as there were other similar plot sizes within the near vicinity. Councillor Law stated that the site visit was pushing him towards refusal but he would take other comments from the Committee into consideration before making a decision.

The Planning Officer confirmed that the rear boundary of Mad Hatters did abut onto Marnhill. Marnhill was located within part of the village which had been identified as Zone 3 within the Streatley Village Design Statement. The Design Statement sought to ensure that buildings on infill plots were of individual design and suited to the site both in terms of their external appearance and scale. It was felt that the proposed dwelling was simple in appearance but distinguished by the floor to roof glazing and the irregular footprint which created short runs of wall and thereby avoided great lengths of flat brickwork.

In considering the above application Members noted that the plot was in the settlement boundary of Streatley but referred to revisions to PPS3 in respect to the density of new development. Emphasis had been sought to protect the distinctive character of individual areas and this aim had been highlighted at a local level. The Planning Officer stated that Marnhill occupied a plot which was significantly larger than those within the vicinity of the site and Officers felt that the proposed dwelling would sit comfortably within the site whilst

## **EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES**

retaining a level of amenity space which would far exceed the recommended guidance within SPD 'Quality Design'.

Councillor Pamela Bale queried whether any of the trees on the site had Tree Preservation Orders. The Planning Officer confirmed that no comments had been received from the Tree Officer and as far as she was aware there were no trees on the site that would be worthy of a Tree Preservation Order.

Councillor Graham Pask referred to a previous appeal decision for a similar development which had been dismissed and he felt that this proposal would have a negative impact on neighbouring properties and due to the slope of the land Marnhill itself would be overbearing and would overlook the new property. He therefore proposed refusal of the application.

The Planning Officer advised that an assessment had been made in respect of the impact of Marnhill House. Although the proposed dwelling would be set at a slightly lower level than Marnhill the separation distances met with the recommended guidelines and therefore it was not considered that the proposal would result in a harmful impact which would be sufficient to warrant a refusal. There would be an impact but Officers had felt that it was within the limits of acceptability.

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

- Detrimental impact on the existing property Marnhill and on neighbouring properties, in particular Hillside, due to overlooking and an overbearing visual impact.
- Unacceptable impact on the character and amenity of the immediate area and the surrounding AONB due to the proposal being out of keeping with the clearly established pattern of development in terms of siting, layout, plot coverage and density i.e. size of plot, coverage within plot and gaps between development.
- The development fails to provide an appropriate scheme of works or off-site mitigation measures to accommodate the impact of the development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to government advice contained in Circular 05/05, Policy DP4 of the Berkshire Structure Plan 2001-2016 and Policy OVS3 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 as well as the West Berkshire District Council's adopted SPG4/04 – Delivering Investment from Sustainable Development.

### **53(3) Application No. & Parish: 10/02103/HOUSE Plum Cottage, 19 Midgham Green, Midgham**

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 10/02103/HOUSE in respect of the demolition of existing garage/store and construction of new garage, store and log store with home office above.

There were no speakers present at the meeting to address the Committee on this application.

Councillor Irene Neill, speaking as Ward Member, made the following points:

- The plans did not make the size of the existing buildings clear. Neither the garage nor the L shaped extension were shown. The inclusion of these would show that the size of the proposed buildings were little different to what was existing.

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

- The existing garage was not suitable.
- The recommendation for refusal was not felt to be consistent with the permission granted to neighbouring Toad Hall for an extension of a similar size. This had set a precedent.
- The Chairman of the Parish Council was unwell and unable to attend the Committee, but their main point was that the positioning of the new garage needed to allow sufficient room for the public footpath.

In considering the above application Members sought clarification on the proposed increase to the size of the buildings. David Pearson confirmed that the proposed garage would result in an increased floor area of approximately 171% and an increased volume of approximately 201% above the size of the original dwelling, this included the current garage. This was distinctly different to the increased extension at Toad Hall which was 77% above the size of the original dwelling. The fact that the proposed garage would be two storey's high would make this a more prominent build and disproportionate. The visible impact of Plum Cottage was far greater than Toad Hall as it was adjacent to a public footpath. There was some support that this would be a visible intrusion even though the garage would not overlook neighbouring properties.

An alternative view was expressed that a new garage would actually benefit the visual impact and not be harmful. The issue for the Committee to consider was whether the second storey was disproportionate.

David Pearson referred to Government guidance which was consistent in stating that dilapidation of a building was not a sufficient reason to accept an application. An application could still be considered harmful even if it was not visible. On the issue of disproportionality there was some flexibility when considering increases of between 50% and 100%, but strong reasons were needed to approve increases of above 100%.

Councillor Irene Neill then proposed to reject Officers Recommendation and grant planning permission as she did not feel there would be significant harm from the development. This was seconded by Councillor Mollie Lock. Conditions for approval, if granted, needed to include:

- Dates of commencement;
- Sight of approved plans and a sample of materials;
- No human habitation;
- No separate disposal.

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

### Conditions

- 1 The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies CC6 and C4 of the Regional Spatial Strategy for the South East of England 2009 Policies OVS2, ENV1, ENV18 and ENV24 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 should it not be started within a reasonable time.

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

- 2 The development hereby approved shall be carried out in accordance with drawings titled Location Plan, Site Plan, Block Plan and Proposed Coach House received on 24th September 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 Policies CC6 and C4 of the Regional Spatial Strategy for the South East of England 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 3 No development shall commence on site until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policies CC6 and C4 of the Regional Spatial Strategy for the South East of England 2009 and Policies OVS2 and ENV24 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

- 4 Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the garage approved shall not be used for additional bedrooms or for the purpose of human habitation.

Reason: In order to limit the level of habitable accommodation on the site, and in particular the size of the ancillary unit of accommodation hereby approved as the creation of an independent unit of accommodation is inappropriate for the site and would be detrimental to the amenities of the area and would therefore be contrary to Policies CC6 and C4 of the Regional Spatial Strategy for the South East of England 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 5 The new garage shall be used only as an integral part of the existing dwelling, and for residential purposes incidental to the enjoyment of the occupiers of that dwelling. It shall not be sold, leased or otherwise separately disposed of from the main dwelling and no separate, disposal curtilage shall be created.

Reason: The separation of the building from the existing dwelling and the creation of a separate curtilage could result in pressure for a separate unit of accommodation which would be inappropriate for the site, and would be detrimental to the amenities of the area and therefore be contrary to the provisions of Policies CC6 and C4 Regional Spatial Strategy for the South East of England 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

- 6 Irrespective of the provisions of The Town and Country Planning (General Permitted Development) Order 1995, or any subsequent revisions, the ground floor parking area on the approved plans shall not be used for any purpose other

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

than as garage accommodation, unless permission has been granted by the Local Planning Authority as a result of an application being submitted for that purpose.

Reason: In order to provide satisfactory parking on site in accordance with Policies OVS2 and TRANS1 of the West Berkshire District Local Plan 1991 to 2006 - Saved Policies 2007.

- 7 Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revision), no additions or extensions to the dwelling or the garage hereby approved shall be built or ancillary buildings or structures erected within the curtilage, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the overdevelopment of the site and to safeguard the amenities of neighbouring properties in accordance with Policy CC6 of the South East Plan 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

This decision has been taken having regard to the policies and proposals in the West Berkshire District Local Plan 1991-2006 (WBDLP), the Berkshire Structure Plan 2001-2016 (BSP), the Waste Local Plan for Berkshire 1998-2006, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, supplementary planning guidance notes; and in particular guidance notes and policies: **PPS1 PPS7 OVS2 ENV1 ENV18 ENV24**

### INFORMATIVE:

- 1 The applicant's attention is drawn to the fact that any conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.
- 2 The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met.
- 3 For further information regarding the discharge of the conditions or any other matters relating to the decision, please contact the **Customer Call Centre** on: 01635 519111.
- 4 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

## **EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES**

further details on the decision please see the application report which is available from the Planning Service or the Council website.

### **53(4) Application No. & Parish: 10/02182/FULD Oaktree Farm, Brimpton Common, Reading**

The Committee considered a report (Agenda Item 4(4)) concerning Planning Application 10/02182/FULD in respect of the erection of single storey live work unit in association with existing horse breeding activity.

In accordance with the Council's Constitution, Mrs Reeves, applicant, addressed the Committee on this application.

Mrs Reeves in addressing the Committee raised the following points (the points were actually made by a friend of Mrs Reeves speaking on her behalf):

- The report stated that isolated new houses in the countryside required special justification, however, the proposed new dwelling would not be isolated with neighbouring properties and the Hurst Community College in close proximity.
- The modest building proposed would enhance the countryside and suit the local area. No neighbours had submitted an objection.
- A certificate of lawfulness was already in place for the keeping and breeding of horses on a non-commercial basis, this was in line with current activity.
- Approval of the application would hopefully lead to the introduction of a new business enterprise for the keeping and breeding of Shetland Ponies. The size and value of these animals meant that security was a concern and temporary living accommodation would not help to address these concerns. The CCTV cameras only covered the fields and a lack of security could lead to the failure of the business. There were other similar businesses in the local area.
- It was particularly important to be on site during the pregnancy and foaling stages, and her home in Tadley was a ten minute drive away. The purchasing of another closer property could not be afforded. Accommodation on site would also help to reduce traffic levels.
- Attempts had been made in the past to have some form of permanent dwelling on site, but permission for these had been refused.

Councillor Irene Neill, speaking as Ward Member, made the following points:

- Brimpton Parish Council objected to there being a permanent dwelling on site. They previously did not object as they only understood this to be a temporary dwelling during foaling.
- Councillor Neill called the item to Committee to allow the applicant to justify the need for the dwelling.

Councillor Alan Law gave the view that the applicant should have first applied for a change to commercial use and at that stage justify the reasons for doing so. The current use was not commercial, the criteria described in the report were therefore not met and Councillor Law proposed to accept Officers Recommendation to refuse planning permission.

There was a differing view among some Members that regardless of whether this was a hobby or a commercial venture the individual needed to be on site to care for the animal and ensure security. The proposed dwelling was not overbearing and only one letter of

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

objection had been received. The application was therefore given some support with a suggestion made that a ten year temporary permission could be applied for. Another suggestion was that the building could be tied to the business and the applicant.

David Pearson referred to clear Government guidance restricting the building of isolated homes in the countryside irrespective of their use. Approval could open this opportunity to people in numerous similar locations across the District. There was a strong view that approval would be contrary to planning policy. In addition, similar operations elsewhere managed without accommodation on site.

A query then followed on whether planning policy could assist the applicant if a business case could be proven for a commercial enterprise. David Pearson advised that PPS7 stated that an enterprise needed to be established for some time before this could be considered. There was no evidence available to suggest that the business would generate an income and be able to sustain a full time worker. Temporary accommodation would allow time for the business to grow to see if the financial test could be met.

Councillor Graham Pask seconded Councillor Law's proposal to accept Officers Recommendation and refuse the application based on planning policy grounds.

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

*(Councillors Mollie Lock, Royce Longton, Tim Metcalfe and Irene Neill wished to have their vote against this proposal recorded).*

1. Oaktree Farm lies outside of any recognised settlement boundary as defined by the West Berkshire District Local Plan 1991-2006, Saved Policies 2007. Paragraph 10 of Planning Policy Statement 7 – Sustainable Development in Rural Areas makes clear that isolated new houses in the countryside require special justification, as such there is a general presumption against new housing development unless exceptional circumstances exist. The proposed scheme fails to meet the tests set out in Annex A of PPS7 and no material considerations have been presented that would justify setting aside the countryside policies of restraint. As such the proposal is contrary to the sustainability objectives set out within Planning Policy Statement 1, Planning Policy Statement 7 and Policies CC1 and CC6 of the South East Plan Regional Spatial Strategy, May 2009 and Policies OVS.1 and ENV.18 of the West Berkshire District Local Plan 1991-2006, Saved Policies 2007.
2. The proposed development, given the current rural appearance of the land, would have a significantly detrimental impact on the character and appearance of the surrounding countryside due to the domestic nature and visual impact of the dwelling and of the ancillary uses associated with residential use together with structures which may be erected as permitted development within the residential curtilage. Accordingly the proposal directly conflicts with PPS7 and Policies CC6 and C4 of the South East Plan Regional Spatial Strategy 2009 and Policies ENV1 and OVS.2 of the West Berkshire District Local Plan Saved Policies.
3. The development fails to provide an appropriate scheme of works or off-site mitigation measures to accommodate the impact of the development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to government advice contained in Circular 05/05; Policy CC7 of the South East Plan Regional

## **EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES**

Spatial Strategy, May 2009 and Policy OVS3 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 as well as the West Berkshire District Council's adopted SPG4/04 'Delivering Investment From Sustainable Development'.

### **53(5) Application No. & Parish: 10/02090/FULD Trunkwell Farm, Beech Hill Road, Beech Hill, Reading**

The Committee considered a report (Agenda Item 4(5)) concerning Planning Application 10/02090/FULD in respect of the replacement of existing barn with barn style dwelling and conversion of existing traditional brick and timber cart house to provide ancillary accommodation. Demolition of remaining barns and outbuilding.

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

Mr. Walton in addressing the Committee raised the following points:

- Mr. Walton had lived in Beech Hill for over 20 years and the village was therefore important to him;
- Mr. Walton had purchased Trunkwell Farm in 2007 and various planning applications had been submitted on the site a number of which had been approved;
- Mr. Walton had purchased the farm to live in at some stage and he had worked closely with THRIVE who were supportive of the proposal;
- The planning application proposed the demolition of all the redundant farm buildings apart from the cartshed which it was proposed to retain as ancillary accommodation for the proposed dwelling;
- Mr. Walton confirmed that he was conscious of the surrounding area of countryside and would not want to harm that aspect – indeed the proposed dwelling would add and not detract from the countryside;
- Guidance had been sought from the Council's Planning Officers on the proposal and it had been suggested to Mr. Walton that any application should include the retention of the cartshed;
- The proposed development was on the site of the original barn which had been pulled down in the 60s or 70s to make way for the ugly American barn which had been erected;
- Mr. Walton was passionate about the village of Beech Hill and confirmed that the proposed residential dwelling included renewable energy proposals;
- The proposed application would tidy up what was a current blot on the landscape.

Councillor Mollie Lock, speaking as Ward Member for both herself and Councillor Keith Lock, stated that it had been useful to have had a site visit as there had been several applications on the site. However, it was timely that this derelict site should be sorted out. The barns which would be demolished were old and derelict, however, although the cartshed was old it would be suitable for conversion into an office. There was an existing permission to convert two barns into a single dwelling and therefore this application would not add to what had already been approved. This was a brownfield site and Councillor Lock was of the opinion that the sustainability argument could apply to the village as a whole. Similar permissions had been granted previously and therefore the Ward Members supported the proposed development.

## **EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES**

In considering the above application Members asked what the difference in policy terms was for this application and for the ones that had previously been issued with planning permission. The Planning Officer responded that this application was for the replacement of a number of existing barns around Trunkwell Farm whereas the previous applications had either been for conversion or replacement of an existing dwelling. The sustainability issued did not apply to conversions whereas it did for replacement dwellings. The site was outside the identified settlement boundaries in the West Berkshire District Local Plan. The location was not sustainable as it was not well related to the existing settlement pattern, was in a relatively isolated location and was only accessible by private car. The proposals also failed on three of the six criteria which needed to be met in respect of Policy ENV20. The 2006 permission which had now expired was for a live/work unit and therefore the applicant would have lived and worked in the same location so sustainability was not such an issue in that case. The proposed application, although barn like in shape, would be taller by over a metre than the existing farm buildings and would have large areas of glazing which would mean that the building would be very prominent in the landscape and would have a greater impact on the surrounding area. The siting of the dwelling at the extreme west of the site would also render the building more prominent. For the reasons stated above and due to the fact that the proposal was contrary to Policies OVS.1 and 2 and ENV.20 of the West Berkshire District Local Plan the Planning Officer was of the opinion that these were clear reasons for refusal.

Councillor Royce Longton noted that the application was proposing the use of renewable energy features and queried whether this would mitigate the sustainability issue. The Planning Officer advised that it would improve the performance of the building but would not overcome the isolated location of the site.

Councillor Tim Metcalfe noted that the site consisted of a cluster of various vacant and derelict farm buildings and stated that it was Government policy that redundant farm buildings should be utilised. Councillor Metcalfe felt that this was a brownfield site and that farms per se would not be in sustainable locations due to the nature of their business. This application would be a good opportunity to tidy up the site and the renovation and retention of the cartshed would be a bonus. The Planning Officer advised that Planning guidance did not encourage the granting of planning permission to allow the 'tidying up' of sites as this could set a precedent and encourage landowners to allow their properties to become derelict and unsightly.

Councillor Alan Macro confirmed that he could recall the application for this site in 2006 which had proposed the use of existing materials for the conversion of the buildings. He felt that this application was not sustainable and would not be close to any major settlements. A motion to support the Officer's recommendation of refusal was therefore proposed by Councillor Macro. After taking a vote on this proposal the motion was lost.

Councillor Mollie Lock therefore proposed a counter motion not to support the Officer's recommendation of refusal and to allow the application as it was felt that the proposal would enhance the area of Beech Hill and would protect the environment. The Planning Officer felt that the sustainability of the site was a strategic issue and was set out in the Council's Local Plan. It was important that all decisions were taken in a clear and consistent manner. Councillor Alan Law felt that if the Committee were minded to approve the application then it should be referenced up to the District Planning Committee as it went against Council policy. Councillor Graham Pask stated that he would have been happy to second the proposal if it had not gone against Council policy. However, he would support the proposal if it was to be referenced up to the District

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

Planning Committee. Councillor Mollie Lock asked for a site visit to take place at the site prior to consideration at the District Planning Committee.

The Planning Officer clarified any conditions which would be required if the application were to be approved. Councillor Tim Metcalfe seconded the proposal.

**RESOLVED** that the Head of Planning and Countryside be authorised to grant planning permission subject to the following conditions and the completion of a S106 agreement within two months to secure relevant contributions and that the application should be referenced up to the next District Planning Committee on 25<sup>th</sup> January 2011 for determination:

### Conditions:

- 1 The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 should it not be started within a reasonable time.

- 2 The development hereby approved shall be carried out in accordance with drawing title numbers AP.0201; AP.0202; AP.0203; AP.0204; AP.0205; P 0100Rev AAP.0300; P.0102; AP.200; and P.0103 received on 9th September 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 National, Regional and Local Planning Policy.

- 3 No development shall commence on site until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

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

- 4 No development or other operations shall commence on site until a scheme of fencing and other means of enclosure to be erected on the site is submitted to and approved in writing by the Local Planning Authority and no buildings shall be occupied before the fencing and other means of enclosure have been erected to the satisfaction of the Local Planning Authority.

Reason: The fencing and other means of enclosure are essential elements in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 -2006 Saved Policies 2007.

- 5 No development shall commence on site until a scheme for the means of treatment of the hard surfaced areas of the site is submitted to and approved in

## **EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES**

writing by the Local Planning Authority. No building shall be occupied before the hard surfaced areas have been constructed in accordance with the approved scheme.

Reason: In the interests of visual amenity, in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

- 6 No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;
- a) Completion of the approved landscape scheme within the first planting season following completion of development.
  - b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policies OVS2 (a & b) and OVS 3 (b) of the West Berkshire District Local Plan Saved Policies 2007.

- 7 No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837:2005. Such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figure 2 of B.S.5837:2005.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy OVS 2b of West Berkshire Local Plan 1991 - 2006 Saved Policies 2007.

- 8 The development hereby permitted shall not be occupied until the buildings which are scheduled for demolition are demolished and removed from the site.

Reason: In the interests of amenity in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

- 9 No development shall commence on site until details of floor levels in relation to existing and proposed ground levels are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007

- 10 The garage/home office created from the cartshed shall be used only as an integral part of the existing dwelling, and for residential purposes incidental to the enjoyment of the occupiers of the dwelling. It shall not be used as a separate dwelling unit, and no separate curtilage shall be created. The car port shall be retained for the parking of cars and no trade, business or commercial enterprise of any kind whatsoever shall be carried on, in or from the converted cartshed.

Reason: The creation of a separate unit of accommodation is inappropriate for the site, and a commercial use of the site would be detrimental to the amenity of the area, in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

- 11 No development shall commence until the applicants have submitted to the Local Planning Authority a scheme of works, or other steps as may be necessary to minimise the effects of dust from the development. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.

Reason: In the interests of amenities of neighbouring occupiers in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 12 No development shall commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, have been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 13 Should contamination exist on the site no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 14 No development, other than that required to carry out remediation, shall commence until the approved remediation scheme has been carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 15 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition

## EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES

12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 16 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years (to be agreed with the LPA), and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 17 No development (including demolition) shall commence on site until the surveys outlined in the conclusions and recommendations section of the letter from AA Environmental LLP referenced 103133/ARB and dated 6th August 2010 have been undertaken and appropriate mitigation measures detailed and approved by the Local Planning Authority. The approved bat mitigation measures shall be implemented in accordance with the approved programme.

Reason: To ensure the protection of protected species and in accordance with Policy ENV9A of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and Planning Policy Guidance Note 9

- 18 No external lights shall be operated on site which illuminate the access/egress points to any bat roosts established by the approved bat mitigation plan.

Reason: To ensure the protection of protected species and in accordance with Policy ENV9A of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and Planning Policy Guidance Note 9.

- 19 The approved bat mitigation measures shall be monitored at 1 and 3 years after their implementation and the Local Planning Authority shall be supplied with

## **EASTERN AREA PLANNING COMMITTEE - 1 DECEMBER 2010 - MINUTES**

reports about this monitoring within 1 month of each monitoring visit. in accordance with Policy ENV9A of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and Planning Policy Statement 9.

Reason: To assess the effectiveness of the approved mitigation scheme and ensure the mitigation measures are maintained in the future to ensure the protection of a protected species in accordance with Policy ENV9A of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 20 No works (including demolition) shall commence on site until a detailed Great Crested Newt mitigation plan and implementation programme has been supplied to and approved by the Local Planning Authority. The approved plan shall be implemented in full, in accordance with the approved plan and implementation programme.

Reason: To ensure the protection of protected species and in accordance with Policy ENV9A of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

- 21 No demolition/ site works/ development shall take place within the application area until the applicant has secured the implementation of a programme of building recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: To ensure that an adequate record is made of these farm buildings of historic interest in accordance with Policy PPS5.

- 22 No development shall commence until details of the external lighting to be used in the areas around the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter no building shall be occupied until the external lighting has been installed in accordance with the approved details.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007

- 23 Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revision), no additions or extensions to the dwelling shall be built or ancillary buildings or structures erected within the curtilage, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the overdevelopment of the site and to prevent inappropriate alterations to the barn in this rural location in accordance with Policy CC6 of the South East Plan 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

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

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

**55. Exclusion of Press and Public**

**RESOLVED that** members of the press and public be excluded from the meeting for the under-mentioned items of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 6 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the [Local Government \(Access to Information\)\(Variation\) Order 2006](#). [Rule 9.10.4 of the Constitution also refers](#).

**56. Application No. & Parish: 09/02679/FUL 14 and 16 Reading Road, Pangbourne**

The Committee considered an exempt report (Agenda Item 8) concerning Planning Application 09/02679/FUL in respect of varying the resolution made by Members at the Eastern Area Planning Committee on 7 July 2010. This was an item for decision.

**RESOLVED that** the Head of Planning and Countryside be authorised not to pursue refusal reason No. 3 at the appeal resulting from the decision to refuse the above application made by the Eastern Area Planning Committee on 7<sup>th</sup> July 2010.

**57. Application No. & Parish: 10/01400/FUL 17 Reading Road, Pangbourne, Reading, Berkshire**

The Committee considered an exempt report (Agenda Item 9) concerning Planning Application 10/01400/FUL in respect of varying the resolution made by Members at the Eastern Area Planning Committee on 29 September 2010. This was an item for decision.

Councillor Alan Law proposed to accept Officers Recommendation for approval. This was seconded by Councillor Pamela Bale.

**RESOLVED that** the Head of Planning and Countryside be authorised to grant planning permission subject to conditions on the basis set out in the report.

**58. Site Visits**

A date of 6 December 2010 at 9.30am was agreed for site visits.

*(The meeting commenced at 6.00pm and closed at 9.35pm)*

**CHAIRMAN** .....

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