

# DRAFT

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

## EASTERN AREA PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD ON WEDNESDAY, 26 JUNE 2019

**Councillors Present:** Peter Argyle, Alan Law (Chairman), Alan Macro, Geoff Mayes, Graham Pask, Joanne Stewart, Andrew Williamson and Keith Woodhams (Substitute) (In place of Royce Longton)

**Also Present:** Sharon Armour (Solicitor), Stephen Chard (Principal Policy Officer), Gareth Dowding (Senior Engineer), Bob Dray (Development Control Team Leader) and Matthew Shepherd (Senior Planning Officer)

**Apologies for inability to attend the meeting:** Councillor Jeremy Cottam and Councillor Royce Longton (Vice-Chairman)

#### PART I

#### 8. Minutes

The Minutes of the meetings held on 10 April 2019, 21 May 2019 and 5 June 2019 were approved as true and correct records and signed by the Chairman, subject to the following amendment to the Minutes of the meeting on 5 June 2019:

**Item 6(2) – 18/03287/FULD – land to the rear of 42-48 Long Lane, Tilehurst – Condition 5:**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows/roof lights (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B or C of that Order shall be constructed on the north, south, west, and east elevations of **each** dwelling, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

#### 9. Declarations of Interest

There were no declarations of interest received.

#### 10. Schedule of Planning Applications

Councillor Alan Law, Chairman of the Eastern Area Planning Committee, outlined, for the benefit of members of the public in attendance, the processes in place for determining planning applications and the workings of the Planning Committee as part of that.

The majority of planning applications (97%) were dealt with solely by Planning Officers under delegated powers, with only a small number of applications coming before Planning Committees. These were applications where the local Ward Member had requested the application be considered by Committee, generally because of a high degree of local interest. Another particular example were cases where Planning Officers had recommended approval of an application, but there were ten or more objections received.

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Councillor Law then raised the important point that Committee Members would apply and consider exactly the same national and local planning policies as the Officers when considering each application.

The Committee could not make up, ignore or change policy at a meeting. Members considered and applied planning policies only. Other policies or laws such as Licensing or public nuisance were not planning considerations.

It was also the case that the Committee would not add more or less weight to a viewpoint simply because that viewpoint had a larger or smaller number of supporters or objectors, if the viewpoint was not relevant in planning policy terms.

Councillor Law then described the running order for the consideration of each item. This included clarification of the five minute speaking right for each category of speakers. At the conclusion of considerations for each planning application, a motion would be called for and seconded and a vote taken to either approve planning permission with conditions, refuse the application or, in some cases, defer the decision to a subsequent Planning Committee.

Finally, it was clarified that the items on this agenda would be taken in the following order: 1. Saffron House, Stanford Dingley; 2. The Swan at Streatley, High Street, Streatley. This was due to the greater level of public attendance for The Swan at Streatley and the expectation that it would require a lengthier debate.

### **(1) Application No. & Parish: 18/03400/FULD - Saffron House, Stanford Dingley**

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/03400/FULD in respect of the proposed demolition of existing barn and its replacement with a new four bedroom dwelling with two cart sheds, and alterations to existing access detail on land adjacent to Saffron House, Stanford Dingley.

In accordance with the Council's Constitution, Mr Shaun Tanner/Mr Daniel Kellett, applicant/agent, addressed the Committee on this application.

#### **Applicant/Agent Representation**

Mr Kellett in addressing the Committee raised the following points:

- The principle of development had been established. This application sought approval of a variation to the extant planning consent for application 17/01051/FULD.
- These variations, if approved, would achieve improved visibility and sight lines in comparison to the extant scheme, improved access and it would simplify the look of the barn conversion to a more traditional appearance. Mr Kellett highlighted that smaller windows were proposed for the elevation facing the road. The increased ridge height would enhance the first floor space.
- No objections had been received from statutory consultees. It was supported by the Case Officer and Conservation Officer. The professional opinion was that the proposal was acceptable.
- The overall footprint of the building would only increase by 2% in comparison to the existing permission. The length and width would in fact reduce.

#### **Member Questions to the Applicant/Agent**

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Councillor Keith Woodhams queried whether it would be possible to salvage any of the original fabric of the barn, a point questioned in the update report. Mr Tanner considered this to be highly unlikely as the existing barn and its materials were in a poor condition.

### **Ward Member Representation**

Councillor Graham Pask, speaking as Ward Member, raised the following points on behalf of Stanford Dingley Parish Council:

- This was a very sensitive site which was located on the main route through the village. It was the only remaining building with a connection to the tannery.
- The need for development had however been accepted, but the Parish was supportive of the extant permission as it would be a more sensitive design than the proposal.
- The Parish Council had the following particular concerns, which had been raised at the site visit:
  - A Heritage Impact Assessment had not been provided which was a requirement of the National Planning Policy Framework (NPPF) The Local Authority was aware of the historical significance of the location within the conservation area. Paragraphs 189 and 190 of the NPPF placed a requirement on local planning authorities to protect such assets and request the completion of a Heritage Impact Assessment. A heritage asset should be conserved and where possible enhanced. The proposal also needed to accord with Policy CS19 of the Core Strategy. The Parish Council did not feel that enough had been done to adhere to policy requirements and greater weight should have been given to this in the Planning Officer's report. The Parish Council view was that the application could not be determined until the Heritage Impact Assessment had been completed and submitted.
  - The massing and height of the proposal. The proposed dwelling was 24% higher than either the existing barn or the extant scheme. This application, if approved, would result in a bulky appearance, particularly when approached from Chapel Row. This would be out of keeping with other dwellings in the village and conservation area. This was a particularly important consideration in a conservation area. Light spillage was a concern when considering the fenestrations.

### **Member Questions to Ward Member**

There were no questions raised by Members.

### **Member Questions to Officers**

Councillor Alan Law referred to the site visit where a discrepancy had been highlighted in relation to the height of the proposed dwelling. In response, Bob Dray, Development Control Team Leader, explained that measurements had been recorded by Officers and this was outlined in the plans and drawings. A condition of approval was for finished floor levels to be submitted and approved by the Local Planning Authority. In conclusion, Officers were comfortable on this point.

Councillor Alan Macro queried the absence of the Heritage Impact Assessment. Mr Dray made reference to paragraphs 189 and 190 of the NPPF which stated the need, at minimum, to consult the relevant historic environment record and assess heritage assets using appropriate expertise where necessary. This action was described in the update report and the Council's Archaeologist had advised that there was no further information

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on the Historic Environment Record about the barn or Saffron House. The suggested link to a tannery was considered feasible but could not be confirmed.

In conclusion on this point, Mr Dray advised that while a Heritage Impact Assessment had not been undertaken, Officers were of the view that sufficient information was available to determine the application. The Conservation Officer found the proposal acceptable subject to conditions.

Mr Dray reminded Members that the existing building could be demolished in accordance with the extant permission.

In response to questions of clarity from Councillor Andy Williamson, Mr Dray confirmed that the requirement for a Heritage Impact Assessment was a policy but not a legal requirement. As such, the requirement could be deviated from if there were grounds on which to do so. Mr Dray also clarified that considerations should be restricted to the changes proposed from the extant scheme, i.e. height and the impact of these changes.

Mr Dray further confirmed, in response to a query from Councillor Law, that the fact that the extant permission was granted under the Council's previous countryside policies, which had since been changed, was not a material point for this application.

### Debate

Councillor Pask reiterated the point that there was no argument in relation to the principle of development as the extant permission was in place. However, the site was located in a conservation area and this status was not granted lightly. Members needed to consider the impact of this proposal in comparison to the extant permission. The Parish Council felt that the height and bulk of the proposed dwelling was a material change in what was a prominent and sensitive location in Stanford Dingley. It was noted that the existing building was deteriorating but the Parish had questioned whether the proposal was in keeping with the local area. The glazing proposed to the front of the dwelling was of particular concern.

Councillor Williamson queried how the height of the proposed dwelling compared with the height of adjacent dwellings as those adjacent appeared to be higher in the diagrams. Mr Dray confirmed that to be accurate.

Councillor Geoff Mayes proposed acceptance of Officers' recommendation to approve planning permission. This was seconded by Councillor Williamson.

**RESOLVED** that the Head of Development and Planning 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.

Reason: To enable the Local Planning Authority to review the desirability of the development and 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.

2. The development hereby permitted shall be carried out in accordance with the documents and plans listed below:
  - Proposed Floor Plans 1 of 2, reference 3544/212 revision D, received on 12 March 2019
  - Proposed Floor Plan 2 of 2, reference 3544/213 revision C, received on 12 March 2019

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- Block and Location Plan, reference 3544/210 revision B, received on 12 March 2019
- Proposed Cart Shed B Elevations, reference 3544/216 revision C, received on 12 March 2019
- Proposed Cart Shed A Elevations, reference 3544/215 revision D, received on 12 March 2019
- Proposed Site Plan, reference 3544/211 revision E, received on 12 March 2019
- Proposed Elevations, reference 3544/214 revision A, received on 06 June 2019
- Report of the Structural Condition of Saffron House barn by Birds Associates reference 7136, received on 29 April 2019
- Bat Roost Assessment of Barn and Garage at Saffron House Stanford Dingley by GS Ecology dated 12 April 2019 received on 23 April 2019

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:
  - (a) The parking of vehicles of site operatives and visitors;
  - (b) Loading and unloading of plant and materials;
  - (c) Storage of plant and materials used in constructing the development;
  - (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
  - (e) Wheel washing facilities;
  - (f) Measures to control the emission of dust and dirt during construction;
  - (g) A scheme for recycling/disposing of waste resulting from demolition and construction works;

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

4. No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To promote cycling by providing convenient and safe bicycle storage. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD 2006-2026, Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).

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5. No development shall take place until full details of how all spoil arising from the development and how any materials arising from the demolition of the existing barn will be used and/or disposed of have been submitted to and approved in writing by the Local Planning Authority. These details shall:
- (a) Show where any spoil to remain on the site will be deposited;
  - (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
  - (c) Include measures to remove all spoil (not to be deposited) from the site;
  - (d) Include measures to remove any materials arising from the demolition of the existing barn from the site;
  - (e) Include timescales for the depositing/removal of spoil and removal of any materials arising from the demolition of the existing barn.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and any materials arising from demolition, and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies ADPP5 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and the Stanford Dingley Parish Design Statement 2010.

6. No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the dwelling, cart sheds and hard surfaced areas hereby permitted and a full landscape plan, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocation DPD (2017), Supplementary Planning Document Quality Design (June 2006) and Stanford Dingley Parish Design Statement 2010.

7. No development shall take place until details of the finished floor levels of the dwelling and cart sheds hereby permitted in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the development hereby approved and the surrounding area in accordance with National Planning Policy Framework (February 2019), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocation DPD (2017), Supplementary Planning Document Quality Design (June 2006).

8. No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the buildings hereby permitted are occupied.

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Reason: The boundary treatment is an essential element 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. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocation DPD (2017), Supplementary Planning Document Quality Design (June 2006) and the Stanford Dingley Parish Design Statement for 2010.

9. No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- d) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- e) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- f) Include details of how the SuDS measures will be maintained and managed after completion, including for access arrangements. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

10. The dwelling shall not be occupied until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plans. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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11. The dwelling hereby approved shall not be occupied until the visibility splays at the site accesses have been provided in accordance with drawing number 3544/211 received on February 18th 2019. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

12. No demolition or construction works shall take place outside the following hours:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), and Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

13. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows/roof lights (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B or C of that Order shall be constructed on the north, south, west, and east elevations of the dwelling, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of respecting the character and appearance of the surrounding AONB area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

14. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions, alterations, outbuildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C, D, E and F of that Order shall be constructed, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: To prevent the overdevelopment or inappropriate development of the site and in the interests of respecting the character and appearance of the surrounding AONB area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

15. The development hereby approved shall not proceed except in accordance with the ecological mitigation measures detailed within the Bat Roost Assessment of Barn and Garage at Saffron House Stanford Dingle by GS Ecology dated 12 April 2019 received on 23 April 2019 unless otherwise agreed in writing by the Local Planning Authority.

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Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 17 of the West Berkshire Core Strategy (2006 – 2026).

16. The dwelling hereby approved shall not be occupied until an electric vehicle charging point has been provided in accordance with the approved drawings, the area of the site designated for the parking and charging of electric vehicles on the approved plan shall thereafter be kept available for this use all times.

Reason: To promote the use of electric vehicle. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

17. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that order), Cart Shed A and Cart Shed B as labelled on the approved plans shall not be used for any purpose other than as car parking accommodation, nor shall any door, wall or other means of enclosure or stopping up of the entrances to the cart sheds be undertaken, unless permission has been granted in respect of a planning application.

Reason: To ensure that the cart sheds (car ports) are kept available for vehicle parking in the interest of road safety and in order to comply with policy P1 of the Housing Site Allocations DPD. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **(2) Application No. & Parish: 18/02975/FUL - The Swan at Streatley, High Street, Streatley**

*(Councillor Alan Law opened the item by explaining that he was both the Ward Member for The Swan Hotel application and also Chairman of the Committee. As such he had consulted the Council's Legal Team and had received assurance that there was no conflict of interest in this case.*

*Councillor Law added that he had acted properly at all times in the run up to this Committee and kept an open mind on the issues before Members. However, he explained that he wanted to avoid the risk that as Chairman he might have to use a casting or deciding vote on this matter which was within his Ward. Councillor Law therefore decided that in the circumstances, he would stand down from the Chair for the hearing of this application).*

As the Vice-Chairman had given his apologies for this meeting, it was necessary to appoint a Member to Chair the item. Councillor Alan Macro proposed Councillor Graham Pask, this was seconded by Councillor Peter Argyle and agreed by Members.

*(Councillor Graham Pask in the Chair)*

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/02975/FUL in respect of an application for planning permission for the formation of an overflow car parking area and associated landscaping at The Swan at Streatley.

Mr Matthew Shepherd, Senior Planning Officer, presented the report to Members and drew attention to the points raised in the update report.

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Further earlier site history related to the proposed car park site had been found to be relevant and was presented in the update report. The planning applications in each of these cases had been refused due to the impact they would have on the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB) and the site's location external to the settlement boundary.

The NWD AONB Board had lodged an objection to the application and commented that the proposed development did nothing to conserve or enhance the natural and scenic beauty of the AONB.

The Conservation Officer's concerns in relation to the harmful cumulative impact on the listed building and conservation area were outlined in the report. The Conservation Officer concluded that the proposal would constitute less than substantial harm when set against the test in the National Planning Policy Framework (NPPF). However, the Conservation Officer felt that the justification in support of this application had not been provided that would overcome this harm. The Conservation Officer considered that the benefits of the proposal did not outweigh the harm to the designated heritage assets.

Mr Shepherd then drew attention to the section in the report on the impact on highway safety which related to the permission granted for the redevelopment work for The Swan – application 16/2364/FUL. The design and access statement for this application noted explicitly that “It is considered that the works proposed as part of this application will not materially affect the number of visitors to the site and as such will not have any effect on the current parking provision on site.”

The Council had however requested that the applicant produce a formal assessment of the expected impact on the local road network in respect to safety, flows and convenience from successful and unsuccessful attempts to park at the site once the redevelopment of The Swan had completed. However, this had not been submitted making it difficult for Officers to reach a conclusion on whether or not there had become a need for the overflow car parking area.

Streatley Parish Council would be addressing Members, but Mr Shepherd highlighted that while the Parish did not object to the application, this was on the basis that no precedent would be set for further development on the site. However, this was something which could not be controlled by conditions.

Mr Shepherd then highlighted that 46 letters of support had been received to the proposed development and only 4 letters of objection. Members therefore had to balance their decision based on the benefits that approval of the application could bring, i.e. the growth of The Swan and the associated need for additional car parking which had been applied for, with the harm described to the AONB and Conservation Area. Economic/business growth was supported by the Council, but this needed to be sustainable in the longer term when it came to determining a planning application.

The number of additional car parking spaces sought, together with details of current capacity, was detailed in the update report as requested at the site visit. In summary, the current capacity after taking account of the current development of the site, there were 100 spaces. The proposed overflow car park would provide an estimated 89 spaces.

Mr Shepherd concluded by explaining that the Officer recommendation was to refuse planning permission due to the harmful impact the development would have on the AONB and Conservation Area, and the absence of the highway impact information that had been requested.

In accordance with the Council's Constitution, Mr Jeremy Spring and Mr Martin Jubb, Parish Council representatives, Mr John McGahan and Mr Ian Judd, supporters, and Mr

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John Gripton and Mr David Burson, applicant/agent, addressed the Committee on this application.

### **Parish Council Representation**

Mr Spring in addressing the Committee raised the following points:

- In the majority of cases Streatley Parish Council would object to an application which fell outside of the settlement boundary for fear of creating a precedent. However, the Parish was supportive of this application.
- The application had the overwhelming support of residents living in Streatley, Goring and beyond.
- Traffic congestion and parking in Streatley was a point of concern for local residents. Car parking provision, external to The Swan, was limited to the small car park near the recreation area, meaning that High Street was used for car parking which created an issue in terms of congestion. In addition, there was no off street parking available for residents.
- The Morrell Room was the only meeting room in the village. It had no car parking provision and users of the room had been able to park in The Swan's car park. This was also the case for the church. The Swan's car park had been used for many years for these purposes. It was also available to the many walkers that visited the area.
- The usage of The Swan would increase significantly once the redevelopment had completed. It did not have sufficient car parking to accommodate this increase and the result would be increased congestion on High Street.
- The Parish Council felt that the harm described to the AONB would be mitigated by the proposed landscaping. Paragraph 6.1 of the report confirmed that the site was not located in the conservation area although it did sit adjacent to its boundary.
- The need for additional highways related information had been highlighted, however in May 2019 the Highways Officer had given support to the proposal for increased parking provision.
- Paragraph 4.1 of the report stated that only appropriate limited development would be allowed in the AONB if it would help to maintain a strong rural economy. The Parish considered that this application met this criterion.
- The Parish Council felt that permission could be granted subject to the inclusion of a condition that prevented further development on the car park site.

### **Member Questions to the Parish Council**

Councillor Geoff Mayes queried whether church goers parked on the access road that connected High Street to the church. Mr Spring explained that this was the case, however this was something that the Council's Public Rights of Way Officer had stated should not be taking place.

Councillor Alan Law referred to the point made by the Parish Council that 'permission could be granted subject to the inclusion of a condition that prevented further development on the car park site'. Councillor Law then drew attention to paragraph 13.5 of the report which stated that 'restrictions to the use of the land or any further development would not meet the six tests of the planning practice guidance. The land could, if permission is granted, be considered as previously developed land in the future therefore reducing the LPA's ability to resist future development'. This made it clear that

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approval of the application could not be subject to such a condition. He asked for the Parish Council's view based on that. Mr Spring was disappointed that this was the case, but understood that it would not fit with planning regulations. However, the Parish would still be in acceptance with the proposal without this condition.

### **Supporters Representation**

Mr Judd in addressing the Committee raised the following points:

- He explained that as Treasurer of the Morrell Room Management Committee he was fully aware of the viability of the Morrell Room.
- Many customers of the Morrell Room travelled by car and on average parking spaces were needed for 20 cars for each event held. There were no spaces available at the Morrell Room and the potential to park on High Street was very limited. For many years this issue had been resolved by the ability for customers to park at The Swan.
- Should this facility be removed then the financial viability of the Morrell Room would be put in serious jeopardy.
- Mr Judd agreed with the need to preserve the character of the area, but he did not feel that this proposal would be detrimental as the site would not be overlooked from the river.
- Approval of the application would result in the removal of parked cars from High Street and this would be an improvement.
- The Swan also made its car park available for the church. This was particularly important when the church needed to accommodate the many guests attending a wedding or a funeral.
- The application should be supported for the reasons explained.

Mr McGahan in addressing the Committee raised the following points:

- There was strong support for the application from many local residents.
- The expansion of The Swan had been approved and this would bring with it increased commercial activity. The parking need would significantly increase as a result.
- There was therefore the need for additional parking. There was already an acute shortage of parking provision in the area. External to The Swan, there were only ten spaces at most available on High Street. There were no other options.
- This highlighted the question of where the guaranteed additional vehicles would park if this application was refused.
- Traffic had already increased significantly over the bridge and had become a safety concern. This could worsen. The traffic level had grown since the cost of crossing the Whitchurch toll bridge had increased.
- Mr McGahan felt that the recommendation for refusal disregarded the practical needs of residents and he urged the Committee to consider approving this application as it would do much to solve the car parking issue.

### **Member Questions to the Supporters**

Councillor Andy Williamson queried the economic impact on the village if the application was refused. Mr Judd felt that this could have a serious impact on the Morrell Room. It was a charity and the hall was well used by local people of all ages. To date customers

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had been able to park at The Swan and walk safely to the venue. If the ability to do so was lost then customers could look elsewhere, revenue would reduce and ultimately the Morrell Room could be forced to close.

Councillor Alan Law explained that Mr McGahan had written to himself, the Parish Council and Highways Officers seeking a long term solution to parking in Streatley. Councillor Law asked Mr McGahan if he agreed that the first step to finding this needed solution was to have a full understanding of the issue. If that was accepted then Councillor Law queried if this would need to be understood by first conducting a highways assessment/survey. Mr McGahan felt that a proper survey was needed to achieve a proper solution. He was surprised that nothing, to date, had been done to progress this.

Councillor Graham Pask queried if the existing use of The Swan car park was subject to any form of agreement. Mr Judd explained that this existed as a 'gentleman's agreement' which dated back for many years. The Swan permitted use of its car park by church goers and users of the Morrell Room unless a significant event was being held at The Swan. In such cases, The Swan would advise of this.

Mr McGahan added that a large number of people visited George Michael's former home in Goring and in general, they attempted to park on High Street. Many Thames Path events also brought people and their cars to the area. The car parking situation and the associated congestion was worsening.

### **Applicant/Agent Representation**

Mr Burson (agent) in addressing the Committee raised the following points:

- The Streatley Parish Plan and the Goring Neighbourhood Plan highlighted a shortage of car parking as an issue.
- This shortage resulted in parking on High Street which was harmful to the conservation area. In addition, highway safety needed to be improved.
- The visual impact of the proposed car park would be minimal as this would be mitigated by landscaping.

Mr Gripton (applicant) in addressing the Committee raised the following points:

- The full reopening of The Swan would take place shortly. There was certainty that there would not be sufficient parking provision once the development had concluded as parking capacity was already an issue. It was noted at the site visit that the car park was full.
- If the application was refused, it would have a negative impact for the community, church goers etc as already described.
- Parking alternatives had been explored and the only feasible location for the overflow car park was as proposed – adjacent to the existing car park as this would be achieved with a minimum visual impact due to the landscaping.
- Local support for the application was significant. This was particularly the case due to residents' concerns regards car parking. The congestion on High Street was also of serious concern.
- There was a willingness in the community to accept this application outside of the settlement boundary due to the circumstances or to extend the settlement boundary.

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- The redevelopment of The Swan had been significant and encompassed a full refurbishment with the aim of bringing it back to its former glory. This would attract many more customers.
- Mr Gripton highlighted the applicant's hugely popular venue in Sonning, but this lacked the necessary car parking. The intention for The Swan was to put in place the necessary parking in advance.
- Approval of this planning application would align with the approved licence for the premises.
- West Berkshire Council's Highways Officer had raised concerns should the additional car parking not be granted.
- The decision to bring forward this application had not been taken lightly. There was absolute certainty of its need. Refusal of the application would impact on community uses as, post completion of the redevelopment of The Swan, the existing car park would be full with its customers. The demand was there.
- Mr Gripton stated the desire to support and accommodate the needs of residents. The needs of the village had to be considered, it would suffer harm if the application was not accepted.

### **Member Questions to the Applicant/Agent**

Councillor Law questioned the assertion that the car park was full on the day of the site visit. He queried whether it was the case that around half of the car park's capacity was used by contractors' vehicles. Mr Gripton advised that this was not the case, construction vehicles were parked in the field, customers had parked in the car park. It was full when only a third of the business was operating.

Councillor Law then queried if there would be an intensification of use of the Coppa Club when there was no indication in this application that the number of restaurant covers would increase beyond the planning permission granted for redevelopment of The Swan in 2016. Mr Burson explained that the permission of 2016 had no restraint on the number of covers. Mr Gripton added that The Swan's licence permitted up to 300 covers in the Coppa Club. This was the consideration for this application.

Councillor Law followed this by asking if 'up to 300 covers' was an intensification of use of the Coppa Club. Mr Burson responded that this was as per the licensing permission. Mr Gripton reiterated the expectation of attracting more visitors to the site, an increase on what was anticipated in 2016.

Councillor Macro queried how frequently it was anticipated that the overflow car parking would be used. Mr Gripton advised that it would certainly be utilised for large weddings either at The Swan or the church. It was expected that its use would exceed the permitted right of 28 days.

Councillor Pask queried, as the business had yet to reopen, how there was such certainty of increased demand and usage of The Swan. He also queried why this perceived need was not addressed within the 2016 planning application.

Mr Gripton explained that the experience gained from the already opened hotel in Sonning strongly supported the need for additional car parking. The level of demand in Sonning had been underestimated and had become a difficulty on the high street in Sonning. The same level of popularity was anticipated in Streatley and this planning application for the overflow car park would resolve the issue before it occurred.

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Mr Burson added that this view was supported by the independent Transport Statement submitted by the consultants Glanville which included an assessment of parking demand. This assessment was based on usage in similar venues elsewhere. The combination of this together with the experience at the Sonning venue and the parking survey conducted in Sonning gave a solid estimate. As stated the intention of this application was to pre-empt the increased demand.

Councillor Andy Williamson sought to understand the current number of parking spaces once building work had finished. Mr Gripton confirmed this to be 100 spaces from the 75 available at present. Two way access would be achieved, and consideration was given to needs of pedestrians and highway safety.

Councillor Williamson then queried the point made by Officers that a formal highways assessment had not been provided. Mr Burson explained that this was considered to be an unreasonable additional request when considering the information already available and the view of Highways Officers. It was felt that the provision of the additional information would not give any greater understanding of the issue.

### **Ward Member Representation**

Councillor Law addressed the Committee as Ward Member and made the following points:

- He called the application in to Committee. The applicant had requested this action if the application was recommended for refusal, but Councillor Law clarified that he would have done so regardless of the Officer recommendation.
- The update report contained useful additional site history. As already described by the Planning Officer all of these previous applications had been refused due to the impact they would have on the NWD AONB and the site's location external to the settlement boundary. In many cases these previous applications had been taken to appeal, where they were refused for the same reasons.
- This demonstrated the extreme sensitivity of the area at a point where two AONBs met – the NWD AONB and the Chilterns AONB. The site was also overlooked by National Trust land.
- The fact that there were no overhead powerlines also indicated the particular sensitivity. Great expense had been gone to for the installation of underground powerlines.
- Councillor Law made clear that he had the wellbeing and greater interest of Streatley at heart. He found much sympathy with the views that had been expressed by the Conservation Officer, the AONB Board and Environment Agency who considered that this application would do more harm than good. This was the shared view of these professionals.
- Should permission be granted, the site would be reclassified as a brownfield site which would make it more acceptable for further alternative development in future.
- West Berkshire Council was expected in the near future to declare a climate emergency. This would involve the encouragement of reduced car use.
- One alternative to the car and more car parking would be the operation of a shuttle bus to and from the train station. This was in operation in Sonning.
- Councillor Law stated his wish to support The Swan which brought economic benefits to the area, however he found it difficult to do so with this application.

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- This application and the recently approved licensing application all pointed to a greater intensification of use and this would generate significant traffic levels at a number of different peak times. This would include peaks in traffic at weekend lunchtimes and late evenings, particularly at weekends. This would be a change to the traffic situation which highlighted the importance of conducting a survey.
- At this point, Councillor Law advised that he was supportive of the Officer recommendation for refusal.

### **Member Questions to Ward Member**

- There were no questions raised by Members.

### **Member Questions to Officers**

Councillor Macro queried if it was the view of Highways that traffic levels would be of concern if the application was not approved. Gareth Dowding, Senior Engineer, explained that the concern for Highways Officers related to traffic congestion in Streatley and the potential for this to increase. However, according to the Transport Statement, traffic would not increase beyond existing levels. There were no concerns for the proposed car park as it was considered in isolation.

Councillor Macro turned to the issue of the site becoming brownfield if this application was approved. He queried if further development of the site could be prevented in a legal agreement, with use restricted to car parking. Sharon Armour, Solicitor, stated that it would not be possible to prevent a new application being submitted. Bob Dray, Development Control Team Leader, added that the Council would be duty bound to consider such an application on its own merits on planning grounds. This potential future consideration would be for a brownfield site.

Councillor Williamson returned to the topic of the formal highways assessment. He queried why this had not been commissioned. Mr Shepherd explained that it had been requested of the applicant to help evidence the adverse highways impact, but this had not been provided.

Councillor Williamson then queried if additional car parking had featured in previously approved planning applications. Mr Shepherd advised that this was not the case. The application dismissed at appeal for a swimming pool did include a car parking area. The Planning Inspector refused this application for reasons including its location outside of the settlement boundary and the harm it would cause to the countryside.

Councillor Williamson next questioned the consideration that should be given to economic factors, i.e. the potential impact on the Morrell Room. Mr Shepherd explained that Members needed to balance community benefits of the application with the level of harm to the AONB and Conservation Area.

Councillor Geoff Mayes queried whether traffic data was available during the period of time when Whitchurch Bridge was closed as this could help understand the impact of increased traffic. Mr Dowding confirmed that data from a traffic count was available, but commented that it would be difficult to link this to considerations for this application. This information could be misleading as Whitchurch Bridge was closed giving an artificial comparison. The only approach to take in terms of collecting data would be an up to date survey.

Councillor Mayes asked if construction parking was allowed on the meadow as part of the 2016 planning application. Mr Shepherd confirmed that this was a permitted development right which allowed for temporary parking of construction vehicles.

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Councillor Macro queried whether any control could be exerted over landscaping works if this application was refused. Mr Shepherd advised that this would be for the applicant to determine as it was their land which was outside of the conservation area. Mr Dray added that the only control would be over trees with a Tree Preservation Order.

Councillor Law asked the Highways Officer if he would accept that additional vehicle movements resulting from The Swan's redevelopment would impact on traffic levels in and around the village. Mr Dowding felt it difficult to be certain on this point. The redevelopment could well attract more visitors and those visitors would seek to park at the venue if parking provision was available. If parking space was limited then visitors could look to car share or could simply go elsewhere. However, as there was such a high reliance on cars, a lack of space could be a concern. In summary, the overflow parking area could create additional movements.

Councillor Law referred to the Transport Statement and queried if this covered traffic implications as well as parking need. He felt that a greater intensification of use had been recognised for The Swan and the main justification for this application came from increased traffic levels. Mr Dowding reiterated that traffic levels could increase but the quantity would depend upon the popularity of The Swan. Councillor Law expected that the redeveloped hotel would prove popular and queried, if this was the case, whether traffic would increase. Mr Dowding accepted that traffic would increase if this became the case.

Councillor Law then commented that he could not recall a case where Planning and Highways Officers were not in agreement. He queried why an up to date traffic survey had not been insisted upon. Mr Dowding confirmed that conversations had been held between both sets of Officers and additional information had been requested from the applicant. Mr Shepherd made reference to the Transport Statement provided by the applicant. However, he felt this contained conflicting views over whether or not traffic levels would increase. It was felt that the car park would respond to the demand of the hotel, but it would not alleviate the overall congestion issues faced by the village.

Councillor Williamson queried what was defined as frequent use of the overflow car park. Mr Dray explained that temporary use of up to 28 days per year was acceptable as a permitted development right. Use in excess of the 28 days would require the permanent solution that was being sought.

Councillor Jo Stewart queried the options available to Members. Councillor Pask summarised some key points. The Planning Committee's decisions were based on the planning policy set by Members on behalf of residents. These policies were ratified by the Planning Inspectorate. Planning policies were therefore, generally, followed. However, Committee Members needed to interpret policies and could legitimately make a decision contrary to policy if there were exceptional reasons for doing so that would not create a dangerous precedent. Decisions made contrary to policy, but without exceptional reasons, would generally be referenced up to the District Planning Committee (DPC) for determination.

The options were therefore to accept Officers' recommendation to refuse planning permission, which could then be appealed. If Members were minded to overturn Officers' recommendation and approve planning permission, in light of the strength of support and sympathy to those arguments, and acceptance that benefits outweighed levels of harm, then it could be recommended for approval with conditions to the DPC.

Sharon Armour added for completeness that the Development Control Manager could refer an application to the DPC if a decision went against policy. Or the Area Planning

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Committee could directly reference an item to the DPC. An application would not automatically go before DPC if a decision went against policy.

Councillor Pask queried if the decision could be taken to refer the application to the DPC in order to allow time to conduct a highways assessment. Sharon Armour advised that the Committee could take that step. If Members were supportive then a recommendation could be made to reference the application to the DPC with a request that the assessment be conducted in advance of that meeting. The application could also be deferred pending receipt of the highways assessment. If the application was referenced up then no decision could be made by the Planning Committee, only a recommendation.

### **Debate**

Councillor Macro stated that this was a very complex application to determine. A strong recommendation for refusal had been given by Officers. However, traffic congestion and parking were both issues for the area.

Councillor Macro's concern, if the application was approved, was the fact that the site would become previously developed (brownfield) land. This would make it difficult to resist other applications that could come forward for the site.

Councillor Peter Argyle commented that The Swan was a successful business and its expansion should not be stifled. Car parking was needed for this success to continue.

Councillor Argyle continued, the impact on views from the AONB would be sufficiently offset by the proposed screening, i.e. from the Thames Path. He acknowledged that it would be overlooked from the bridge. Councillor Argyle felt that it was difficult to identify severe harm on the conservation area as this was on the other side of the road.

Councillor Argyle fully accepted this was a balanced decision. On balance, and taking into account levels of support, he was on the side of the applicant.

Mr Dray commented that the screening referred to had been objected to by the Council's landscape consultant as the screening would result in a loss of the existing view of that area of the AONB. Councillor Argyle accepted the point but argued that this only applied to the length of the car park.

Councillor Law had looked carefully at points made in support and while much support had been given, as outlined in the planning report, his view was that much of the support (around 70%) came from people who did not live in Streatley. The strong support did not reflect the views of many Streatley residents he had discussed this with, other than church goers and users of the Morrell Room whose points were understood. There was not overwhelming support, he considered the views of Streatley residents to be 50:50 for this application.

Councillor Law continued that while traffic issues and parking were related, they were separate issues. Approval of the overflow car park would not help to ease congestion/traffic in Streatley. A traffic survey/assessment was required to fully inform views on the issue and this should be provided before a decision was made on extra car parking capacity.

Councillor Williamson shared the frustration that the traffic survey had not been provided. The concern of the site becoming brownfield was also shared. However, Members also needed to listen to the community and help to resolve issues in order to encourage businesses and economic prosperity.

Councillor Law proposed to accept Officers' recommendation to refuse planning permission. This was seconded by Councillor Keith Woodhams.

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

### **Impact on the North Wessex Downs Area of Outstanding Natural Beauty**

In accordance with Paragraph 172 of the National Planning Policy Framework Great weight should be given to conserving and enhancing the landscape and scenic beauty in Areas of Outstanding Natural Beauty, which are afforded the highest status of protection. This objective is supported by the Core Strategy where Policies ADPP5, CS14 and CS19 similarly seek to ensure that appropriate and sustainable development conserves and enhances the special landscape qualities of the area. The application site is sensitively located and visible from a number of public vantage points to include prominent views from the Thames National Trail and other public rights of way (Streatley Byway 12/1, Footpath 5/1 and 5/3 and Streatley Footpath 25/3), the river Thames itself which is a well navigated river, its lock and wiers and Streatley and Goring Bridge. The water meadow and its riparian character is important to the setting of this part of Streatley. The loss of this field to a car park, thus allowing for up to 87 cars to be parked will have an urbanising and significantly detrimental impact on the setting and rural character of the area. Furthermore the need for external lighting, while kept to a minimum, will have an adverse impact on the dark night skies. While mitigation measures are proposed these itself would result in a reduction of inter-visibility between Thames Path users and the AONB and change the landscape character of this area.

The benefits of the proposal do not outweigh the harm to the landscape character of the area and the detrimental visual impact of the development. The proposal is therefore contrary to the NPPF, specifically para 8, 127, 170 and 172. It is also contrary to local plan policies ADPP5, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026) and policy RL.5A of the West Berkshire Local Plan 1991-2006 (Saved policies 2007). Additionally the development is contrary to the objectives/policies of the AONB NWD Management Plan and the Streatley Village Design Statement (adopted 2006) which specifically recognises the meadows as a key feature appreciated by both local residents and the many visitors who make frequent use of the Thames Path.”

### **Conservation Area and Setting of the Listed Building Refusal Reason**

The Conservation Area’s significance is derived from the interaction or interrelationship between the river, the surrounding open countryside, the linear pattern historic development, and the open spaces and vegetation within the Conservation Area. There are frequent views throughout the Conservation Area into the surrounding countryside. This constant visual link with the countryside makes a significant contribution to, and is an important component of the character and appearance of the Conservation Area. Whilst some of these views are limited to narrow glimpses, they are nevertheless part of the cumulative appreciation of the way in which the village has developed and how it remains linked to its countryside hinterland. Indeed, the village’s character owes much to the mix of buildings and open spaces, and the soft boundary between the village and its rural surroundings. When the area is filled with cars the overriding visual impact would be from cars.

The proposed overspill parking area would still be visible from the vicinity of Goring Lock to the east. Although the planting might eventually screen the views of the proposed car park, the planting will also block views of the meadow and its role in the setting for the Conservation Area.

The proposed development would have a harmful urbanising impact on the character of the site, both from the visual impact of the cars, as well as the noise and light associated with the cars. The benefits of the application do not outweigh the harmful impact the

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proposed development would have. The proposal therefore conflicts with the statutory requirements of the Planning (Listed Buildings and conservation Areas) Act 1990, the NPPF, para 189, 190, 194 - 196 and Policy CS19 of the West Berkshire Core Strategy (2006-2026), which seeks to protect the setting of heritage assets.

### **Lack of Information on Traffic and Highway Implications**

The Council has requested that the applicants produce a formal assessment of the expected impact on the local road network in respect to safety, flows and convenience from successful and unsuccessful attempts to park at the site. The increased intensification of use beyond that revealed in the extension applications 16/02364/FUL and 17/01562/FUL, and the increase in vehicle trips to the site and the extra car parking, should be assessed. The applicants have however responded to the Council's requests by saying "the surveys requested are unlikely to notably further understanding", and have declined the opportunity to provide that additional and up to date information for due consideration.

There is therefore insufficient information to fully assess the implications of the application on the local highway network despite requests made for documents. As such there is insufficient information to satisfactorily determine the application against CS13 of the West Berkshire Local Plan 2006-2026 and the National Planning Policy Framework (2019).

### **11. Site Visits**

It was agreed that site visits during British Summer Time would take place in the evening. They would revert to mornings for the remainder of the year.

A date of 10 July 2019 in the evening was agreed for site visits if necessary. This was in advance of the next Eastern Area Planning Committee scheduled for 17 July 2019.

*(The meeting commenced at 6.30pm and closed at 9.02pm)*

**CHAIRMAN** .....

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