

# 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, 19 FEBRUARY 2020

**Councillors Present:** Graham Bridgman (Substitute) (In place of Alan Law), Jeremy Cottam, Royce Longton (Vice-Chair, in the Chair), Ross Mackinnon, Alan Macro, Geoff Mayes, Graham Pask, Joanne Stewart and Andrew Williamson

**Also Present:** Alice Attwood (Senior Planning Officer), Stephen Chard (Principal Policy Officer), Bob Dray (Development Control Team Leader) and Kim Eccles (Solicitor)

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

*(Councillor Royce Longton in the Chair)*

#### PART I

#### 37. Minutes

The Minutes of the meeting held on 8 January 2020 were approved as a true and correct record and signed by the Vice-Chairman.

#### 38. Declarations of Interest

Councillor Geoff Mayes declared an interest in Agenda Item 4(2), but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

#### 39. Schedule of Planning Applications

##### (1) Application No. & Parish: 19/02700/HOUSE - Clifton House, Upper Basildon

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 19/02700/HOUSE. This was a retrospective application for four dormers with amendments.

In accordance with the Council's Constitution, Mr Geoff Couchman, Parish Council representative, and Mr Eamon Bradley, objector, addressed the Committee on this application. Councillor Graham Bridgman read out a statement on behalf of the Ward Member, Councillor Alan Law.

##### Parish Council Representation

Mr Couchman in addressing the Committee raised the following points:

- The Parish Council objected to the proposal. The amendments proposed did not correct the issues from previous unacceptable applications.
- It caused a loss of privacy to neighbouring properties. The privacy afforded by tree coverage only applied in the summer months.

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- Similar applications had been refused twice before and this application should also be refused.
- Mr Couchman referred to the statement in paragraph 6.16 of the Planning Officer's report 'the amended scheme is considered, on balance, to respect the character and appearance of the area and to conserve the character of the AONB (Area of Outstanding Natural Beauty).' The Parish Council disagreed with this statement. It was felt that the scheme upset the balance and symmetry of development in the area.
- The Parish Council believed that approval of the application would set a precedent for the future with the concern that other similar applications would come forward.

### **Member questions of the Parish Council**

Councillor Bridgman queried how the dormers for Clifton House compared to other dormers in Upper Basildon. Mr Couchman explained that the vast majority of properties with dormers were bungalows and the dormers in those cases had been added to provide an extra room.

Dormers for a large property such as Clifton House were not suitable. This would be an exception from existing properties in the area.

Councillor Jo Stewart asked if the photographs provided in the Planning Officer's presentation were taken during the summer. Bob Dray (Development Control Team Leader) confirmed they were, when the trees were in leaf. Members in attendance at the site visit would have observed the situation during winter.

### **Objector Representation**

Mr Bradley in addressing the Committee raised the following points:

- He moved to the area in 2018. In February 2019, he noted scaffolding on Clifton House and discussed plans with the applicant. The applicant informed him of plans for the four dormer windows. Mr Bradley asked the applicant if he had sought planning consent and was told that as a property developer he was aware of what he was doing.
- The dormers impacted on Mr Bradley's dwelling and he contacted the Council's Planning Service to advise of his concerns.
- Mr Bradley did not feel that the inclusion of the dormers aligned with the planning consent and original conditions four and eight as these stated that there should be no development above the roofline. These conditions had therefore been breached.
- Dormer windows constituted material alterations and therefore planning permission was required.
- The dormers were not in keeping with the area and they impacted on his privacy.
- He also commented that the proposal was not of a high quality design.

### **Member questions of the Objector**

In response to a query from Councillor Graham Pask, Mr Bradley confirmed that the dormers gave him no privacy. Both his front and back gardens were overlooked.

Councillor Geoff Mayes queried if there were already sky lights in Clifton House. Mr Bradley advised that this was the case. There were sky lights in the flat roof.

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### **Ward Member Representation**

Councillor Bridgman read out the following statement on behalf of the Ward Member, Councillor Alan Law:

- The two large houses on the green in Upper Basildon had a chequered history. Since they were approved and built back in 2005/2006 (with no objection at the time from the then Parish Council or the local Councillor or indeed from most residents) they had created much opposition from the local community. As could be clearly seen from the site visit they were large scale and they dominated the street scene at the green. Many residents had asked how such properties ever obtained planning permission as they contended they were completely out of character with the rest of the housing stock in the area.
- This was the ongoing background when the applicant proceeded two to three years ago to add four large dormer windows without any planning permission claiming they were permitted development. They caused much opposition and demands for enforcement to remove what many objectors claimed were four eyesores. There had been a number of ongoing attempts by Planning Enforcement to normalise the situation with the applicant and this planning application was the latest agreed process to do so.
- As could be seen from the plans, all four dormers would be substantially reduced and more appropriate materials would be used. Despite these proposals there remained a considerable level of opposition from residents who wanted nothing short of complete removal. In Councillor Law's opinion, the existing dormers were a clear breach of planning and were not at all in keeping with the character of the area or indeed the house itself. However, Councillor Law was also of the opinion that the proposals would go a long way to normalise the situation in planning terms and the Enforcement Team and Planning Officers should be commended for their continued efforts.

### **Member questions to officers**

Mr Dray clarified that conditions four and eight, referred to by Mr Bradley, were part of the original planning consent. Condition four removed permitted development rights for additions or extensions to the dwelling, ancillary buildings or structures, and material alterations made to the appearance. The dormers therefore required planning permission.

Condition eight stated that no additional openings should be inserted in the south western elevation of plot 1 or the north eastern elevation of plot 2 without the permission in writing of the Local Planning Authority.

Councillor Bridgman explained that while he did not attend the formal site visit, he had visited the site independently. Councillor Pask explained that he had done likewise. Councillor Bridgman then pointed out a typographical error in the planning history of the report (section 2.1). The application reference for the permission approved in April 2005 needed to be corrected.

It was noted that the dormers had replaced roof lights. Councillor Bridgman queried if velux roof lights required planning permission. Mr Dray explained that as per condition eight, skylights in the south westerly or north easterly elevations would require planning permission. Skylights/velux windows had been removed from these elevations to prevent overlooking.

Mr Dray further confirmed that the installation of skylights would have required a planning application as permitted development rights had been restricted.

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Councillor Andy Williamson queried if it was the intention to change the bright white colour of the dormers. The current colour exacerbated the visual impact of the dormers and it was the intention to change this to lead cheeks.

In response to a further question from Councillor Williamson, Mr Dray confirmed that the obscured glazing would have a privacy rating of 5.

### Debate

Councillor Alan Macro commented on the level of overlooking to the adjacent Morna property. It was not possible from Clifton House to look into the ground floor windows of Morna. The restricted window opening would limit the overlooking of Morna. Councillor Macro felt that overlooking in terms of Morna was acceptable.

Councillor Pask highlighted the fact that two applications had been refused for the dormers. The decision to be made by Committee was whether the reductions proposed for each dormer was sufficient to overcome concerns in terms of their visual appearance on this large property. Was it right for this location?

In response to a query from Councillor Jeremy Cottam, Mr Dray explained the relevance of the AONB designation, and confirmed that the North Wessex Downs AONB Management Plan provide guidance on its special qualities. The character of built form within villages of the AONB contributed to the wider character of the area.

Councillor Ross Mackinnon agreed that overlooking of Morna was not of particular concern, however he felt that overlooking of other properties and the village green was substantial. He also noted that permitted development rights had been removed, this was for a reason and he was concerned that this proposal amounted to 'planning by stealth'.

Councillor Mayes stated that he was not aware of other dormers in the area, with the potential exception of one on Morna. He felt the proposal for four dormers was out of character with the area and he proposal refusal of the application contrary to the officer recommendation.

Councillor Bridgman commented on the point made in the report that the roof lights that were in place on the second floor, although not shown on the plans for the previously approved applications, did not materially affect the appearance of the dwelling and planning permission would not have been required for them. However, this application for dormer windows in a third storey was not acceptable. He seconded the proposal to refuse planning permission.

Discussion then followed on the reasons to refuse the planning application. Councillor Mayes clarified that the dormers were detrimental to the street scene and remained too large; the cill levels of the north western and north eastern dormers were too close to the ridge tiles of the gables below; and overlooking was unacceptable from all but the front dormer. Councillor Bridgman agreed with these reasons as seconder to the proposal.

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

1. Clifton House is located in a prominent location within Upper Basildon, a small rural settlement within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). This statutory designation and the prominence of the site increases the sensitivity of the area to inappropriate development which does not conserve the prevailing rural character.

The proposed dormers are large and imposing, and therefore detract from the character and appearance of the street scene. Moreover, by reason of their size, siting, and bulk, they represent overly dominant and disproportionate additions to

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the roof, which fail to respect or harmonise with the appearance of the existing property. The eave levels of the north-western and north-eastern dormers are sited too close to the ridge tiles of the gables below, and therefore give a cramped appearance. The dormers therefore detract from the character and appearance of the property.

Consequently the proposal fails to represent high quality design that responds to local character and as such fails to conserve or enhance the existing character of the area, and in turn the special qualities of the AONB, contrary to the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C3 of the Housing Site Allocations DPD 2006-2026, House Extensions SPG (2004), Quality Design SPD (Part 2, 2006), and the Basildon Village Design Statement (2001).

2. Owing to their elevated position, size, prominence, the proposed dormers would have unacceptable relationships with surrounding properties. Dormers 2 (north-east), 3 (north-west) and 4 (south-east) would cause both direct actual overlooking due to the angle and elevation of views across surrounding properties. The elevated position, prominence and siting of Dormers 2, 3 and 4 would also result in a harmful perception of overlooking from neighbouring houses and gardens. Overall, these relationships would have an adverse impact on the living conditions of surrounding dwellings.

Consequently the proposal fails to represent high quality design in terms of ensuring a high standard of amenity for existing occupants, and fails to make a positive contribution to quality of life in West Berkshire. As such, the application is contrary to the National Planning Policy Framework (particularly paragraph 127f), Policy CS14 of the West Berkshire Core Strategy 2006-2026, House Extensions SPG (2004), Quality Design SPD (Part 2, 2006), and the Basildon Village Design Statement (2001).

### **(2) Application No. & Parish: 19/02517/HOUSE - River Barn, Marlston, Hermitage, Thatcham**

*(Councillor Geoff Mayes declared a personal interest in Agenda Item 4(2) by virtue of the fact that he was a member of CPRE (Campaign to Protect Rural England). As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)*

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 19/02517/HOUSE in respect of a part retrospective application for the distributory channel with foot bridge and in respect of an application for a two storey extension replacing single storey extension; restoration of Mill Barn and the Oak Framestore; and for partial demolition of outbuilding.

Alice Attwood, Senior Planning Officer, introduced the report and highlighted the following points:

- River Barn was located outside of, and remote from, any defined settlement boundary and was located within the open countryside. The site was also within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).
- The officer recommendation was firmly for refusal of the proposal. Its scale would be out of keeping with the existing dwelling and would not be subservient. It would in fact give the appearance of a second dwelling. It would therefore be visually

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dominant within the AONB and therefore conflicted with Council planning policy. Views of the property from local footpaths was also a point of concern. A reduction in the scale of the proposal had been sought with the applicant but no amendments had been forthcoming.

- The partial demolition of the outbuilding would be a positive step, but this would not overcome the concerns raised.
- The proposed restoration of Mill Barn and the Oak framestore were considered acceptable by officers, but this was not linked to the extension to River Barn and the restoration could proceed separately to the extension. Again officers did not feel that this restoration justified the harm that would be caused by the extension.
- The Ecological Officer had objected to plans for the foot bridge as no phase one ecology survey had been presented. It was not possible to assess the ecological impact without the necessary evidence. Any potential ecological benefits could not therefore be considered to offset the harm from the proposed extension.

In accordance with the Council's Constitution, Mr John Brims, Parish Council representative, Mr David Fleming, supporter, Mr Ben Mitchell, applicant, and Councillor Graham Pask, Ward Member, addressed the Committee on this application.

### **Parish Council Representation**

Mr Brims in addressing the Committee raised the following points:

- Bucklebury Parish Council had deliberated this application in detail, most particularly the impact on the AONB and whether the extension would be subservient to the existing dwelling.
- The Parish Council felt the application should be approved as an exception to policy. This was a unique site within the parish. There had been an expectation, after the property was purchased, that it would be demolished. However, there were plans to restore two historic assets and this approach should be supported. The restoration work was a large undertaking for the applicant.
- Once completed, this would be the only working mill in the parish. It was the intention for the mill to generate electricity.
- Historically, the mill was much larger and occupied a similar footprint to that being proposed in the application.
- The site had been long overgrown and was in a poor condition. Approval of the application would result in benefits to the area.
- The existing dwelling was too small for modern day living.
- The level of glazing, which was previously of concern, was to be reduced. The scheme was sympathetically designed.
- The storage building was an eyesore and its removal should be a condition of approval.
- The Parish Council hoped that the application could be approved as an exception to policy. It was felt that the benefits the application would bring outweighed concerns of non-subservience.

### **Member questions of the Parish Council**

Councillor Graham Pask queried if the parish felt the site would be appropriately screened from the AONB etc. Mr Brims reiterated that the site had been overgrown in the

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past. It had been cleared which was a benefit. The existing buildings were in a poor condition and approval of the proposals would benefit the AONB. Views of the property would be enhanced.

Councillor Graham Bridgman followed this by querying the view from the road. This was how he viewed the site when he visited it independently. Was this view of concern? Mr Brims stated that, in the opinion of the Parish Council, this was not the primary view for consideration. The primary view was of the south east elevation. The removal of the asbestos roof shed would be a significant benefit to this view.

Councillor Ross Mackinnon queried whether the restoration works could take place without the incorporation of the large extension. Mr Brims reiterated the expectation that the entire site would have been demolished and a completely new property built. The restoration would be of great local benefit.

In response to a query from Councillor Geoff Mayes, Planning Officers confirmed that the water wheel did not apply to this application as it fell outside of the red line.

### **Supporter Representation**

Mr Fleming in addressing the Committee raised the following points:

- He was a neighbouring farmer and his land adjoined the application site.
- The application had received 15 letters of support and none of objection.
- There were clear views of the site from the footpath which formed part of the Pangbourne Valley Walk. The site was of considerable local interest and there was an overwhelming level of support from local residents who wanted the historic site to be retained and not demolished. If this application was refused then there was the risk of demolition as the existing property was not listed.
- Mr Fleming felt that concerns relating to subservience to be a narrow technical argument.
- Mr Fleming hoped that the Committee could consider this scheme as a whole. It was a good scheme that preserved heritage assets and removed poorer elements. It would become a property that enhanced views from the footpath and the AONB.

### **Applicant Representation**

Mr Mitchell in addressing the Committee raised the following points:

- The application was designed to restore the heritage value of the site. This included the restoration of Mill Barn, the oak framestore, the footbridge and the water wheel. This was a sustainable development.
- Existing eyesores on the site would be removed.
- Approval of the scheme would benefit the AONB.
- The proposed extension of River Barn would make it habitable to a modern standard.
- Mr Mitchell then referred to comments made in the report. The Conservation Officer had objected to the application but they had not attended the site. The CPRE were in support, they felt the proposals would have little impact on the landscape.
- He felt a comment made by the North Wessex Downs AONB needed to be corrected. The existing River Barn dwelling would be retained.

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- The Ecological Officer had objected as no phase one ecology survey had been submitted. However, this had been deemed unnecessary by the Environment Agency.
- Mr Mitchell referred to paragraph 6.39 of the report. This incorrectly stated that application 19/00907/HOUSE had been implemented. This was not the case.
- An intention of Policy C6 of the Housing Site Allocations Development Plan Document (HSA DPD) was to avoid overdevelopment of existing dwellings in the countryside. This proposal did not amount to overdevelopment. Mr Mitchell stated that the footprint of the proposal was a 10% reduction from the original farm buildings that were on the site and an increase of only 3% when compared to the existing site.

### **Member questions of the Applicant**

In response to a query from Councillor Pask, Mr Mitchell confirmed that two vehicular access points were in existence. He added that improvements had been made to these points with a considerable level of vegetation removed from the site access on Brocks Lane. Improvements had also been made to fencing and hedgerows would be strengthened.

Councillor Mackinnon queried the increase in footprint given by Mr Mitchell of 3% when the report stated that the footprint of the existing dwelling was 81m<sup>2</sup>, the proposed extension was 89m<sup>2</sup> which would bring the total new proposed footprint to approximately 170m<sup>2</sup>. Mr Mitchell explained that consideration had to be given to those buildings that would be removed as well as additions. However, Mr Mitchell did acknowledge that the overall footprint would increase to up to 170m<sup>2</sup>.

Councillor Mackinnon referred to the point made in the Planning Officer's presentation that contact had been made with Mr Mitchell to discuss potential amendments to the scheme but he had not come forward with any. Had this been considered? Mr Mitchell advised that this statement was incorrect, reductions had been made to the proposed length, width and height of the house.

Councillor Alan Macro understood that permission was already in place for the restoration of Mill Barn, he therefore queried why it was included in this application. Mr Mitchell explained that the extension, if considered alone, would have been refused. An earlier application had been withdrawn. This application included Mill Barn and other restoration work to benefit the overall planning balance.

Councillor Bridgman referred to the comments made by the North Wessex Downs AONB and their concerns that the proposed extension would more than triple the size of the original. He understood their concerns. They also pointed out that the extension would run parallel with the road frontage giving a bulky appearance.

Policy C6 of the HSA DPD stated that an extension would need to be subservient and this considered bulk as well as footprint. Paragraph 6.8 of the report highlighted that the original dwelling had a volume of 474m<sup>3</sup> and the proposed extension would increase the volume to 1003m<sup>3</sup> (an increase of 111%). It was therefore difficult to see this proposal as being subservient in accordance with Policy C6. Councillor Bridgman asked Mr Mitchell to comment on that.

Mr Mitchell felt that these figures were questionable as some of the existing volume would be demolished. The demolished outbuildings needed to be taken into consideration. Mr Mitchell felt that Policy C6 highlighted the scale of an extension rather than its size. He considered that concerns relating to subservience had been addressed and opinions differed on whether the extension would be subservient or not. He added



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that building regulation requirements limited the changes that could be made to ridge heights.

Mr Mitchell felt that views of the site from the south would become more balanced with a greater symmetry. He reiterated that existing eyesores would be removed/replaced.

### **Ward Member Representation**

Councillor Pask in addressing the Committee raised the following points:

- Councillor Pask had called the application in to Committee as it was a unique site.
- He highlighted the fact that planning applications were not determined on the level of objection or support they received. Decisions needed to be based on planning policy.
- It was for Committee to determine if the application complied with policy or, if not, whether it could be permitted as an exception to policy.
- The large extension had to be considered alongside the fact that the existing house was very small and obscured. There would be many difficulties to overcome in making the existing house into a home, it was currently uninhabitable. For example, it was not built to modern standards and adjustments had to be made to accord with modern building regulations. This was a factor to take into account when considering subservience.
- The application provided many positive benefits, including sustainability. Councillor Pask felt that the application, when considered as a package, worked. Views from across the Pangbourne Valley would be enhanced by the proposals.
- He commended the officer's report which was detailed and well written.

### **Member questions to officers**

Councillor Mackinnon asked officers to comment on the points that had been disputed by Mr Mitchell.

Mr Dray began by advising that a planning judgement needed to be made by Members on the impact on character and appearance that would be caused by the planning application. He also reminded Committee that each application had to be determined on its own merits.

In terms of the ecology surveys Mr Dray explained that, as with any development, it was necessary for the Local Planning Authority to be satisfied that no protected species were present. When considering the location of this application next to the river and close to woodland, a phase 1 assessment was clearly necessary, together with any further phase 2 detailed surveys identified by the phase 1. Mr Dray remained of the view that this was necessary. The surveys would evidence if protected species were present and what if any necessary measures could be taken to protect habitats and species. Any conclusions by the Environment Agency, referred to by Mr Mitchell, related to environmental permitting and so were of a narrower scope.

The report made reference to access and the fact that the Brocks Lane access had been opened up by the removal of vegetation.

Alice Attwood confirmed that the applicant had been e-mailed with a request that the extension be reduced. This request was refused. She clarified that while amendments had been made to the previously withdrawn application these were minimal and not felt to be material. The request for a reduction in size took account of these minimal changes, but as stated the request was refused and amended plans were not received.

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Councillor Bridgman pointed out that the site was located outside of any defined settlement boundary and none of the buildings were listed. He therefore queried if it was the case that permission would not be required to demolish the buildings. It could then be replaced by a new replacement dwelling and local residents had expressed concern should this happen.

Mr Dray clarified that Policy C6 concerned the extension of existing dwellings in the countryside. However, Policy C7 covered replacement of existing dwellings. Under Policy C6, an extension needed to be subservient to the existing dwelling. Under Policy C7, a replacement dwelling would also need to be proportionate in scale to the dwelling it would replace. Therefore the considerations given to an extension would be similar to those given to a replacement dwelling.

Mr Dray also made the point that Members could only consider the application before them and not a potential alternative scheme.

Councillor Andy Williamson queried what relevance could be given to the footprint of the original buildings. Mr Dray clarified that the consideration for Members was how this application would change what was in existence at the present time and not what was in place historically. The Planning Officer view was that the size of the proposed extension went too far.

### **Debate**

Councillor Pask agreed that there was a judgement to be made. Justification had been put forward that the application should be refused. However, in his opinion, there was much in favour of the proposal and based on these benefits it could proceed.

It was acknowledged that the existing small property needed to be modernised.

Councillor Jeremy Cottam felt that the proposed extension would not be subservient as required by Policy C6 and approval contrary to policy could set a concerning precedent regardless of the benefits it could bring.

Councillor Alan Macro stated that while he understood concerns of a loss of heritage, this would be a very dominating extension and he felt the application should be refused.

Councillor Jo Stewart also referred to Policy C6. This stated that an application should have no adverse impacts. The application was not of concern locally and local residents were supportive. She agreed that a precedent should be avoided but queried if this application could constitute an exception to policy.

Councillor Mackinnon agreed that the existing dwelling was very small but questioned if this justified such a large extension which would dwarf the original. He queried why a lesser extension could not have been proposed.

Councillor Williamson did not feel there would be a detrimental impact from the proposed development and it was supported locally. He felt the applicant was seeking to do the right thing for the site.

Councillor Bridgman commented that West Berkshire Council was a plan led Local Planning Authority and this was something to be proud of. There would need to be good reasons for departing from policy without creating an issue of precedent and these reasons would need to be carefully articulated. Point ii of Policy C6 stated that an extension would be permitted providing that it had no adverse impact on the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape. Councillor Bridgman felt that Policy C6 could be interpreted as supporting a scheme when considering positive

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benefits the proposal would bring to the setting etc and without undermining the existing character.

Councillor Bridgman accepted that the extension proposed could be smaller but the existing dwelling was very small. The site was adjacent to a minor road and he felt there was little in the way of other properties in the local area that would be impacted on by the development.

Councillor Bridgman would support a proposal to approve contrary to the officer recommendation subject to stringent conditions covering areas including ecology and removal of permitted development rights.

Councillor Mayes agreed that an ecology assessment would need to be a condition of approval if permission was granted.

Mr Dray commented that government planning guidance was clear that ecology surveys could not be a condition of approval as the outcome of such a survey was unclear and could have legal implications. The outcome of the surveys would also be need to inform the drafting of any conditions.

Councillor Macro proposed acceptance of officers' recommendation to refuse planning permission. This was seconded by Councillor Cottam. At the vote the proposal failed.

Councillor Pask understood the concern raised by Mr Dray in relation to the ecology survey being a condition when actions could be required by the applicant as a result. However, he queried if this was a concern in this instance when considering that much work had already been done on the site to date.

Councillor Williamson followed this point by querying if the ecology survey and any subsequent actions could be an informative.

Mr Dray suggested that Members had two options with regard to the ecology survey if they felt the proposal was otherwise acceptable. The application could be deferred to a later committee to allow for the surveys to take place, or the Committee could resolve to approve subject to the receipt of the surveys being delegated to officers within a set timeframe. If the timescale was not met then the application should be refused on ecology grounds.

Mr Dray felt that the Tree Officer's concerns could be covered by conditions.

Councillor Macro queried how the demolition of outbuildings would be conditioned. Mr Dray explained that a condition could be included for demolition to take place before the dwelling could be occupied.

Councillor Williamson proposed to delegate approval of conditional planning permission, contrary to the officer recommendation, subject to the ecology survey being submitted to officers and subject to conditions to be determined by officers. This was seconded by Councillor Bridgman.

**RESOLVED that** the Head of Development and Planning be authorised to grant planning permission provided that the necessary ecology surveys are submitted to and agreed by officers within three months of the resolution (or a longer timescale agreed by the Head of Development and Planning in consultation with the Chairman), and subject to conditions to be determined by officers.

Or, if the necessary ecology surveys are not submitted and agreed as above, delegate to the Head of Development and Planning to refuse planning permission on ecology grounds.

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**40. Appeal Decisions relating to Eastern Area Planning**

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

*(The meeting commenced at 6.30 pm and closed at 8.58 pm)*

**CHAIRMAN** .....

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