

WESTERN AREA PLANNING COMMITTEE
20TH MAY 2020

UPDATE REPORT

Item No: (1) **Application No:** 19/00832/REM **Page No.** 23-43

Site: Land Adjacent To Summerfield, The Ridge, Cold Ash, Thatcham, Berkshire

Planning Officer Presenting: Jay Singh

Member Presenting: N/A

Written submissions

Parish Council: Bernard Clark - Vice Chair, Cold Ash Parish Council

Objector(s): Simon & Becky Vanstone
John Berry
Paul Shave
Bernard Clark

Supporter(s): N/A

Applicant/Agent: Katherine Miles - Agent - PRO Vision Planning and Design

Ward Member(s) speaking: Hilary Cole
Garth Simpson

1. Additional Consultation Responses

None

2. Clarification for the officer report

Amend paragraph 2, sentence 2 of the officer report to include the following additional text (in bold *italic*)

- Ridge End Barn is 1.5 storey (approx. 7m in height ***at its highest point with the single storey section measuring approx 3.9m in height***)

3. Officer Clarification in respect of written representations received from Bernard Clark (in his personal capacity) and Cold Ash Parish Council both received on 17 May 2020.

Bernard Clark Representations

Accuracy of the officer report

It is alleged that the officer report is misleading any decision based on it could be quashed. In this regard, officers consider the report to be balanced and informative of the site's history, comments raised by residents, the Parish, and consultees, and the relevant planning policies against which the decision should be made. The report provides the carefully considered and reasoned judgement of officers on the merits of the scheme and it is clear from the officer report that the recommendation is a **balanced one**. Furthermore, it is well established that the Court will not interfere with matters of planning judgement provided it can be demonstrated that the Officer/Council did not act irrationally or unreasonably.

Massing

It is alleged that that the analysis of officer report is incomplete at para 6.12 as there is no reference to the difference between the proposed floor space between the previously refused scheme and the current proposals. In this regard, officers advise it is recognised that when comparing the proposed floor spaces, there is cumulatively no significant reduction in floor space. However, as set out in the officer report at paragraph 6.10, it is recognised that this revised proposal has reduced the heights of plots 1 from 8.83m to 7.78m, plot 2 from 8.89m to 7.75m, plot 3 from 8.97m to 7.84m, plot 4 from 9.57m to 7.89m and plot 5 from 8.75m to 7.69m. Taking this into account, officers consider that the scale has been addressed with the dwellings reduced in height, the designs amended and the spaces between the buildings increased. This is considered to be a matter of planning judgement.

Context

It is alleged that the officer report, on site context, is misleading and fails to take account of the size/floor space of nearby dwellings. In this regard, officers advise paragraph 6.12 of the officer report clearly acknowledges the proposal would be larger and higher than adjacent dwellings in terms of massing and scale but taking into account the wider variation in built form within Cold Ash with a range of building heights, amongst other considerations, the proposal would harmonise with the surroundings. This is considered to be a matter of planning judgement.

Hedgerow

It is alleged that the officer report does not correctly conclude that the site frontage hedgerow is 'important' for the purposes of the Hedgerow Regulations 1997. In this regard, as noted at paragraph 6.16 of the officer report, officers advise the importance of the hedgerow was considered under housing allocation policy HSA7. Furthermore, it must be recognised that the principle of 3 new access ways with associated visibility splays was established at the outline application stage under application reference 16/02529/OUTD dated 24 October 2017. Furthermore, officers have also carefully considered the impact on the hedgerow and mitigation strategy for new hedgerow planting which would off-set any loss, with the majority of the hedgerow being retained. This is considered to be a matter of planning judgement.

Landscaping and AONB setting

It is alleged that the officer conclusions in respect of landscaping and AONB setting are tainted by the errors described above. In this regard, officers consider they have correctly exercised their planning judgement in considering these matters.

Cold Ash Parish Council Representations

It is alleged that the officer report is misleading at paragraph 6.38 in that hedgerow falls within the ownership of the Highways Authority. In this regard, the Councils Highways Asset Management Team advised that the highways verge falls with their ownership but not the hedgerow. In addition, the applicant has advised at the time of purchase, the Trustees of the Estate declared that the hedge was within their ownership and had been maintained by them. That ownership transferred to the applicant when they purchased the site, which at the time of purchase had the benefit of this planning permission. Officers consider, even if the hedgerow does fall within highways land, the relevant notices were served under Article 13 of the Town and Country Planning DMPO 2015 on West Berkshire Council as Highways Authority in respect of the Outline application stage. As such, the ownership of the hedgerow in these circumstances (whether the applicant or the Highways Authority), does not raise any materially new issues to the determination of this reserved matters application.

4. Recommendation – the recommendation remains as set out in the agenda committee report.