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

WESTERN AREA PLANNING COMMITTEE

EXTRACT OF THE MINUTES OF THE MEETING HELD ON WEDNESDAY, 14 OCTOBER 2020

Councillors Present: Adrian Abbs, Phil Barnett, Dennis Benneyworth, Hilary Cole, Carolyne Culver, Clive Hooker (Chairman), Andy Moore (Substitute) (In place of Tony Vickers) and Howard Woollaston

Also Present: Sharon Armour (Solicitor), Paul Goddard (Team Leader - Highways Development Control), Jenny Legge (Principal Performance, Research and Consultation Officer), Lydia Mather (Senior Planning Officer), Matthew Shepherd (Planning Officer), Anna Smy (Team Manager - Environmental Quality) and Simon Till (Senior Planning Officer)

Apologies for inability to attend the meeting: Councillor Jeff Cant and Councillor Tony Vickers

PART I

25. Minutes

The Minutes of the meeting held on 23 September 2020 were approved as a true and correct record and signed by the Chairman.

Councillor Carolyne Culver asked whether Conditions regarding the underpass had been omitted from the minutes for Items (4)1 and 2. Planning officers were asked to investigate and confirm at the next meeting.

26. Declarations of Interest

Councillor Carolyne Culver declared an interest in Agenda Items (4)2, 3 and 4, but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

Councillor Phil Barnett declared an interest in Agenda Items (4)2 and 3, 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.

Councillors Adrian Abbs and Howard Woollaston Barnett declared an interest in Agenda Items (4)4, but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

The Chairman informed the Committee that, due to the priority of the application and his concerns regarding the time available to discuss all four Items, he had decided to bring forward Item (4)4 to second in the running order. This decision was made under section 7.3.3 of the West Berkshire Council Constitution.

27. Schedule of Planning Applications

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(1) **Application No. and Parish: 20/01083/FUL - Quill Cottage, Craven Road, Inkpen**

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/01083/FUL in respect of Quill Cottage, Craven Road, Inkpen. The application sought permission for a replacement dwelling and was brought to Committee as a result of call-in by ward members.
2. Simon Till introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was not acceptable in planning terms and officers recommended the Committee to refuse planning permission.

Removal of Speaking Rights

3. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights were removed for virtual Council meetings. This right was replaced with the ability to make written submissions. This decision was made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.
4. The above changes to speaking rights were subsequently amended at the Council meeting on 10 October 2020. It was agreed that parties making written submissions in relation to a planning application would be invited to attend the Remote Meeting of the Planning Committee to answer any questions that Members of the Committee might wish to ask in order to seek clarification on any part of their statement.
5. In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from the applicants. The written submission was read out by the Clerk as follows:

Applicants Representation

Clearly the Planning Officer (PO) has spent a lot of time on this but none of it in consultation with us. Despite the Committee's recommendation there has been a refusal to engage. I've tried to concentrate below on responding to the main points.

Procedural Matters

The PO quotes two Appeal Cases in support of her argument but they are quite different to our application; one sites the proposed dwelling in an entirely different location to the existing and the other application proposes a property with a footprint 260% larger! We propose 10% larger

Appraisal – Principle of Development

Effectively what we're doing is adding a floor to a bungalow. The only difference is we're starting from scratch rather than using the old inefficient building.

Measurements and drawings have been supplied and for the most part adopted by the PO. Previously the figures were misleading to committee, giving the impression we wanted to build something far larger and grander than we do. This is not a 'substantial house'. I'd like to draw your attention to two drawings:

- Amended 062 A – Pro Street Scene
- Amended 060 B – Pro Elevations

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Both drawings clearly show a comparison between existing and proposed dwelling as seen from the front. We propose an extra 10% on the footprint and less than 50% increase in height.

C7 has a presumption in favour of replacement dwelling but I agree it must be proportionate. We've gone to great lengths to make sure it is. No one can afford to build 'like for like' and as long as C7 is used to stop a modest increase in size then the Policy effectively stops replacement dwellings. All we're doing is adding a floor to a bungalow.

Appraisal - Character and Appearance

There seems to be much written by the PO regarding what might be seen of the house and from where. This is irrelevant because it's wholly dependent on what we do with the boundary hedges. Rather, the whole existing dwelling must be compared with the whole proposed dwelling. Whether this acts in our favour or not is a matter of opinion.

I take offence to the suggestion we would not build something of a high quality design. We have designed the house using the Village Design Statement on a road where no two houses are similar. I'm not sure how we find agreeable design features other than referring to the Village Design Statement, a document we have followed closely. When it comes to 'green credentials' we submitted a detailed Sustainability Statement with the application and this illustrates our wish to exceed current guidelines in making it environmentally friendly. The current dwelling is grossly inefficient.

The PO gives great weight to conserving and enhancing the landscape, I couldn't agree more. The proposal will be a vast improvement on what is currently there and we have local support.

Member Questions Relating to the Applicant's Written Submission

6. Members did not have any questions relating to the written submission.

Ward Member Representation

7. Councillor Claire Rowles in representing the Committee as Ward Member made the following points:

- The applicant's measurements now matched those of the officer.
- Policy C7 did not specifically refer to percentage increases, but they were a helpful guide when considering proportionality and impact.
- The development represented a 10% increase in footprint, and 49% increase in height.
- Although the Parish Council had objected, there were six supporters, including immediate neighbours, who considered it to be in keeping with the character of the area.
- Appeal decisions cited in the officer's report were irrelevant. One referred to proximity to an existing agricultural barn, and the other to demolishing and replacing three units with one dwelling.
- The officer had indicated that dormer windows were not part of the street scene, but Councillor Woollaston had previously noted six within half a mile of the site. The officer had indicated a large level of glazing on the front and rear elevations, but had subsequently confirmed the glazing at the front to be less prevalent than at the rear.
- The applicant had followed their interpretation of the Inkpen Village Design Statement relating to appropriate materials. The officer considered the chosen

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materials alien to the street scene, yet there were five brick and flint properties within one mile of Quill Cottage. The applicant was happy to be flexible on materials and could have discussed this, if officers had engaged with them.

- The officer had included a statement that the property could be altered at a later stage to include a third floor with a maximum height of 1.6m without planning permission, but this was irrelevant and impractical.
 - The proposed development would not be overly visible from the public right of way and Councillor Tony Vickers had agreed this at the last committee meeting.
8. Councillor James Cole in representing the Committee as Ward Member made the following points:
- At the 22 July 2020 meeting of this committee, it was asked whether the parties had been able to discuss areas of conflict, or if they were in dispute. He had noted at that meeting how little discussion there had been between the applicant and the planning officer.
 - Members had only been able to discuss the application with the officer two days before it was due to be heard at Committee in September. They had been told that conversation was unnecessary and figures had been agreed. However, changes were required, but despite this, there had been no verbal engagement with the applicant in 10 months. He noted the planning officer was not present at this meeting.
 - At the July 2020 meeting, speaking as ward member, he had suggested that determination be deferred. As a Committee Member, he had subsequently been accused of pre-determination, but had been unable to determine the application because the figures did not stack up.
 - This was not an example of professional developers buying, doing up and selling on, or buying with intent to immediately enlarge. The applicant had been in the property for three years, and wanted to replace the existing inefficient bungalow, that had little architectural merit.
 - He considered the increase in volume to be proportionate, but the officer did not. He cited a recent application (Fishery Cottage 20/003204) where the following statement had been made: "...any replacement for a replacement dwelling that more than doubled the original dwelling, would normally be regarded as disproportionate, as it would be more dominant than the original". This suggested that 100% increase was acceptable. He considered it likely that the applicant would win if they went to appeal, since the proposal was compliant with local policy as interpreted by officers.

Member Questions of the Ward Members

9. Councillor Adrian Abbs asked the ward members if the officer's or applicant's calculations had been revised in order to reach agreement.
10. Councillor Rowles referred to page 67 of the report which showed the applicant's figures to be largely in line with the officer's, with the exception of the length and volume.
11. Councillor James Cole noted that the figures were quite different to those produced by the planning officers previously. Councillor Abbs repeated his question. Councillor Rowles confirmed that officer had revised her figures, to be more in line with the applicant's measurements.

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12. Councillor Dennis Benneyworth confirmed that he had visited Quill Cottage and asked the ward members to elaborate about the proposed materials.
13. Councillor Rowles indicated that she had been informed by the applicant that there were five properties within one mile of Quill Cottage that were brick and flint, including: Graftons; The Old School House; West Court; Withers Farmhouse; and The Old Rickyard. She also noted that there were four other nearby properties built from new brick: Lower Greenhouse; Meadow Bank; Bitham Farmhouse; and Marchwood. However, she confirmed that she had not visited these properties personally.
14. Councillor Howard Woollaston noted that there was a discrepancy between the height quoted, with officers stating (2.5m), but the plan showing (1.8m). Councillor Rowles suggested that this should be a question for officers.

Questions to Officers

15. Councillor Abbs asked if the planning officer's figures had been revised to bring them in line with the applicant's.
16. Simon Till explained that the original elevations provided to officers had not been to scale. The measurements provided by the case officer in the previous report were based on what was visible, which led to some confusion. He noted that the basis of the officer's report, and the basis of the applicant's plans were different.
17. Councillor Andy Moore asked about the view from the footpath to the rear of the property. He noted that it was difficult to see the existing property, and asked how much more dominant the proposed property would be from that perspective.
18. Simon Till confirmed that there was considerable vegetation to the rear boundary, which in combination with the slope would substantially screen the property. He noted that the case officer had not raised concern about the view from the rear, but any loss of vegetation would result in more visual prominence, particularly from the side and front.
19. Councillor Moore asked whether maintenance of the screening could be conditioned. Simon Till responded that this was a matter for members to decide, but highlighted that a standard condition only required retention of planting for up to five years, and stated that case law showed long-term retention of landscaping to be unreasonable and difficult to enforce in most circumstances.
20. Councillor Moore asked what materials would be acceptable to officers. Simon Till explained that attempts had been made to engage in discussions with the applicants about alternative materials, however the applicants had declined to alter the choice of materials. While the applicants had indicated that alternative materials could be considered, none had been suggested. He noted that materials were proposed as part of the application and would be approved, if the application was approved, unless a condition was imposed to vary the materials, but he could not say what those materials might be.
21. Councillor Woollaston asked about the discrepancy in the height shown on the plan (1.8m) compared to that mentioned in the report (2.5m). Simon Till indicated that the percentage increase had been agreed with the applicant, He suggested that the 1.8m figure was correct. Councillor Woollaston pointed out that 1.8m did not equate to a 49% increase. Simon Till indicated that he was unable to measure the plans at that moment. Councillor Woollaston stated that 2.5m was very different to 1.8m and that if the plan was correct, then the increase was not 49%.
22. Councillor Benneyworth asked if the choice of materials was a subjective matter.

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23. Simon Till indicated that the object of quality design was to apply objective criteria to things like choice of materials. This included whether the materials were prevalent in the local vernacular and a dominant characteristic of the street scene. He suggested that the proposed materials were a rarity, rather than a well-distributed feature. He stated the officer's view was that the design, and large expanses of flint proposed, would be alien to the area.
24. Councillor Benneyworth highlighted the examples of flint in the area, which meant that the materials would not be unique. He also suggested that it would be in the applicant's interest to maintain screening on the property boundary.
25. Simon Till suggested that the applicant may not be the long-term owner of the property. He highlighted that there were other instances where large-scale felling of trees on property boundaries which had resulted in developments becoming visually intrusive. He suggested that while screening can help to soften visual impact, it should not be considered as something that would be maintained in perpetuity.

Debate

26. Councillor Clive Hooker noted that there may be errors on the drawings, but reminded Members that decisions were made on policies, including Policy C7. He highlighted the need to consider the proportionality, scale, bulk, mass and height of the proposal. He also indicated that Members should consider the design, including whether the proposed materials would be sympathetic in the street scene.
27. Councillor Abbs opened the debate. He indicated that he was minded to approve the application and noted that if the measurements were wrong, then the statement about the proposal being disproportionate was also wrong. However, he noted that just because it would be increased in volume by less than 100%, this did not mean that it should automatically be approved, as Councillor James Cole had indicated. He noted that there were still issues with the figures, despite the fact that determination had been deferred in order to clarify these. He suggested that the Council would lose at appeal if the application was delayed further. He proposed to go against the officer's recommendation and approve the application.
28. Councillor Woollaston indicated that the proposed increase in footprint was just 10% and considered the existing bungalow to be an eyesore. He noted that there was support for the proposal from local residents and only the parish council had objected. He indicated that he would also be voting against the officer recommendation.
29. Councillor Hilary Cole noted that although the local ward members were good advocates for the applicant, the development was contrary to planning policies C7, C19, C3 and CS14. She considered the proposed building to be too bulky with too much fenestration to the rear, which would affect the dark skies in the Inkpen area. She indicated that she rarely agreed with Inkpen Parish Council on planning issues, but considered that they were correct in this case. She suggested that unless the application were finely balanced, it was the role of the Committee to support and uphold the Council's planning policies, and urged Members to bear this in mind when voting.
30. Councillor Benneyworth suggested that this application was in the balance, pivoting around Policy C7 in terms of proportionality. In this instance, he felt that it was subjective and the result would be an improved property. He indicated that he was reluctantly minded to go against the officer's recommendation and approve the application.
31. Councillor Phil Barnett seconded Councillor Abbs' proposal.

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32. Councillor Moore indicated that further dialogue was needed on materials, but indicated that he was also minded to support Councillor Abbs' proposal.
33. The Chairman invited Members of the Committee to vote on the proposal by Councillor Abbs and seconded by Councillor Barnett to go against officer's recommendation to refuse the application. At the vote, the motion was carried.
34. David Pearson indicated that he had discussed the matter at length with the Development Control Manager, who had decided that the matter should be referred up to District Planning Committee if Members were minded to approve it.

RESOLVED that the application be referred to District Planning Committee for determination.