

# 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, 27 JANUARY 2021

**Councillors Present:** Jeremy Cottam, Alan Law (Chairman), Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro (Vice-Chairman), Geoff Mayes, Graham Pask and Jo Stewart

**Also Present:** Sharon Armour (Solicitor), Jessica Bailiss (Policy Officer), Michael Butler (Principal Planning Officer) Stephen Chard (Principal Policy Officer), Gareth Dowding (Principal Engineer), Bob Dray (Team Leader - Development Control) and Jon Thomas (Tree Officer)

#### PART I

#### 33. Minutes

The Minutes of the meeting held on 9<sup>th</sup> December 2021 were approved as a true and correct record and signed by the Chairman.

#### 34. Declarations of Interest

There were no declarations of interest received.

#### 35. Schedule of Planning Applications

##### (1) Application No. & Parish: 20/02500/HOUSE - 19 Paradise Way, Chapel Row, Reading

*(Due to a technical issue Agenda Item 4(2) was considered by the Committee prior to 4(1))*

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/02500 in respect of the demolition of existing one storey side extension and erection of two storey side extension and associated works.

Mr Bob Dray introduced the report and highlighted the key points. There were no objections to the proposal and Officers were recommending that planning permission be approved.

##### Removal of Speaking Rights

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.

The above changes to speaking rights were subsequently amended at the Council meeting on 10 September 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.

There were no written submissions received for the application.

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Councillor Graham Pask as Ward Member addressed the Committee on the application.

### **Ward Member Representation**

Councillor Graham Pask in addressing the Committee raised the following points:

- The proposal was not contentious in anyway. It was before the Committee because the applicant was a member of staff from West Berkshire Council's Planning Service. In Councillor Pask's view it had been very sensitively designed.
- Councillor Pask commended the photo generated view of the application site, which had been extremely helpful and he felt that other applications would benefit from such information.

There were no Member questions for the Ward Member.

### **Member Questions to Officers**

Councillor Royce Longton asked for clarification on what a bird nesting brick was. Mr Dray reported that this was a specially designed brick that had a hollowed out area for birds or bats. This did not form part of a mitigation, but was a proposal to enhance the biodiversity.

There were no further questions for Officers.

### **Debate:**

Councillor Graham Pask felt that the proposal had been very sensitively designed and he had no hesitation in proposing Officer recommendation to approve the application with the conditions outlined within the report. This was seconded by Councillor Tony Linden. At the vote the motion was carried.

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

#### **1. Commencement of development**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

#### **2. Approved drawings**

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Drawing No. 01 A (Proposed Two Storey Side Extension), Drawing No. 02 (Location Plan & Block Plan).

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

#### **3. Materials**

The external materials used in the extension hereby approved shall be as stated in the application form and approved drawings and shall match those used in the exterior of the existing dwelling in colour, size and texture.

Reason: In the interests of visual amenity, in accordance with the requirements of the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy C6 of the West Berkshire Housing Site Allocations DPD (2017).

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### 4. **Parking spaces**

The extension hereby approved shall not be occupied until the three parking spaces shown on the approved drawings have been surfaced in accordance with the approved Drawing No. 02 (Location Plan & Block Plan). The parking spaces shall be retained for the parking of private motor vehicles and kept free of obstructions at all times.

Reason: In order to ensure the site is provided with sufficient space for parking vehicles and to alleviate the need for on street parking in the interests of highway safety in accordance with the requirements of Policy CS13 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy P1 of the West Berkshire Housing Site Allocations DPD (2017).

### 5. **Electric vehicle charging point**

The extension hereby approved shall not be occupied until an electric vehicle charging point has been provided in accordance with the approved Drawing No. 02 (Location Plan & Block Plan). An electric vehicle charging point shall be retained on the site in accordance with the approved drawing thereafter and kept available for charging of electric vehicles.

Reason: To ensure the provision of sufficient infrastructure for charging of electric vehicles in the interests of reducing carbon emissions in accordance with the NPPF and Policy P1 of the West Berkshire Housing Site Allocations DPD (2017).

### 6. **Bat and bird bricks**

The extension hereby approved shall not be occupied until the bat and bird bricks have been provided in accordance with the details shown on Drawing No. 01 A (Proposed Two Storey Side Extension). The bat and bird bricks shall thereafter be retained in accordance with the details shown on the approved drawing.

Reason: In order to secure biodiversity gain in accordance with the requirements of the NPPF and Policy CS17 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **Informatives**

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development which improves the economic, social and environmental conditions of the area.
2. The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
3. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
4. Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence, subject to exceptions, to, amongst other things, kill or disturb animals listed in Schedule 2; this includes a single bat, not just a population of a species. This application involves repair works to a

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roof and this is included within the list of activities that could potentially affect bats set out in Government Guidance (Bats: protection and licences). If, at any time during the repair, any evidence of bats or their roosts is discovered, work should cease immediately and the relevant authorities notified.

### **(2) Application No. & Parish: 20/02410/RESMAJ - Land north of Stretton Close, Bradfield Southend, Reading**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/02410/RESMAJ in respect of approval of reserved matters following Outline Permission 17/03411/OUTMAJ: Outline application for the proposed erection of 11 no. new dwellings; layout, means of access and scale to be considered. Matters seeking consent appearance and landscaping.

Mr Michael Butler introduced the report and highlighted the key points:

- The application was a reserved matters application. The Officer's recommendation was to approve the application. The site was an allocation in the Local Plan. In 2018 the outline application had been considered at Committee and refused, but subsequently allowed at appeal.
- The site was greenfield, it was within the Area of Outstanding Natural Beauty (AONB) and within the identified settlement boundary of Bradfield South End. The proposal consisted of a low density design at around 10 dwellings per hectare.
- It was confirmed, as detailed on page 30 of the agenda, under procedural matters that the proposal would be CIL liable if approved.
- The Parish Council had objected to the application. Other statutory and non statutory consultation responses were detailed under section four of the report. The Highways Authority had advised that conditional permission should be given. No objections had been raised by the Tree or Housing Officer to the application. Over 10 letters of objection had been received from members of the public.
- Elevation drawings showed that the proposal included half pitched roofs, which were in keeping with other dwellings in the close surrounding area and were therefore deemed by Officers to be acceptable.
- The scale and location of the dwellings had already been approved at the outline stage. Access had also been approved at outline stage.
- Regarding other matters raised in public consultations. Michael Butler stressed that it was a reserved matters application and outline planning permission had already been given for the development. The layout of the site had already been approved. Some objectors had raised concerns regarding drainage and flooding on the site and these matters had been addressed at the outline stage. Michael Butler stated that concern had also been raised that no utilities would be allowed to be laid underground leading into the site. This would depend on restricted covenants and was not a planning matter.
- Concern had also been raised regarding there being no plans for electric vehicle charging points on the site and Officers shared this concern. The Appeal Inspector had however not suggested this condition and after taking senior advice on this matter, Officers were not advising that a condition on this be applied.
- Michael Butler drew attention to the update sheet and stated that Application 20/02746/FUL had now been approved by the Council, which granted planning permission for site access. Concerns had been raised regarding plots four and five

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in terms of the relative height and Officers were able to confirm that the ridge height in the outline plans and reserved matters plans were no more than 8.5m from finished floor level.

- On balance Officers recommended approval of the application for reasons set out in the report, subject to an amendment to Condition Two as highlighted in the update report.

### **Removal of Speaking Rights**

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.

The above changes to speaking rights were subsequently amended at the Council meeting on 10 September 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.

In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from Mr Andrew House, Parish Council representative and Mr Jonathan Alderman and Ms Fiona McPherson, objectors.

### **Parish Council Representation**

The written submission of Mr Andrew House was read out by the Clerk to the Committee as follows:

- Bradfield Parish Council were looking forward to the smooth integration of the proposed development into the settlement of Bradfield Southend, but the process has been far from that, hampered by missing and conflicted information, the piecemeal approach being adopted precluding discussion and comment of interrelated elements of the development as 'not relevant' and the perceived manipulation of WBC and officer processes. Bradfield Parish Council object to this application.
- Bradfield Parish Council and West Berkshire Councillors were on the same page with 17/03411/OUTMAJ, but that was approved at Appeal. The properties proposed are a mix of 1.5 and 2.5 storey dwellings and not the 1.5 storey dwellings that were approved. There is significant variation in the design of the properties and design characteristics that don't fit with the local vernacular. With ridge heights of 8.5m on some proposed dwellings, dwarfing the existing adjacent properties, so hardly blending in with the surroundings.
- The open appearance of the development has been compromised by the approval of a 'shared surface' for pedestrian and vehicle traffic. This is at the narrower highway width rather than the wider footway inclusive width. As the entire shared highway is to be block paved, transition onto private drives will be less visible in appearance. It is important that the 'lost' footway doesn't result in boundary encroachment to the kerb. The safety of pedestrians is of great concern to Bradfield Parish Council – this development is within the AONB, a dark skies area.
- There are covenants known by the developer concerning access restrictions of utilities to the site. The provision of utilities is therefore likely to have an impact to both appearance and landscape depending on access agreements. Topography,

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planting and surface treatments may require alteration from that currently proposed.

- The topography of the site is to be extensively altered to accommodate the dwellings, the LPG provision and the SUD's. The subsequent landscaping appears flawed particularly towards the east of the site, should there be issues with the SUD's facilities. The introduction of the LPG supply to the plans (following 'correction' to individual plot irregularities noted by BPC) for heating requirements of the development doesn't enhance the Ecological aspects of the development. Surely air source / ground source heat pumps for heating and solar would be more appropriate.
- Bradfield Parish Council were supportive of the planned Bat and Bird boxes to be integral and attached to the individual dwellings. The Developer Decision to abandon this and place boxes around the site will alter the roosting area locations and clutter retained trees in the process. All rear gardens are to be enclosed by a 1.8m close-boarded fence. It is suggested that there should be hedgehog house provision and tunnels in the fence lines for hedgehogs and other mammals to pass through, in this wildlife rich area of Bradfield Southend. Bradfield Parish Council has great concern that there is no EV charging provision on the site for any dwelling. The development accounts and provides for 31 vehicles. There are 11 new properties and as such 11 EV charging points should be provided.
- Bradfield Parish Council OBJECTS to this application.

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

Councillor Alan Law reminded Members of the Committee that landscape and appearance were the matters for consideration and therefore questions should be restricted to those points only.

Councillor Ross Mackinnon noted the approval at appeal was for 1.5 storeys however, 2.5 storeys had been reported as part of the current proposal and he sought clarification on this. Mr House reported that the initial application (17/03411/OUTMAJ) was for access, layout and scale. The Parish Council had viewed this and were of the understanding that the scale applied to the ten houses suggested by West Berkshire Council. Mr House stated that eleven houses had been applied for. It was indicated in the design and access statement that the height of the properties would be 1.5 storeys. Regarding the current application and scale, the height was now 2.5 storeys and it had been stated that the scale had already been decided. It was felt that a piecemeal approach had been taken to the application. There were also about five other applications running in tandem for the site and all had interrelated connections. There did not seem to be any correlation between the different applications with regards to the information being submitted.

Councillor Law reported that the current application in front of Members required consideration and he was not aware of the other applications referred to. Councillor Law acknowledged the increase in storeys from 1.5 to 2.5 storeys and he would raise this ridge height matter with Officers to clarify.

Councillor Graham Pask asked Mr House to elaborate on the shared surface that was proposed for the access to the site. Councillor Pask believed that this was at the narrowest part of the highway and would effectively mean that there was no footway. Mr House confirmed that this was correct. It was originally a tarmac surface with a footway to the side. It had now been decided as part of one of the subsequent applications running in tandem that a shared surface would be created. The area in question was

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narrow in width and would be block paved throughout. Mr House felt that the landscape and appearance had altered dramatically from what was originally agreed.

Regarding the multiple applications, Councillor Pask asked if this was referring to various amendments. Mr House confirmed that there was an application for the construction of a temporary site access and three applications for detailed reserved conditions, which had requirements that overlapped with the appearance and landscape.

### **Objector Representations:**

The written submission of Mr Jonathan Alderman was read out by the Clerk to the Committee as follows:

- The application before you introduced several amendments to the Design and Access statement document, site plan and street elevations attached to the outline planning permission.
- During the consultation most of these have been reverted at the request of the case officer following objections from Bradfield Parish Council.
- One amendment has not been reverted because the applicant claimed it had been approved in the outline planning permission.
- This amendment proposes that plots 4 and 5 are 2 ½ storeys in height.
- Higher site ground levels, than neighbouring properties, accentuates their height.
- They do not respect the prevailing height of neighbouring properties, which are 1 ½ storeys, as prescribed in WBC's "Quality Design" Supplementary Planning Guidance.
- They are not in keeping with the character of the local area.
- The separation distances between plots 4 and 5 and neighbouring properties are mentioned as "acceptable".
- This is not "acceptable" mitigation for 2 ½ storey houses on plots 4 and 5.
- There is no TPO tree screening and the separation distances are merely in keeping with the character of the area.
- The applicant claims this amendment, i.e., 2 ½ storey houses on plots 4 and 5, is included in the outline planning permission.
- There is no evidence to support their claim.
- There is evidence that the outline planning permission is for 1 ½ storeys in height, as follows:
  - The Design and Access document (16.48-DAS1 revision C) attached to the outline planning permission states on page 16, paragraph 7.23:  
*"The houses will be 1½ storeys in height with first floor accommodation located partly within the roof"*
  - The site plan in the same document at page 14, shows plots 4 and 5 with no roof lights.
  - The Design and Access statement (16.48-DAS2, revision A) submitted with the reserved matters application states at page 15, paragraph 6.20:  
*"The scale of the proposed houses remain largely as approved under Outline planning approval 17/0311/OUTMAJ"*
  - And at paragraph 6.22:

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***“The houses will be 1½ storeys in height with first floor accommodation located partly within the roof”.***

- The site plan, floor plan and elevation drawings for plots 4 and 5 show they are 2 ½ storeys in height with roof lights to a 2nd floor bedroom.
- None of these drawings are attached to the outline planning permission but are attached to the recommendation for approval of this application.
- Why is a matter, relating to scale, being recommended for approval when only appearance and landscaping are being considered?
- I am not asking the committee to revisit matters already approved at the outline planning stage nor am I wishing to challenge the principle of development.
- However, I do strongly urge the committee to ensure that their recommendation duly takes into account the need to respect and comply with outline planning permission and relates only to matters in this application.

The written submission of Ms Fiona McPherson was read out by the Clerk to the Committee as follows:

- Whilst I appreciate this committee is considering the Design and Access statement document, might I draw specific attention to the point 6.13 contained within your committee report, under the heading Other Matters raised in the Public Consultation. You state that ‘the presence or effect of restrictive covenants are not a planning matter but a civil matter for the developer to address’. However, given that there exists a covenant stating that no utilities can be placed under the proposed access road, surely this has significant implication on the current planning discussions and discussion at this meeting, due to the fact that any laying of utilities under the proposed access road to this development, would be unlawful. I hope this will be given the urgent attention it deserves.

### **Member Questions to the Objector:**

Notwithstanding the fact that rooms in the attic were proposed, Councillor Graham Pask asked whether the scale (height) presented to the Committee was what Mr Alderman understood had been agreed on the appeal decision. Mr Alderman stated that he concurred with Mr House regarding the understanding of scale at appeal. In terms of the documents that were submitted with the previous application (17/03411/OUTMAJ), there were four key documents, including the design and access statement which stated that the houses would be 1.5 storeys; a location plan; a site plan, which showed no roof lights on plots four or five; and finally there was a site plan with tree constraints. He was attempting to find out which documents were not made available at the public consultation. He had proved so far that two documents were not made available at this stage for application 17/3411/OUTMAJ. Mr Alderman was not clear on whether some documents had been made available to planning officers but not for the public consultation.

Mr Alderman stated that there was no indication what the ridge height was for each of the dwellings proposed. He had needed to work this out for himself and had informed the Parish Council and Michael Butler of his findings. It seemed that the highest houses were on the highest parts of the site. Mr Alderman stated that he had asked for the relationship between plot four and his own property to be shown and he confirmed that this had been presented to the Committee as part of Mr Butler’s presentation. Regarding the ground level change and difference in ridge height however, Mr Alderman believed this was slightly higher than what had been reported by Mr Butler, which had been

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provided by the applicant. Mr Alderman had calculated the difference in ridge height between his property and plots four and five to be just under 1.5 meters. Councillor Law asked for clarification on whether Mr Alderman was suggesting that the plans before the Committee for plots four and five, showed the ridge heights to be 1.5m higher than the indicative plans for the outline application. Mr Alderman could not confirm this as he did not have the information on the ridge heights from the previous application. Councillor Law asked if it could be assumed that because the dwellings on plot four and five had become 2.5 storey that Mr Alderman thought the ridge heights must be higher. Mr Alderman stated that any house with three floors would be higher than a house that had two floors. Councillor Law commented that this was not necessarily the case if the extra floor was within the attic space. Councillor Law stated that he would raise the point with Officers.

Councillor Law also noted that Mr Alderman had stated that some documents had only been made available to Officers and not as part of the consultation. Councillor Law noted however, that this was in reference to the previous application and sought clarification on this. Mr Alderman stated that he had only viewed the previous application and in response Councillor Law stated that the previous application was not for consideration by the Committee that evening.

### **Ward Member Representation:**

Councillor Ross Mackinnon in addressing the Committee raised the following points:

- Objecting statements had been heard by the Committee to the application. He did not believe there was any objection to the principle of development. There were some worrying inconsistencies between the design and access statement of the outline permission and the current application.
- Councillor Mackinnon looked forward to hearing and contributing to the debate on the application.

There were no Member questions for the Ward Member.

### **Member Questions to Officers:**

Councillor Graham Pask asked for the slide showing the block plan and the settlement boundary to be shown. Councillor Pask stated that Members would recall the application was rejected at Committee initially because two properties were outside of the settlement boundary. Councillor Pask asked Members to note the two houses in the northwest corner of the site on the slide showing the position of the proposed dwellings on the site. Councillor Pask did not feel that this compared to a drawing showing the settlement boundary. He asked for clarification on whether the settlement boundary was devised incorrectly or if the two houses referred to would still be positioned outside of the settlement boundary. Mr Butler confirmed that the appeal decision had approved the layout plans, therefore how the settlement boundary was depicted in the Local Plan would have no bearing because there was an extant planning commitment. If the development was approved, the settlement boundary would need to be changed to reflect the built form of the development.

Councillor Pask noted with interest under paragraph 6.4 of the report that it was not possible to request electric charging points as part of the current application because it did not appear on the initial means of access. Everything else was judged on Planning Policy P1, which in his understanding covered the number of parking spaces in zones across the district. Councillor Pask queried if P1 also covered the requirement of electric charging points in the same way as it requested parking spaces. Councillor Law noted that Mr Butler had stated that charging points were not relevant to appearance or

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landscaping however, he referred to section 1.5 of the report on page 28, which defined the meaning of landscaping. Subsection E detailed other amenity features and Councillor Law felt that a charging point was an amenity feature and therefore queried why it could not be considered under landscaping.

In response to Councillor Law's question, Mr Butler stated that he had discussed the matter with Mr Dray and their professional interpretation of 'amenities' from the development procedure order was that it did not include electric vehicle charging points. The Committee however, could take a different view on this. Mr Butler reminded Members that a reserved matters approval was not the same as planning permission and therefore the conditions should only relate to appearance and landscaping.

Mr Dray reported that the area had been looked at carefully and stated that term "amenity features" in the legislation were not defined in that legislation and therefore it would be appropriate to have regard to the dictionary definition. Amenity features were defined as something that provided convenience, enjoyment or comfort and it was felt that electric charging points did not fall into the scope of this. Sharon Armour confirmed that she had not looked into the detail on the matter and therefore had nothing to dispute regarding what had been stated. Councillor Law stated that Members might wish to take a different view on the matter, but there was a risk it might get taken to appeal by the applicant. He stated that it was an interesting and frustrating point because the Council had recently passed emergency climate change legislation and therefore it felt a sensible consideration for new developments.

Councillor Mackinnon referred to points raised regarding the design and access statement of the original application and that this referred to 1.5 storey heights. It was noted that ridge heights were more applicable however, there did not seem to be information available on this. He asked for confirmation that the permission allowed on appeal specified 1.5 storeys. Mr Butler stated that he had read the outline appeal decision and it did not specify that the development had to be 1.5 storeys. It did however, in condition two, specify the approved plans. Mr Butler and Mr Dray had carefully compared the approved plans with the submitted plans and they were satisfied that the 8.5m ridge height was not exceeded and therefore the scale remained the same.

Councillor Law asked for absolute clarity that the houses included in the outline planning permission that went to appeal, particularly plots four and five, were 8.5m high to the ridge and this matched the submitted plans under consideration by Members. Mr Butler confirmed that this was correct and he was satisfied in advising the Committee that the measurement was still 8.5m to the ridge. Mr Dray clarified to the Committee that within legislation 'scale' was defined as the height, width and length of each building proposed within the development in relation to its surroundings. In terms of scale the application therefore remained the same. Appearance was defined within the Officers report and was what was being considered as part of the current application. The aspect of scale that had already been approved was the height. Elements still for consideration related to the building's form.

Councillor Law commented from his perspective that ridge height was more important than the number of storeys and it had been confirmed by Officers that this had not changed. The only area that had changed was that some skylights had appeared in the design. This formed part of appearance reserved matter and therefore required consideration.

Councillor Mackinnon queried where the issue of 1.5 and 2.5 storeys had originated from. Mr Butler stated that there had been an element of misunderstanding and this had not been helped by the wording of the applicant's architect in the design and access statement. Mr Butler confirmed that 1.5 storeys had been put in the reserved matters

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application and subsequently corrected. This was included under revision C. Councillor Law noted that Mr Alderman had referred to revision A in his submission and Councillor Law asked if the objectors had been made aware of the revision. Mr Butler confirmed that this detail had been on the public website for at least four weeks.

Councillor Mackinnon referred to the shared footpath and he asked for confirmation that there would not be a pavement or a defined footway on the narrow stretch in question. Mr Butler confirmed that there would be a shared surface and the reasons for this was that it would have a slightly less urban appearance and secondly it facilitated SUDS. Mr Butler confirmed that the traffic generated from 11 dwellings would be relatively low and therefore the risk of pedestrian and vehicle conflict was low.

Gareth Dowding added that as reported by Mr Butler, the main reason for a shared surface was because it was less urban and provided a more rural feel to an area. This meant that there would not be a separate footway for pedestrians however, there would be low traffic levels with only 11 dwellings. A shared pathway could be used for a development of up to 25 houses and still be within the criteria. The carriageway would be the same width however, there would be a verge covered surface margin and not a paved separate footway.

Councillor Tony Linden raised a query in relation to landscape and amenity and asked if the garden sizes proposed, particularly for plot 10, met the minimum garden size permitted. Mr Butler confirmed that plot 10 was one of the smaller gardens on the site however, all met the minimum garden requirements.

Councillor Law referred to comments raised by Mr Alderman regarding the other applications submitted in tandem and also possible papers that Officers had viewed but had not formed part of the original consultation. This was causing misunderstanding and confusion. Mr Butler commented that the Council did not have control over what applications were submitted. The applicant had chosen to submit three discharge of condition applications at the same time as the current reserved matters application. The Local Authority was duty bound to determine the other applications and Mr Butler believed they had all been approved. Mr Butler confirmed that there was detail of these other applications in the planning report.

Councillor Law asked if the applications were relevant to the application being considered by the Committee. Mr Butler confirmed that there was some cross over between the outline permission for SuDS and appearance. Mr Butler commented that the Local Authority did not formally consult the public on discharge of condition applications although they were available publically.

Regarding Councillor Law's question regarding documents, Mr Butler assumed this was in relation to the outline application. He confirmed that he had not been the Officer that had led on this application and therefore he was unable to comment. Mr Dray added that the plans were listed on the outline consent and this included elevations. Mr Dray did not believe that the matter was something that should affect the determination of the current application.

### **Debate:**

Councillor Graham Pask was the previous Ward Member for Bradfield and had also been Ward Member when the initial application had been considered. The initial application had been rejected by Members, despite the principle of development being in the Local Plan as it had been felt that the developer was not complying with the Local Authority's desires regarding landscaping in the northwest corner. This had now been covered as part of the current application and Councillor Pask thanked Mr Butler for his explanation on this.

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Councillor Pask stressed that he regretted the apparent planning by confusion and this was aimed at the applicant and not Planning Officers. Multiple applications or variations had been submitted, some of which had gone out to public consultation. Councillor Pask stated that he was however, satisfied with Mr Butler's explanation on this matter.

Councillor Pask voiced that the Council had declared a climate emergency and therefore it was important to be sensitive to the use of carbon fuels. Councillor Pask felt that an opportunity had been missed by the applicant and he deplored the use of LPG when ground or air source heat could have been used on the site. Councillor Pask expressed his unhappiness with the absence of electric car charging points and felt that this was essential particularly for new properties. Councillor Pask was bewildered as to why this element had not been added to the proposal. He acknowledged it might not be a planning consideration however, Councillor Pask felt very strongly regarding the matter.

Councillor Pask commented that regarding the overall scheme, he had given consideration to the issue of storeys discussed however, felt that it was the height that was important. Councillor Pask therefore did not feel that this was a reason to refuse the application. Councillor Pask accepted Mr Dowding's comments regarding the shared surface and stated that there was a similar type of arrangement on the Morton's Lane development in Bucklebury. Councillor Pask reiterated that he was most concerned about the eco credentials of the development.

Councillor Royce Longton was also concerned regarding the issue of electric charging points and asked if the Local Authority could enact legislation on this going forward requiring developers to implement electric charging points. Councillor Law stated that this was possibly something that could be incorporated into the new Local Plan, which was currently out for consultation. Councillor Law suggested that Members might wish to add a condition to the application if approved requesting electric charging points.

Councillor Mackinnon concurred with most of the points raised by Councillor Pask, particularly the point of 'planning by confusion' which he agreed was not a reflection of the Officers. He was also very disappointed to see that no electric charging points were proposed.

Councillor Mackinnon stated that he disagreed with Councillor Pask regarding the heights of the dwellings. A photograph presented of plot four looking onto Stanford Close, in his view looked like it dominated the property in question, even though the distance between the properties looked to be adequate. Councillor Mackinnon agreed that it was the overall height that was important however, did not agree that the proposed heights fitted in with other properties nearby. Councillor Mackinnon noted that the Committee had raised objections regarding this as part of the initial application however, the application had then been approved by the Inspector at Appeal and in turn this had removed Members' control over the scale and height element of the development. Councillor Mackinnon expressed that he found this unpalatable. Councillor Mackinnon was also concerned regarding the shared surface due to the darkness of the area, being in the AONB.

Councillor Law commented that within the report there was reference to another application for a site next to the site in question. It appeared that the only way to access this other site if approved, would be through the site that was under consideration by the Committee. This could increase the traffic flow to and from the application site. Members had been advised not to give weight to other applications however, Councillor Law felt that this added to the 'planning by confusion' mentioned by Councillor Pask.

Councillor Linden concurred with the other views voiced. His main concern was that the Local Authority had lost at appeal regarding the previous application and he did not feel that this could be risked again based on the absence of electric charging points. There

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was a risk that if a condition was added to the proposal to reflect discussions on electric charging points, then costs could be incurred at appeal.

Councillor Jeremy Cottam referred to the word 'amenity' and argued that in his view this included electric charging points. Councillor Cottam proposed Officer recommendation to approve planning permission with the addition of a condition on the implementation of electric charging points.

Councillor Alan Macro agreed with concerns regarding electric charging points as this formed part of the policies set out in Housing Site Allocation Development Plan Document. In Councillor Macro's view, to approve the application without imposing a condition on the matter would go against policy. Councillor Macro stressed that electric charging points were most important for the rented properties as private home owners could implement electric charging points independently to increase the value of their homes. Councillor Macro seconded Councillor Cottam's proposal.

Mr Dray asked for clarification that a prior approval condition was sought and Councillor Law confirmed that this was correct. Mr Dray clarified that the Members were adding the condition as it was felt that it fell within the scope of the landscaping reserved matter, and specifically the reference to "amenity features".

Councillor Law invited the Committee to vote on the proposal by Councillor Cottam, seconded by Councillor Macro, which included an additional condition for the implementation of 11 electric charging points. At the vote the motion was carried.

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

### Conditions

#### 1. Link between reserved matters and outline

This approval relates solely to the reserved matters referred to in condition numbers 1 and 2 of the outline planning permission granted on 4<sup>th</sup> December 2018 under appeal reference APP/W0340/W/18/3211943 (application reference 17/03411/OUTMAJ). Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions applied to that outline planning permission.

Reason: For the clarity and the avoidance of doubt. The reserved matters cannot be considered separately from the permission to which they relate and the conditions applied on that outline permission are still applicable.

#### 2. Approved plans (amended)

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

- Drawing numbers: 16.48-100C, 140H, 141C, 142A, 143B, 144A, 145A, 146H, 147D, 150B, 151B, 152B, 153B, 154A, 155A, 156A, 157A, 158C, 159A, 160B, 161C, 162A, 163D, 164D, 165A, 166A, 167B, 168A, 169A, 170A, 171C, 172A, 173A, 174B, 175A, 176A, 180B, 181, 182A, 183, 184, 185A, 186, 187, 188, 189, 190 (J Spires Architects).
- Landscape Specification Notes 16.48-LSP1.
- Design & Access Statement 16.48-DAS2 Rev C.

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

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planning.

### 3. **Schedule of materials (prior approval)**

The construction of any dwelling shall not take place above slab level until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

### 4. **Soft landscaping (approved plans)**

All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme (16-48-146H ) within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### 5. **Tree and vegetation retention**

No trees, shrubs or hedges shown as being retained on tree survey 903 by SJ Stephens dated Nov 2017 shall be removed without the written agreement of the Council.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### 6. **Hard landscaping (approved plans)**

No dwelling hereby permitted shall be first occupied until the hard landscaping associated to that dwelling has been completed in accordance with the details of boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) shown on the approved plans/documents. The final dwelling to be

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occupied shall not be first occupied until all hard landscaping within the site has been completed in accordance with the approved plans/documents.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### **7. Architectural detailing**

No dwelling shall be first occupied until the detailing of its elevations has been completed in accordance with the approved plans. This includes (but is not necessarily limited to) the provision of any bargeboards, lintels (materials, keystone details), string/soldier courses, fenestration, quoins, porches, plinths, chimneys (corbelling), eaves detailing, cills, hanging tiles (varying tiles/detailing).

Reason: The articulation of elevations with such detailing makes an important contribution to the design quality of the development. The completion of these features prior to first occupation is therefore necessary to ensure that the buildings respect the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C3 of the Housing Site Allocations DPD 2006-2026, and Supplementary Planning Document Quality Design (June 2006).

### **8. Restriction on car port alterations**

The car ports hereby permitted shall be kept available for parking (of private cars and/or private light goods vehicles) at all times. 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 with or without modification), no physical alterations shall be made to the car ports (including enclosing the sides / installed doors), unless permission has been granted by the Local Planning Authority as a result of an application being submitted for that purpose.

Reason: To ensure that the car port is kept available for vehicle parking, and is not converted into a garage, in the interest of road safety. The residential parking standards of Policy P1 do not count garages towards parking provision. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 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).

### **9. Electric vehicle charging points (prior approval)**

No dwelling hereby permitted shall be first occupied until an electric vehicle charging point has been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall be maintained, and

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kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

### 36. 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 8.15 pm)*

**CHAIRMAN** .....

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