

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 21 MARCH 2018

Councillors Present: Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Tim Metcalfe, Graham Pask (Chairman) and Quentin Webb (Substitute) (In place of Richard Somner)

Also Present: Gareth Dowding (Senior Engineer), Cheyanne Kirby (Planning Officer), David Pearson (Development Control Team Leader), Linda Pye (Principal Policy Officer) and Shiraz Sheikh (Principal Solicitor)

Apologies for inability to attend the meeting: Councillor Lee Dillon, Councillor Alan Macro, Councillor Richard Somner and Councillor Emma Webster

PART I

53. Minutes

The Minutes of the meeting held on 7th February 2018 were approved as a true and correct record and signed by the Chairman subject to the following amendments:

The minutes should state that Councillor Keith Chopping was elected as Chair of the meeting due to the absence of the Chair and Vice-Chair.

Page 13 – Second bullet point under Mr. Rob Collett’s speech – should state ‘offering 36 Affordable Homes’.

Page 13 – Councillor Keith Chopping speaking as Ward Member:

First bullet point should read ‘He found the proposal to be acceptable although he recognised that the previous refusal decision was overturned at appeal.’

Second bullet point should read ‘The dwellings would be set back from the main road and sufficiently masked by landscaping and a strong belt of trees.’

Third bullet point should read ‘The proposed materials were acceptable for the type of development although the overall design was unimaginative.’

Fourth bullet point should read ‘The scheme offered a mix of dwelling [size and style] including 36 Affordable Housing units.’

Seventh bullet point should read ‘There were insufficient visitor parking spaces available within the development area which could result in disruption and he asked Officers to discuss with the applicant to see if this could be improved.’

Page 22 – Councillor Marigold Jaques’ name was spelt incorrectly in two places.

54. Declarations of Interest

There were no declarations of interest received.

55. **Schedule of Planning Applications**

(1) Application No. & Parish: 17/03334/FULD - 4 High Street, Hermitage, Thatcham, Berkshire, RG18 9SR

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/03334/FULD in respect of the demolition of outbuildings and the erection of one x two bedroom, two x three bedroom dwellings and associated works.

The Planning Officer, in introducing the report, stated that the main issues for consideration in the determination of this application were:

- Principle of the development
- Impact on the character and appearance of the area
- The impact on residential amenity
- The impact on trees and ecology
- Parking provision and highway safety
- Flood risk and drainage
- The presumption in favour of sustainable development

The application site was located within the defined settlement boundary of Hermitage and formed the residential curtilage and parking area attached to the former Crown Butchers and associated flat at number 4 and 4a The High Street.

It was felt that the proposed development would not detract from the character and appearance of the area. Objections had been received from neighbours around the impact on residential amenity particularly in relation to neighbouring properties. The Planning Officer stated that the area to the rear of the site was Ancient Woodland and tree protection measures would be put in place in order to avoid damage to roots and therefore it was felt that the proposed works would not result in any detrimental impact on protected species.

In terms of parking provision and highway safety a note had been included on the Update Sheet. Following discussions with the agent, Highways had received a revised plan which demonstrated that 11 parking spaces could be provided on the site, which met the required standard. However, this revised plan had been received outside the five day deadline and could therefore not be considered by the Committee. Consequently amendments had been proposed to the wording of conditions 2 and 12 in order to secure a sufficient level of parking provision.

The site was situated within a critical drainage area and objections had been raised in terms of potential for flooding. However, a condition had been included requiring provision of appropriate drainage measures to address surface water runoff and therefore there was no issue that would merit refusal on this ground.

The Update Sheet also addressed a number of other issues. During the site visit Members had queried the use of land to the north east of the site. The agent had confirmed that this land would be incorporated into the garden space associated with plot 3. Also during the site visit a member of the public and a Parish Council representative had raised concerns regarding the ownership of the land to the north-east of the site to the rear of the recently approved dwelling at Sarnia. Officers had checked the Ownership Certificates submitted with the application, and the Land Registry records and were satisfied that as far as could be demonstrated from the Land Registry record it would appear that the entire application site was within the same ownership with the exception of highway land to the front of the site that formed part of the visibility splay. The records did not demonstrate any other ownership of any part of the application site.

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Members had noted a rear facing window in Fernbank and the Case Officer's report had omitted a detailed assessment of the impact on amenity in terms of this window. The location of the proposed works was not considered to lead to a significant further reduction to levels of daylight reaching this window in consideration of its orientation and relationship to the roof ridge and slope of plot 2, and the degree of overbearing generated by the new side wall of plot 2 would be no worse than that of the existing wall of Fernbank itself. It was therefore not considered that the impact on amenity of the room served by this window would be sufficient to merit a reason for refusal of this application.

Councillor Quentin Webb, as Ward Member, raised the following points:

- The application site was formerly a retail outlet but times had changed and there had also been a number of new developments in the area which had put pressure on local roads.
- There had been 18 letters of objection to the application and none in support of the proposal.
- Councillor Webb agreed with the objections put forward by the Parish Council.
- He welcomed the new parking proposals as parking and access for visitors was very restricted in the proposed plan with no margin for additional parking.
- In terms of the existing dwelling, the two flats did not have sufficient amenity space or parking provision and he hoped that this would be addressed.
- Councillor Webb referred to the sight lines and he felt that the view from the right was poor.
- He felt that the whole development was contrived.

Councillor Alan Law referred to the red site line on the plan and asked if it included highway land and queried whether that was valid. The Planning Officer responded that if works were required on the highway then it would need to be included and it would be necessary to apply to the Council for permission to undertake the works. Notice had been served on the Council in respect of this land and it would therefore appear that the Certificate of Ownership accompanying the application had been completed correctly. Councillor Graham Pask was not aware that any works were required on the highway. The Highway's Officer confirmed that the applicant would need to modify the access in some way. It was queried by Members whether a valid decision could be made on the application and the Legal Officer confirmed that it could. No construction would be taking place on the highway and the sight lines were on land in their control. Councillor Alan Law asked if the validity of the red line could be checked and the issue brought back to the next Committee meeting as he was surprised that this had not been picked up by Planning Registration. The Planning Officer confirmed that if Planning Registration had had an issue in regard to the validity of the application then they would have referred it up to him for a final decision.

Councillor Pamela Bale queried how eight cars would be able to manoeuvre on the site. The Highway's Officer confirmed that a turning area had been provided on the site. The modified plan did show that cars would be parked one behind the other in respect of plots 2 and 3. Parking provision did therefore comply in that 11 spaces had now been provided but it was not a planning concern as to how that would operate once the development was completed.

Councillor Alan Law noted that the Butcher's shop had now been converted into residential but he could see nothing in the site history to demonstrate that there was an application for change of use from retail to residential. The Planning Officer stated that

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there would have been living accommodation over the shop. He confirmed that this would not make the current application invalid but it would be something that would need to be addressed. Councillor Law was concerned that if the Committee approved the application then it would be agreeing to the change of use into two residential units. Councillor Graham Bridgman agreed as if 4a and 4b were excluded then he would have expected them to sit outside of the red line. The Planning Officer advised that if Members wished to defer the application in order to clarify the position around 4a and 4b then it could but he was of the opinion that this application would not be regularising the use of these plots as it had not been included in the description.

Councillor Pamela Bale noted that in paragraph 6.2.2 it referred to Sarnia being to the west but in paragraph 6.2.5 it stated that it was to the east.

Councillor Graham Pask noted that a number of queries had been raised and he asked the Committee whether they wished to proceed or defer the application. Councillor Graham Bridgman stated that he had a number of concerns particularly in relation to the 11 car parking spaces and the consequent impact on the amenity space to plot 2b. However, he could not assess the impact as he had not had sight of the revised plan. The Planning Officer stated that if clarification was required on the issues raised then it might be better to defer the application. On putting this proposal to the vote the Committee agreed that the application should be deferred to the next meeting. Clarity would be provided around the red line, parking and the impact on amenity space and the legality on the use of 4a and 4b as residential.

Councillor Richard Crumly also asked for clarification on the policy of new build properties with no garages. The Highway's Officer confirmed that garages were no longer considered as parking spaces and therefore it was up to the developer as to whether they wished to include them or not.

Councillor Marigold Jaques referred to the design of the two bedroomed house and it was noted that the toilet was off of the kitchen. She felt that this was not a good design and asked if that could be reconsidered. The Planning Officer confirmed that that was an issue for Building Control and not Planning.

RESOLVED that this item would be deferred to the next Eastern Area Planning Committee in order that clarification could be sought on the issues raised by Members.

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

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

The Chairman advised that legal representation would no longer be routinely provided at Planning Committee meetings. It would therefore be necessary for Members to seek clarification on legal issues prior to the meeting. If an issue could not be resolved at the Committee meeting then it might be necessary to defer the item to the following meeting in order that clarification could be sought. Members queried where this had been agreed. Councillor Graham Bridgman confirmed that this was something that had arisen following the Financial Challenge Review and he was certain that it had been agreed at Council in March as part of the Revenue Budget paper. However, he would check where the governance process and would communicate that to Members of the Committee.

(The meeting commenced at 6.30pm and closed at 7.05pm)

CHAIRMAN

Date of Signature