

Note: These Minutes have been amended. Please see Minutes of 27 February 2019 for amendments.

## **EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON WEDNESDAY, 6 FEBRUARY 2019**

**Councillors Present:** Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chair, in the Chair), Tony Linden (Substitute) (In place of Emma Webster), Tim Metcalfe, Richard Somner and Quentin Webb (Substitute) (In place of Graham Pask)

**Also Present:** Gareth Dowding (Senior Engineer), David Pearson (Development Control Team Leader), Jo Reeves (Principal Policy Officer) and Donna Toms (Planning Officer)

**Apologies for inability to attend the meeting:** Councillor Alan Macro, Councillor Graham Pask and Councillor Emma Webster

#### **PART I**

##### **50. Minutes**

Councillor Alan Law opened the meeting by announcing that Jean Gardner, Chairman of Tilehurst Parish Council and a former District Councillor, had suddenly passed away earlier that week. He advised that a minute's silence would be held at the upcoming Full Council meeting and he wished to recognise the big contribution that Jean had made to the community.

The Minutes of the meeting held on 16 January 2019 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

**Item 47 (1), Page 12, fifth bullet point:** to be amended to read "Councillor Law questioned the lack of a detailed discussion on the viability appraisal."

**Item 47 (1), Page 12, third paragraph:** to be amended to read "Councillor Bridgman asked whether or not the repairs and restoration works proposed would meet the listed building requirements. Cheryl Willett answered in the affirmative."

##### **51. Declarations of Interest**

Councillor Richard Crumly declared an interest in Agenda Item (1) and Councillor Tim Metcalfe declared an interest in Agenda Item (2), but reported that, as their interests were 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.

##### **52. Schedule of Planning Applications**

###### **(1) Application No. & Parish: 18/02866/HOUSE - 8 Alexander Road, Thatcham**

*Councillor Richard Crumly declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a Member of Thatcham Town Council and the Planning and Highways Committee. He had been present when the application was discussed, but would consider the application afresh. As his interest was personal and not an other registrable or a disclosable pecuniary interest he determined to take part in the debate and vote on the matter.*

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The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/02866/HOUSE in respect of a retrospective application for the erection of a two storey side extension at 8 Alexander Road, Thatcham.

David Pearson introduced the report and update sheet to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justified. He recommended that the tense of the wording of the proposed condition one be amended to recognise that the application was retrospective. Officers recommended the Committee grant conditional planning permission.

In accordance with the Council's Constitution, Ms Emma Tompkins, applicant, addressed the Committee on this application.

### **Applicant/ agent Representation**

Ms Tompkins in addressing the Committee raised the following points:

- The Town Council had expressed concern regarding the devaluation of property in the area. This was not her intention as it made no economic sense. Property values were not a planning issue.
- There were also concerns expressed regarding a terracing effect. Ms Tompkins reported that there was previously a single storey extension with a flat roof on the site which ended 30cm from the boundary on her property and on her neighbour's property. Planning permission for the two storey extension was sought prior to moving into the property. When she employed an architect to draw plans, he recommended using existing foundations closer to the boundary line.
- A precedent for small gaps between properties had already been set by other houses on the road.

### **Questions from Members**

Councillor Pamela Bale asked whether the Planning Authority had been consulted prior to construction. Ms Tompkins stated that she had been badly advised; she originally thought that the extension had been built as described in the planning permission. It was only when neighbours raised the issue that she realised it had not. The builder had not been aware of the issue as he had only seen the building plans prepared by the architect and not the plans submitted as part of the planning application.

Councillor Graham Bridgman noted that plan 102b showed a small wall between Ms Tompkins' property and her neighbour. He enquired what had happened to that wall. Ms Tompkins could not confirm but believed it was now part of the garage.

Councillor Keith Chopping asked if an objection had been submitted by the neighbour whose property abutted the applicant's. Ms Tompkins confirmed it had not.

Councillor Richard Crumly raised a query regarding the neighbour's extension. Ms Tompkins advised that there had already been a single storey garage on the site and an additional storey had been added.

Councillor Marigold Jacques asked whether the applicant had been aware of the neighbour's extension when they purchased the property. Ms Tompkins advised she had not been aware however when she informed the neighbour of her intention to extend they agreed to build their extensions at the same time.

### **Member questions to Officers**

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Councillor Bridgman enquired whether there was anything the Committee should consider in relation to the retrospective application for the extension next door to the site. Dave Pearson advised that each application was capable of separate determination.

### **Debate**

Councillor Quentin Webb expressed the opinion that the extension did not create a terracing effect as the ridge heights were different and one house was stepped back from the other. He stated that he saw no reason not to allow planning permission and proposed that the Committee accept the officers' recommendation. The proposal was seconded by Councillor Chopping.

Councillor Crumly commented that he had considered the application afresh and accepted Councillor Webb's view on the possible terracing effect to an extent but maintained his objection to the application.

Councillor Chopping confirmed that he had no issues with the application, but expressed the view that it was disappointing to see that 29 identical letters of objection were submitted regarding a relatively minor matter.

Councillor Bridgman stated that he had considered the impact of the extension on the street scene and considered that there was still subservience between properties.

The Chairman invited the Committee to vote on the proposal of Councillor Webb as seconded by Councillor Chopping to approve planning permission. 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. The development hereby permitted shall be completed in accordance with amended plans relating to the rear gable end (to be provided).

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

2. Within two months of the date of this permission, the parking and/or turning space on site shall be provided in accordance with the approved plans and shall thereafter be kept available for parking.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **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. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

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2. This planning permission is granted in accordance with Section 73A of the Town and Country Planning Act 1990.

### **(2) Application No. & Parish: 18/02930/HOUSE - Purley Lodge Cottage, Purley on Thames, Reading**

*(Councillor Tim Metcalfe declared a personal interest in Agenda item 4(2) by virtue of the fact that he owned farmland adjacent to the site but he considered that the application had no bearing on his property. As his interest was personal and not an other registrable or a disclosable pecuniary interest he determined to take part in the debate and vote on the matter).*

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/02930/HOUSE in respect of a proposed part single storey, part two storey rear extension to the existing single family dwelling house at Purley Lodge Cottage, Purley Lane, Purley.

David Pearson introduced the report and update sheet to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was unsatisfactory and a conditional approval was not justifiable. Officers recommended the Committee refuse planning permission.

In accordance with the Council's Constitution, Mr Fred Guttfeld, applicant/ agent, addressed the Committee on this application.

#### **Applicant/ agent Representation**

Mr Guttfeld in addressing the Committee raised the following points:

- The extension had been sensitively designed to convert an unattractive outbuilding.
- The house was not in a conservation area, a listed building or in the Area of Outstanding Natural Beauty.
- No objections had been raised by neighbours or statutory consultees. There had been three letters of support.
- The applicant had grown up in Purley.
- The extension would be subservient to the main house as it had a lower ridge height and was set back; Mr Guttfeld refuted that the proposal was dominant and bulky.
- Extensions had been permitted in the area which has more of an impact.
- Materials would be used which reflected the edge of village location.
- The officers' recommendation contradicted pre-application advice provided by the Planning Authority.

#### **Questions from Members**

Councillor Richard Crumly asked why timber cladding was proposed to create a barn like appearance when in his view brick would be more attractive. Mr Guttfeld advised that different materials would reflect the edge of village location and similar nearby properties.

Councillor Keith Chopping asked if the roof pitch would be the same as the main house. Mr Guttfeld advised that they were similar but heights had been restricted as far as possible and it had been sought to tie in eaves with the existing house.

Councillor Graham Bridgman questioned the statement that the extension would replace an unattractive outbuilding given that it could not be seen from the road at present but the extension would be visible.

#### **Ward Member representation**

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Councillor Tim Metcalfe in addressing the Committee raised the following points:

- His fellow Ward Member, Councillor Rick Jones, had sent apologies because he lived adjacent to the site and therefore had a prejudicial interest.
- No objections had been raised with Councillor Metcalfe directly.
- The applicant had queried why the recommendation differed from the pre application advice and officers had advised that they could not account for other parts of the Council raising objections.
- The proposed extension was at an angle and if it had been square to the road the impact might not have been so detrimental.
- The extension would improve the house, was of a fun design and would enable the kitchen to be relocated.

### **Questions from Members**

Councillor Alan Law sought clarification on who had called the application to the Committee. Councillor Metcalfe confirmed that it was himself due to the unusual circumstances of the application.

### **Member questions to Officers**

Councillor Chopping asked if preservation of views was a planning matter. Dave Pearson advised that the Committee will have been advised in the past that there was no right to a view from a house but impact on amenity and the character of the area was a material consideration.

The Chairman invited Dave Pearson to make a comment regarding the pre-application advice. Dave Pearson explained that officers had given a positive response in their pre-application advice but this did not mean that planning permission was granted. In this case, the case officer had taken a different view. He confirmed that the officers put forward a strong recommendation to refuse planning permission.

### **Debate**

Councillor Webb stated that he had known the former resident of the property and knew the area well. He had some reservations about the application and while he could see the need for the extension, he was not satisfied with the proposal.

Councillor Crumly noted that the house next door had a large extension which might be judged to be incongruous. He understood why the owner sought to extend the property and was not certain that the Committee should block this legitimate aspiration. The situation with the pre-application advice demonstrated that it was a balanced situation. In conclusion he was prepared to support the application.

Councillor Bridgman had likewise considered the extension of the house next door. It might have been possible to extend straight out the back of the house to offer continuity. He supported Councillor Webb's views.

Councillor Marigold Jacques expressed the view that the applicant was a hostage to fortune in that they had complied with advice but resulted in a recommendation to refuse. She advised that so long as the bridleway was not impacted she would support the application.

Councillor Tony Linden stated that a balanced view must be taken and he considered that the harm of the extension on local amenity was marginal.

Councillor Pamela Bale noted that an application to extend the house was refused in 2018. Dave Pearson clarified that the pre-application advice was sought in respect of that application.

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Councillor Chopping stated that he did not like the proposed cladding and he thought the roof pitch was unbalanced but neither point was a reason for refusal. There had been no objections from neighbours and three letters of support which was telling. He did not agree that the proposal was bulky or dominant and proposed that the Committee decline the officers' recommendation and grant planning permission. Councillor Crumly seconded the proposal.

Councillors Chopping and Crumly accepted conditions recommended by Dave Pearson in respect of the commencement of the development, materials, provision of the parking spaces, hours of work and a construction management plan.

The Chairman invited the Committee to vote on the proposal which at the vote was carried with one abstention.

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

### Conditions

1. 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. The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below:

- (i) Drawing No 051 P SL received on 5th November 2018;
- (ii) Drawing No 051 P SP received on 5th November 2018;
- (iii) Drawing No 051 P 02 received on 5th November 2018;
- (iv) Drawing No 051 P EL 1 2 received on 5th November 2018;
- (v) Drawing No 051 P EL 3 4 received on 5th November 2018;
- (vi) Drawing No 051 P EL 5 received on 5th November 2018;
- (vii) Drawing No 051 P 00 Rev A received on 5th November 2018;
- (viii) Drawing NO 051 P 01 received on 5th November 2018;
- (ix) Householder Planning Application Design and Access Statement October 2018 prepared by Guttfeld Architecture received on 5th November 2018;

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

3. No development shall take place above ground level until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the extension) and hard surfaced areas hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and the Supplementary Planning Guidance 04/2 House Extensions (July 2004).

4. The extension hereby approved shall not be occupied until the parking spaces shown on Drawing No 051 P 00 Rev A received on 5th November 2018 have been provided.

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The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic, and to prevent parking on the adjacent bridleway. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy P1 of the Housing Site Allocations DPD (2006-2016).

5. No demolition or construction works shall take place outside the following hours:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:

(a) The parking of vehicles of site operatives and visitors;

(b) Loading and unloading of plant and materials;

(c) Storage of plant and materials used in constructing the development;

(d) A scheme for recycling/disposing of waste resulting from demolition and construction works;

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policies OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Supplementary Planning Document Quality Design (June 2006). The decision to grant Planning Permission has been taken having regard to the policies and proposals in the National Planning Policy Framework, South East Plan 2006-2026, West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, Supplementary Planning Document; and in particular guidance notes and policies:

ADPP1 ADPP4 CS13 CS14 CS16 CS17 CS18 CS19 C1 P1

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

### **INFORMATIVES:**

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1 The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.

2 The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.

3 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. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

4 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.

5 The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

6 The applicant is advised that this planning permission does not in any way allow the Public Right of Way to be obstructed at any time during the course of the development.

### **(3) Application No. & Parish: 18/02628/LBC2 - Bere Court, Pangbourne,**

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 18/02628/LBC2 in respect of an application to facilitate the safe and permanent removal of the extensive asbestos that exists in the ground and first floors and to enable access to the 15th/16th century vaults below the ground floor. It was proposed to replace the existing wood veneer floor in the drawing room with new oak floorboards and to improve the appearance of the interiors of the dining room and study, the relatively new existing pine floorboards would be replaced with new solid oak boards. The address of the application was at Bere Court, Pangbourne.

David Pearson introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justified. Officers recommended the Committee grant conditional planning permission.

In accordance with the Council's Constitution, Mr Peter McHugh de Clare and Mr James Mackintosh, applicant/ agent, addressed the Committee on this application.

#### **Applicant/ agent Representation**

Mr McHugh de Clare and Mr Mackintosh in addressing the Committee raised the following points:

- The house had a tremendous history and it was intended to restore and repair, not remodel or extend.
- There was asbestos in the basement and specialist firms had advised that it was not possible to remove it without removing the floor.



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- The house would not be suitable for occupation without the removal of the asbestos.
- Studies had confirmed that the floor was late 19<sup>th</sup> Century and of poor veneer which had been damaged by sanding and water in the past.

### **Questions from Members**

Councillor Graham Bridgman noted a request in a letter of objection to replace the floor with a similar material, whilst the case officer's report recommended that the floor be replaced with oak floorboards to resemble the original floor. He asked what flooring would have been in the house originally. Mr Mackintosh advised that a wider oak plank floor would have been the original flooring and it was proposed to use a straight grained oak through several floors. This material was consistent with materials used in houses of similar age and status.

Councillor Bridgman enquired upon the width of the proposed floorboards. Mr Mackintosh advised that he had spent a year contacting timber suppliers and it was difficult to find a product that was of an appropriate quality. Around 80% of the oak would be rift cut with 20% quartersawn. The maximum width that could be achieved was 230mm wide, this would be used in the 18<sup>th</sup> Century parts of the house. Narrower boards at between 120mm and 130mm would be used in more modern parts of the house.

### **Ward Member representation**

Councillor Pamela Bale in addressing the Committee raised the following points:

- Bere Court was the only Grade 1 listed building in Pangbourne and local residents had been concerned that there might be an impact on its listed status.
- There had been queries regarding the age of the floor and more information was now available.
- Priority must be given to removing the asbestos rather than retaining the floor.
- The floor was not included in the listing and there was no evidence that the floors should be protected.
- Reassurance had now been offered regarding the building's listed status and she had no objections.

Councillor Tim Metcalfe praised the applicant for his commitment to preserve the house. While the floor was attractive it was not part of the original house. He proposed the Committee accept the officers' recommendation. The proposal was seconded by Councillor Crumly. At the vote the motion was passed unanimously.

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

### **Conditions**

#### **1) Commencement of works**

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **2) Approved Plans/Documents**

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This listed building consent relates only to work described on the drawings/and/or/in the documents identified below:

Drawing number 00101/201 received on 9<sup>th</sup> October 2018

The works shall be carried out in strict conformity with the approved plans and associated approved submitted professional reports, subject to any necessary minor variations which fall within the scope of this consent arising from specialist input during the course of works, following subsequent discussions with, and the written agreement of, the Local Planning Authority.

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.

### **3) Schedule of Works**

No development (including preparatory or demolition work), shall take place until a detailed schedule of works has been submitted to and approved in writing by the Local Planning Authority. This shall include all work required to meet Building Regulations. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **4) Details of floorboards**

No flooring shall be laid until details of the floorboards, including grade of oak, dimensions, and finish, have been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **5) Building recording**

No development shall take place within the application site until the applicant has secured the implementation of a programme of building recording, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement. This work will provide a record of the building fabric that is to be removed as part of this application. A copy of the results of the building recording shall be submitted to the Local Planning Authority within three months of the completion of the works.

Reason: To ensure that an adequate record is made of the building. This condition is imposed in accordance with National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

## **53. Appeal Decisions relating to Eastern Area Planning**

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

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*(The meeting commenced at 6.30pm and closed at 7.42pm)*

**CHAIRMAN** .....

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