

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 10 APRIL 2019

Councillors Present: Peter Argyle, Graham Bridgman, Rob Denton-Powell (Substitute) (In place of Richard Crumly), Sheila Ellison (Substitute) (In place of Pamela Bale), Marigold Jaques, Tim Metcalfe, Graham Pask (Chairman), Richard Somner, Quentin Webb (Substitute) (In place of Keith Chopping) and Emma Webster

Also Present: Gareth Dowding (Senior Engineer), Bob Dray (Development Control Team Leader), Gemma Kirk (Planning Officer), Sarah Melton (Senior Planning Officer) and Linda Pye (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Pamela Bale, Councillor Keith Chopping, Councillor Richard Crumly and Councillor Alan Law

PART I

65. Minutes

The Minutes of the meeting held on 20th March 2019 were approved as a true and correct record and signed by the Chairman subject to the following amendments:

Page 7, Questions from Members, First Sentence to read – ‘Councillor Graham Bridgman noted that the application was in the name of Springs Farm Limited however, according to his research no company under this name existed at Companies House in England and Wales’.

Page 20, Member Questions to Ward Members should be amended to read – ‘Members Questions to Officers’.

66. Declarations of Interest

Councillor Quentin Webb declared an interest in Agenda Item 4(1) but reported that, as his interest was a personal interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

67. Schedule of Planning Applications

(1) Application No. & Parish: 19/00221/FULD - Glenvale Nurseries, Hungerford Lane, Bradfield Southend

(Councillor Quentin Webb declared a personal interest in Agenda Item 4(1) by virtue of the fact that he had been lobbied on the item and had met with the applicants. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application No. 19/00221/FULD in respect of the demolition of Glenvale Garden Centre and replacement with one dwelling, retaining the existing entrance onto Hungerford Lane.

Sarah Melton introduced the item and noted that the site was located in the AONB and outside of a defined settlement boundary and as such it was located within the open countryside. Policy ADPP1 stated that most development would be within or adjacent to

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the settlements included in the settlement hierarchy and the proposal site was neither within or adjacent to a settlement included within the hierarchy.

The proposed scheme did not achieve all of the criteria required by Policy C1 whereby residential development outside of a defined settlement boundary might be acceptable.

Policy ADPP5 allowed for a limited amount of infill development within the AONB. The proposed scheme did not constitute an infill development and the Inspector found the conflict with this policy in determining a previous appeal and the case officer had not be presented with any evidence which suggested that the Inspector was wrong to find conflict with policy ADPP5 nor had there been any material changes in policy that would make that finding invalid.

The report concluded that the principle of residential development on this site was wholly unacceptable and clearly contrary to policies ADPP1, ADPP5 and C1 and the Inspector's decision was a material consideration in determining this application. It also did not constitute a sustainable form of development and the environmental impact would outweigh any minor economic or social benefit from the proposal.

In accordance with the Council's Constitution, Councillor John Brims, Parish Council representative, Mr Jim Forrester, objector, Helen and Duncan Varley, supporters, and Joe Atkinson, applicant/agent, addressed the Committee on this application.

Parish Council Representation:

Mr John Brims in addressing the Committee raised the following points:

- Mr Brims stated that Bradfield Parish Council supported the proposal and felt that the reasons for refusal were open to interpretation.
- He accepted that the proposed development would not respect the linear road frontage but he was of the opinion that there would be no detrimental effect on the AONB. There was a cluster of houses both close by and in the distance.
- Questions had been raised as to whether the site was acceptable as a development site. The applicants had lived in the area for many years and had run a small garden centre on the site. The Parish Council was usually against building homes in the AONB but it was felt that the proposed development would actually enhance the AONB.
- Questions had also been raised as to whether the development would be sustainable but public transport was available and there was a local school in the area.
- The applicants had put a lot of effort into making the business successful over the last 14 years but retail was in decline and there was a significant amount of competition in the local area which made it almost impossible for a small garden centre to flourish in the current environment. Any alternative business use on the site would involve the demolition of the current buildings and redevelopment of the site. The Travellers Rest site was well screened and it was necessary to consider what an alternative development might look like.

There were no questions raised by Members.

Objector Representations:

Mr Jim Forrester in addressing the Committee raised the following points:

- Mr Forrester stated that West Berkshire Council had a responsibility to protect the AONB which was backed up by national and local planning rules and to allow the development would undermine and weaken the local planning strategy.

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- An explanation had been set out in the Officer's report as to why this site was not suitable for a development of this size and the new issues raised by the applicant had been refuted.
- Mr. Forrester stated that the site was not brownfield as the agricultural constraint was still active.
- The site did not qualify for infill and was outside the Settlement Boundary and sites such as this were only considered suitable for development outside of the Settlement Boundary in exceptional circumstances – this was not an exceptional circumstance.
- The key issue was around viability of the retail business which seemed to be failing. However, the garden centre was only open two days a week for three months of the year. The distribution business seemed to be doing much better. The documents did not seem to assess the viability issue.
- This site had a significant planning history which seemed to have gone on for years. Local residents were anxious when a planning application or planning appeal was considered and if planning permission were to be granted then it could act as a stimulus for other land owners nearby to put in similar applications.
- Paragraph 7.9 of the Officer report which stated that the principle of residential development on this site was wholly unacceptable gave some reassurance to local residents.

Member Questions to the Objector:

Councillor Graham Bridgman referred to the statement made by Mr Forrester in relation to the impact of repeated applications on others. However, the applicants were entitled to submit repeated planning applications provided that they paid the relevant fees. Mr. Forrester responded that there seemed to be little wriggle room and it was frustrating that the applicants continued to submit similar applications with an expectation of obtaining planning permission. People should be reasonable on both sides.

Supporter Representations:

Mr & Mrs Varley in addressing the Committee raised the following points:

- Mr Varley stated that he had owned Glendale for 15 years. The business was not viable and it was not possible to use savings any more to prop it up. It was therefore necessary to look at other options. Newer houses did not have such big gardens and online shopping had affected the business. Consideration had been given to diversification but the set up costs were too expensive. It was not possible to compete locally with other garden centres as there was insufficient space to expand and he also did not have the finances to do so.
- Policy TRANS 1 accepted that the use of the car was acceptable where the local authority had reduced public transport to rural areas.
- Mr. Varley had walked along the lanes in the local area for many years and he referred to the 11 new homes in nearby Stretton Close where it would also be necessary to use cars. In terms of being unsustainable it was 2019 and people would use cars and he felt that the TRANS 1 policy should be applied with more flexibility.
- The neighbours had suggested that the site should be demolished and a new dwelling erected. Those who had attended the site visit would have noticed that the site was surrounded by houses and therefore an application for a residential

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dwelling was acceptable. The replacement of the ugly buildings currently on the site would be an improvement. He queried whether Glendale was less sustainable than adjacent properties such as Bracken House and if there was some doubt then it should be accepted that the use of cars was a way of village life.

Member Questions to the Supporters:

Councillor Tim Metcalfe had read that the property had an agricultural tag. Mr Varley responded that the agricultural tie was not connected to Glendale or the business.

Councillor Graham Bridgman noted that Mr Varley had mentioned Stretton Close and he asked if Mr Varley was in agreement that that site had been put forward as part of the Development Plan process and therefore it was within the plan for housing. Mr Varley said that the residents had to walk the same distance to the bus stop as he did and therefore he could not see why that development was sustainable and the proposed development on his site was not.

Councillor Bridgman noted that mention had been made to policy TRANS 1 but that the other policies had not been mentioned. The Planning Inspector had made clear on a recent appeal that this site conflicted with those policies set out in the Officer's report. Mr Varley responded that local residents did not think that the current site was attractive and in particular he referred to the ugly breeze block buildings.

Councillor Marigold Jacques asked whether consideration would be given to continuing with the poly tunnels as had been mentioned at the site visit. Mr Varley was not sure and that would be dependent on the outcome of the determination of the planning application that night.

Agent's Representations:

Mr Joe Atkinson in addressing the Committee raised the following points:

- Mr Atkinson stated that in 2018 a Certificate of Lawfulness had been granted. Two further planning applications for the demolition of the garden centre and replacement dwellings had been dismissed by the Planning Inspector at Appeal largely around development in the AONB and outside of the Settlement Boundary. There was no suggestion that the plot would not be suitable for housing. Both of the planning appeals had been determined under an older version of the NPPF. He specifically referred to paragraphs 68 and 84 which were both relevant to this application in respect of sites under one hectare and previously developed land.
- Mr Atkinson read out TRANS 1 Policy which stated that *'The transportation needs of new development should be met through the provision of a range of facilities associated with different transport modes including public transport, walking, cycling and parking provision. The level of parking provision will depend on the availability of alternative modes, having regard to the maximum standards adopted by West Berkshire Council. Standards below the maximum level may be applied in more accessible locations.'* The Case Officer made reference to other cases but none of these were on previously developed land, unlit roads or with similar transport links. He felt that granting planning permission would not weaken Policy C1. Policy C1 was not out of date but had reduced weight due to changes to the NPPF and therefore the harm to C1 would be minimal.
- No objections had been raised by the Highways Department and it was considered that traffic levels would actually reduce.
- The current application was for a smaller house which had been repositioned to reflect the layout of other dwellings along the lane.

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- A new family dwelling on the site would be a visual improvement and 23 letters of support had been received for the proposal.

Member Questions to the Agent:

Councillor Emma Webster noted the additions to paragraphs 68 and 84 of the updated NPPF. She referred specifically to paragraph 84 which was in relation to businesses and promoting strong business development. Paragraph 84 stated that *'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'* Mr Atkinson stated that this paragraph was not limited to businesses.

Councillor Graham Bridgman read out part of paragraph 68 of the revised NPPF which stated that *'... (a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved.'* He stated that this was a Planning Policy process and that it was not for Planning Committees to pluck out certain parts of the policy to justify certain statements. Mr Atkinson said that he had viewed the brownfield register and there were a lot of sites included on it which were over one hectare. If the Policy Team were not finding sufficient suitable sites then the authority would not hit its target.

Ward Member Representation:

Councillor Quentin Webb in addressing the Sub-Committee made the following points:

- Councillor Webb confirmed that the agricultural tie was not related to the garden centre but purely to the dwelling. The house was temporary accommodation for someone who worked on the land. That was re-applied to get a permanent dwelling and the agricultural tie applied. The Planning Officer confirmed that the agricultural tie did not relate specifically to this site, and was not a determinative material consideration for the current application. Councillor Tim Metcalfe disagreed and said that if it was proposed to do away with the business then it was not agricultural use any more and therefore it might be necessary to knock down the existing dwelling
- It was noted that the application site was in the AONB and that the business was struggling. The report made a strong case that the development site was in open countryside and not in a cluster or a linear pattern.
- There were questions around whether the site was in a sustainable location. There was also a commercial site on Travellers Rest which was close by.
- The design of the proposed dwelling was not good but was acceptable.

There were no questions raised by Members.

Members Questions to Officers:

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Councillor Graham Bridgman referred to the Update Sheet and in particular to the Appeal Decision APP/W0340/W/16/3166113 paragraph 11 that the proposed development outside a settlement boundary, within the AONB would conflict with Policies ADPP1 and ADDP5. In addition, it would conflict with a number of criteria within Policy C1 of the HSA DPD. He asked how it could be argued that the view of the Inspector was the view of the Council's own policies. It was noted that it was a correct view but in certain cases it should not be restricted.

Councillor Graham Pask noted that there had been much talk made about clusters of houses and he asked for an explanation of the policy outside the Settlement Boundary. The Planning Officer referred to Policy C1 and the four criteria under which residential development outside of a defined Settlement Boundary might be acceptable as follows:

- (i) It was within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway; and
- (ii) The scale of development consisted of infilling a small undeveloped plot commensurate with the scale and character of existing dwellings within an otherwise built up frontage; and
- (iii) It did not extend the existing frontage; and
- (iv) The plot size and spacing between dwellings was similar to adjacent properties and respected the rural character and street scene of the locality.

The Planning Officer referred to a number of recent appeal decisions which had been determined using this policy and the judgement made by Inspectors as to what constituted a closely knit cluster of dwellings fronting the highway.

Councillor Graham Bridgman stated that the applicant/agent referred to the Certificate of Lawfulness and queried whether it was previously development land and whether that made a difference. The Planning Officer responded that the Council had taken the view that it was not previously development land, but that this determination made no difference to the interpretation of Policy C1. The Planning Officer's view was that it was clearly a preference to develop brownfield land before greenfield land, but the main issue in this instance was the compliance with the housing supply policies.

In terms of the weight given to Policy C1 the Planning Officer confirmed that it did still carry full weight and was not affected by any changes to the NPPF..

Debate:

Councillor Emma Webster also referred to paragraph 84 of the updated NPPF which stated that *'The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'* She felt that the current application was not an on balance decision – it was clear that if it was a plan-led decision then it was contrary to several policies.

Councillor Graham Bridgman recalled that at an earlier planning meeting the application was strongly supported by the Parish Council and that had also flown in the face of policy – this application was the same. He made reference to paragraph 11 of the Inspector's report and felt that it was essential that the Council's policies were adhered to.

Councillor Quentin Webb had hoped that this application would support the business and he proposed that the application should be approved. This was seconded by Councillor Sheila Ellison. Councillor Ellison had heard the discussion which had taken place but she felt that a house would improve the appearance of the site and there would be less traffic on the road. Rules were designed to be broken and policies were often not sympathetic on how the countryside was treated.

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Councillor Marigold Jacques confirmed that she had read the Inspectors' reports on the previous applications which had gone to appeal. She agreed with Councillor Graham Bridgman that the site consisted of a lot of derelict buildings but it would be difficult for Planning Committees to decide what applications to support and what not unless the local authority stuck to its policies.

Councillor Tim Metcalfe said that the issue was that it was in the AONB which had defined rules. He referred to a previous application where those rules had to be accepted and therefore he could not support the current application.

Councillor Richard Somner did not disagree with the statement made by Councillor Jacques in respect of the authority being plan led. Any application which came to Committee was worth consideration by exception and on occasion Members had gone against Officer recommendation. Councillor Graham Pask asked Members to consider whether there was any justification for an exception to policy.

Bob Dray, the Planning Officer, asked that if the application was approved then it should be delegated to Officers to determine the necessary planning conditions. He clarified that this was a strong Officer recommendation for refusal because of the precedent in relation to policies and in particular Policy C1. The local authority had appeal decisions on the site and they had to carry weight in respect of any decision. If the Committee approved the application then it would need to be referred up to the District Planning Committee to determine as it would conflict with policies that would undermine the Development Plan.

The motion to approve the application was put to the vote and lost. Councillor Emma Webster then proposed refusal as per the Officer recommendation and this was seconded by Councillor Graham Bridgman. This counter motion was put to the vote and was carried.

RESOLVED that the Head of Development and Planning be authorised to refuse planning permission for the following reasons:

1. The site is an existing rural enterprise located outside of any defined settlement boundary and within the North Wessex Downs Area of Outstanding Natural Beauty. The application is proposing a substantial new two storey dwelling house. The site is not an infill site and does not constitute an exceptions site as would be considered favourably under policy C1 of the Housing Site Allocation DPD (2017), nor does the site achieve the required four criteria of new residential development outside of a defined settlement boundary:
 - i. It is within a closely knit cluster of 10 or more existing dwellings adjacent to, or fronting an existing highway; and*
 - ii. The scale of development consists of infilling a small undeveloped plot commensurate with the scale and character of existing dwellings within an otherwise built up frontage; and*
 - iii. It does not extend the existing frontage; and*
 - iv. The plot size and spacing between dwellings is similar to adjacent properties and respects the rural character and street scene of the locality.*

The proposal would result in a new dwelling in a remote and unsustainable location, where occupants will be heavily reliant on the private car for access to employment opportunities and local services within the North Wessex Downs Area of Outstanding Natural Beauty. The proposal scheme is thus contrary to the guidance contained within the NPPF (2019) and policies ADPP1, ADPP5, CS1 and CS13 of the West Berkshire Core Strategy (2006 – 2026) and policy C1 of the Housing Site Allocation DPD (2006 – 2026).

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2. The application site is located within the North Wessex Downs AONB, a statutory designation under the Countryside and Rights of Way Act 2000. Section 82 confirms that the primary purpose of the AONB designation is conserving and enhancing the natural beauty of the area. The Countryside and Rights of Way Act 2000 places a general duty on Local Planning Authorities to have regard to the objectives of conserving and enhancing the natural beauty of the AONB. The NPPF states that great weight should be given to conserving landscape and scenic beauty in the AONB, which has the highest status of protection in relation to landscape and scenic beauty.

The design of the new dwelling has been assessed against Policy C1: Location of new housing in the countryside and Policy C3: Design of Housing in the Countryside of the Housing Site Allocations Development Plan Document (2017). Owing to its large size, siting and design, the proposed dwelling would result in a detrimental and harmful visual impact upon the character and appearance of the area, and the landscape character of the AONB area which is sensitive to change. This assessment is based on the existing pattern of residential development on the site and the wider area. It can be seen on the submitted plans that the proposed dwelling would have a larger footprint than the existing adjacent dwelling. Additionally, with the retention of the existing structures to the rear of the site (outside the red line), the proposal would result in additional built form in this sensitive location. The application therefore conflicts with the National Planning Framework, the North Wessex Downs AONB Management Plan 2014-19, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026, Policies C1 and C3 of the West Berkshire Council Housing Site Allocations Development Plan Document 2006-2026 and the Quality Design SPD (2006).

3. The application site includes the majority of the existing Glenvale Nurseries premises, but excludes a strip of land to the rear (enclosed by the blue line on the Local Plan). It has been confirmed that it is intended to retain the existing structures on this land outside the application site. Accordingly, there would be an intensification of uses on the wider Glenvale Nurseries premises: increasing from one dwelling associated to the existing business, to include an additional substantive dwelling alongside the existing dwelling and residual mixed-use business on the land outside the application site. This would result in an unacceptable level of intensification across the wider premises. It has not been demonstrated that the continuation of existing lawful use on the residual land in addition to the proposed development, on a highly constrained site and within close proximity of three dwellings, would have an acceptable impact on local amenity such as in terms of noise and disturbance, access and parking for customers and deliveries. The application is therefore contrary to the National Planning Policy Framework, Policies ADPP1, ADPP5, CS9, CS10, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

(2) Application No. & Parish: 18/03268/FULD - Clairewood, Hampstead Norreys Road, Hermitage

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application No. 18/03268/FULD in respect of the demolition of the existing single storey dwelling and garage and replacement with two semi-detached dwellings and also to lift and thin the crown of a TPO within the garden.

The Planning Officer stated that this application was for the construction of a pair of semi-detached properties over the footprint of the existing dwelling. It was noted that Clairewood was set back from the highway due to a long front garden. The proposal

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included the creation of a new vehicular access and parking area with both hard and soft landscaping at the front. The oak tree, protected by a Tree Preservation Order, would be lifted and thinned as part of the proposal and would be entirely located within the garden space for Plot 1.

The proposed dwellings would be two storey, 5 bed dwellings. The front elevation would have two bay windows with gable ends that would be oak framed. Windows on the rear elevation would be larger to allow for daylight to enter the dwellings. Officers had had concerns about the height and building line and subsequently amended plans had been received to show an alteration to the room form alongside setting back the dwellings in line with the established building line and additional landscaping within the front garden.

The site was within the Settlement Boundary and was within the AONB but it was felt that the principle of development was acceptable. Concerns had been raised by neighbours in respect of overlooking from the second floor windows in the side elevation of both dwellings. However, these would be obscure glazed and the Planning Officer felt that they would not be overbearing. The parking allocation complied with new residential parking standards and Highways had raised no objections.

The Update Report set out the Parish Council's response to the amended plans and the fact that two further letters of objection had been received. It was noted that there had been no reported accidents in the vicinity of this site over the last five years. The Officer recommendation was therefore for approval of the application.

The Chairman of the Committee, Councillor Graham Pask, advised that the Chair of the Parish Council had thought that she had been registered to speak on this application. He therefore proposed to suspend Standing Orders to allow Mrs Ruth Cottingham to speak with the normal five minute time limit to apply. This was agreed by the Committee.

In accordance with the Council's Constitution, Mrs Ruth Cottingham, Parish Council representative, Mr Phil Stride, objector, and Mr Roger Scully, applicant/agent, addressed the Committee on this application.

Parish Representation:

Mrs Ruth Cottingham in addressing the Committee raised the following points:

- Mrs Cottingham stated that the Parish Council objected to this application as it was felt to be over ambitious and out of keeping with the immediate neighbourhood. The Village Design Statement discouraged the building of three storey dwellings as being out of keeping with the general neighbourhood.
- The two demi-detached three storey dwellings would be higher than both the two storey neighbouring houses.
- The proposed development would not harmonise with the existing spacious layout in this part of the village and would therefore constitute over development. It would also block views of the wood from the street scene.
- In respect of parking and highway safety the houses could possibly mean that there would be up to ten additional vehicles when the number of bedrooms within the dwellings were taken into account. She therefore felt that six car parking spaces were insufficient and would not allow for visitor parking. There was a risk that this would force vehicles to park on the bend of the road which would be dangerous.
- Mrs Cottingham felt that the window on the first floor in the ensuite bathroom should be non-opening as well as obscured glass.

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- Hermitage Parish Council would like to see the full protection of the TOP oak tree.

Member Questions to the Parish Council:

Councillor Graham Pask asked if the Village Design Statement had been approved by West Berkshire Council. Mrs. Cottingham confirmed that it had been approved some time ago.

Councillor Graham Bridgman noted that concerns had been raised about the less than desirable garden space for Plot 1 due to the oak tree and woodland to the rear of the plot. However, there was reference in the report to amenity space and that for Plot 1 the amendments at the rear of the garden created sufficient quality amenity space which could accommodate garden features such as a washing line or sitting area and this would therefore not warrant refusal. Mrs. Cottingham responded that children needed a place to play and sufficient space was required to hang out washing etc. This could be limited if a shed was placed in the garden.

Councillor Bridgman queried what was meant by full protection for the TPO. Mrs. Cottingham said that the Parish Council had wanted ownership of the trees but the Tree Officer would not allow that.

Objector Representation:

Mr Phil Stride in addressing the Committee raised the following points:

- Mr Stride was representing all of the objectors. Those who had made representations did not object to the development of the site as such but they were against a bungalow being replaced by two three-storey dwellings. This would constitute a cramped overdevelopment of the plot and intensification of the use.
- There were no other semi-detached dwellings in the vicinity of the site and the massing and height was an issue as it would mean that there would be a loss of the woodland views.
- Two dwellings with five bedrooms in each property would mean that there would be more people than in a single dwelling. This would also increase the number of cars using the site and cars would regularly have to park on the road. Indeed on the day of the site visit when cars had been parked on the road this had demonstrated what could possibly happen in relation to parking. Members had only been on site for 30 minutes but this could be a daily occurrence.
- The report stated that the overall design was considered on balance to comply with policy but the design was contrary to the Village Design Statement.
- The rear elevation of the properties had been designed with large areas of glass (47%) and consequently there would be significant overlooking of adjacent properties and gardens.
- The letter dated 28th January 2019 had not included reasons why a recommendation for refusal had been changed to one of approval when considering the current application and in particular the comments made by the Tree Officer.

Member Questions to the Objector:

Councillor Marigold Jacques noted that mention had been made that a large area of the rear elevation of the properties would be glazed. However, she had noted at the site visit that the adjacent property had a balcony at the second floor level which was glazed and

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she questioned whether this could also be construed as being intrusive. Mr Stride responded that his area of glazing was only 27% which was significantly different than that which was proposed at 47%.

Applicant/Agent Representation:

Mr Roger Skully in addressing the Committee raised the following points:

- Mr Skully had confirmed that he had reviewed the report and was pleased to see that the recommendation was one of approval as he had worked closely with Officers to ensure that the proposed development was acceptable. He did recognise the concerns raised by the objectors.
- In respect of the design and in particular the height and width and the effect on woodland views Mr Skully confirmed that the footprint had been reduced which would enable views of the woodland area. There was a mix of designs in the surrounding area and he said that whilst the proposed dwellings were high the roof form had been changed to a hip ridge so that it was not out of character. The site was within the AONB and therefore the design of the dwellings had been considered in order that it was sensitive to the immediate area.
- The single side window was a bathroom window and would therefore be obscure glazed to reduce overlooking.
- The rear garden space was well in excess of the minimum requirement for amenity space.
- In respect of the oak tree and the TPO a shadow survey had been undertaken and it was proposed to lift and thin the tree which would reduce the need for future pruning work.
- Any loss of privacy would be minimised by boundary fencing.
- In terms of parking this met the standard of three spaces per dwelling and there would be a soft on site turning space which would mean that there would be little difference from the current situation.
- Soft landscaping would be provided at the front of the site.
- Mr Skully confirmed that he had worked closely with Officers to alleviate any concerns which had been raised by the local authority, parish council and local residents.

Member Questions to the Agent:

Councillor Graham Bridgman referred to the location plan and he assumed that the red line ended at the edge of the pavement. Mr Skully confirmed that that was the case. Councillor Bridgman referred to the Village Design Statement and the fact that the Parish Council had stated that it discouraged three storey dwellings. He noted that Mr Skully had mentioned that it complied with the VDS and that the design minimised the impact of the three storey element due to the fact that the eaves were at a two storey level but the fact was that this was an habitable space in the roof. The properties either side could also convert their roof space but the roof line would not be so high. Mr Skully responded that the constraints of the site dictated the design. The footprint was square which led to the natural height of the roof.

Ward Member Representation:

Councillor Quentin Webb in addressing the Committee made the following comments:

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- Councillor Webb had not called in the application to the Committee but he did have reservations as it was not in keeping with the street scene. He was not keen on the velux windows and he felt that the redesign did not work as it was too wide and bulky and would compromise the view to the woodland.

Member Questions to Officers:

Councillor Graham Bridgman asked the Highways Officer to comment on the concerns raised in relation to parking. Gareth Dowding confirmed that the development fully complied with policy in relation to parking which included visitor parking. There were no restrictions on the road in relation to parking and if that did become a regular occurrence then that could be looked at separately. The Planning Officer confirmed that the parking standards were fairly new and the proposed application was in compliance with the NPPF.

Councillor Graham Bridgman noted that the Officer report stated that a three bedroom dwelling was expected to provide a minimum of 100sq.m. of amenity space. He therefore queried what the relationship was between the number of bedrooms and the amenity space. The Planning Officer clarified that one or two bedroom properties required a minimum of 70sq.m. amenity space and three bedrooms or more required a minimum of 100sq.m.

Councillor Tim Metcalfe asked whether the footprint had been reduced and whether the floor height was higher than the existing. Also how much steeper was the pitch of the roof to neighbouring properties. The Planning Officer confirmed that the footprint was pretty much identical to the existing. The ground levels had not been a particular concern but it was noted that there was a gentle slope to the land. He did not know the exact angle of the pitch of the roof but he felt that it would be in the region of 45°.

Councillor Marigold Jacques referred to the top of page 55 of the agenda and the overshadowing of the oak tree. The amenity space in Plot 1 would be reduced and she queried whether the condition to restrict permitted development rights would apply to both plots. The Planning Officer confirmed that the condition would apply to both properties but it was necessary to give reasons to withdraw Permitted Development Rights. Permitted Development Rights for a garden was up to 50% ground coverage but the condition did give the local authority an element of control.

Debate:

Councillor Graham Bridgman confirmed that he had no issues with the amenity space, the width of the building, parking or the TPO but he did have concerns in respect of the height of the properties. They would be too tall in relation to the surrounding plots and would be contrary to the Village Design Statement. The properties would be 0.8m higher than the neighbouring property on one side and 1.5m higher than that on the other side.

Councillor Emma Webster felt that the hip design brought character to the design and it would sit well within the area. She proposed support of the Officer Recommendation for approval and this was seconded by Councillor Rob Denton-Powell.

Councillor Rob Denton-Powell stated that he had been raised in a village and it was necessary to have a diversity of housing, particularly to support large families.

Councillor Tim Metcalfe felt that this proposal was more acceptable than the previous one. However, he agreed that the height was a concern and it seemed out of character with the adjacent properties but there was a diversity of housing along the road.

Councillor Sheila Ellison referred to the view from the front of the site where there did not seem to be much grassed area. The Planning Officer confirmed that it was proposed that

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there would be an element of tree planting to the front of the site. He confirmed that there was a condition in respect of landscaping which included hard surfacing.

Councillor Richard Somner felt that the height of the roof had been dictated by the fact that it was designed for living accommodation. He felt that it was not necessary to cram in extra bedrooms as it made the development too tall.

The proposal to accept the Officer Recommendation for approval was put to the vote and there were four votes for and four votes against. The Chairman had the casting vote and proposed refusal of the application due to the height of the building and this was seconded by Councillor Quentin Webb.

Councillor Emma Webster said that if the issue was the additional 1.5m in height she asked if there was anything that could be done to bring it down e.g. build it lower and whether that could be covered off in a condition. The Planning Officer advised that that would constitute a change to the application and it would need to come back to Committee for a decision.

The motion to refuse the application was put to the vote and agreed with the Chairman's casting vote.

RESOLVED that the Head of Planning and Countryside be authorised to refuse planning permission for the following reasons:

1. Clairewood is located within the defined settlement boundary of Hermitage, a Service Village within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), which according to Core Strategy Policy ADPP1 has some limited development potential. According to the NPPF, great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, of which settlement character plays an important role. Core Strategy Policy CS14 states that new development must demonstrate high quality design that respects and enhances the character and appearance of the area. Policy CS19 states that particular regard will be given to the sensitivity of the area to change, and to ensuring new development is appropriate in terms of its location, scale and design in context to the existing settlement form, pattern and character. According to Policy C1 of the HSA DPD, planning permission will not be granted where a proposal harms or undermines the existing relationship of the settlement with open countryside, and where it does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB.

The existing dwellings along this section of Hampstead Norreys Road are predominately of two storey scale, set within sizeable plots, following an established building line with properties fronting onto the highway and set back from it. The existing pattern of development with spacious layouts contributes to the semi-rural character of Hermitage. There are currently views from the street to the woodland of the countryside beyond.

The proposed semi-detached pair would appear as one large dwelling within the plot fronting the highway. The semi-detached pair would be approximately 14.5 metres wide, 12.5 metres deep and 9.1 metres high. The ridge line would be higher than both its immediate neighbours; its three storey scale would be apparent from the street, and appear out of scale with neighbouring properties. Overall, the scale, height, mass/bulk, and design of the proposed dwellings is such that the development would be an incongruous addition to the street scene, would detract from the spacious character of the area, and thereby harm the character and appearance of the area.

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2. The application therefore conflicts with the National Planning Policy Framework (February 2019), Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies C1 and C3 of the Housing Site Allocations DPD 2006-2026, the North Wessex Downs AONB Management Plan 2014-19, the Council's adopted Quality Design SPD (2006), and the Hermitage Village Design Statement (2004).

(The meeting commenced at 6.30 pm and closed at 8.32 pm)

CHAIRMAN

Date of Signature