

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 15 SEPTEMBER 2021

Councillors Present: Graham Bridgman (Substitute) (In place of Tony Linden), Nassar Hunt (Substitute) (In place of Alan Macro), Royce Longton, Ross Mackinnon, Geoff Mayes, Graham Pask (Chairman), Richard Somner, Joanne Stewart (Substitute) (In place of Alan Law) and Keith Woodhams

Also Present: Jessica Bailiss (Policy Officer (Executive Support)), Bob Dray (Development Control Team Leader), Kim Maher (Solicitor), Gordon Oliver (Corporate Policy Support) and Lizzie Reeves (Business Analyst (Digital Services))

Apologies for inability to attend the meeting: Councillor Alan Law, Councillor Tony Linden and Councillor Alan Macro

PART I

14. Minutes

The Minutes of the meeting held on 25th August 2021 were approved as a true and correct record and signed by the Chairman.

15. Declarations of Interest

Councillor Graham Pask declared an interest in Agenda Item 4(2), but reported that, as his interest was a non-prejudicial personal interest and not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

16. Schedule of Planning Applications

(1) Application No. & Parish: 21/01390/HOUSE - The Old Travellers Rest, Hungerford Lane, Bradfield Southend

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 21/01390/HOUSE in respect of Section 73 variation of condition 2 (approved plans) of approved 20/00852/HOUSE - Demolition of three unsafe timber outbuildings, construction of a replacement timber car port/garage, two single storey extensions to the rear of the building, single storey extension to the side of the building and alterations including modifications and replacement of windows.

Mr Bob Dray (Team Leader – Development Control) introduced the item and highlighted the key points within the report.

In accordance with the Council's Constitution, Mr Andrew House, Parish Council representative and Mr Nigel Bearman (agent) addressed the Committee on this application.

Parish Council Representation:

Mr House in addressing the Committee raised the following points:

- There had been a number interventions by the West Berkshire Council Enforcement Team due to discrepancies to the original planning permission.

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- Bradfield Parish Council had been advised by parishioners that the building did not match the approved plans.
- The application sought to regularise only three of the issues raised, including access to the building, the introduction of a hipped roof and the introduction of roof lights.
- The Parish Council felt that having the access to the ancillary use element of the proposal in the north elevation, nearer to the main dwelling was a more sensible position.
- The hipped roof was welcomed as it reduced the bulky appearance of the proposal. It was however felt that it made the proposal seem more 'house' like rather than the outbuilding it reported to be.
- The removal of the two roof lights raised questions about what the future use might be.
- The Parish Council was concerned regarding the original application in terms of the proposed size and intended use. Being of an oak frame structure, even though timber cladding was proposed, the Parish Council had felt that the proposal was in keeping as an outbuilding within the North Wessex Down Area of Outstanding Natural Beauty (NWDONB) and not as a base for a new house in the countryside, which was very much contrary to West Berkshire Council policy.
- Mr House stated that interestingly the drawing submitted for the section 73 application stated 'Oak Frame Structure'. There was now however, reference to a single dividing support between the two car port bays.
- The ground floor plan still clearly showed the positioning of the wooden structure throughout and not the fully insulated cavity wall, concrete block structure that had been built. Mr House queried how the case officer could recommend approval when the plans did not reflect what had been built.
- The Parish Council noted the suggested conditions. There was confusion regarding condition one as 'drawing 2006 – P14A' appeared twice but with different title descriptions.
- The Parish Council requested that condition four be amended and extended in line with a number of ancillary use approvals given locally in both Bradfield and the adjoining parish. The additional sentence to read 'The car port garage building shall not be used as a separate dwelling unit nor shall it be sold, let, rented or otherwise separately occupied or disposed of, and no separate curtilage shall be created'. The addition would mirror other conditional approvals and avoid future change of use challenges.
- In conclusion the Parish Council felt that the applicant seemed to have disregarded the approved plans and conditions applied and built something similar. The original application was to demolish three timber outbuildings and construct a replacement timber car port. The current application did not fully reflect what had been built in the Parish Council's view.

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- If the Committee was minded to approve the application, the Parish Council felt that condition four needed to be amended to avoid any confusion about the use of the proposal.

Member Questions to the Parish Council:

Councillor Bridgman noted that Mr House had stated that what had been built was a cavity wall construction and asked for clarification on this. Mr House confirmed that this was correct and what had been built was a concrete block cavity wall, which was fully insulated.

Councillor Ross Mackinnon asked for clarification that the Parish Council's view was that condition four should be extended to state that that the separate building should not be sold, let or separately occupied. Councillor Mackinnon noted that this was very similar to other conditions that had been granted elsewhere in Bradfield. Mr House agreed that this was correct and added that similar conditions had also been granted in the adjoining parish of Bucklebury

Agent Representations:

Mr Bearman in addressing the Committee raised the following points:

- He believed that the reason why the application had been brought to the Committee was because of a misunderstanding initially regarding the size of what had been approved. Bradfield Parish Council stated at the time that the height and footprint of the building had increased dramatically. Planning Officers had been on site and checked this point and confirmed that the difference was minor and considered to be within acceptable tolerances.
- The Planning Officer had also confirmed that the changes made would not be harmful to the character or appearance of the application or to the rural character of the NWDAONB and were therefore not considered significant changes.
- The Enforcement Officer had instructed that work needed to stop on the site and therefore it had not been possible to complete the building. If the building had been completed there would have been cladding all the way around it. There would have also have been oak posts in the garage with oak braces to match entrance to the main house.
- Regarding concerns raised about the construction, the structure above the cavity walls was timber. Concrete blocks had been used because Mr Bearman used to be a builder and it was cheaper for him to build in this way. The reason for the inclusion of the cavity wall was for structural purposes. He added that a 4 inch wall would have not been structurally sound. The building from the outside would look no different to if it had been a timber structure.

Member Questions to the Agent:

Councillor Graham Bridgman stated that he had a question that would not have an impact on his view or decision on the application. He stated that that there had been planning permission based on explicit plans for the design of the building, which had been ignored by the applicant. Councillor Bridgman asked why Mr Bearman had chosen to ignore the original approved plans and had not applied for a fresh planning permission if he had wanted to build something different before starting the construction phase. Mr Bearman stated that he had relied upon his agent when constructing the building.

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Regarding the material construction and when it had come to constructing the roof it had been felt that a hipped roof would have less of an impact and would reduce the size of the building rather than increase it. Regarding mirroring the building, Mr Bearman stated that he had not paid enough attention when the plans were originally submitted and noted that the proposed door for the ancillary accommodation was away from the property and would have required a 16m/20m path to be put down. The door now faced his utility room, which was just 4m away and made more sense. Mr Bearman stated that he had not realised that this would cause a problem.

Councillor Bridgman stated that he understood Mr Bearman's reasoning however, did not understand why fresh planning permission had not been sought and queried why something had been constructed that did not have planning permission. Mr Bearman stated that he had been reliant upon his agent who worked with drawings and plans. Mr Bearman commented that he was a bricklayer by trade however, had not been for some time and had not dealt with the planning process before as he normally relied upon an agent. Mr Bearman had sought advice from his agent, who had advised that what was proposed would not cause any issues and in his naivety Mr Bearman had relied upon the advice he was given. Mr Bearman realised that he had been given incorrect information and stated that he had not set out to break any rules.

Councillor Ross Mackinnon stated that he had a couple of questions for information purposes and the answers would not influence his decision on the item. It was noted that Mr Bearman had mentioned his naivety in relation to the planning process and Councillor Mackinnon asked if he had developed similar buildings in the past being an experienced developer. Mr Bearman stated that he was not a developer but a householder who had built extensions and properties in the past. The last building he had developed was a new build in the village and this was five or six years ago. He had not developed anything like the current application that had experienced issues with the planning process and he had never been before a Planning Committee.

Councillor Mackinnon asked what the outbuilding would be used for. Mr Bearman stated that although his house was large, due to some parts being built in the 1850s it was not suitable for storage. The first floor of the outbuilding would be used for the storage of Mr Bearman's possessions and he stated that no additional accommodation was required. Mr Bearman referred to fears about the structure being used as a house and stated that if this was done it would devalue his net worth and therefore should not be a concern to the Committee.

Councillor Mackinnon noted that the first floor would be used for storage. Mr Bearman stated that this was correct and explained that the use would be ancillary to the house for storage. There was no loft space in the main house.

Ward Member Representation:

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

- He had called in the application in as Ward Member following conversations with the Parish Council.
- He had not formed an opinion on the application and would let the proceedings continue.

Member Questions to the Ward Member:

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There were no questions raised for the Ward Member.

Member Questions to Officers:

Councillor Woodhams asked Mr Bob Dray to comment on the suggested amendments to condition four by the Parish Council. Mr Dray commented that condition four detailed that the garage and car port should be used solely for purposes ancillary or incidental to the main house and what had been read out by the Parish Council was standard text that had been applied to conditions previously. The key aim of condition four was to ensure that the outbuilding was not separated from the house and remained ancillary accommodation or for an incidental purpose such as storage. Condition four achieved this and was the standard model text from Government. The additional elements suggested by the Parish Council were all symptoms that the outbuilding was no longer ancillary or incidental. Mr Dray stated that the additional wording provided clarity however, it was debatable whether it was necessary. He would however, have no objection to the inclusion of the additional points.

Councillor Bridgman referred to condition six regarding restrictions on alterations to the car port. There was a two bay car port and a secure garage. Councillor Bridgman stated that he would like to see a similar restriction on the garage as he would not want to see the garage converted to residential accommodation and he asked for Officer's comments on this. Mr Dray stated that it was important to consider what was necessary. There were conditions that had been used historically when the garage counted towards parking provision but this was not the case for the current application. Mr Dray stated that if Members felt that this would make a difference to ensuring the outbuilding remained ancillary or incidental then he did not think it would be unreasonable point to consider.

Councillor Bridgman noted in the planning history on page 20 of the planning report that the current permission was in relation to a replacement timber car port garage. He noted comments that had been made about the breeze block structure being internal however, on the update sheet on page two an 'oak frame structure' was stated and under 'proposed changes' it stated that no change was specified. Councillor Bridgman felt that a change was specified to allow for breeze block and cavity wall construction and questioned if this needed to be reflected in the paperwork. Mr Dray stated that the internal structure was not normally material to planning and therefore he did not feel that there should need to be a change in terms of the planning permission. Mr Dray acknowledged that there was some ambiguity regarding the description and suggested that an informative could be included if the application was approved.

Councillor Bridgman noted in the Committee pack that all three applications for consideration by the Committee had been called in. He suggested in the future that the reason for a 'call in' be included in the report.

Councillor Bridgman stated that at the last meeting of the Planning Committee a section 73 application had been considered. At the end of the debate Councillor Bridgman explained that he had made a proposal and was advised by Planning Officers it was not a valued reason on planning grounds. Councillor Bridgman explained that he had suggested that the application be refused because the proposed change in his view was not 'minor' however, he had been advised that valued planning reasons were required for refusal. Councillor Bridgman asked Officers to reflect on the question of whether or not it was in the purview of the Committee to refuse a 73 application based on the reason that a change was not considered minor and should therefore be the subject of a full planning application. Mr Dray stated that he was not at the last Committee meeting so could not comment on the specifics. Mr Dray stated that there were different ways that planning permission could be varied. There was a non material amendment, which was for very

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minor matters and then the second way was through a section 73, which was for minor material changes. Mr Dray explained that if a change fundamentally changed a development then it was no longer varying the approved plans and a new fresh planning application would be required. Mr Dray was content that the current application was a minor material amendment under section 73.

Councillor Mackinnon asked Mr Dray to comment on Mr House's suggestion for an extension to condition four regarding the proposed use of the building. Secondly Councillor Mackinnon asked Mr Dray to comment on Mr House's point about the section 73 being appropriate when the new submitted plans did not reflect what had already been built. Mr Dray in answering Councillor Mackinnon's first question noted that the points Mr House had wanted adding were: not creating a separate dwelling; not creating a separate curtilage; not sold, let leased or otherwise separately occupied. These were all symptoms of a new house being created and if this was the case it was no longer ancillary or incidental to the main house. Mr Dray confirmed that he had no objection to adding these points to condition four. Regarding a section 73 being appropriate, Mr Dray felt that the changes were acceptable. The measurements for the proposed changes were annotated on the plans. Mr Dray confirmed that condition two had also now been corrected on the update sheet.

Councillor Pask highlighted that although the Committee had heard from Mr Bearman who had stated that he had no intention to create a separate dwelling, it was important to note that the planning permission did not go to Mr Bearman but to the property.

Councillor Richard Somner referred back to condition four and asked for some clarity. Councillor Somner had noted the suggested extensions to the conditions however, stated that ancillary use and incidental use was used for a construction that could not exist on its own such as a shed. Despite the distinction between the two if there was a garage with incidental use there was nothing to stop it being changed to ancillary use unless a condition was applied with a clear reason for doing so.

Debate:

Councillor Bridgman expressed that he would not want anything stated at the Committee that would give the impression that it was alright to get planning permission and then build something different. Councillor Bridgman felt very strongly that the applicant should have applied from a fresh planning permission or under section 73 before building commenced.

Councillor Bridgman personally felt that the changes improved the proposal particularly the hipped roof. He did not feel that any of the other changes materially affected the development and changes to the dimensions were minimal compared to what was granted. Councillor Bridgman felt that the changes to the layout of the building actually helped the building look less bulky as the car port would be pushed out to the side. Councillor Bridgman took on board fully the comments raised by the Parish Council and stated that he would like both conditions four and six to be extended. Councillor Bridgman stated that he was reaching the view that he was in support of the application.

Councillor Somner concurred with the points raised by Councillor Bridgman. It was important that people realised that any changes needed to go through the appropriate process. Councillor Somner did not feel that the structure as it stood was out of keeping and was satisfied with the measurements. Councillor Somner proposed that the proposal be approved with inclusion of the suggested changes to conditions. Councillor Royce Longton seconded the proposal.

Councillor Mackinnon stated that he agreed with the comments raised by Councillors Bridgman and Somner regarding planning permission being sought. It was indicated by

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the nature of the questions raised at the Committee that there was concern regarding the proposed use, particularly as the building was visually appealing and looked much like a house. There was concern that the building could be turned into a residence and although Mr Bearman had stated he had no intention to do this it was important to note Mr Bearman could sell the property at any time. Councillor Mackinnon supported the extension of conditions four and six. Otherwise Councillor Mackinnon agreed that the appearance of the development had improved.

Mr Dray clarified the suggested wording of conditions four and six. Condition four would be amended to explicitly preclude the creation of a separate dwelling or the creation of a separate residential curtilage, and ensure that the building must not be sold, let or disposed of separately.

Councillor Bridgman stated that suggested amendments to condition six related to the use of the garage and the right to convert. A condition was required to ensure that the garage could not be used for anything but storage or as a garage. Mr Dray suggested leaving condition six un-amended, but amending condition four further to stipulate that the ground floor be kept to garaging, carport or other incidental uses such as storage. He suggested that the first floor be kept as ancillary and/or incidental use.

Councillor Pask stated that elsewhere within the parish of Bradfield a car port had been allowed with the restriction that doors should not be fitted however, doors had been fitted. The doors subsequently had to be removed following an appeal. Councillor Pask asked Mr Dray to clarify if doors should not be fitted without precise planning permission. Mr Dray stated that condition six would prevent doors being fitted on the car port and he suggested no amendments should be made to this. Condition four however, could be amended to clarify the use for each of the floors. It could be amended to read that the ground floor should be used solely for garage and car port purposes incidental to the dwelling and the first floor should be used only for ancillary or incidental uses. Councillor Somner and Councillor Longton confirmed that they were satisfied with the proposed wording suggested by Mr Dray.

Councillor Pask invited Members to vote on the proposal by Councillor Somner, seconded by Councillor Longton and 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. Approved plans (amended)

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

- 2006-P14A (Proposed carport / garage as built with dimensions annotated), received on 6th September 2021;
- 2006-P01 (Block and Location Plan), received on 7th April 2020;
- 2006-P02 (Existing Ground Floor Plan), received on 7th April 2020;
- 2006-P03 (Existing First Floor Plan), received on 7th April 2020;
- 2006-P04 (Existing Roof Plan), received on 7th April 2020;
- 2006-P05 (Existing Elevations 1 of 2), received on 7th April 2020;
- 2006-P06 (Existing Elevations 2 of 2), received on 7th April 2020;

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- 2006-P07 (Existing Timber Outbuilding), received on 7th April 2020;
- 2006-P08 (Existing Timber Outbuilding), received on 7th April 2020;
- 2006-P09 (Proposed Ground Floor Plan), received on 7th April 2020;
- 2006-P10 (Proposed First Floor Plan), received on 7th April 2020;
- 2006-P11 (Proposed Roof Plan), received on 7th April 2020;
- 2006-P12 (Proposed Elevations 1 of 2), received on 7th April 2020;
- 2006-P13 (Proposed Elevations 2 of 2), received on 7th April 2020;
- 2006-P16 (Existing Timber Outbuilding), received on 7th April 2020;
- P2006-P15A (Proposed Site Layout), received 1st May 2020.

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

2. Materials

The finishing materials to be used in the carport / garage hereby permitted shall be as specified on drawing number 2006-P14A, and include an Oak Framed façade to the carport and garage openings and stained timber cladding to the external walls. The materials used in the remainder of the development approved by planning permission 20/00852/HOUSE shall be retained in their current condition.

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

3. Permitted development restriction

Notwithstanding the provisions of Article 3 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 extensions, alterations, buildings/outbuildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, and/or E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C6 of the Housing Site Allocations DPD 2006-2026; and the House Extensions SPG.

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4. Ancillary/incidental use

The ground floor of the garage / carport building hereby permitted shall not be used at any time other than for garaging, carport or other purposes incidental to the residential use of the dwelling known as The Old Travellers Rest. The first floor of the garage / carport building hereby permitted shall not be used at any time other than for purposes ancillary and/or incidental to the residential use of the dwelling known as The Old Travellers Rest. The development shall not be used as a separate dwelling unit, and no separate curtilage shall be created. It shall not be let, sold, occupied or disposed of separately from the main single unit of residential accommodation on the site.

Reason: To limit the future use of the building to prevent uses which would not be ancillary or incidental to the main dwelling. This condition is applied in the interests of preventing a change of use which would result in an unsustainable pattern of development, and detract from neighbouring and local amenity. This condition is applied in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, WBC Quality Design SPD (2006), and WBC House Extensions SPG (2004).

5. Vehicular access and visibility splays

The vehicular access and visibility splays approved by drawing numbers 2006-P15A and 2006-P17, received on 1st May 2020, shall be retained as constructed on site. The land within these visibility splays shall be kept free of all obstructions (including vegetation) to visibility over a height of 0.6 metres above the carriageway level

Reason: In the interest of road safety and highway maintenance. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

6. Restriction on car port alterations

The carport 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 carport (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: In the interests of the amenity of neighbouring properties and the creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development. This condition is applied in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, WBC Quality Design SPD (2006), and WBC House Extensions SPG (2004).

17. Application No. & Parish: 21/01358/HOUSE - Thatchers, Road known as Broad Lane, Chapel Row

(Councillor Graham Pask declared a personal interest in Agenda Item 4(2) by virtue of the fact that he knew the applicant and objector as they were residents of Bucklebury where he lived. 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(2)) concerning Planning Application 21/01358/HOUSE in respect of demolishing an existing rear extension, construct new single storey rear extension and 2 storey side/rear extension, construct new garage block with office/games room above and a single storey link to main house.

Mr Bob Dray (Team Leader – Development Control) introduced the item and highlighted the key points within the report.

In accordance with the Council's Constitution, Mr Edward Mather on behalf of Mr Bill Bucknell, Objectors and Mr Simon Hudson, applicant, addressed the Committee on this application.

Objector Representations:

Mr Mather in behalf of Mr Bucknell in addressing the Committee raised the following points:

- Mr Mather was an architect at Colony Architects and was a friend of Mr Bucknell who lived at Oakley next door the proposal. Mr Bucknell was away and therefore had asked by Mather to speak on his behalf.
- Mr Bucknell had written a letter on the 15th July and Mr Mather stated that he would reiterate the main points set out in the letter.
- Overall Mr Bucknell was supportive of the principle of extending the house and offering an ancillary garage or incidental accommodation.
- For a number of reasons it was felt that the scale of the proposal would cause overdevelopment on the site and would negatively impact upon the setting and Mr Bucknell's property.
- It was felt that the proposed rear of the extension would be an improvement and was supported as the modern extension would be removed and this would improve the appearance of the house.
- The issue was regarding the ancillary accommodation to the side and front of the property. The site was within the countryside and within the North Wessex Down Area of Outstanding Natural Beauty (NWDONB) and although house extensions were permitted Mr Mather quoted they needed to have 'no adverse impact on the setting, the space occupied within the plot boundaries, on the local rural character, historic interest or the building and its setting within the wider landscape'.
- The site was positioned at the end of the Avenue, which was a distinctive local landscape feature central to the unique character of Chapel Row.

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- The site was to the north of the Avenue and faced the green. It held a prominent position and was clearly observable from the public space. Any proposal should be carefully designed to not negatively impact the setting and landscape.
- It should be noted that back in 2005 a similar application in height and scale was refused. It was for a garage to the west of the property and was refused because of its harmful impact on the AONB, character and setting.
- The current proposal protruded about three metres to the front of the property and was of two storey in scale. It would be the proudest structure along the Avenue and Chapel Row. Two storeys would reduce the openness of the setting and on this bases it was felt it would have a negative impact on the setting and wider landscape.
- Mr Mather stated that there was not complete opposition to the proposal but it was hoped it could be reduced in height to reduce the negative impact.
- There were a number of roof lights proposed on the property along the northern boundary, which faced onto Oakley. There was concern that these would cause a degree of overlooking. Secondly being in the AONB there was support for the dark skies policy and therefore the additional light pollution might be a problem. It was requested that the roof lights be removed from the proposal.
- In summary many aspects of the proposal were welcomed however, it was requested that the height and prominence of the building be reviewed and the roof lights omitted. If the proposal was approved then it was suggested that a restrictive condition be applied regarding ancillary use.

Member Questions to the Objector:

There were no questions raised for the objector.

Agent's Representations:

Mr Hudson in addressing the Committee raised the following points:

- He would keep his comments brief as he felt the Committee report produced by the Planning department was very thorough in the detail and interpretation of policies.
- Mr Hudson referred to a couple of the points raised by Mr Mather, firstly regarding the prominence of the proposal. He stated that there were other buildings within the centre of Chapel Row that were more prominent to the side of the road. Secondly regarding the roof lights, these were above eye line. Care and consideration had been given to ensuring neighbours retained their privacy.
- In summary Mr Hudson stated that he was not a professional and did not have much further detail to add however, reiterated that the Committee report was thorough. He hoped the Committee voted in favour of the application and supported the Planning Officer's recommendation.

Member Questions to the Agent:

Councillor Geoff Mayes noted that there were three roof lights on the garage block and they were not equally spaced. He asked if there was a reason for this. Mr Hudson stated

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that he would need to check the point with his architect but his understanding was that the roof lighting had been positioned to provide light to the rooms and the stairwell in the appropriate positions. If this was something of concern then Mr Hudson stated that he would be happy to raise it with his architect. Councillor Mayes noted that it was a minor detail but it had struck him when viewing the plans.

Ward Member Representation:

Councillor Graham Pask in addressing the Committee raised the following points. He began by reading a representation on behalf of Bucklebury Parish Council:

- Councillor Brims attended the site meeting but unfortunately could not make the Committee meeting and had sent his apologies.
- The only part of the application that Bucklebury Parish Council objected to was the double garage with office, toilet and games room above, sited to the east of the property with a single storey link. The extension would have a considerable impact on the street scene from the road through Chapel Row, the green and driving northwards up Hatch Lane towards the staggered cross roads.
- Bucklebury Parish Council did not feel that this part of the application met the criteria of sub sections one, two or four under Policy C6.
- Bucklebury Parish Council did not think that the two storey garage extension looked subservient to the original dwelling. The apex of the roof line was above the gutter level of the existing house and almost doubled the bulk on the north and south elevations. The Parish Council felt that the design was not in character with that of the original dwelling, which had hipped roofs, whereas the proposed extension was squared.
- Whilst the plot was large the extension would increase the footprint of the dwelling considerably and would have an impact on the rural character and on the street scene.
- Bucklebury Parish Council felt that the garage and rooms above would have a considerable impact on the residents of Oakley, the neighbouring property. Whilst there was no right to a view the impact of the bulk of the proposed development would be considerable on Oakley. The windows on the rear of the proposed extension would look directly into the property and there would potentially be light spilled from the windows.
- Bucklebury Parish Council believed that a single storey double garage with a link and low angle roof in the setting would be more appropriate. This would make the view from the road, the green and neighbouring property not too dissimilar from what it was currently.
- Councillor Graham Pask stated that he did not always comply with the Parish Council's requests for a call in however, he wanted the Committee to assess the impact of the proposal. The Avenue was special to Bucklebury and the avenue of trees signified the visit from Elizabeth I. Councillor Pask wanted Members to assess how the proposal sat within the special landscape in the location of Bucklebury.

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- Councillor Pask declared that he was neither for nor against the proposal and he looked forward to hearing the Committee's judgment and comments.

Member Questions to the Ward Member:

Councillor Bridgman stated that the Committee had heard differing views on separation distances between what was proposed and the road as well as other buildings within the vicinity and the road. He queried what Councillor Pask's view was on this. Councillor Pask stated that the Avenue itself was an eclectic mix of different styles of property, mostly well set back from the road. Two doors up from the property Thatchers towards the east, was a newly built house that was originally bungalow but was still set back from the road. Councillor Pask believed that the houses referenced by Mr Hudson were those opposite the site, which did protrude closer to the road. To the west of Thatchers and the staggered cross roads there were also properties closer to the road.

Questions to Officers:

Councillor Bridgman referred to separation distances between the rear of the construction and Oakley and he believed this to be 29 metres. It was confirmed that this was correct.

Councillor Ross Mackinnon queried assessing the subservience of the proposal to the existing building. The highest figure was a 74 percent increase in floor space. Councillor Mackinnon queried if anything up to 100 percent was considered subservient. Mr Dray answered that the policy stated that an extension had to be subservient but that there were no firm rules on this. Policies in the previous Local Plan and previous guidance had stipulated that between 50 and 100 percent was acceptable. This had since been removed and therefore a judgement call was required. Mr Dray read out supporting text for Policy C6 regarding subservience. There were certain elements that could be considered including the design and the percentage increases. The policy as a whole looked at the relationship between the house and the plot. Mr Dray stated that dimensions also had a bearing compared to what was existing. All were relevant points that needed to be taken into account when making the judgement.

Councillor Mackinnon referred to the picture that had been shown as part of the Planning Officer's presentation of the front elevation of the proposal. He had noticed from the picture that even when looking at the percentage increase in floor area it did not tell the whole story and the visual impact from the street scene needed to be taken in to account. Councillor Mackinnon asked if the impact from the street scene was also a judgement call. Mr Dray stated that where a development was visible from had a key impact on considerations.

Councillor Bridgman asked Mr Dray's view on the point raised by Councillor Mayes about the roof lights. Councillor Bridgman believed that there were two rooms and a stairwell, which were of different dimensions and that the roof lights had been placed in the centre of each. This was what had caused the different distances between the lights. Secondly Councillor Bridgman stated that he noted at the site visit, the front of the garden facing the road was well screened. It had been discussed earlier in the Committee that planning permission stayed with the property. The amount of screening lessened the bulk of a proposal and therefore Councillor Bridgman asked to what extent it was possible to seek to retain screening.

In response to Councillor Bridgman's first question Mr Dray responded that he agreed with Councillor Bridgman's view as to why there was a discordant appearance between roof lights. Regarding screening and landscaping Mr Dray stated that landscaping was an important consideration and was something that should be secured as part of

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development. Reasonableness and enforceability needed to be kept in mind. Landscaping conditions were typically applied whereby planting should be maintained for the first five years as this allowed screening to become established. Mr Dray stated that they could not enforce long term protection through conditions.

Councillor Jo Stewart referred to the front street scene and asked to see the photo from the Planning Officer's presentation which demonstrated the view currently. It was noted that the roof top of Oakley could be seen. Councillor Stewart felt that it was interesting to see the photos and envision the impact a two storey extension would have in that position.

Councillor Woodhams had noted when visiting the site that to the west of the site there was a telephone box and two properties behind a bus layby very close to the road. There was also a public house across the road, which was very close to the road. He noticed in the planning balance conclusion that the Officers were in favour and supported the development. Councillor Woodhams proposed Officer recommendation be supported however, Councillor Pask reminded the Committee that they had not yet entered debate.

Councillor Somner asked Mr Dray to show the photograph from the neighbouring property. His first observation that he could see windows and he referenced comments made earlier regarding lighting. Councillor Somner asked for clarity regarding the hedgerow and which property it belonged to as this would determine who would have control of the height and its ability to screen. Mr Dray stated that he did not have this information to hand.

Debate:

Councillor Mackinnon stated that looking at the impact on the street scene and wider locality he could not see how it could be considered that the proposal would not have an adverse impact. When looking at the proposal from the front it would substantially increase the size of existing dwelling. The impact on the visual setting in Councillor Mackinnon's view was significant. He was therefore minded to not support Officer recommendation.

Councillor Somner disagreed with Councillor Mackinnon's view. He agreed that the proposal was large however, the extension to the rear of the development was generally accepted. The development to the front was big however, there was a large variety of properties in the vicinity, which also varied in their proximity to the road. He understood what the applicant was trying to achieve with the application. It was an unusual plot shape being 'wedge' shaped, which created challenges. Councillor Somner stated that he was leaning towards supporting the Officer's recommendation to approve the proposal.

Councillor Bridgman referred to the separation distance from Oakley. He sympathised that it was never nice for a neighbour to have something built within the eye line however, he had formed the view that the separation distance was acceptable to minimise the impact on Oakley if Members were minded to agree with Officers recommendation and approve planning permission. If approved he would urge the applicant to retain and enhance the screening to the front of the property bordering the road, as he did feel there would be a visual impact. Councillor Bridgman did not however, feel it was enough of an impact to refuse the application.

Councillor Bridgman referred to the question raised earlier in the Committee regarding the garage doors and stated that he would not want to see the garage doors removed and the garage converted to accommodation. He sought guidance from Mr Dray on this. Mr Dray stated that the plans showed the ground floor would be used as a garage, cycle store and workshop. There was a door on the garage and therefore the condition applied

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to the previous application considered at the Committee would not apply. Mr Dray noted that the uses shown on the plans were ancillary. A condition could be applied that ensured the garage could only be used for ancillary or incidental use.

Councillor Bridgman stated that he wanted to see the garage doors retained. Mr Dray stated that if Members considered this necessary to retain the visual appearance then it would be legally possible to apply condition stipulating the door remain.

Mr Dray referred to comments regarding screening and stated that this could be covered off by landscaping conditions.

Councillor Woodhams stated that his view of the application accorded with the Officer recommendation. He therefore proposed that Members approve planning permission with amendments to the conditions. This was seconded by Councillors Bridgman.

Councillor Pask invited the Members to vote on the proposal by Councillor Woodhams, seconded by Councillor Bridgman. 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. 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 plans

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

01A (Existing Plans and Elevations, received on 12th May 2021

02A (Proposed Ground Floor Plans and Elevations), received on 12th May 2021

03A (Proposed First Floor Plans and Elevations), received on 12th May 2021

Block / Site Plan, received on 12th May 2021

Location Plan, received on 12th May 2021

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

3. Materials as specified / match

The materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

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

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4. **Parking (approved plans)**

The extension shall not be first occupied until vehicle parking and turning spaces have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private 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. 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.

5. **Ancillary/incidental use**

The ground floor of the link-attached garage building hereby permitted shall not be used at any time other than for purposes incidental to the residential use of the dwelling known as Thatchers. The garage doors shall be retained in perpetuity in accordance with the approved plans. The first floor of the link-attached garage building hereby permitted shall not be used at any time other than for purposes ancillary and/or incidental to the residential use of the dwelling known as Thatchers. The development shall not be used as a separate dwelling unit, and no separate curtilage shall be created. It shall not be let, sold, occupied or disposed of separately from the main single unit of residential accommodation on the site.

Reason: To limit the future use of the building to prevent uses which would not be ancillary or incidental to the main dwelling. This condition is applied in the interests of preventing a change of use which would result in an unsustainable pattern of development, and detract from neighbouring and local amenity. This condition is applied in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C6 of the Housing Site Allocations DPD 2006-2026, WBC Quality Design SPD (2006), and WBC House Extensions SPG (2004).

6. **Soft landscaping (prior approval)**

The extensions hereby permitted shall not be first until a detailed soft landscaping scheme to retain and enhance planting at the front of the site bordering the public highway has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new extensions (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: Landscaping is an integral element of achieving high quality

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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 the Quality Design SPD.

Informatives

1. Damage to footways, cycleways and verges

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.

2. Damage to the carriageway

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

18. Application No. & Parish: 21/01481/HOUSE - Oakingham House, Bere Court Road, Pangbourne

Agenda Item 4(3), Planning Application 21/01481/HOUSE was deferred to the subsequent meeting of the Eastern Area Planning Committee on 6th October 2021, due to technical issues.

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

CHAIRMAN

Date of Signature