

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## WESTERN AREA PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD ON WEDNESDAY 23 APRIL 2025

**Councillors Present:** Phil Barnett (Chairman), Clive Hooker (Vice-Chairman), Adrian Abbs, Antony Amirtharaj, Nigel Foot, Denise Gaines, Tony Vickers and Howard Woollaston

**Also Present:** Sam Chiverton, Gareth Dowding, Lauren Hill, Debra Inston, Sarah House, Thomas Radbourne, Matthew Shepherd

**Apologies for inability to attend the meeting:** Councillor Paul Dick

#### PART I

##### 1. Minutes

The minutes of the previous meeting 19 March 2025 were approved as a true and accurate record and were signed by the Chairman

##### 2. Declarations of Interest

*Councillor Tony Vickers declared a personal interest in Agenda Items 4(1), 4(2), 4(3) by virtue of the fact that he was the Vice Chair of North Wessex Downs National Landscape. 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.*

*Councillor Adrian Abbs declared that he had been lobbied on Agenda Item 4(3) by the Ward Member.*

*Councillor Denise Gaines declared that she had been lobbied on Agenda Item 4(2) by Boxford Parish Councillors.*

*Councillor Clive Hooker declared a personal interest in Agenda item 4(3), by virtue of the fact that he knew the applicant in a professional capacity as she was the clerk to East Ilsley Parish Council when he was district councillor. 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.*

##### 3. Schedule of Planning Applications

###### (1) 24/00657/FUL - Land at Tudor Avenue, Chieveley

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 24/00657/FUL in respect of Erection of single dwelling, double garage and associated works, Land at Tudor Avenue Chieveley Newbury RG20 8RW.
2. Mr Matthew Shepherd introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.

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3. In accordance with the Council's Constitution, Mr Michael Parker and Mr Alan Alewood, objectors, Mr Andy Callow and Mr Robert James, applicant/agent, addressed the Committee on this application.

### **Objector Representation**

4. Mr Parker and Mr Alewood addressed the Committee. The following points were raised:
  - Local residents had been provided with very little notice of the of the recommendation to approve the application.
  - They felt as though officers' recommendation was undemocratic and contravened the Council's own policies.
  - They had presented photos demonstrating the area's propensity to flood.

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

5. Members asked questions of clarification and were given the following responses:
  - The site had previously been designated as agricultural land and was denoted as such in the Land Registry.
  - The flooding near the site was mainly surface water, but was also through water that came up through Thames Water's sewer network when it could not cope with the rainfall.
  - The development site sat on higher ground and could contribute to increased flooding on lower ground, which already flooded. The pumping station would need to be improved to prevent flooding when there was excess rainwater.
  - The development would add to the burden on the pumping station, which was unable to cope with the current demand.

### **Applicant/Agent Representation**

6. Mr Callow and Mr James addressed the Committee. The representation can be viewed here: [Western Area Planning Committee – Recording](#)
7. The main items highlighted by the applicant were as follows:
  - The development was under Callow Construction, but was owned by the applicant and his wife, with a view to building a family home.
  - The applicant had contacted all neighbours in the near vicinity to allay any concerns prior to and during the application.
  - The application and the Council's consultants had answered all objections raised by neighbours.
  - The applicant was sympathetic to the concerns raised by the objectors, but concerns raised were not felt to be relevant to the application as shown by the surface and foul water strategies commissioned by the applicant.
  - A lack of maintenance may have contributed to the flooding issues.
  - As owners of the Tudor Avenue access road, which would not be adopted by West Berkshire Council, the applicant would investigate the issues moving forward and would look into a communal laydown area for bin collection.
  - Regarding nutrient neutrality concerns, the applicant had agreed with Officers the amount and the location of the offsite mitigation which would be secured with a

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Section 106 legal agreement. The area to the northwest of the dwelling would be planted as a wildflower meadow and utilised for any future biodiversity enhancement measures required.

- No objections had been raised through the Council's technical consultation.
- The development was considered to be in line with Planning Policy C1, as the plot naturally formed a completion on Tudor Avenue, and the plot size and space was similar to the adjacent properties and respected the rural character of the locality.
- The site area was distinct from the wider agricultural landscape, and would have no adverse impact on the landscape, environment, ecology or highway safety.
- The application would help diminish the impact of the Council's five year deliverable housing sites shortage and would contribute to the local community.
- If the application was approved, it would be implemented without delay subject to planning conditions and would create further opportunities for other viable developments.

### **Member Questions to the Applicant/Agent**

8. Members asked questions of clarification and were given the following responses:

- There had been a lack of maintenance of the two gullies along Tudor Avenue, which filled with leaves and needed to be cleaned out regularly. If this was not carried out, the surface water entered the pumping station, which was unable to manage the excess water
- If the surface water issue was mitigated, then it would alleviate the issues faced by the Thames Water Pumping station.
- Bin collection was an issue, there was no current designated place for bins. The applicant would be willing to have hardstanding on their site, which had a drain to remove surface water.
- The applicant took ownership of the site 3 years ago and had submitted a previous application that was refused in 2023.
- The road was unadopted, and there was no clear responsible party for the drains. The applicant would be willing to come to an agreement with highways, Thames Water, and other residents to put a maintenance plan in place.
- The applicant was uncertain if the land was agricultural.

### **Ward Member Representation**

9. Councillor Heather Codling addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Recording](#)

### **Member Questions to the Ward Member**

10. Members did not have any questions of clarification.

### **Member Questions to Officers**

11. Members asked questions of clarification and were given the following responses:

- Paddocks were generally considered to be agricultural land and could be used for grazing livestock. Officers treated the site as agricultural land.
- Planning applications were not required if used for grazing livestock related to agriculture. If the use was changed to a paddock for equestrian use, then there may be a requirement.

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- The Council could not stipulate improvements to Thames Water's network, and Officers stated they were content that the development would not add to any of the outstanding drainage issues.
- Thames Water had confirmed that there was sufficient capacity in the area for foul water.
- The proposed soakaway to the northwest of the site, to which all water that ran off from the gutters would be directed into, had been checked using trial pits. This strategy had been accepted by the SuDS officer.
- In terms of surface water, Officers they were satisfied that it would be moving away from the area of surface water flooding.
- There were alternative methods and strategies that the SuDS Officer could employ in terms of package treatment plants.
- It was confirmed that the application involved a change of land use from agricultural to residential.
- It was confirmed that the application was not in Flood Zones 2 or 3, and there was no surface water flooding on the site itself across the dwelling, therefore the local authority had not asked for a flood risk assessment (FRA). Officers noted that an FRA could show the depth of surface water flooding of the access. The SuDS Officer was content that the flooding would not prevent access and egress in a car.
- Officers were content to proceed without an FRA and noted that it could have formulated part of the drainage strategy, but it was not essential.
- The highway boundary was around the outside of the turning head area, and everything further up the road was private.
- The application was not a house of exceptional design and had not been presented as such. Officers were content that the design was acceptable and met CS14 and would not harm the character of the area through its design.
- In terms of sustainability principles, nothing had been put forward in relation to this application. It would have to meet building regulations, but there was no requirement in planning policies for a single dwelling to exceed building regulations.
- The new duty that local authorities have to conserve and enhance the National Landscape had been taken into account. The harm would be limited and localised to a small area, and officers considered that they would be carrying out their duty to recommend approving the application.

### **Debate**

12. Councillor Anthony Amirtharaj opened the debate. He noted the flooding issues and was surprised that an application outside the settlement boundary was supported by Officers for approval when it would normally be refused. He noted that the development was for a family home and would not harm the National Landscape and the applicant would be willing to work with neighbours to mitigate any issues.
13. Councillor Adrian Abbs noted that the only reason the development was being brought forward to committee was because the council did not have a five-year housing supply. He stated that the Committee should be policy led. He was not supportive of the application and noted the previous refusals for applications on the site, as well as highlighting the fact that the five-year housing supply would likely be solved in the near future and the development would not enhance the National Landscape.

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14. Councillor Tony Vickers highlighted a similar application in Hungerford but noted the need for the organic growth of small sites in towns and villages. He supported Officer's recommendation for approval. He considered that the harm to the AONB would be minimal, and that the current use of the land was not of high quality. He indicated that he would be comfortable to vote for the application but noted that it was finely balanced.
15. Councillor Clive Hooker noted the increase in applications because of the shortage of land supply but indicated that land supply issues would likely come to an end in June. He noted that it was the Committee's responsibility to make decision based on policy and questioned whether Members were content that the application was tilted in favour of approval, due to the five-year housing supply shortage.
16. Councillor Abbs noted that other Councillors referred to the land as scruffy and questioned what the land should look like without being cultivated. He noted that policy C1 was a core policy, which would require a key reason to go against, and considered that a key reason had not been identified to the Committee.
17. Councillor Denise Gaines noted the challenging nature of the application with the tilted balance and the lack of a five-year housing supply. She noted that the NPPF overrode the Local Plan as it was a national policy, which recommended that the Committee support approval of the application as there was a five-year housing shortage.
18. Councillor Abbs agreed that the NPPF overrode all local plans, but noted that it stated a weighted balance, and that it did not recommend approval.
19. Councillor Gaines noted that section 7.3 of the NPPF stated that there should be a presumption of favour of sustainable development means, and listed reasons why an application could be refused. She considered that none of the listed reasons were valid for this application.
20. Councillor Anthony Amirtharaj proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Tony Vickers.

Officers advised that a condition should be included to ensure that the outbuilding remained ancillary to the main property and would not become a separate residential unit. However, a condition could not be added to prohibit further development outside of the application site.

21. The Chairman invited Members of the Committee to vote on the proposal by Councillor Anthony Amirtharaj, seconded by Councillor Tony Vickers to grant planning permission. At the vote the motion was carried.

**RESOLVED that** the Development Manager be authorised to grant planning permission subject to the conditions listed in the main report and update report.

### **(2) 24/02784/PIP - Laburnum Cottages, Westbrook, Boxford**

22. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 24/02784/PIP in respect of Application for Permission in Principle for residential development for a new detached dwelling, Laburnum Cottages, Westbrook, Newbury RG20 8DN.
23. Ms Lauren Hill introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms

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and officers recommended that the Development Manager be authorised to grant planning permission subject to the conditions outlined in the main report.

24. In accordance with the Council's Constitution, Mr Mark Hayes Newington, Parish/Town Council representative, Mr Michael Webb, objector, and Mr Gareth Johns, agent, addressed the Committee on this application.

### **Parish/Town Council Representation**

25. Mr Hayes Newington addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Recording](#)

### **Member Questions to the Parish/Town Council**

26. Members did not have any questions of clarification.

### **Objector Representation**

27. Mr Webb addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Recording](#)

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

28. Members asked questions of clarification and were given the following responses:
- The land stopped being used as allotments in the 1960s and had since been used as agricultural land for chickens and other animals.

### **Agent Representation**

29. Mr Johns addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee - Recording](#)

### **Member Questions to the Applicant/Agent**

30. Members asked questions of clarification and were given the following responses:
- The development was put before the committee as an in principal planning application due to costs for the landowner.

### **Member Questions to Officers**

31. Members asked questions of clarification and were given the following responses:
- It was explained that traffic concerns were not in scope for an in principal planning application but would be asked for at the technical detail stage application.
  - An in principal planning application was the first step of a two-stage planning permission.
  - Refusal of the principal planning application would not prevent the applicant from submitting another application.
  - Approval of the application would mean the applicant would have three years to have the technical details stage agreed. This could be brought by members to the committee.
  - In principal planning applications could be taken to appeal, and approval would mean that the land would be classified as suitable for development. The approval would only be for one dwelling, and any additions would require another application.
  - An in principal application was similar to an outline application, with all matters reserved. But the validation requirements were a lot less. Applicants only had to submit limited information in terms of a location plan. If the decision was granted, the use of the land would not change until the application was complete.

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- The application was put forward by the applicant to be included within the settlement boundary, and the Parish Council had been consulted on that basis as rounding off the existing settlement, and based on the objection of the Parish Council, the site had not been included in the settlement boundary of the new Local Plan. The Parish Council wanted to keep the rural character of the area as it stood, by not permitting further development within this location.
- If members approved the application, the technical details stage could not be refused after the new local plan was agreed.
- The land was graded as agricultural land, but it was not categorised as the highest quality, and the restrictive covenants on the site were a civil matter and would not be a planning matter.

### **Debate**

32. Councillor Howard Woollaston opened the debate by noting the level of traffic on the road, and questioned whether Highways Officers would have objections.
33. Councillor Adrian Abbs noted that the boundary review did not include the site. He was not supportive of a decision in principle which allowed the development of a home on the site. He suggested that in the absence of an appeal decision, the Committee was guessing regarding interpretation of the NPPF. He noted that a Section 106 Agreement could not be applied to the application for a decision in principle. He did not consider the site appropriate for a home and indicated that he was minded to go against the Officer's recommendation.
34. Councillor Tony Vickers noted that the settlement boundary did not include the site and indicated that he was uneasy about approving an application which went against the Parish Council and West Berkshire Council as the local planning authority. He noted that there was a 20mph speed limit on the road around the site, and that there was ample space for parking off-site. He felt that Officers and Members were confused by how a decision in principle was dealt with and noted that he was not in favour of decisions in principle. Councillor Vickers questioned why nutrient neutrality could not be reviewed later in the process similar to traffic concerns. He indicated that he was not supportive of the application, but noted that an appeal would most likely be upheld. He noted that the visual impact to the national landscape was minimal. Councillor Vickers indicated that he was inclined to vote against Officers recommendations.
35. Councillor Denise Gaines noted the lack of information regarding the highways issues and highlighted that it would be difficult to approve the application without additional information.
36. Councillor Anthony Amirtharaj agreed with most of the points raised by the other Councillors and indicated that he would be uncomfortable to approve the decision in principle. Although he was supportive in principle of looking for plots for single detached properties but would be supportive of a decision to refuse the application.
37. Councillor Clive Hooker indicated that his decision was swayed by the tilted balance because of the land supply. He noted that if the application was approved, it would be unlikely for the applicant to get a full application or outline planning permission in before the Local Plan was resolved.
38. Councillor Vickers stated that he would not be supportive of building a house on the site.

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39. Officers stated that it would be difficult to sustain a reason for refusal based on nutrient neutrality, as there had been no objections raised by the Council's ecologist. The PPG for permission in principle stated that if the development would cause significant harm to a protected habitat such as the SAC then mitigation measures need to be put in place. Planning inspectors have accepted the only way to secure that at PIP stage was via a unilateral undertaking, and the applicant had accepted that.
40. Councillor Nigel Foot questioned whether Officers could reinvestigate why the settlement boundary was drawn in its current location which excluded the site under consideration, and whether it could be included in any reasoning for refusal. Councillor Foot noted that the Parish Council as to drawing where the settlement boundary was.
41. Officers stated that the site was excluded from the settlement boundary in order to prevent the loss of the soft transition of the landscape, but it was possible for Officers to investigate why the settlement boundary was drawn in its current location.
42. Officers indicated that the committee could delegate to officers to write the refusal, and to articulate the reasons for damage to the NDL.
43. Councillor Adrain Abbs proposed to reject Officer's recommendation and refuse planning permission due to the harm the proposal presented to the North Wessex Downs Landscape and the principle of the development being contrary to the spatial strategies in the local plan. This was seconded by Councillor Clive Hooker.
44. The Chairman invited Members of the Committee to vote on the proposal by Councillor Adrian Abbs, seconded by Councillor Clive Hooker to refuse planning permission. At the vote the motion was carried.

**RESOLVED** that the Development Manager be authorised to refuse planning permission subject for the following reasons:

- The harm presented to the North Wessex Downs Landscape
- The Principle of the development being contrary to the spatial strategies in the local plan.

### **(3) 25/00128/HOUSE - Swimbrels, Newbury Hill, Hampstead Norreys**

45. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 25/00128/HOUSE in respect of proposed single storey rear extension, new first floor rear dormer windows and replacement paving to front steps with new handrails, Swimbrels, Newbury Hill, Hampstead Norreys, Thatcham, RG18 0TR.
46. Ms Lauren Hill introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.

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

47. Members did not have any questions of clarification.

#### **Debate**

48. Members did not consider that the application required any debate.



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49. Councillor Howard Woollaston proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Denise Gaines
50. The Chairman invited Members of the Committee to vote on the proposal by Councillor Howard Woollaston, seconded by Councillor Denise Gaines to grant planning permission. At the vote the motion was carried.

**RESOLVED that** the Development Manager be authorised to grant planning permission subject to the conditions listed in the main report and update report:

*(The meeting commenced at Time Not Specified and closed at Time Not Specified)*

**CHAIRMAN** .....

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