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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 TUESDAY, 16 JULY 2024

Councillors Present: Phil Barnett (Chairman), Antony Amirtharaj, Paul Dick, Nigel Foot, Tony Vickers and Howard Woollaston

Also Present: Sharon Armour (Legal Services Manager), Sian Cutts (Senior Planning Officer), Bob Dray (Development Manager), Paul Goddard (Team Leader - Highways Development Control), Emma Howard (Trainee Solicitor), Hannah Hutchison (Trainee Solicitor), Debra Inston (Team Leader), Isabel Oettinger (Planning Officer), Gordon Oliver (Principal Policy Officer (Scrutiny & Dem Services)) and Thomas Radbourne

Apologies for inability to attend the meeting: Councillor Clive Hooker, Councillor Adrian Abbs and Councillor Denise Gaines

PART I

1. **Declarations of Interest**

Councillor Tony Vickers declared an interest in Agenda Items 3(1), 3(2), 3(3) and 3(4) by virtue of the fact that he was a Ward Member for all of these applications. While he had not personally called all of them in, he did consider that they would merit consideration at Committee. However, he indicated that that he had an open mind on each of the applications. As his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Vickers also declared an interest in Agenda Items 3(1), 3(3) and 3(4) by virtue of the fact that he was the Council's representative on the North Wessex Downs Council of Partners. As his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillors Phil Barnett, Tony Vickers and Howard Woollaston declared an interest in Agenda Item 3(3) by virtue of the fact that they knew former Councillor James Cole who was the applicant's father-in-law. However, this would not affect their decision. As their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

Councillor Nigel Foot declared an interest in Agenda Item 3(4) by virtue of the fact that he was the Council's Heritage Champion. As his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Howard Woollaston declared an interest in Agenda Item 3(4) by virtue of the fact that the applicants agent had undertaken some work for him around 6-7 years previously. However, he indicated that this would not affect his decision. As his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

2. Schedule of Planning Applications

(1) Application No. and Parish: 23/01492/FUL - Land approximately 400 metres west of Dark Lane and South Of Denford Lane, Upper Denford

1. The Committee considered a report (Agenda Item 3(1)) concerning Planning Application 23/01492/FUL Erection of equestrian workers dwelling; with associated parking, turning, landscaping, private amenity space and access in respect of Land approximately 400 metres west of Dark Lane and South of Denford Lane, Upper Denford
2. Ms Isabel Oettinger (Planning Officer – Development Control) 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.
3. In accordance with the Council's Constitution, Mr Jerry Keates and Ms Stella Coulthurst, Town Council Representatives, and Mr Mark Pettitt and Mr Richard Evans, applicant/agent, addressed the Committee on this application.

Parish/Town Council Representation

4. Mr Keates and Ms Coulthurst addressed the Committee – their representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

Member Questions to the Parish/Town Council

5. Members did not have any questions of clarification.

Applicant/Agent Representation

6. Mr Pettitt addressed the Committee – his representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

Member Questions to the Applicant/Agent

7. Members asked a number of questions of clarification and were given the following response:
 - This had been a separate planning application from the main house due to the growing concern and need for the extra land, to reduce journeys from the main estate. The quality of the brood mares had increased and necessitated an on-site presence
 - The safety and welfare of the horses until the completion of the house would be maintained by frequent journeys from the main estate to the horses.
 - Security was provided through CCTV on the main estate, but an on-site presence would be more effective, as well as the completion of the North Lodge.

WESTERN AREA PLANNING COMMITTEE - 16 JULY 2024 - MINUTES

- Offsite accommodation had not been considered as the accommodation needed to be within sight and sound of the brood mares, the location of the accommodation had been chosen to satisfy that criterion.
- The accommodation would be used by an existing member of staff.

Ward Member Representations

8. Councillors Tony Vickers addressed the Committee. His representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](#)

9. Councillor Dennis Benneyworth addressed the Committee. His representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](#)

Member Questions to the Ward Members

10. Members asked a question of clarification and were given the following response:

- CCTV was not considered to be a viable alternative to an on-site presence - an onsite presence would allow a better understanding of the horses' welfare and security.

Member Questions to Officers

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

- The occupancy condition would apply for the lifetime of the building and the building was tied to the equine business. Anyone living in the building would have to work for the business - it would not allow for the occupier to retire and maintain occupancy or for their family to remain there if the employee died.
- Officers have assessed the information provided. Additional evidence had been submitted in response to queries about the business and Officers were satisfied the business was viable in the long-term.
- Alternative, off-site accommodation within the settlement area had been assessed, but there had been issues with visibility across parts of the site.

Debate

12. Councillor Howard Woollaston opened the debate by highlighting that members with equine knowledge were in support of the application. He indicated that he was supportive of the application.

13. Councillor Anthony Amirtharaj agreed that West Berkshire had a proud heritage related to the equine and horse racing sector and benefited from the associated employment. He noted that previous applications had recommended accommodation near to the animals. He indicated that he was minded to support the application.

14. Councillor Paul Dick noted that any relative weaknesses in the application had been explored, and he was satisfied by the evidence provided by the applicants and Councillor Benneyworth. He indicated that he was supportive of the application.

15. Councillor Tony Vickers had been reassured by Councillor Benneyworth. He suggested that a formal diversion order should be considered for the public right of way to minimise risks to the horses and members of the public.

16. Councillor Nigel Foot noted that the proposed dwelling looked like a gate house lodge for a stately home. He also highlighted the views of the applicant in relation to the

WESTERN AREA PLANNING COMMITTEE - 16 JULY 2024 - MINUTES

welfare and value of the animals, and he noted the employment aspects of the proposal. He indicated that he was minded to support the application.

17. Councillor Antony 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 Howard Woollaston. At the vote the motion was carried.

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

(2) Application No. and Parish: 22/02538/FUL - Site of Former Cope Hall, Skinners Green, Enborne

1. The Committee considered a report (Agenda Item 3(2)) concerning Planning Application 22/02538/FUL in respect of the proposed new self-build, net zero carbon dwelling, improvement of 2 no. existing accesses and associated landscaping on the site of the former Cope Hall residence, Skinners Green, Enborne, Newbury.
2. Ms Debra Inston 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 unsatisfactory in planning terms and Officers recommended that Development Manager be authorised to refuse planning permission for the reasons listed in the main and update reports.
3. In accordance with the Council's Constitution, Mr Peter Wilding, supporter, and Mr Giles Sutton, Mr Steve Woodward and Mr Richard Rowntree, applicant/agents, addressed the Committee on this application.

Supporter Representation

4. Mr Wilding addressed the Committee. The full representation can be viewed here:
[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

Member Questions to the Supporter

5. Members asked a question of clarification and were given the following response:
 - Mr Wilding indicated that he lived in one of a number of converted farm buildings at Skinners Green Farm. The site had been derelict, but was now a wonderful place, and the owners had invested in improving their properties, including several extensions. The former Cope Hall site was an eyesore and the current proposal was what residents wanted to see. There had been several letters of support and no objections from Skinners Green residents. He urged the Committee to go against the Officer's recommendation and approve the application.

Applicant/Agent Representation

6. Mr Sutton, Mr Woodward and Mr Rowntree addressed the Committee. The full representation can be viewed here:
[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

Member Questions to the Applicant/Agent

7. Members asked questions of clarification and were given the following responses:
 - The woodland did not have priority habitat status. Officers' comments were based on the site being shown on Natural England's map, which was incorrect.

WESTERN AREA PLANNING COMMITTEE - 16 JULY 2024 - MINUTES

- Assessment of design was inherently subjective, and decisions were often overturned at appeal. In relation to the character and appearance of the setting, the Planning Inspector who had considered the previous appeal was not a landscape specialist and had not followed the same guidance as the landscape architect for the current application. Instead, he had given his opinion on the matter. However, it was felt that he had misrepresented the topography of the site. Although the landscape architect had conceded that the site was not concealed from every angle, it was mostly disguised, with a restricted view from Skinners Green Farm. Additional planting and woodland management would provide an overall benefit.
- The proposed surface would be completely permeable and soakaway testing had been carried out. Hardstanding was only required 5m back from the highway. Soil disturbance would be minimal with a no-dig system proposed to protect tree roots. There was also a drainage ditch on the other side of Skinners Green where the package treatment plant could discharge to.
- The applicant had no objections if the Committee wished to make the Cope Hall Lane access for pedestrians/ cyclists only.

Ward Member Representation

8. Councillor Tony Vickers addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

Member Questions to the Ward Member

9. Members asked a question of clarification and were given the following response:
- Paragraph 84 of the National Planning Policy Framework (NPPF) indicated that an outstanding design should help raise the standard of design more generally. Councillor Vickers felt that this application passed this test. There were few buildings by commercial developers that came close to achieving net zero carbon standard. It went beyond what policies demanded and it should be cherished.

Member Questions to Officers

10. Members asked questions of clarification and were given the following responses:
- Some of the claims about the environmental performance of the proposal were not fully substantiated, but if the application was to be approved, conditions could be added to ensure that the net zero standard was achieved. The appeal inspector had felt that the technologies proposed weren't groundbreaking and were no more than what would normally be expected for new dwellings under current building regulations.
 - There were clear policy reasons to reject the proposal, which were borne out by the appeal decision. If Members were minded to take a different view to the appeal inspector, then the application would need to be referred to District Planning Committee.
 - The appeal inspector had noted the lack of substantive evidence to demonstrate exceptional design quality. If Members approved the application, they may wish to consider having the application assessed by an independent design review panel. This was neither a policy nor statutory requirement, but it was strongly recommended when seeking to justify proposals on the grounds of exceptional

WESTERN AREA PLANNING COMMITTEE - 16 JULY 2024 - MINUTES

design quality. The panel would include individuals with knowledge of the local area.

- Officers were unsure if either the Council's previous or current Ecologist had visited the site.
- If the Committee was minded to go against the Officer's recommendation when there was a clear appeal decision on the matter, then the decision would be open to third party challenge.
- In the event that the Committee approved the application and referred the matter up to District Planning Committee, it was recommended to allow time for the applicant to take the scheme to an independent design review panel, since this would be a material consideration.
- Although removal of vehicular access on Cope Hall Lane would be considered advantageous, Members had to consider the application before them. It was stressed that both accesses complied with all relevant highway standards.

Debate

11. Councillor Tony Vickers opened the debate. He felt that Members did not support the Officer's recommendation and he thought the design deserved to be given the go ahead. If the design review panel supported the proposal, then officers may change their recommendation, so there may be no need to refer the matter to District Planning Committee. Therefore, he suggested that this Committee should consider what conditions might be required.
12. Councillor Anthony Amirtharaj appreciated that this site needed special treatment. He felt that the applicant's design had taken appropriate account of the surroundings. He noted that local residents supported it and suggested that it met the requirements of NPPF paragraph 84. He indicated that he supported the application.
13. Councillor Paul Dick expressed unease at setting aside the Officer's recommendation, but he had found the speakers' presentations compelling. In the absence of serious concerns about the Council being open to challenge, he felt that he should look after the needs of local residents, and indicated that he was supportive of the proposal.
14. Councillor Howard Woollaston indicated that he had initially been minded to support the Officer's recommendation, but he had changed his mind on the basis of the speakers' presentations.
15. Councillor Vickers suggested that conditions should address archaeology, minimising ground disturbance, ecology, and drainage. He noted that the woodland had been poorly managed and suggested that the pond could contribute to biodiversity net gain. He also reiterated that further evidence would be required in relation to achievement of net zero standards.
16. Ms Inston recommended delegating the wording of conditions to officers, including pre-commencement conditions for archaeology and ecology, materials, and the environmental credentials of the building. It was agreed that Ward Members would be consulted on the conditions. She confirmed that if Members voted to approve the application, the developer would be allowed to take the proposal to a Design Review Panel prior to taking it to District Planning Committee.
17. Mr Goddard requested conditions related to sight lines, access, parking, electric vehicle charging points, and cycle storage. It was confirmed that the Committee had to consider the existing plans with the two vehicular accesses.

WESTERN AREA PLANNING COMMITTEE - 16 JULY 2024 - MINUTES

18. Councillor Paul Dick proposed to reject the Officer's recommendation and grant planning permission, delegating authority to Officers to agree any necessary conditions. This was seconded by Councillor Howard Woollaston. At the vote the motion was carried.

RESOLVED that the Development Manager be authorised to grant planning permission subject to conditions to be agreed by Officers.

(3) Application No. and Parish: 23/02586/FUL - land adjacent to 123 Strongrove Hill, Hungerford

19. The Committee considered a report (Agenda Item 3(3)) concerning Planning Application 23/02586/FUL in respect of land adjacent to 123 Strongrove Hill, Hungerford.

20. Ms Sian Cutts (Senior Planning Officer) 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 unsatisfactory in planning terms and the Officer recommendation was for the Development Manager be authorised to refuse planning permission.

21. In accordance with the Council's Constitution, Ms Stella Coulthurst and Mr James Cole, town council representatives, Mr Simon Smith, objector, and Mr Brian Withers, agent, addressed the Committee on this application.

22. Due to an administrative error, Ms Kamini Conning, supporter, had not been added to the published list of speakers for this item, despite having registered to speak by the deadline. Members resolved to suspend Standing Orders to also allow Ms Conning to speak, and to resume Standing Orders after she had made her representation and answered Members' questions.

Town Council Representation

23. Ms Coulthurst and Mr Cole addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](#)

Member Questions to the Parish/Town Council

24. Members did not have any questions of clarification.

Objector Representation

25. Mr Smith address the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](#)

Member Questions to the Objector

26. Members did not have any questions of clarification.

Supporter Representation

27. Ms Conning addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](#)

Member Questions to the Supporter

28. Members did not have any questions of clarification.

Applicant/Agent Representation

29. Mr Withers addressed the Committee. The full representation can be viewed here:

WESTERN AREA PLANNING COMMITTEE - 16 JULY 2024 - MINUTES

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](#)

Member Questions to the Applicant/Agent

30. Members did not have any questions of clarification.

Ward Member Representation

31. Councillor Tony Vickers addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](#)

Member Questions to the Ward Member

32. Members did not have any questions of clarification.

Member Questions to Officers

33. Members did not have any questions of clarification.

Debate

34. Councillor Anthony Amirtharaj opened the debate by stating that the developments should be looked at from the West Berkshire perspective, rather than against national standards. He noted that the proposal would create a new home which was sustainable and would, as far as possible, achieve Net Zero Emissions. He felt that the Council should encourage this type of family dwellings on brownfield sites. Councillor Amirtharaj indicated that he was in favour of rejecting the Officer's recommendation and granting consent for the planning application.

35. Councillor Paul Dick noted the sustainability aspects of the proposal, but he felt that the application had not provided sufficient evidence to show that it should be considered as an exception to planning policies. He indicated that he was minded to support the Officer's recommendation for refusal.

36. Councillor Tony Vickers agreed with Councillor Dick, but noted self-builds often did not have qualified architects behind them. He felt that the Committee should encourage self-builds, and self-sufficiency. He noted that the proposed site was close to the settlement boundary, and that most local residents were in favour of it. He felt that great weight should be given to these points.

37. Councillor Vickers proposed to reject Officer's recommendation and grant planning permission subject to the conditions to be agreed by Officers, for the following reasons: the application included a range of measures designed to achieve a low carbon footprint and a highly sustainable building; the applicant had provided sufficient information for the Committee to make this judgment. This was seconded by Councillor Amirtharaj.

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

39. Councillor Paul Dick proposed to accept Officer's recommendation and refuse planning permission for the reasons listed in the main report and update report. This was seconded by Councillor Nigel Foot. At the vote the motion was carried.

RESOLVED that the Development Manager be authorised to refuse planning permission.

(4) **Application No. and Parish: 23/02591/HOUSE & 23/02592/LBC - Little Hidden Farm, Wantage Road, Newtown, Hungerford**

WESTERN AREA PLANNING COMMITTEE - 16 JULY 2024 - MINUTES

The Chairman left the meeting. Councillor Tony Vickers proposed that Councillor Howard Woollaston be elected as Chairman for the remainder of the meeting. This was seconded by Councillor Paul Dick. At the vote, the Motion was carried.

(Councillor Howard Woollaston in the Chair.)

40. The Committee considered a report (Agenda Item 3(4)) concerning Planning Application 23/002591/HOUSE and 23/02592/LBC in respect of a two storey rear extension, new bathroom in existing roof space and replacement roof coverings at Little Hidden Farm, Wantage Road, Newtown, Hungerford.

41. Ms Sian Cutts 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 unsatisfactory in planning terms and officers recommended that the Development Manager be authorised to refuse planning permission for the reasons listed in the main and update reports.

42. In accordance with the Council's Constitution, Mr James Cole and Mr Jerry Keates, town council representatives, and Mr James Acworth and Ms Marianne Smith, applicant/agent, addressed the Committee on this application.

Town Council Representation

43. Mr Cole and Mr Keates addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

Member Questions to the Parish/Town Council

44. Members did not have any questions of clarification.

Applicant/Agent Representation

45. Mr Acworth and Ms Smith addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

Member Questions to the Applicant/Agent

46. Members did not have any questions of clarification.

Ward Member Representation

47. Councillor Tony Vickers addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 16th July 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

Member Questions to the Ward Member

48. Members did not have any questions of clarification.

Member Questions to Officers

49. Members did not have any questions of clarification.

Debate

50. Councillor Nigel Foot opened the debate. He understood why Officers had recommended refusal in order to protect the building. However, the Town Council and Ward Member representations had set out the benefits of the proposal in terms of keeping the family together and reducing social care costs, as well as the benefits for the local community. He hoped the farm could remain in the ownership of the

WESTERN AREA PLANNING COMMITTEE - 16 JULY 2024 - MINUTES

Acworth family. He noted that there had previous been some unattractive additions to the farmhouse, but the proposed development would not detract from its appearance. He proposed to reject the Officer’s recommendation and grant planning permission and listed building consent.

- 51. Councillor Anthony Amirtharaj felt it would be an irony that if the Officer’s recommendation was accepted then the building may fall into disrepair and be lost. The representations had highlighted the importance of considering the needs of the owner’s family. He considered the conservation aspects to be less important. Also, he did not see that the proposal would be detrimental to the heritage asset. He seconded Councillor Foot’s proposal.
- 52. Councillor Paul Dick sympathised with the applicant’s family circumstances, but asked how much weight should be given to this when making a planning decision, since the benefits were mostly for the applicant’s family rather than the wider public. Officers had indicated that the house could have an extension, but had suggested that this was not the right solution.
- 53. Officers confirmed that the proposal largely offered private benefits in allowing the family to stay together, but if Members wished to do so, they could give weight to the economic benefits of sustaining a rural enterprise.
- 54. Councillor Tony Vickers suggested that the building would not fall into disrepair, since it would be likely to find new owners who would care for it. However, he doubted whether new owners would care for the rest of the site in the same way. He felt that the business was at risk if the current owners could not remain in the property. This was where the public benefits lay, and he felt that they should be given substantial weight. The applicant had confirmed that the business was only viable if they could continue to live in their property. He suggested that there were significant public benefits that were in accordance with the Council’s policies.
- 55. It was suggested that if Members voted to go against Officer’s recommendation, then conditions associated with the planning permission and listed building consent should be delegated to Officers.
- 56. The Chairman invited Members of the Committee to vote on the proposal by Councillor Nigel Foot, seconded by Councillor Anthony Amirtharaj to grant planning permission subject to conditions to be agreed by Officers. At the vote the motion was carried.
- 57. The Chairman invited Members of the Committee to vote on the proposal by Councillor Nigel Foot, seconded by Councillor Anthony Amirtharaj to grant listed building consent subject to conditions to be agreed by Officers. At the vote the motion was carried.

RESOLVED that the Development Manager be authorised to grant planning permission and listed building consent subject to the conditions to be agreed by Officer.

(The meeting commenced at 2.00 pm and closed at 6.10 pm)

CHAIRMAN

Date of Signature