

## DRAFT

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

### **EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON WEDNESDAY 4 SEPTEMBER 2024**

**Councillors Present:** Alan Macro (Chairman), Richard Somner (Vice-Chairman), Jeremy Cottam, Paul Kander, Ross Mackinnon, Geoff Mayes, Justin Pemberton, Vicky Poole and Clive Taylor

**Also Present:** Stephen Chard, Shaheen Kauser, Thomas Radbourne, Simon Till

#### **PART I**

#### **4. Minutes**

The Minutes of the meeting held on 10 July 2024 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the following amendments:

- 'Warren Davies' corrected to 'Warren Richards' who was from Transforming Developments Ltd, not the Care Quality Commission.
- Final line, specialist transport would be from the applicant Transforming Developments Ltd or the Local Authority.
- Page 10 – Second bullet point Paragraph 30 amended to say "members were advised to consider"
- Final sentence was amended to say, "He had listened to concerns".

#### **5. Declarations of Interest**

*Councillor Justin Pemberton declared an interest in Agenda Item 4 (1) by virtue of the fact that he used to live in the next door property, however, he did not know the applicant. He reported that, 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.*

#### **6. Schedule of Planning Applications**

##### **(1) Application No. and Parish: 24/00378/HOUSE Woolhampton**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 24/00378/HOUSE in respect of a Retrospective New patio and garden works, 49 Abbey Gardens, Woolhampton, Reading, RG7 5TZ.

1. Mr Simon Till 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/for the reasons listed in the main and update reports.

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2. In accordance with the Council's Constitution, Dr Diana Davies, supporter, and Ms Helena Reid-Hinchcliffe, applicant/agent, addressed the Committee on this application.

### **Supporter Representation**

3. Dr Diana Davies addressed the Committee. This representation can be viewed on the recording: [Eastern Area Planning Committee](#)

### **Member Questions to the Supporter**

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

- No further additional applications would be made such as a gazebo.

### **Applicant/Agent Representation**

5. Helena Reid-Hinchcliffe addressed the Committee. This representation can be viewed on the recording: [Eastern Area Planning Committee](#)

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

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

7. The applicant had not been informed by the Estate Management Company that any development would need planning permission as there were no permitted development rights in place.

### **Ward Member Representation**

8. Councillor Christopher Read addressed the Committee. This representation can be viewed on the recording: [Eastern Area Planning Committee](#)

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

9. Members did not have any questions of clarification.

### **Member Questions to Officers**

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

- Mr Till stated that there was a drain channel to the rear of the site. Planning would extend to the matter of strategic drainage issues and flood risk. The planning application was a localised drainage issue in an area without existing drainage issues. Drainage in this case would be a civil matter between the landowners concerned, rather than a planning matter to consider.
- Mr Till noted that as part of the conveyancing of properties, Solicitors are required to assemble the correct planning permissions in relation to properties that is compiled into an information pack that would be passed on to the buyer of the property. In this case the removal of permitted development rights featured within the original planning permission for redevelopment of the site into residential, and would have been within the information pack passed on to the prospective buyer at the time.
- Mr Till noted that regarding the removal of permitted development rights, it applied to all extensions, outbuildings, and alterations to the exterior of the properties and would cover development of a permanent nature outside of the property. Temporary structures were a different matter which Planning could not apply control over, unless they were sited in such a manner as to effectively constitute a permanent structure. There were controls in place for any additional structures.
- Mr Till stated that a patio had been taken into Case Law as constituting a raised platform in terms of interpreting permitted development rights. Permitted development

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rights restrict raised platforms above 30 cm. However, all permitted developments rights had been removed from the property, so they would not apply to this application. The works undertaken do constitute works that require planning permission.

### **Debate**

11. Councillor Jeremy Cottam opened the debate by highlighting the localised flooding potential but supported the application.
12. Councillor Richard Somner stated that they had looked into the location of the site, and considered the local area, and noted that there was no permitted development in place and highlighted the lack of information provided to the applicants. Councillor Somner indicate that he supported the application.
13. Councillor Somner 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 Cottam
14. The Chairman invited Members of the Committee to vote on the proposal by Councillor Somner, seconded by Councillor Cottam 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 following conditions and informatives.

### **Conditions**

#### **1. Approved details**

The development hereby permitted shall be retained in accordance with the following approved plans/documents:

- Application form - 29/02/2024
- CIL form - 29/02/2024
- Location and Block Plan - 15/02/2024
- Sections, Elevation and Plan - 29/02/2024

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

#### **2. Materials**

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

Reason: To ensure that the external materials respect the character and appearance of the 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) Supplementary Planning Guidance 04/2 House Extensions (July 2004) and Supplementary Planning Document Quality Design (June 2006).

### **Informatives**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a

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

*(The meeting commenced at 6.30 pm and closed at 7.05 pm)*

**CHAIRMAN** .....

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