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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, 27 NOVEMBER 2013

Councillors Present: Peter Argyle, Pamela Bale, Brian Bedwell (Vice-Chairman), Roger Croft (Substitute) (In place of Sheila Ellison), Richard Crumly, Alan Law, Mollie Lock (Substitute) (In place of Royce Longton), Alan Macro, Geoff Mayes, Tim Metcalfe, Graham Pask and Quentin Webb (Chairman)

Also Present: Paul Goddard (Highways Development Control) Sarah Clarke (Team Leader - Solicitor), Charlene Myers (Democratic Services Officer), David Pearson (Team Leader - Development Control) and Cheryl Willett (Senior Planning Officer)

Apologies for inability to attend the meeting: Councillor Sheila Ellison and Councillor Royce Longton

PART I

51. Minutes

The Minutes of the meeting held on 6th November 2013 were approved as a true and correct record and signed by the Chairman.

52. Declarations of Interest

Councillor Richard Crumly declared an interest in Agenda Item 4(1), and reported that, as his interest was personal and prejudicial and a disclosable pecuniary interest, he would be leaving the meeting during the course of consideration of the matter.

53. Schedule of Planning Applications

53(1) Application No. & Parish: 13/02236/OUTD - Brook Lawn, Bath Road, Woolhampton

(Councillor Richard Crumly declared a personal and prejudicial interest in Agenda item 4(1) by virtue of the fact that he knew the applicant through his line of work. As his interest was personal and prejudicial and a disclosable pecuniary interest he left the meeting at 6:35pm and took no part in the debate or voting on the matter).

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 13/02236/OUTD in respect of the access and layout of proposed plans to construct one dwelling and demolish a garage.

Councillor Graham Pask sought clarification in respect of how many planning decisions had been taken to appeal. David Pearson confirmed that the 08/01740/OUTD was dismissed at appeal on 28 July 2008 for the following reasons:

- Two dwellings would harm the open, spacious character of the area.
- The vehicular access for the scheme was different to that which was proposed.

David Pearson stated that, to his knowledge, an appeal had been lodged for application 06/00510/FULD which was also withdrawn.

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Paul Goddard advised the Committee that application 06/02582/FUL had been considered at appeal and subsequently refused for the following reasons:

- Restricted visibility on to Station Road.
- The visibility splay on to Station Road was outside the control of the applicant.

Councillor Tim Metcalfe requested clarification in respect of the site footprint referenced on the plans. David Pearson explained that the plans illustrated the footprint of the site only.

Before continuing, the Committee sought clarification from the West Berkshire Council Solicitor in attendance, Sarah Clarke, in respect of whether the appeal information introduced by Paul Goddard could be used to consider the application. Sarah Clarke explained that the five day rule applied to new information submitted into the Planning Authority. In this instance the information was already available and within the possession of the Council and was therefore acceptable as it was not new information. David Pearson apologised for the administrative oversight that had lead to the application and appeal mentioned by Paul Goddard not being included and summarised in the planning history section of the committee but confirmed that he did recall this application and appeal. He also confirmed that the access issues that were considered in that application and appeal were the same as those being considered in the current application .

In accordance with the Council's Constitution, Mr Jonathan Humphrey, applicant, addressed the Committee on this application.

Mr Humphrey in addressing the Committee raised the following points:

- The current proposal was based upon the feedback from an earlier application which sought to develop two dwellings on the site. The wall to the south of the access route had been lowered to improve the visibility splay as suggested and he had an arrangement made with the neighbour to ensure the wall remained at a suitable height.
- A similar application had been approved nearby with an equally difficult access onto Station Road.
- He was unhappy with the inconsistent feedback received in respect of the impact the application would have upon the highway.
- He conducted an independent automatic traffic count to establish the percentile of vehicle speeds along Station Road. The survey established that the average speed was less then 30 mph which suggested, according to the Manual for Streets, that the size of the visibility play could be reduced.
- The suggested impact of increased vehicle traffic using the access road was not significant in practice and had been in use since the site was first developed in 2003.
- The neighbour was content with the proposed additional lighting along the access route in to the site.
- He could resubmit the current application with the proposed visibility splays included within the red line.

Mr Humphrey advised that between four or five Vehicles used the access road onto Station Road and the visibility splay had improved since the south wall was lowered.

The Committee referred to item 6.5 in the report which detailed the highway impact and requirements specified by the Highways Service in terms of visibility splay on to Station

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Road. The Committee acknowledged that the Manual for Streets required a visibility splay of 2.4 metres x 43 metres clear above a height of 0.6 metres on to a road subject to a 30mph speed limit. The independent traffic counter established that the average speed along Station Road was 22mph.

Point 6.5.5 of the report informed the Committee that the visibility splay of 2 metres x 32.5 metres southwards and 2 metres x 33 metres to the centre of Station Road was, according to the applicant, achievable.

Councillor Brian Bedwell suggested that it would have been useful if the Committee had a plan to illustrate the current visibility splay achieved against the level required. Paul Goddard apologised for not having the information available and clarified that the Highways Service required a minimum visibility of 25 metres from the point of 2.4 metres from the front line of the access road and that this wasn't achievable in either direction due to the presence of buildings and third party land. Mr Pearson confirmed that the plan showing the visibility splays proposed by the applicant was included in the plans on the display board.

Councillor Law questioned reference in 6.5.2 to the requirement for a 43 metre line of sight from the access road. Paul Goddard explained that Manual for Streets required 43 metres if the speed limit on the adjoining road was 30mph. The traffic count suggested that the average speed along Station Road was far less than 30mph, as such the required distance would be reduced to 25 metres. The current, achievable visibility splay was based upon the current height of the wall on to the south side of the access road. Paul Goddard reminded the Committee that the wall was outside the applicant's site and outside of his control.

Councillor Irene Neill, speaking as Ward Member, in addressing the Committee raised the following points:

- She brought the Committee's attention to page 8 of the report which listed an extensive history of planning applications on the site. The development of the site had been contentious at times and objections lodged, although the current application had been generally well received by the local community.
- She confirmed that the wall to the south side of the access road belonged to the neighbour, not the applicant.
- The application had received letters of support, in particular regarding the introduction of a septic tank to replace current waste water pipes which were unable to accommodate existing or further development.
- The access route to Hornbeam Cottage was approved in 2002, she queried whether the Manual for Streets guidance was less stringent at that point and as such it allowed the development to use the existing access road which instigated concerns surrounding the access to/from the site.

David Pearson reminded the Committee that they had been asked to consider the control of the site line rather than what would be considered as a suitable height of a wall surrounding the site. The level of visibility relied upon the height of the south wall remaining below 0.6 metres which was outside the control of the applicant and was therefore deemed unacceptable by the Highways Service. David Pearson advised the Committee that similar issues had been raised during an earlier application and it had been refused for those reasons, and the refusal reasons had been tested at appeal and the appeal dismissed.

Councillor Pask agreed that the Committee needed to focus on the matters raised by the Highways Service which had been recorded during an earlier application and taken to appeal. Councillor Pask suggested that the impact upon the Grade II listed building

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already on the site would be apparent irrespective of whether there were one or two dwellings proposed for development.

In response, David Pearson brought the Committees attention to the Conservation Officer's comments on page 9 which outlined that she felt the development would be sufficiently far away from Brook Lawn and therefore acceptable.

Councillor Bedwell put forward that the Highway Service comments were an integral element of the application when considering the impact of the development. Councillor Bedwell proposed acceptance of Officers' recommendation to refuse planning permission. The proposal was seconded by Councillor Mollie Lock.

Councillor Law requested clarification from Officers in terms of how the application could be considered if the issue surrounding access to the site was already in place. Paul Goddard advised that the Committee could take into account previous decisions made and reminded them that this application included the consideration that the access was onto a through road that linked Woolhampton and beyond to the train station. There was also concern regarding the narrowness of the footway fronting the site.

Councillor Pask suggested that the proposal was amended to incorporate a further reason for refusal, impact on the open spacious character of the application site.

Councillor Bedwell concurred with the suggestion and therefore amended the proposal accordingly. The amended proposal was seconded by Councillor Lock.

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

1. The proposed visibility splay onto Station Road is outside of the application site and outside of the control of the applicant. The Highway Authority is therefore unable to ensure that this splay is kept clear of obstructions at all times. The proposed development would result in the increased use of an access which is sub-standard in respect of visibility and would be detrimental to pedestrian and highway safety. The proposal is therefore contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026.
2. The development fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of the development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to guidance within the National Planning Policy Framework, Policy CS5 of the West Berkshire Core Strategy 2006-2026, July 2012 as well as adopted Supplementary Planning Document 4/04 - Delivering Investment from Sustainable Development.
3. The application site is sensitively located within, but on the edge of, the settlement of Woolhampton. The site forms part of the garden serving Brook Lawn, a Grade II listed building. The site is presently undeveloped and contains a number of mature trees. This large and mature domestic garden coupled with the site's location on the edge of the main built up settlement of Woolhampton gives the site an attractive semi-rural appearance. The site is visible from footpath Woolhampton 7 which wraps around the southern and western boundaries. The construction of a single substantial property by reason of its large footprint, associated driveway and additional parking to serve Brook Lawn would harm the open and spacious character of the site and have a negative impact on the wider character of the area. For this reason the proposal is contrary to the guidance contained within the National Planning Policy Framework, Policies ADPP1, CS14 and CS19 of the West Berkshire Core Strategy 2006- 2016, July 2012 and Policy HSG.1 of the West Berkshire District Local Plan 1991-2006, Saved Policies

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2007 which seek to ensure that new development is in keeping with the local character.

53(2) Application No. & Parish: 13/02394/HOUSE - Little Paddocks, Woolhampton Hill, Woolhampton

(Councillor Richard Crumly rejoined the meeting)

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 13/02394/HOUSE in respect of the removal of a flat roofed, single storey extension and the development of a two storey and single storey extension.

In accordance with the Council's Constitution, Mr Tony Renouf, Parish Council representative and Mr Andrew Robinson, applicant, addressed the Committee on this application.

Mr Renouf in addressing the Committee raised the following points:

- The application was supported by the Parish Council who acknowledged that the amended proposals addressed previous concerns and offered improvements to the overall appearance of the property.
- The application was thought to offer a more aesthetically pleasing property which was not detrimental to the surrounding area and supported by neighbours.
- The property was somewhat visible when accessing Woolhampton but was mainly obscured by the tress when in leaf.
- The proposed volume increase of the development was not significant when compared to the current size of the property. The original dwelling was modest in size but the property had been extended over a period of time.
- The property was already disproportionate in size when compared to its original state, therefore, ENV24 guidance was not applicable.
- It was questionable whether any proposal on the site would be deemed satisfactory by the planning authority due to the current size of the property. Current extensions were well established and the proposal was not thought to pose a detrimental impact to the surrounding area and countryside.

Mr Robinson in addressing the Committee raised the following points:

- The original property was developed in 1960 and was modest in size, the property was then extended in 1961.
- The first application was lost at appeal because it was thought that the site lay within an area of outstanding beauty, which was not the case.
- The current application proposed a total volume increase of 3.4% which was predominantly a result of the proposed pitched roof.
- The application proposed a compact design and make over of the current property to improve and enhance the family home.
- He felt that the basis for any application being approved on the site was to decrease the overall size of the existing property.
- He disagreed with the Officers report which suggested that the application failed to comply with ENV24. He felt that the application offered an improved development, remaining with the current footprint of the existing property and only increased in volume due to the inclusion of a pitched roof.
- The application was supported by neighbours.

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Councillor Irene Neill, speaking as Ward Member, in addressing the Committee raised the following points:

- She failed to understand why Officers had not recommended approval for the application, the application proposed a slight volume increase within the existing footprint.
- The development would improve the appearance of the property and provide necessary improvements overall.
- The application was supported by the Parish Council and neighbours in the surrounding area.

Councillor Richard Crumly expressed his view that often people submitted letters of objection but it was rare that an application received letters of support. It was therefore considered that the application was strongly supported by the local community.

David Pearson explained to the Committee that the last application had been assessed by Officers using ENV24 in a consistent manner. Refusal based on this assessment had subsequently been supported at appeal. David Pearson felt that the current application had been assessed using the same methodology and drawing the same conclusion as before although Officers agreed that the development was an improvement on the previous application.

Councillor Pamela Bale highlighted on page 22 of the report that an additional single storey extension could be added to the property without planning consent which suggested that an applicant could continue to extend the property in this manner without consideration toward the appearance of the overall property. It was suggested that if the application approved permitted development rights should be restricted to limit any further smaller scale developments.

Councillor Alan Law expressed his view that the current application offered an improvement to the overall appearance of the property and proposed that the planning authority grant planning permission. The proposal was seconded by Councillor Graham Pask.

Councillor Geoff Mayes suggested that the proposal included the conditions for the quality of the brickwork to be inspected by Officers and to consider whether the use of sash windows was appropriate for the style of development.

Councillor Crumly felt the application offered a promising improvement and acknowledged that the application was supported by neighbours.

Councillor Brian Bedwell agreed with the comments from the Committee but queried whether approving planning permission would set a precedent in the area.

In response to questions asked, Cheryl Willett explained that the use of sash windows was considered consistent with the overall development design and that the pre-mentioned conditions would be included within the proposal.

RESOLVED that the Head of Planning and Countryside be authorised to grant planning permission subject to the following conditions:

Conditions

1. 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).

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2. No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the extension hereby permitted and plans showing the accurate application of each material has been submitted to and approved in writing by the Local Planning Authority by way of conditions discharge application. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character, and to clarify where each material will be applied. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV24 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance 04/2 House Extensions (July 2004) and Supplementary Planning Guidance 04/4 Replacement Dwellings and Extensions to Dwellings in the Countryside (July 2004).

3. The development hereby permitted shall be carried out in accordance with the approved drawing numbers LP/L/01 A, LP/L/02 D, LP/GA/01 D, LP/GA/02 D, LP/GA/03 D, LP/GA/05 E, and LP/GA/06 D validated on 10th October 2013 and drawing number LP/GA/04 E received on 20th November 2013.

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

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and 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: The site is located within the countryside and measures are in place to prevent the overdevelopment of sites and a material increase in visual intrusion in the landscape. As Little Paddocks has already been greatly extended it is appropriate for the Local Planning Authority to examine further proposals for extensions, alterations and outbuildings to assess whether these would be appropriate to the character of the dwelling, the site and to the local area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV24 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance 04/2 House Extensions (July 2004) and Supplementary Planning Guidance 04/4 Replacement Dwellings and Extensions to Dwellings in the Countryside (July 2004).

5. The extensions hereby approved shall not be occupied until the attached garage has been demolished in its entirety.

Reason: To secure the order of development on site, and as the application has been assessed on the understanding that single storey structures will be demolished to enable the permitted extensions. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the

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West Berkshire Core Strategy (2006-2026), Policy ENV24 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance 04/2 House Extensions (July 2004) and Supplementary Planning Guidance 04/4 Replacement Dwellings and Extensions to Dwellings in the Countryside (July 2004).

6. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority by way of a conditions discharge application. The statement shall provide for:
- (a) The parking of vehicles of site operatives and visitors;
 - (b) Loading and unloading of plant and materials;
 - (c) Storage of plant and materials used in constructing the development;
 - (d) Measures to control the emission of dust and dirt during construction;
- Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).

7. No demolition or construction works shall take place outside the following hours:
7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays; nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

54. Appeal Decisions relating to Eastern Area Planning

Members noted the outcome of appeal decisions relating to the Eastern Area.

55. Site Visits

A date of 11 December 2013 at 09:30 was agreed for site visits if necessary. This was in advance of the next Eastern Area Planning Committee scheduled for 18 December 2013.

(The meeting commenced at 6.30pm and closed at 8.05pm)

CHAIRMAN

Date of Signature