

**EASTERN AREA PLANNING COMMITTEE**  
**MINUTES OF THE MEETING HELD ON**  
**23 FEBRUARY 2005**  
**AT THE CORNWELL CENTRE, TILEHURST**

**Committee:** Peter Argyle (P), Keith Chopping (P), John Farrin (P), Dr. Royce Longton (P), Alan Macro (P), Tim Metcalfe (P), Joe Mooney (Chairman) (AP), Mrs. Irene Neill (AP), Graham Pask (P), Terry Port (P), Paul Pritchard (P), Keith Woodhams (*Vice-Chairman*) (P)

**Substitutes:** Tony Linden (SP), Quentin Webb (SP)

**Ward Members also in attendance:** Keith Lock, Owen Jeffery

**Also present:** Tim Slaney, David Pearson, Lisa Smith, Sarah Clarke, Paul Goddard, Gareth Dowding, Linda Pye, Margaret Blaine

**PART I**

**4. APOLOGIES.**

Apologies for the inability to attend the meeting were received on behalf of Councillors Joe Mooney and Irene Neill. Councillor Keith Woodhams (*Vice-Chairman*) took the Chair in Councillor Mooney's absence.

Councillor Tony Linden substituted for Councillor Joe Mooney.

Councillor Quentin Webb substituted for Councillor Irene Neill.

**5. MINUTES.**

The Minutes of the meeting held on 14<sup>th</sup> December 2004 were approved as a true and correct record and signed by the Chairman.

**6. DECLARATIONS OF INTEREST.**

Councillors Alan Macro, Terry Port, John Farrin, Keith Woodhams, Royce Longton and Paul Pritchard declared an interest in Agenda Item 1, but reported that, as their interest was personal and not prejudicial, they were permitted to take part in the debate and vote on the matter.

Councillors Alan Macro, Terry Port, John Farrin, Keith Woodhams, Royce Longton and Paul Pritchard declared an interest in Agenda Item 10, and reported that, as their interest was personal and prejudicial, they would be leaving the meeting during the course of consideration of the matter.

Councillor John Farrin declared an interest in Agenda Items 11 and 12, and reported that, as his interest was personal and prejudicial, he would be leaving the meeting during the course of consideration of these matters.

**7. VENUE.**

This item was deferred until the next meeting.

**8. OTHER MATTERS.**

The Chairman reported that item 4 on the agenda had been deferred for further negotiation and would not be considered at this meeting.

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In respect of the note on the agenda about requesting site visits it was agreed that this issue would be raised at the next meeting of the Planning Reference Group.

Item 5 "Schedule of Planning Applications" - the heading in column 2 of the table should read "Application No. and Town/Parish". It was agreed that this would be changed for all future agendas.

### 9. APPLICATION NO. 03/02461/FUL - GRAVELPIT FARM, LAND WEST OF GRANGE LANE, BEENHAM.

*(Councillors Alan Macro, Terry Port, John Farrin, Keith Woodhams, Royce Longton and Paul Pritchard declared a personal interest in Agenda Item 5(1) by virtue of the fact that the applicant was married to an Executive Member. As their interest was not personal and prejudicial, they were permitted to take part in the debate and vote on the matter.)*

The Committee considered a report (Agenda Item 5(1)) concerning Planning Application 03/02461/FUL relating to the winning and working of sand and gravel and associated works including construction of temporary site office, wheelcleaner and weighbridge with progressive reclamation to agriculture and nature conservation using imported inert materials.

In accordance with the Council's Constitution, Mr. Tony Renouf, Parish Representative, Dr. Siobhan Worth and Sue Graham objectors, Mr. Lester Hunt and Mr. Phil Chaplin supporters, and Mr. Ian Aspley and Mr. Paul Hannon the applicant and agent, addressed the Committee on the following application.

Mr. Renouf in addressing the Committee raised the following points:

- Residents had been told that property values would not be affected but Woolhampton Parish Council felt that a condition should be included if the application were to be approved that the applicant would cover any loss of property value;
- The Parish Council felt that there was a shortage of inert waste and it was therefore inevitable that the extraction site would eventually become a lake;
- Although the project was expected to last 10 years the Parish Council felt that this could become 20 years as timescales were unlikely to be met;
- The proposed site was in an Area of Outstanding Natural Beauty and although the applicant had stated that there was a lack of alternative sites it was felt that this was not a material planning consideration;
- The extraction site would be a scar on the Area of Outstanding Natural Beauty;
- The Parish Council continued to object to the proposal but withdrew the original objection in respect of the level of land after restoration as this issue had been addressed in the amended scheme.

Mrs. Lee and Dr. Worth in addressing the Committee raised the following points:

- They were representing 39 households in Beenham;
- The site was in an Area of Outstanding Natural Beauty with some important views, in particular the view from Cods Hill;
- The site was not defined in the Local Plan and the proposal would be contrary to Policy ENV.15;

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- The proposal would involve the destruction of ancient woodland and a considerable number of mature trees;
- There would be an adverse impact on the water table and possible pollution of water courses;
- Residents were concerned that Marley could infill with household waste on a temporary basis due to the shortage of materials to restore land levels;
- It was felt that the amenity benefit of the land would be lost to a future generation;
- The site was adjacent to a Nursery School and the proposal would be harmful to its amenity due to noise, dust and fumes;
- There would be an increased risk of asthma and depression to residents of households in the surrounding area;
- There would be a considerable adverse impact on highway safety, wildlife, quality of life and the environment;
- Marley was a privately owned Belgian company and residents felt that if any of the workers were made redundant they would be able to obtain alternative employment elsewhere in the district.

Messrs. Hunt and Chaplin in addressing the Committee raised the following points:

- They were members of the Works Council and represented all staff;
- The jobs at Marley represented long term employment. About three quarters of the workforce had been there more than 10 years;
- Some of the workers were local but others lived in surrounding towns and villages where there was more opportunity of finding affordable housing;
- Manufacturing jobs within this area were scarce;
- Specialised skills were required to work in the manufacturing industry and many of the workers would have to be retrained in other skills which could cause financial hardship to their families;
- Loss of jobs would impact on local families and communities;
- If the application were to be approved there would be less lorry movements on the road than if the site was used as a distribution centre;
- There was a local resource on the doorstep and it made sense to use this rather than bring in materials from across the country;
- Many of the workforce lived in the West Berkshire community and it was hoped that Members would look at the application favourably.

Messrs. Aspley and Hannon in addressing the Committee raised the following points:

- They thanked the Committee for allowing them to go back to meet with local residents to try and resolve some of the issues that had been raised. The revised scheme had reduced objections by two thirds;
- Sand was required in order to make the tiles. No-one else was able to meet their needs and this proposal was the final option. If the application were to

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be refused the factory would have to close and it would be used as a distribution centre;

- The company was at the forefront of environmental excellence;
- They felt that they had a duty to supply materials to the other industries within the area;
- Materials required to make the tiles were not available elsewhere and evidence had been submitted to this effect. Evidence had also been provided that there were suppliers who were willing to supply inert material to infill the site;
- The decision would affect hundreds of jobs in the area;
- Development was allowed in the AONB in exceptional circumstances.

In discussing the above application Members were concerned about the loss of manufacturing jobs within the area. The representative from Marley stated that if manufacturing on the site ceased then only 5 to 10 of the 150 staff who would lose their jobs would be reallocated to the distribution centre. Members were surprised that there were no suppliers locally or elsewhere in the UK who could supply the material even though it might cost more to bring in. The applicant confirmed that they had looked at over 70 suppliers. Marley were looking for the long-term supply of the material required. No-one was prepared to sell on a long-term basis in a market where there was scarcity, only in the short-term. They required a special graining of sand and suppliers would find it difficult to sell the residue. The environmental impact of having to bring tiles onto the site would mean that 100 million tiles would be brought into Beenham throughout the year on lorries. This would mean an increase in traffic to and from the site of up to 50% and would increase demand for gravel to use to repair the roads. Members sought a guarantee that the materials used to back fill would be of a suitable type and that the company intended to adhere to the timetable. The agent stated that the guarantee was that evidence had been submitted that suppliers had been approached and they had confirmed that they were able to supply suitable materials to infill the site. Materials could also be stored on the existing site.

Members noted that the Environment Agency were disappointed at the reduction in the size of the wetland element of the restoration scheme. The agent confirmed that this area had been reduced in size at the request of residents as they had preferred not to have a wetland area. A query was raised about whether alternative materials could be used instead of sand. The applicant confirmed that they had a plant to crush concrete and could therefore replace 25-30% of materials with this substance. If the application were to be approved the company intended to invest in facilities to recycle glass in the future so that this alternative material could also be used. Using these alternative materials would add another 3 to 4 years to the 10 years if the application was approved. The next phase would see a new wave of preferred areas emerging which would be drawn up using different criteria i.e. environmental, economic and social and there would be ways of finding alternative sources elsewhere in the longer term.

Members understood the business approach and commercial aspect in respect of the application and felt that the applicant had done a great deal to satisfy the problems and concerns raised by local people. They welcomed the applicant's willingness to go beyond and infill the land to the original level. However, they had three major concerns:

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- (1) the area was not a designated gravel extraction area;
- (2) it was a large site (80 acres) in an Area of Outstanding Natural Beauty;
- (3) uncertainty about where all the fill material would come from.

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

1. Policy M4 of Berkshire Structure Plan 1991-2006, policy M2 of Berkshire Structure Plan 2001-2016 and policy 8 of the Replacement Minerals Local Plan 1991-2006 all seek to concentrate mineral extraction at existing sites or at the Preferred Areas for mineral extraction identified. The application site is neither an existing site for mineral extraction nor is it a Preferred Area and, as such, the application is contrary to these policies. There is a presumption that planning permission for extraction of sharp sand and gravel will normally be refused. The criteria to be complied with before an exception to the above are set out in policy 10 of the Replacement Minerals Local Plan 1991-2006. The proposal does not accord with these exception criteria as

- the material is not required to maintain provision for the levels of production set out in policy 3 of the Replacement Minerals Local Plan 1991-2006
- or the landbank figure indicated by policy 4 of the Replacement Minerals Local Plan 1991-2006

and as such is considered to be contrary to policy 10 of the Replacement Minerals Local Plan 1991-2006. It is considered that by approving an application for mineral extraction outside a Preferred Area and which does not accord with the exception criteria could, in this instance, create a precedent for further extraction not only outside a Preferred Area for mineral extraction but also within the North Wessex Downs Area of Outstanding Natural Beauty.

2. The site is located within the North Wessex Downs Area of Outstanding Natural Beauty and therefore any proposals are subject to the provisions of Planning Policy Statement 7 and the presumption against this type of development. Policy 11 of the Replacement Minerals Local Plan 1991-2006 states there will be the strongest presumption against the extraction of sharp sand and gravel from the North Wessex Downs AONB. The proposal is contrary to this strongest policy presumption against such development. Furthermore it is considered that it has not been demonstrated that the need for the development is such that it justifies the disruption to and industrialisation of the landscape caused by the mineral extraction, which includes the loss of some prominent trees, or that the quality of the intended restoration is such that it overcomes other concerns. Moreover there is little additional benefit to the landscape in terms of additional planting proposed outside the immediate site boundary which would result in an overall enhancement of the AONB. The proposal, therefore, fails to accord with the provisions of Planning Policy Statement 7 and Policy 11 of the RMLP and also is contrary to policy C7 of the Berkshire Structure Plan 1991-2006, policy EN1 of the emerging Berkshire Structure Plan 2001-2016 and policy ENV.2 of the West Berkshire District Local Plan 1991-2006.

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3. Insufficient information has been provided to demonstrate that it would be possible to maintain the programme for extraction and restoration of the site by sourcing sufficient inert materials for infilling and restoration of the site within a reasonable timescale and to an appropriate standard or that the material which would be infilled would be inert waste from which recyclable material has been separated. The proposal is, therefore, considered to be contrary to policies 18 of the Replacement Minerals Local Plan for Berkshire 1991-2006 and policy WLP26 of the Waste Local Plan for Berkshire 1998-2006.

### **10. APPLICATION NO. 05/00033/FUL - ST. CATHERINES, SWEETZERS PIECE, MORTIMER.**

The Committee considered a report (Agenda Item 5(13)) concerning Planning Application 05/00033/FUL in respect of the erection of a new three bedroom house.

In accordance with the Council's Constitution Councillor John Morden, Parish Representative, Mr Synac, objector, and Councillor Keith Lock, Ward Member, addressed the Committee on the foregoing application.

Mr Morden in addressing the Committee raised the following points:

- An earlier application on the site had been withdrawn due to the size of the development;
- The proposed development was out of keeping with the street scene;
- The proposed building was the same size as the previous application, the only difference being the removal on the current application of the garage and conservatory;
- He felt that it was only a matter of time before applications were received for the garage and conservatory;
- Despite the removal of the garage and conservatory the application was for a house of the same proportions as the previous application;
- He felt that Planning Officers had been inconsistent in their appraisal of the two applications.

Mr Synac in addressing the Committee raised the following points:

- He was speaking on behalf of the residents of Sweetzers Piece and the properties to the rear;
- The design and form of the proposed development were out of keeping with the remaining houses in the street which were all chalet bungalows or terraced houses;
- Many of the chalet bungalows had been extended, but most of the extensions were at the rear of the properties and did not affect the street scene;
- The property to the rear would be significantly affected by the development;
- Sweetzers Piece was a narrow road with a difficult entrance and blind corners, and parking would be a problem, particularly as the house had no garage;
- The house as it stood at the moment had two garages and plenty of off-road parking, which would be inadequate if the new house were to be built.

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Councillor Keith Lock in addressing the Committee raised the following points:

- He had wanted the decision to be deferred for a site visit, and would still like one to take place, if possible;
- Some Members had seen the site about a year earlier in respect of the previous application;
- There was a sharp bend coming into Sweetzers Piece making access difficult;
- The site was in a rural area with a low level of development and surrounded by open woodland;
- The footprint of the application under discussion, although having the same footprint as the previous application, was further away from the road, and therefore closer to the neighbour at the rear. A 1.8m fence, rather than a 3m hedge separated the two;
- The proposed house was out of proportion to other houses in Sweetzers Piece;
- There was a danger of a later application for a garage;
- The owner would not be able to keep vehicles off the road.

Members in discussing the application ascertained that there had been no serious accidents in the road, but that the potential was there. They acknowledged that the possibility of future applications for the conservatory and garage were not a material consideration in this application, but felt that that the proposed house was out of keeping with the character of neighbouring properties. Members were advised that in order to refuse an application on these grounds it would have to be proved that harm would be caused. Members were concerned about the impact on the properties to the rear.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to refuse planning permission and Listed Building Consent for the following reasons:

1. Impact on neighbouring properties.
2. Design and siting would result in over development of the site and development would be out of keeping with the surrounding area.

### **11. APPLICATION NO. 04/01294/FUL - 89 STATION ROAD, THATCHAM.**

The Committee considered a report (Agenda Item 5(3)) concerning Planning Application 04/01294/FUL relating to the demolition of the existing garage and rear store and erection of new self contained house with parking and gardens.

In accordance with the Council's Constitution, Mr. Andy Worrall and Mr. Gregory, objectors, and Mr. G.D. Taylor, the agent, addressed the Committee on the following application.

Messrs. Worrall and Gregory in addressing the Committee raised the following points:

- Drainage would be an issue as neighbours already had to frequently unblock drains and there would be no capacity to accommodate an additional dwelling;
- West Berkshire Council SPG stated that garden size on new developments should be a minimum of 100sq.m. and the proposed dwelling would only have a garden size of 83sq.m;

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- The development involved cramming in another dwelling which would impact on the visual amenity of Station Road and would be out of character with the surrounding area;
- The development might lead to similar applications along Station Road being submitted.

Mr. Taylor in addressing the Committee raised the following points:

- He felt that the Officers' report was a sound one and revisions had been made to the application at the request of the Planning Officer;
- The current dwelling was in a run down condition but the landlord had recently made improvements in order to avoid the possibility of squatters occupying the property;
- If the Committee were mindful to approve the application the applicant would be willing to agree to the insertion of frosted glass or removal of windows from the southern elevation to avoid overlooking on the neighbouring property;
- He felt that the scheme was in character with the format of the street scene and did not agree that the proposed dwelling would be crammed in.

In discussing the above application Members felt that this was over development of the site and would be overpowering to the adjacent houses and street scene and overlook the garden to the rear. The style of gardens in the area were large in nature and this would be the only plot that had two smaller gardens. There were also concerns in respect of road safety as a large number of children used the road in order to get to Kennet School and the development would create at least two additional cars which would access onto a bend in Station Road in a 20mph speed limit. The height and scale of the building was acceptable but not in the proposed location in the back garden.

Planning Officers clarified the position in respect of the SPG issue that one of the objectors raised. That Guidance was written 10 years ago and was never subject to formal consultation and events had now moved on. PPG3 looked at new densities and recognised that garden sizes would inevitably be smaller and stated that local authorities should look at maximising the amount of housing that could be put into these areas.

Members were also concerned about setting a dangerous precedent in this location as there were other properties with a similar potential and this would create even more vehicle movements should these also be approved.

The Development Control Manager stated that in respect of setting a precedent there had to be clear evidence of pre-application interest and he therefore had reservations about using this as a reason for refusal.

The Highway Officer also stated that the highway issues raised by Members would be hard to justify at appeal. Although he had some sympathy with the concerns raised by Members, appeals were often lost where there were similar accesses in the area and where traffic calming measures had been introduced on the road reducing traffic speed generally.

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

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- (1) Overlooking of garden to the rear, overbearing impact on adjoining properties;
- (2) Out of keeping with the character of the area due to contrived siting and design in a prominent location;
- (3) Highway safety - increased danger to road users and pedestrians using the footway.

### 12. APPLICATION NO. 04/02977/FUL - MINISTRY OF DEFENCE AWE, ALDERMASTON, READING.

*(Councillor John Farrin declared a personal and prejudicial interest in Agenda Item 5(11) by virtue of the fact that his wife received a pension from AWE. Councillor Farin therefore left the meeting during consideration of this matter and did not take part in the debate or vote on this item.)*

The Committee considered a report (Agenda Item 5(11)) concerning Planning Application 04/02977/FUL in respect of Circular 18/84 Notice of Proposed Development for the erection of a Modular Office Building.

In accordance with the Council's Constitution Dr Sian Jones of the Aldermaston Women's Peace Camp, and Di McDonald, objectors, and Mr Jonathan Brown, the applicant, addressed the Committee on the foregoing application.

Dr Jones in addressing the Committee raised the following issues:

- The members of the Aldermaston Women's Peace Camp were opposed to all development on the site;
- No environmental impact assessment had been undertaken;
- The application would not have been submitted if it had not been part of a larger plan for the site, all developments should be considered together, and people should be entitled to receive a plan for the whole site;
- There would be an increase of traffic, noise and light pollution;
- There was a risk of contaminated land on the site;
- A travel plan for the whole of the site should be drawn up as a matter of urgency;
- Applications should be referred to the Secretary of State for a full assessment.

Ms. McDonald in addressing the Committee raised the following issues:

- The results of soil investigations should be provided before any planning decision was made;
- There was incomplete modelling of groundwater results;
- There was a potential increase of 150 cars approaching and leaving the site, and the congestion and pollution this would cause was not acceptable.

Mr Jonathan Brown in addressing the Committee raised the following issues:

- The application was made as part of the process of modernising facilities at the site;
- The application proposed to replace old buildings with more modern ones;

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- The development would provide modular accommodation and meeting rooms as part of the provision of first class science facilities;
- The current buildings were not energy efficient;
- An assessment had been carried out which had shown that there would be a minimal increase in traffic, the increase in noise level would also be minimal, and the development would improve the appearance of the site.

Members in discussing the application were told that the application was part of a wider strategy, and that no environmental impact assessment had been carried out. Members were informed that there was no legal requirement to produce one, however they could request that one be undertaken should they be minded to do so.

AWE was in the process of drafting a green travel plan, which would be produced later in the year. They were assured that decommissioning was being carried out on a regular basis, and were informed of the process involved in monitoring contaminated land.

Members were concerned that there needed to be transparency about what was being built at AWE.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to raise no objections to the Notice of Proposed Development for the erection of modular office accommodation.

Informative: The applicant was advised, in conjunction with the Local Authority, to commence work on a Green Travel Plan for the whole site.

### **13. APPLICATION NO. 04/02978/FUL - MINISTRY OF DEFENCE AWE, ALDERMASTON, READING.**

*(Councillor John Farrin declared a personal and prejudicial interest in Agenda Item 5(12) by virtue of the fact that his wife received a pension from AWE. Councillor Farin therefore left the meeting during consideration of this matter and did not take part in the debate or vote on this item.)*

The Committee considered a report (Agenda Item 5(12)) concerning Planning Application 04/02978 relating to Circular 18/84 Notice of Proposed Development for the erection of new IT Service Stations.

In accordance with the Council's Constitution, Dr. Sian Jones and Di McDonald, objectors, and Mr. Jonathan Brown, the applicant, addressed the Committee on the following application.

Dr. Jones and Ms. McDonald in addressing the Committee raised the following points:

- The proposed site might be contaminated land and the results were not yet available. This was unsatisfactory and the situation should be monitored by the Environment Agency Inspector;
- There had been no assurance that tests for radio active soil or ground water had been carried out;
- No environmental impact assessment had been undertaken;

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- The application would not have been submitted if it had not been part of a larger plan for the site, all developments should be considered together, and people should be entitled to receive a plan for the whole site;
- The proposed building was to be specially built to store IT equipment and would be blast proof. Concerns were raised about why the building needed to be blast proof. They felt that the building would be used to house a super computer capable of undertaking 300,000 million calculations per second;
- AWE was the most dangerous site in the area and should require an individual evaluation before building was permitted to be undertaken;
- AWE were not being transparent as to why the development was required;
- They urged the Committee to refer the matter back to the Secretary of State in order that further investigation could be carried out as to whether the building was necessary.

Mr. Brown in addressing the Committee raised the following points:

- The building was required for the accommodation of future IT systems. They were currently located in existing buildings which were not suitable for such equipment;
- The system would improve internal and external communications;
- AWE had looked at the environmental impact;
- Construction of the building would have a limited impact on traffic;
- There would be no significant increase in noise levels;
- The building would harmonise with other developments;
- The characterisation of the site was an ongoing issue.

In discussing the above application Members asked for clarification on what "characterisation" was. Mr. Brown stated that it was an environmental history of the location i.e. what activities used to take place there which would assist in identifying contaminants and enabling them to be dealt with appropriately. The applicant also confirmed that the building would be used to locate business systems and not a super computer. Members also raised concerns about the building being sited so close to the public road. The applicant confirmed that this had seemed to be the most appropriate site and there were other adjacent buildings so it would not look conspicuous.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to raise no objections to the Notice of Proposed Development for the erection of new IT Service Stations. The Head of Planning and Transport Strategy would also write to the Secretary of State urging that an Environmental Impact Assessment be undertaken in respect of all the proposals in the site development plan.

### 14. APPLICATION NOS. (A) 04/01206/FUL & (B) 04/01217/LBC - PINCENTS MANOR HOTEL, PINCENTS LANE, TILEHURST.

The Committee considered a report (Agenda Item 5(2)) concerning Planning Applications (A) 04/01206/FUL & (B) 04/01217/LBC relating to (A) single storey conference centre with bar, dining and ancillary areas with entrance/reception for existing hotel. Maximum three storey 82 bedroom hotel with support facilities including fitness suite. Existing annexe building to be retained for staff

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accommodation. Existing manor house to retain 4 bedrooms. (B) part demolition and single storey extension of Listed Building to form new conference centre. New detached hotel.

In accordance with the Council's Constitution Mr Negus, the applicant, addressed the Committee on the foregoing application.

Mr Negus in addressing the Committee raised the following points:

- He was pleased that Highways Officers had said the development would present no problems in the future;
- There had been little objection from the Parish Council;
- He regretted that he had managed to obtain little response from the Landscape and Conservation Officers;
- The site had been working as a hotel for many years, was bounded by houses, and was a part of the local community;
- It was the only site not in a recognised settlement boundary where a planning application had not been granted;
- The hotel and conference centre were mutually viable and depended on each other;
- The application under discussion was the same size as one for which permission had been granted two years previously, but the visual impact of the current application had been minimised;
- The hotel sustained the local economy and provided accommodation in an area where there was considerable demand;
- The proposed development sought to replace the memory of the former Grade II Listed cruck barn which had burnt down;
- The proposed development had the same form and mass but was designed to be light and transparent and would appear to float above the water surrounding the building.

During discussion of this application Members established that the increase in the number of rooms would be from 54 to 86, i.e. an increase of 32. They were concerned about the issues raised by English Heritage concerning the linking of the new 'barn' with the existing building, which they considered to be visually overwhelming and architecturally lacking subtlety in design. Members acknowledged that the proposed application would increase the commercial viability of the hotel and conference centre, and were not opposed to the application in principle, but felt that the potential visual impact of the proposed building would be too great.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to refuse planning permission and Listed Building Consent for the following reasons:

### 04/01206/FUL

1. The site lies outside any recognised settlement boundary within open countryside and within the North Wessex Downs Area of Outstanding Natural Beauty. The proposal comprises a single storey extension to the existing Grade II Listed Building - The Manor House; the provision of a further single storey conference centre building on the site of the former

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Grade II\* listed cruck barn, a glazed link between the existing Manor House and the new conference centre; and a new separate 82 bedroom hotel accommodation block sited within the curtilage of the Listed Building. The proposal would result in new development located in an unsustainable location for which no overriding justification has been given, contrary to Policy DP6 of the Emerging Berkshire Structure Plan 2001-2016, Policy C1 of the Berkshire Structure Plan 1991-2006, and Policy OVS.1 of the West Berkshire District Local Plan 1991-2006. Policy C2 of the Berkshire Structure Plan allows development in the countryside in exceptional circumstances, however, it is not been demonstrated that the proposal is one of those exceptions listed under Policy C2. Notwithstanding this, the proposed separate hotel accommodation would result in built development inappropriate in its scale, form, character and siting to its location in the countryside, contrary to Policy C2 of the Berkshire Structure Plan 1991-2006 and Policy ENV.18 of the West Berkshire District Local Plan 1991-2006.

2. The site lies within the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB). With regard to the proposed separate 82no bedroom hotel accommodation block, it has not been demonstrated that this element of the proposal will not have an adverse impact on views from the AONB. On the contrary the evidence submitted would suggest a significant deterioration in the character of the site, which would also have an urbanising effect on this part of the AONB. As such, the proposal is contrary to Policy EN1 of the Emerging Berkshire Structure Plan 2001-2016, Policy C7 of the Berkshire Structure Plan 1991-2006, and Policy ENV.2 of the West Berkshire District Local Plan 1991-2006, which seek to conserve the natural beauty of the landscape, and do not allow development which would materially harm the landscape character, be unduly prominent or detract from important views of the AONB. The proposal would also conflict with the advice contained within Planning Policy Statement 7 - 'Sustainable Development in Rural Areas' (August 2004).

### 04/01217/LBC

1. The proposal comprises a single storey extension to the existing Grade II Listed Building - The Manor House; the provision of a further single storey conference centre building, linked to the existing Manor House by a glazed link; and a new separate hotel accommodation block sited within the curtilage of the Listed Building. The proposed new hotel accommodation block would result in a detrimental impact on the character and setting of the Grade II Listed Manor House by virtue of its scale, size and massing. As such it would be contrary to Policy EN4 of the emerging Berkshire Structure Plan 2001-2016 (Plan as recommended for adoption); Policy EN4 of the Berkshire Structure Plan 1991-2006 and Policy ENV.32 of the West Berkshire District Local Plan 1991-2006; which seek to preserve and enhance the character and setting of buildings of special architectural or historic merit. Furthermore, the proposal would conflict with the advice contained within Planning Policy Guidance Note 15 - 'Planning and the Historic Environment' (September 1994).

**15. APPLICATION NO. 04/02853/FUL - LYGWOOD, READING ROAD, PADWORTH COMMON.**

The Committee considered a report (Agenda Item 5(9)) concerning Planning Application 04/02853/FUL relating to change of use from paddock land to residential garden at Lyngwood, Reading Road, Padworth Common.

In accordance with the Council's Constitution, Mr. Clive Varr, Parish Representative, and Mr. John Cater, objector, addressed the Committee on the following application.

Mr. Varr in addressing the Committee raised the following points:

- The Parish Council recognised that Policy ENV.22 stated that residential curtilages could be extended if the proposed new garden boundary might be realigned against existing garden boundaries so that the enlarged garden would be similar in size to others typically prevailing in the immediate vicinity;
- The Parish Council objected to the extension of the residential curtilage at Lyngwood as it would not be realigned but would be larger than other properties in the immediate vicinity;
- The gardens of Lyngwood and Silverdene had been merged into a single site with a new entrance onto Reading Road;
- It was felt that the proposal formed part of a large development which would be out of character with the surrounding area;
- Any development of this site would harm the amenity of the surrounding area.

Mr. Cater in addressing the Committee raised the following points:

- Mr. Cater asked why the current owner (who was a builder) and had also purchased the adjacent property, Silverdene, would want to change the status of the area. Residents had real fears for the future as a new access onto Reading Road had already been inserted without planning permission;
- Photographs had been taken of the site in 1999 and again at the present time. These had been submitted within the 5 day time period and were therefore circulated to Members for their information. The photographs showed that the garden and the paddock area at Lyngwood and Silverdene had now been separated by a high fence;
- The previous owner had had to reinstate the paddock area by removing hardstanding;
- If planning permission were to be granted there should be a condition set that all permitted development rights should be removed.

In discussing the above application Members were concerned about the possibility of future development taking place on the site. A for sale leaflet had been included in the pack of photographs and Mr. Cater confirmed that he had put that in to show the Committee how the entrance used to look and also the fact that it made clear references to the paddock. Members were informed that although it was permissible to erect fences on your property the fences that had been put up totally separated Lyngwood and Sliverdene from the back paddock area.

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Planning Officers advised that Permitted Development Rights allowed fences to be erected up to 2m in height without planning permission. Members could ask for Permitted Development Rights to be removed and therefore any subsequent fences or hard surfacing would require planning permission. The Planning Officer reported that he had visited the site that afternoon and could confirm that there was an access to the garden of Lyngwood from the paddock area.

Members raised concerns about whether it would be easier for the applicant to apply for residential use if permission were to be granted to change the paddock land to garden area. The Planning Officer advised that it would not make any difference in terms of policy should an application for change of use to residential be submitted. Members felt that they would have to agree with the Officer's recommendation but would like to see the Permitted Development Rights removed and they also requested immediate enforcement action should there be any breaches.

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

1. The development shall be started within five years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies LD3 of the Berkshire Structure Plan 1991 - 2006 and OVS2 of the West Berkshire District Local Plan 1991 - 2006 should it not be started within a reasonable time.

2. Irrespective of the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and any subsequent revision, the application site area shall only be used for private garden use only and shall not be used for any other purpose.

Reason: In the interests of amenity and in accordance with Policies C2 and LD3 of the Berkshire Structure Plan 1991 to 2006, and Policies OVS.2 and ENV.22 of the West Berkshire District Local Plan 1991 to 2006.

3. Additional condition removing specific permitted development rights in respect of fences, hard surfacing and sheds and other ancillary buildings and structures.

### **16. APPLICATION NO. 04/02488/FUL - NUSERY COPSE, CHURCH HILL, MIDGHAM.**

The Committee considered a report (Agenda Item 5(6)) concerning Planning Application 04/02488/FUL relating to the erection of a two bed agricultural bungalow.

In accordance with the Council's Constitution Mr Ray Disson and Mrs June Dutton, Parish Representatives addressed the Committee on the foregoing application.

Mr Disson, in addressing the Committee raised the following points:

- This application was the latest in a long saga of applications over the last 10 years;

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- Mention had been made of the supposed viability of the business, but the Parish Council questioned the accuracy of the information;
- The house would be visually obtrusive;
- Church Lane was a narrow, sunken lane, and the building works would cause damage to the fragile embankments;
- Unauthorised landfill had taken place on the site and many trees had been removed;
- He asked that removal of the landfill and reintroduction of trees be enforced prior to building commencing if Members were minded to approve the application.

Mrs Dutton in addressing the Committee raised the following points:

- Applications had been refused down the lane since 1958, and to allow this application would be unfair to applicants who had been turned down in the past;
- With regard to the alleged poisoning of trees she asked that an enforcement order be placed on the applicant to ensure that all previous complaints were met and complied with before the building was allowed.

Members in discussing this item were informed that the agricultural operation involved farming cattle and pigs. They were assured that, in respect of the accounts, they had been accepted by the Inspector at the previous appeal, and Planning Officers could only work on the basis of information provided to them. Members were informed that action had been taken concerning the trees and landfill.

**RESOLVED** that subject to the applicant entering into a Legal Agreement to restrict the occupancy of the dwelling to an agricultural worker; to prevent its separate disposal from the holding it serves; to ensure that the mobile home is only retained on site during the construction of the dwelling and is removed from site within 3 months of the substantial completion of the new dwelling, the Head of Planning and Transport Strategy be authorised to grant conditional planning permission subject to the following conditions:

1. The construction of the development hereby permitted shall be started within one year of the date of this permission and completed within two years of the date of this permission.

Reason: To ensure that the dwelling is made available at the time when the agricultural holding justifies it and to enable the Local Planning Authority to review the desirability of the development in accordance with the policies contained within the Development Plan should the development not be started within a reasonable time.

2. The development hereby approved shall be carried out in accordance with plans entitled 'proposed agricultural bungalow' received on 14<sup>th</sup> October 2004 and site layout plan received 17<sup>th</sup> November 2004 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against Policies DP6 and EN1 of the emerging Berkshire Structure Plan

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2001-2016, Policies OS1, LD3, C1 and C2 of the Berkshire Structure Plan 1991-2006 and Policies OVS2, ENV1, ENV18 and HSG2 of the West Berkshire District Local Plan 1991 - 2006.

3. Samples of the materials to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority before development starts. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials.

Reason: In the interests of visual amenity in accordance with Policies OS1 and LD3 of the Berkshire Structure Plan 1991 - 2006 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006.

4. The hours of work for all contractors (and sub-contractors) for the duration of the site development, shall unless otherwise agreed in writing by the Local Planning Authority be limited to; 7.30 am to 6.00 pm on Mondays to Fridays, 7.30 am to 1.00 pm on Saturdays, and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding residents in accordance with Policy LD3 of the Berkshire Structure Plan, and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006.

5. Details of floor levels in relation to existing and proposed ground levels shall be submitted to and approved by the Local Planning Authority before development commences, and the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with Policy LD3 of the Berkshire Structure Plan and Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

6. Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 1995 or any subsequent revision, no additions or extensions to the dwelling shall be built or ancillary buildings or structures erected within the curtilage or material alterations made to the appearance, unless permission has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the overdevelopment of the site and to safeguard the amenities of the adjoining properties in accordance with Policy LD3 of the Berkshire Structure Plan 1991-2006 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

7. Details of the enclosures to be erected on site, shall be submitted to and approved in writing by the Local Planning Authority before any development starts on site. The buildings associated with the development shall not be occupied before the enclosure is constructed to the satisfaction of the Local Planning Authority.

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Reason: In the interests of visual amenity in accordance with Policy LD3 of the Berkshire Structure Plan and Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

8. A scheme for the means of treatment of the hard surfaced areas of the site shall be submitted to and approved in writing by the Local Planning Authority before any development starts on site. No buildings shall be occupied before the hard surfaced areas have been constructed to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy LD3 of the Berkshire Structure Plan and Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

9. No development or other operations shall commence on site until details of a tree and landscape protection scheme have been submitted and approved in writing by the Local Planning Authority. The scheme shall include positions and specifications of temporary fencing to be erected and no excavations for services, storage of materials, parking of vehicles, excavation of soils or materials shall take place within the area designated as being protected.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of OVS 2 b.

10. The development shall be landscaped in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority before development commences and shall ensure:-
- (a) the carrying out of any earth moving operations concurrently with the carrying out of the building and other works;
  - (b) completion of the scheme during the planting season next following the completion of the building(s), or such other date as may be agreed in writing by the Local Planning Authority;
  - (c) the maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Local Planning Authority, are dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

## 17. APPLICATION NO. 04/02815/OUT - LITTLE ORCHARD, SPRINGWOOD LANE, BURGHFIELD COMMON.

The Committee considered a report (Agenda Item 5(8)) concerning Planning Application 04/02815/OUT relating to the demolition of the existing house and construction of two new 4 bedroom detached houses.

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In accordance with the Council's Constitution, Mr. P.J. Rogers and Mr. Stephen James, objectors, and Mr. Jon Spires, the agent, addressed the Committee on the following application.

Messrs. Rogers and James in addressing the Committee raised the following points:

- The replacement of low lying outbuildings with a four bedroom detached house would cause an infringement of rights in respect of amenity to Mr. Rogers' property;
- SPG4 (although it was recognised that this was out of date) stated that the minimum separation distance should be 21m from the neighbouring property, the proposed development would be only 18m away from the nearest property;
- Windows on the north face of building two would result in overlooking of the neighbouring property;
- There should be a restriction on the parking bays so that they would not be used for parking commercial vehicles;
- Properties on Springwood Lane were on a slope and the proposed development would be higher than the neighbouring property so the development would have an adverse impact;
- Two four-bedroomed dwellings would increase traffic and the non-maintained road would be subject to additional wear and tear;
- During the construction period heavy goods vehicles and plant would have to use the road which would also cause wear and tear. Springwood Lane was narrow, and also a public right of way, and therefore unsuitable for large vehicles and damage might be caused to neighbouring properties. There was also no turning space on the road so large vehicles would not be able to turn around until the current building had been demolished;
- Sewerage and water facilities were inadequate;
- If the application were to be approved a Bond would be required to ensure that the developer reinstated and restored the road after construction;
- The proposal was an over-development of the site and was out of character with the surrounding area.

Mr. Spires in addressing the Committee raised the following points:

- The current application was for outline permission for access and siting only;
- The application site was on a brownfield and windfall site;
- The proposals were designed to limit the impact on the surrounding area;
- Window locations had not been shown on this application as it was only for outline permission. When application for reserved matters were submitted they would ensure that neighbouring properties were not overlooked;
- Although Springwood Lane was unadopted there was still a right of way over the road;
- The agent queried whether the objections and petition received were relevant to this application as it was only outline permission for access and siting.

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In discussing the above application Members noted that this application was only to deal with the access and siting and that issues in respect of ridge height could be discussed when the application for reserved matters was submitted. Members shared the objectors' concerns about overlooking and the unsuitability of the road for construction traffic. They also felt that the properties would be visually intrusive and damaging to the amenity of Wokefield Common.

Planning Officers advised that issues in respect of use of and damage to the road were a civil matter and not a planning issue and would therefore be difficult to defend at appeal. However, Members felt that there was also concern for the safety of pedestrians using Springwood Lane. The Planning Officer reported that this was still a tenuous reason for refusing planning permission and that in respect of the issue of visual harm there was already a dwelling on that site and that would also be difficult to defend. The Planning Officer urged Members to look closely at the plans and in particular the visual impact and decide if that was a sufficient reason to refuse permission.

Members raised concerns about whether the area of garden amenity was sufficient. The Planning Officer reported that what was proposed would be at the limits of acceptability on this site but that the garden area would be sufficient. The Committee asked if conditions could be added in respect of the height of the proposed dwellings, for example, could a condition be set requesting that bungalows be built instead of a two storey dwelling. Planning Officers stated that conditions could be set on the reserved matters but in their view the site was acceptable for the proposed construction of two two-storey dwellings.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to refuse planning permission for the following reason:

- (1) The application site has a distinctly rural character and is situated in a prominent location on the edge of the settlement boundary of Burghfield Common. The site is visible from the adjacent bridleway, BR20, which is to the west of the site and the informal footpaths, which run through the Common land to the south of the application site.

It is considered that the development of 2 properties in this location will result in an unacceptable level of built form which will have a significantly detrimental impact on the rural character of the area by way of visual intrusion into the adjoining countryside. This impact is compounded by the fact that the site is highly visible from the adjacent bridleway and informal footpaths.

The proposal is therefore considered to be contrary to government guidance contained within PPG3, Policy C5 and EN1 of the Berkshire Structure Plan and Policy OVS2 of the West Berkshire District Local Plan, which seek to ensure that development proposals do not visually intrude into the adjoining countryside, are appropriate in scale, impact and siting to the character of the area and safeguard public rights of way.

### **17. APPLICATION NO. 04/02762/FUL - LAND TO THE REAR OF 2, 3, 4 & 5 ASH GROVE, SOUTHEND BRADFIELD, READING.**

The Committee considered a report (Agenda Item 5(7)) concerning Planning Application 04/02762/FUL for the change of use from agricultural land to residential curtilage.

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In accordance with the Council's Constitution Mr Simon Richmond Knight, applicant addressed the Committee on the foregoing application.

Mr Richmond-Knight in addressing the Committee raised the following points:

- He spoke on behalf of all the residents affected by the application;
- They were unaware that when they purchased land from the farmer to increase the length of their gardens that they should have approached the Council for approval, and apologised for having to submit a retrospective planning application;
- They exercised control in setting the new rear boundary only 15 metres from the original boundary in order to align against the boundaries of neighbouring houses;
- The strip of land between the houses and the neighbouring house was the farmer's access to the field;
- The extended gardens had been conservatively sized and when compared to houses in the immediate vicinity and those in the village at large they were in keeping with the general character of the village;
- The extended garden length, in relation to the overall field size, was very small and did not threaten the existing landscape character;
- The acquired area was previously used by the farmer to store redundant farm machinery and other scrap materials. Treatment given to the land by residents had softened the characteristics of the land;
- All mature trees along the boundary had been preserved;
- English Nature and DEFRA had expressed no objection to the sensitive treatment that residents had applied to the land;
- Residents had restricted treatment of the land to turf, tree planting and enclosure to define the boundaries;

Members in discussing the application accepted that there were extenuating circumstances, and that the application sought to protect the AONB. At a site visit they had seen that the school playing fields (which were a community facility) extended further out than the gardens. This was not shown on the accompanying map.

Members accepted that the extension of the gardens caused no material harm to the environment. However, they were anxious to ensure that the land should not be considered to be a brownfield site in respect of future applications. They requested that a condition should be attached removing permitted development rights regarding hard standing, garden sheds and other ancillary buildings and structures, and any additional fences.

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

1. Permitted development rights to be removed in respect of hard surfacing, fencing and sheds and other ancillary buildings and structures.

(In accordance with the Council's Constitution (Rules of Procedure - paragraph 7.7.1(5) refers), the Committee agreed to continue past 10.30pm on this occasion in order to ensure that the business included on the agenda was transacted.)

18. APPLICATION NO. 05/00042/FULMAJ - 18 LONDON ROAD, THATCHAM.

The Committee considered a report (Agenda Item 5(14)) concerning Planning Application 05/00042/FUL relating to the demolition of the existing dwelling and erection of 8 No. one-bedroom flats and 2 No. two-bedroom flats.

In accordance with the Council's Constitution, Mr. Andrew Plumridge, the agent, addressed the Committee on the following application.

Mr. Plumridge in addressing the Committee raised the following points:

- The agent reported that Councillor Judge had raised concerns about parking on the A4 and although there was a risk that people would park on the highway it was proposed that parking spaces would be assigned to particular flats and limited to one vehicle per dwelling;
- He felt that Conditions 10 and 11 were basically saying the same thing and could be made into one condition with some additional wording;
- The agent felt that Condition 12 was inappropriate;
- Concerns were raised about Conditions 19 and 20 on the update sheet i.e. any Public Protection conditions or any further Environment Agency conditions. Planning permission might be granted tonight without the knowledge of what those additional conditions might be.

In discussing the above application Members enquired whether any further comments had been received from Public Protection or the Environment Agency. The Planning Officer responded that the update sheet had only been produced that morning and no additional information had been received since that time. Concern was expressed by Members that no response had been received from Public Protection although it was recognised that it was a fairly recent application and the query in respect of the Petrol Station only arose from a recent site visit. Members were pleased to note that the s106 contributions had been agreed.

In respect of Condition 12 the agent confirmed that no gates were to be erected on the development site and this condition was therefore not necessary and was subsequently deleted.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to grant conditional permission subject to the following conditions:

1. The development shall be started within five years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development in accordance with policies contained within the Development Plan should it not be started within a reasonable time.

2. The development hereby approved shall be carried out in accordance with plan numbers 1510/2 REV B, 1510/03 REV B, 1510/04 REV B, 1510/05 REV B, and 1510/06 REV B received on 18<sup>th</sup> February 2005 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against

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Policies EN1, H3 and H6 of the emerging Berkshire Structure Plan 2001-2016, Policies OS1, LD3, and EN1 of the Berkshire Structure Plan 1991-2006 and Policies OVS2 and HSG4 of the West Berkshire District Local Plan 1991 - 2006.

3. Samples of the materials to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority before development starts. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials.

Reason: In the interests of visual amenity in accordance with Policies OS1 and LD3 of the Berkshire Structure Plan 1991 - 2006 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006.

4. The hours of work for all contractors (and sub-contractors) for the duration of the site development, shall unless otherwise agreed in writing by the Local Planning Authority be limited to; 7.30 am to 6.00 pm on Mondays to Fridays, 7.30 am to 1.00 pm on Saturdays, and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding residents in accordance with Policy LD3 of the Berkshire Structure Plan, and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006.

5. Details of floor levels in relation to existing and proposed ground levels shall be submitted to and approved by the Local Planning Authority before development commences, and the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with Policy LD3 of the Berkshire Structure Plan and Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

6. Details of the enclosures to be erected on site, shall be submitted to and approved in writing by the Local Planning Authority before any development starts on site. The buildings associated with the development shall not be occupied before the enclosure is constructed to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy LD3 of the Berkshire Structure Plan and Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

7. A scheme for the means of treatment of the hard surfaced areas of the site shall be submitted to and approved in writing by the Local Planning Authority before any development starts on site. No buildings shall be occupied before the hard surfaced areas have been constructed to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy LD3 of the Berkshire Structure Plan and Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

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8. The window(s) at first floor and second floor level in the western side of Block A where detailed to serve bathrooms and stairs, and the eastern side and western side elevations of Block B shall be fitted with obscure glass before the development is first occupied and the obscure glazing shall thereafter be retained in position to the satisfaction of the Local Planning Authority. Irrespective of the provisions of the current Town and Planning (General Permitted Development) Order 1995 or any subsequent revision, no additional openings shall be inserted in the eastern side or western side elevations of Block A or the eastern side or western side elevations of Block B without the permission in writing of the Local Planning Authority.

Reason: In the interests of the amenity of neighbouring properties in accordance with Policies LD3 of the Berkshire Structure Plan 1991 -2006 and OVS2 of the West Berkshire District Local Plan 1991 - 2006.

9. A scheme of sound insulation shall be submitted to and approved in writing by the Local Planning Authority before building operations start. The scheme shall provide for the insulation of the proposed flats, between the individual flats and against all sources of external noise, to the satisfaction of the Local Planning Authority, and the works required to implement the scheme shall be incorporated in the building during construction, and completed before any of the flats are first occupied.

Reason: To ensure a satisfactory sound level within the dwellings in accordance with Policy OS1 and LD3 of the Berkshire Structure Plan 1991-2006 and Policy OVS2, OVS3A and OVS6 of the West Berkshire District Local Plan 1991-2006.

10. No dwelling shall be taken into use until the access has been constructed in accordance with details to be submitted to and approved by the Local Planning Authority, and in compliance with the requirements of the Highway Authority for work carried out within the public highway.

Reason: In the interest of road safety in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.

11. No dwelling shall be taken into use until the access(es) have been surfaced with a bonded material across its entire width of the access for a distance of 7 metres, measured back from the carriageway edge. The bonded surface material shall thereafter be maintained.

Reason: To avoid migration of loose material onto the highway in the interest of road safety in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.

12. A temporary parking area and turning space shall be provided and maintained concurrently with the development of the site, in a position to be agreed, until the proposed parking area has been constructed.

Reason: To ensure the development is provided with adequate parking facilities during the construction period, in order to minimise the incidence of roadside parking which would be a danger to other road users in accordance with

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Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.

13. Secure and undercover cycle storage shall be provided in accordance with drawings to be submitted and approved prior to occupation of the development. This area shall, unless agreed in writing by the Local Planning Authority, be kept available for the parking of cycles at all times.

Reason: To encourage cycling and to ensure the development reduces reliance on private motor vehicles and assists with security of cycles in accordance with Policy TRANS 4 of the West Berkshire District Local Plan 1991-2006.

14. Prior to commencement of the development details of the proportion of the proposed dwellings to be designed and constructed to a standard capable of conversion for occupation by people with disabilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall occur in accordance with the details so approved.

Reason: In order to provide a diversity of housing in accordance with Policy HSG8 of the West Berkshire District Local Plan 1991-2006.

15. No development or other operation shall commence on site until a scheme for the landscaping has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant size and proposed numbers/densities an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

Completion of the approved landscape scheme within the first planting season following completion of the development.

Any trees shrubs or plants that die, become seriously damaged or die within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with Policies OVS 2 a & b and OVS3 b of the West Berkshire District Local Plan 1991-2006.

16. Surface water drainage works shall be carried out in accordance with details which shall have been submitted to and approved by the Local Planning Authority before development commences.

Reason: To prevent the increased risk of flooding in accordance with Policy ENV11B of the West Berkshire District Local Plan 1991-2006.

17. Details of the external lighting to be used in the areas around the proposed building(s) shall be submitted to and approved by the Local Planning Authority and no building shall be occupied before the lighting has been installed in accordance with the details of the lighting so approved.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development in accordance with Policy LD3 of the

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Berkshire Structure Plan and Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

18. Any landscaping conditions.
19. Any Environment Agency conditions.

### **Informatives**

4. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water course or surface water sewer. It must not be allowed to drain to the foul sewer, this is the major contributor to sewer flooding. Thames Water recognises the environmental and economic benefits of surface water source control, and encourages its appropriate application to the overall benefit of customers.

In the disposal of surface water, Thames Water will recommend that the applicant:

- a) Looks to ensure that new connections to the public sewerage system do not pose an unacceptable threat of surcharge, flooding or pollution;
- b) Checks that the proposals are in line with advice from DEFRA, which encourages, wherever practicable, disposal 'on site' without recourse to the public sewerage system; for example in the form of soakaways or infiltration areas on free draining soil;
- c) Looks to ensure the separation of foul and surface water sewerage on all new developments.

5. You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate, or in any other way carry out any works in connection with this development, or to obtain any support from adjoining property. This permission granted by the Council in no way authorises you to take such action without first obtaining this consent.

6. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is currently required for any discharge of sewage or trade effluent onto or into ground and for surface runoff into groundwater. Such consent may be withheld. If there is an existing discharge consent the applicant should ensure that any increase in volume is permitted under the present conditions. Contact Stu Ryder on 01491 828516 for further details.

7. Roof water downpipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

8. No soakaways should be constructed such that they penetrate the water table, and they shall not in any event exceed 3 metres in depth below existing ground level.

9. The Highways Manager, West Berkshire Council, Highways & Engineering, Council Offices, Faraday Road, Newbury, RG14 2AF, telephone number (01635) 519169, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application

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should be made, allowing at least four (4) weeks notice, to obtain details of underground services on the applicant's behalf.

10. 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.

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

12. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Highways Manager, West Berkshire Council, Highways & Engineering, Council Offices, Faraday Road, Newbury, RG14 2 AF, telephone number 01635-519169, before any development is commenced.

### **19. APPLICATION NO. 04/02464/HOUSE - MALLARDS BOTTOM, HATCH LANE, CHAPEL ROW, BUCKLEBURY.**

The Committee considered a report (Agenda Item 5(5)) concerning Planning Application 04/02464/HOUSE relating to a chalet style extension to the rear of the property to form a Granny Flat.

In accordance with the Council's Constitution, Mr. & Mrs Swanborough, the applicants addressed the Committee on the foregoing application.

Mr. & Mrs. Swanborough in addressing the Committee raised the following points:

- Although Mrs. Swanborough's mother, for whom the Granny flat was planned, had undergone a hip replacement operation, and would need a further operation in the near future, she still required independent living at the moment;
- The reason for having two bedrooms was to be able to accommodate full-time care when that became necessary;
- The flat was designed to be absorbed into the main body of the house at a later date;
- A s106 arrangement had been proposed to the Parish Council, and they were prepared for this to be written into the conditions;
- Even with the proposed extension the house would be in harmony with the size of the site;
- Two thirds of the boundary of the property was surrounded by woodland;
- There would be no material increase in size to the footprint of the property as the proposed extension would be built on the site of derelict buildings which would be demolished;
- The applicants had good relationships with their neighbours and had taken their views into account when designing the annexe. The neighbours had no objections to the proposed development.

Members in discussing the application agreed that although the applicants' original application had been too large, the current application was acceptable in

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size. The proposed extension would not be visible from the road as it faced down the garden.

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

1. The development shall be started within five years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies LD3 of the Berkshire Structure Plan 1991 - 2006 and OVS2 of the West Berkshire District Local Plan 1991 - 2006 should it not be started within a reasonable time.

2. The development hereby approved shall be carried out in accordance with drawing title number(s) 8, 10 and 11 received on 14<sup>th</sup> October 2004, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against Policies LD3 and C7 of the Berkshire Structure Plan 1991 - 2006 and OVS2 and ENV2 of the West Berkshire District Local Plan 1991 - 2006.

3. The materials to be used in the development shall match those on the existing development to the satisfaction of the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policies OS1 and LD3 of the Berkshire Structure Plan 1991 - 2006 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006.

4. The new extension/development shall be used only as an integral part of the existing dwelling, and for residential purposes ancillary to the enjoyment of the occupiers of that dwelling. It shall not be used as a separate dwelling unit, and no separate curtilage shall be created unless permission is given by the Local Planning Authority on an application made for that purpose.

Reason: The creation of a separate unit of accommodation is inappropriate for the site, and would be detrimental to the amenities of the area and therefore would be contrary to the provisions of Policy LD3 of the Berkshire Structure Plan 1991 - 2006 and Policy OVS.2 of the West Berkshire District Local Plan 1991 - 2006.

5. Prior to development commencing a full schedule detailing all buildings over 10cu.m to be demolished shall be submitted and approved in writing by the Local Planning Authority. These buildings shall then be demolished within six calendar months of commencement of development permitted under 04/02464/HOUSE unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent over development of the site.

The decision to grant planning permission has been taken having regard to the policies and proposals in the West Berkshire District Local Plan 1991-2006

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(WBDLP), the Berkshire Structure Plan 1991-2006 (BSP), the Waste Local Plan for Berkshire 1998-2006, the Replacement Minerals Local Plan for Berkshire 2001 and to all other relevant material consideration, including Government guidance, supplementary planning guidance notes; and in particular guidance notes and policies OVS2, ENV2, ENV24, LD3.

### 20. APPLICATION NO. 04/02866/HOUSE - HILLTOP COTTAGE, HOPGOODS GREEN, BUCKLEBURY, READING.

*(Councillors Alan Macro, Terry Port, John Farrin, Keith Woodhams, Royce Longton and Paul Pritchard declared a personal and prejudicial interest in Agenda Item 5(10) by virtue of the fact that the applicant was known to them. As their interest was personal and prejudicial, they left the meeting during the course of consideration of the matter and took no part in the discussion or voting thereon.)*

**Councillor Keith Chopping was elected Chair for this item.**

The Committee considered a report (Agenda Item 5(10)) concerning Planning Application 04/02866/FUL relating to the partial demolition of attached structures, construction of extension and new conservatory, new dormer window, re-location of oil tank and alteration to road access.

In discussing the application Members agreed that this application had only been brought to the Committee due to the fact that the applicant was the local MP. They raised no objections to the application.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to grant conditional permission subject to the following conditions:

1. The development shall be started within five years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies LD3 of the Berkshire Structure Plan 1991 - 2006 and OVS2 of the West Berkshire District Local Plan 1991 - 2006 should it not be started within a reasonable time.

2. The development hereby approved shall be carried out in accordance with drawing title number(s) 04:A25:2A and 04:A25:3A received on 13th December 2004, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against Policies LD3 and C7 of the Berkshire Structure Plan 1991 - 2006 and OVS2 and ENV2 of the West Berkshire District Local Plan 1991 - 2006.

3. The materials to be used in the development shall match those on the existing development to the satisfaction of the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policies OS1 and LD3 of the Berkshire Structure Plan 1991 - 2006 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006.

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4. Any gates provided shall open away from the highway and be set back a distance of at least 5 (five) metres from the edge of the adjoining highway.

Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interest of road safety in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.

5. A scheme for the means of treatment of the hard surfaced areas of the site shall be submitted to and approved in writing by the Local Planning Authority before any development starts on site. No buildings shall be occupied before the hard surfaced areas have been constructed in accordance with the approved scheme to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991 - 2006 and Policies LD3 and EN1 of the Berkshire Structure Plan 1991 - 2006.

6. A scheme for the means of enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority before any development starts on site. The means of enclosure shall be erected in accordance with the approved scheme to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991 - 2006 and Policies LD3 and EN1 of the Berkshire Structure Plan 1991 - 2006.

7. The hours of work for all contractors (and sub-contractors) for the duration of the site development, shall unless otherwise agreed in writing by the Local Planning Authority be limited to; 7.30 am to 6.00 pm on Mondays to Fridays, 7.30 am to 1.00 pm on Saturdays, and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding residents in accordance with Policy LD3 of the Berkshire Structure Plan 1991 to 2006, and Policies OVS2 and ENV30 of the West Berkshire District Local Plan 1991 to 2006.

8. The existing access shall be stopped up (to vehicular and/or pedestrian use) and abandoned immediately after the new access has been brought into use. The footway or verge shall be reinstated to the satisfaction of the Local Planning Authority and in compliance with the requirements of the Highway Authority for works carried out within the public highway.

Reason: In accordance with the Policy OVS 2 of the West Berkshire District Local Plan 1991-2006, and in the interest of road safety and highway maintenance.

### Informatives

The Highways Manager, West Berkshire Council, Highways & Engineering, Council Offices, Faraday Road, Newbury, RG14 2AF, telephone number (01635) 519169, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application

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should be made, allowing at least four (4) weeks notice, to obtain details of underground services on the applicant's behalf.

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.

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

Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Highways Manager, West Berkshire Council, Highways & Engineering, Council Offices, Faraday Road, Newbury, RG14 2AF, telephone number (01635) 519169, before any development is commenced.

**Councillor Keith Woodhams in the Chair.**

**21. APPLICATION NO. 05/00109/ADV - ROUNDABOUT A329/NURSERY GARDENS, PURLEY ON THAMES.**

The Committee considered a report (Agenda Item 5(15)) concerning Planning Application 05/00109/ADV relating to the erection of a sponsorship sign.

Members in discussing this item were concerned at the impact on the street scene that the sponsorship sign might have. They also expressed concern that Parish Councils were not consulted about the signs. Officers confirmed that the Parishes had been consulted in the usual manner when the applications had been submitted and reported that they would look into the matter of consultation with other services prior to application when similar future applications were received.

**RESOLVED** that the Head of Planning & Transport Strategy be authorised to grant Advertisement Consent.

**22. APPLICATION 05/00123/ADV - ROUNDABOUT A329/KNOWSLEY ROAD, TILEHURST.**

The Committee considered a report (Agenda Item 5(15)) concerning Planning Application 05/00123/ADV relating to the erection of a sponsorship sign.

**RESOLVED** that the Head of Planning & Transport Strategy be authorised to grant Advertisement Consent.

**23. APPEAL DECISIONS RELATING TO EASTERN AREA PLANNING COMMITTEE.**

Members noted the outcomes of the Appeal Decisions.

*(The meeting commenced at 6.00pm and closed at 10.32pm)*

**CHAIRMAN** .....

Date of Signature: .....