

Notice of Meeting

Eastern Area Planning Committee

Wednesday 7 December 2016 at 6.30pm
in the Calcot Centre, Highview (off Royal Avenue), Calcot

Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday, 29 November 2016

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Calcot Centre between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148

Email: planapps@westberks.gov.uk

Further information, Planning Applications and Minutes are also available on the Council's website at www.westberks.gov.uk

Any queries relating to the Committee should be directed to Stephen Chard on (01635) 519462
Email: stephen.chard@westberks.gov.uk



Agenda - Eastern Area Planning Committee to be held on Wednesday, 7 December 2016
(continued)

- To:** Councillors Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping (Vice-Chair, in the Chair), Richard Crumly, Marigold Jaques, Alan Law, Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster
- Substitutes:** Councillors Lee Dillon, Manohar Gopal, Tony Linden, Mollie Lock and Quentin Webb

Agenda

Part I

Page No.

- | | | |
|-----|--|---------|
| (1) | Application No. & Parish: 16/02273/FULD - Green Gables, Tidmarsh Lane, Tidmarsh
Proposal: Erection of replacement dwelling and 5 no. dwellings and associated works; demolition of class B buildings and extinguishment of lawful plant storage and distribution operations; removal of hardstanding.
Location: Green Gables, Tidmarsh Lane, Tidmarsh, Reading, Berkshire, RG8 8HG
Applicant: Mr S Holland
Recommendation: To DELEGATE to the Head of Planning & Countryside to REFUSE PLANNING PERMISSION for the reason for refusal set out in section 8.1 of this report. | 5 - 16 |
| (2) | Application No. & Parish: 16/02600/FULEXT - Fairwinds, The Street, Mortimer Common
Proposal: Section 73 removal of condition 17 of approved application 15/02667/FULEXT – erection of 17 dwellings following demolition of existing dwelling and clearance of the site, alteration of the existing means of access off the street and associated landscape work.
Location: Fairwinds, The Street, Mortimer Common, Berkshire
Applicant: T A Fisher (Mortimer) Ltd
Recommendation: To DELEGATE to the Head of Planning & Countryside to GRANT PLANNING PERMISSION subject to the schedule of conditions. | 17 - 18 |

Background Papers

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.

Agenda - Eastern Area Planning Committee to be held on Wednesday, 7 December 2016
(continued)

- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Andy Day
Head of Strategic Support

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



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EASTERN AREA PLANNING COMMITTEE ON 07 DECEMBER 2016

UPDATE REPORT

Item No: (1) **Application No:** 16/02273/FULD **Page No.** 11-24
Site: Green Gables, Tidmarsh Lane, Tidmarsh

Planning Officer Presenting: Dave Pearson

Member Presenting:

Parish Representative speaking: Mr Colin Pawson

Objector(s) speaking: N/A

Support(s) speaking: Mrs Deirdre Cuthbert on behalf of Maidenhatch Residents
Ms Franny Hornblow

Applicant/Agent speaking: Mr Mark Leedale

Ward Member(s): Councillor Tim Metcalfe
Councillor Rick Jones

1. Queries on trees arising from site visit: consultation response provided in the committee report. Conditions recommended. No further details required.
2. Query on Environmental Health consultation in relation to contaminated land arising from site visit: An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. Environmental Health have identified dust, contaminated land and adjacent commercial activities as issues and a series of conditions are proposed.
3. Details of the three Certificates of Lawfulness applicable to the site are attached.
4. Amended plans for highways and traffic statement . Received 25/11/16. Amendments showing change from garage to car ports. Highways responded:

Road layout

The road is now proposed to be constructed to adoptable standards. The service margins must be provided around the whole of the turning head. The refuse manoeuvre does look to be tight but is shown to be just achievable.

Access and Visibility

In my emails of 15 September 2016 and 28 September 2016 I requested a speed survey be undertaken to determine what actual vehicle speeds are in the vicinity of the site in order that an appropriate splay could be calculated. Manual for Streets has been quoted, however this road is not considered to be a residential street and splays in accordance with Design Manual for Roads and Bridges are considered to be more appropriate.

In this location visibility splays of 2.4 metres x 215 metres should be provided. This cannot be achieved. The existing level of vehicle movements is relatively low, however this site has the potential for a greater level of vehicle movements associated with the existing permitted use. A total of 645 sqm industrial use is existing at this site 491 sqm B1c and 154 sqm B2, and the TN provides TRICS data associated with this use. The Technical Note also identifies that this site previously employed a greater level of staff and could return to a more intensive use with no further planning approvals. Whilst I am of the view that the figures submitted are quite high, it is my view that the levels associated with the existing permitted and the proposed use are likely to be comparable. It is however, noted that the Technical note refers to 3 bed dwellings but these are all 5-beds which will generate a greater level of movements – around 8 movements per dwelling per day in this location (5 dwellings net increase).

The type of movement will change from some HGVs/LGVs etc to private cars which is a welcome improvement onto this road.

Whilst a speed survey has not been undertaken, which is disappointing, some improvements to the achievable visibility splay at the access are proposed. Given the existing permitted use, and the comparison between the potential vehicle movements under the permitted use and those for the proposed use, it would be difficult to substantiate an objection. However, both visibility splays must be shown to the nearside carriageway edge. There is no physical restriction to vehicles crossing the centre line, and the nature of this road is such that vehicles could be approaching the site in the centre of the carriageway. There is also no supportive evidence that demonstrates vehicles and cyclists approach the site in excess of 1 metre from the edge of the carriageway. I am not aware of any guidance that suggests this is where a splay should be measured to. Both splays must also be shown to the nearside kerb edge. Amended plan requested. This would then be conditioned.

Parking and Cycle Storage

Vehicle parking has now been provided as follows:

- Plot 1: 3 driveway car parking spaces,
- Plots 2-6: a car port and 2 driveway car parking spaces.

This is now acceptable.

Garages are not included as car parking spaces as they are often used for storage only.

Cycle storage can take place within each of the proposed garages.

Conditions and Informatives:

The following conditions and informatives would be requested on any planning approval which may be given. Inserts for HIGH8 to be included when an appropriate plan has been received.

CONS1 - Construction method statement

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. 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) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works
- (h) Haul route to be agreed

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), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Variation HIGH1 - Layout and Design Standards (YHA1) (Request form attached).

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision and the Developer to enter into a S278/S38 Agreement for the adoption of the site. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

HIGH8 - Visibility splays before occupation (YHA20)

No dwelling shall be occupied until the visibility splays at the access have been provided in accordance with drawing number X received on X. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

HIGH12 - Parking/turning in accord with plans (YHA24)

No dwelling shall be occupied until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

HIGH16 - Access construction (plans required)

No development shall take place until details of all access(es) into the site have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access has been constructed in accordance with the approved details.

Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

HI 1 Access construction

The Highways Manager, West Berkshire District Council, Highways & Transport, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, 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 should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

HI 3 Damage to footways, cycleways and verges

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.

HI 4 Damage to the carriageway

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

H 100 Developer Coordination Requirements

"Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be coordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in West Berkshire.

Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be coordinated by them in liaison with West Berkshire Council's Street Works Section, (telephone 01635 519169/519234). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are coordinated to take place wherever possible at the same time.

Reason: In order to minimise disruption to road users, be they pedestrians or vehicular traffic, under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. In order to satisfy the licensing requirements of the Highways Act 1980."

No further updates

**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 AND 192 (as amended
by Section 10 of the Planning and Compensation Act 1991)**

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995:
ARTICLE 24**

Mark Leedale Planning
52 Crondall Lane
Farnham
Surrey
GU9 7DD

Applicant:
CPHL

PART I - DETAILS OF APPLICATION

Date of Application

11th December 2009

Application No.

09/02579/CERTE

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

The storage of plant (including secure site plant stores and portable site office units), equipment and associated material and the hiring of these items.

Green Gables, Tidmarsh Lane, Tidmarsh, Reading

PART II - DECISION

West Berkshire District Council hereby certify that on the 11th December 2009, the use described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate and edged in red on the plan attached to this Certificate, was **LAWFUL within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:**

On the balance of probability, the use specified appears to the Council to have taken place at the site continuously for more than ten years.

FIRST SCHEDULE:

The storage of plant (including secure site plant stores and portable site office units), equipment and machinery.

SECOND SCHEDULE:

The land edged red on the accompanying plan adapted from drawing MLP/01 and showing an area measuring approximately 86 metres by 26 metres lying to the south of Green Gables, Tidmarsh Lane. The site does not include the whole of the red line boundary submitted with the application.

Decision Date :- 16th April 2010

09/02579



Do not scale except for planning & building regulations purposes

Licence number 100046766
WILTSHIRE COUNTY COUNCIL
11 DEC 2009
PLANNING AND TRADING STANDARDS

Mark Leedale Planning
Chartered Town Planning
Consultants

52 Crondall Lane,
Farnham,
Surrey GU9 7DD
01252 716855 tel/fax
markleedale@hotmail.com

Revision notes:

- A
- B
- C

Client:
CPHL

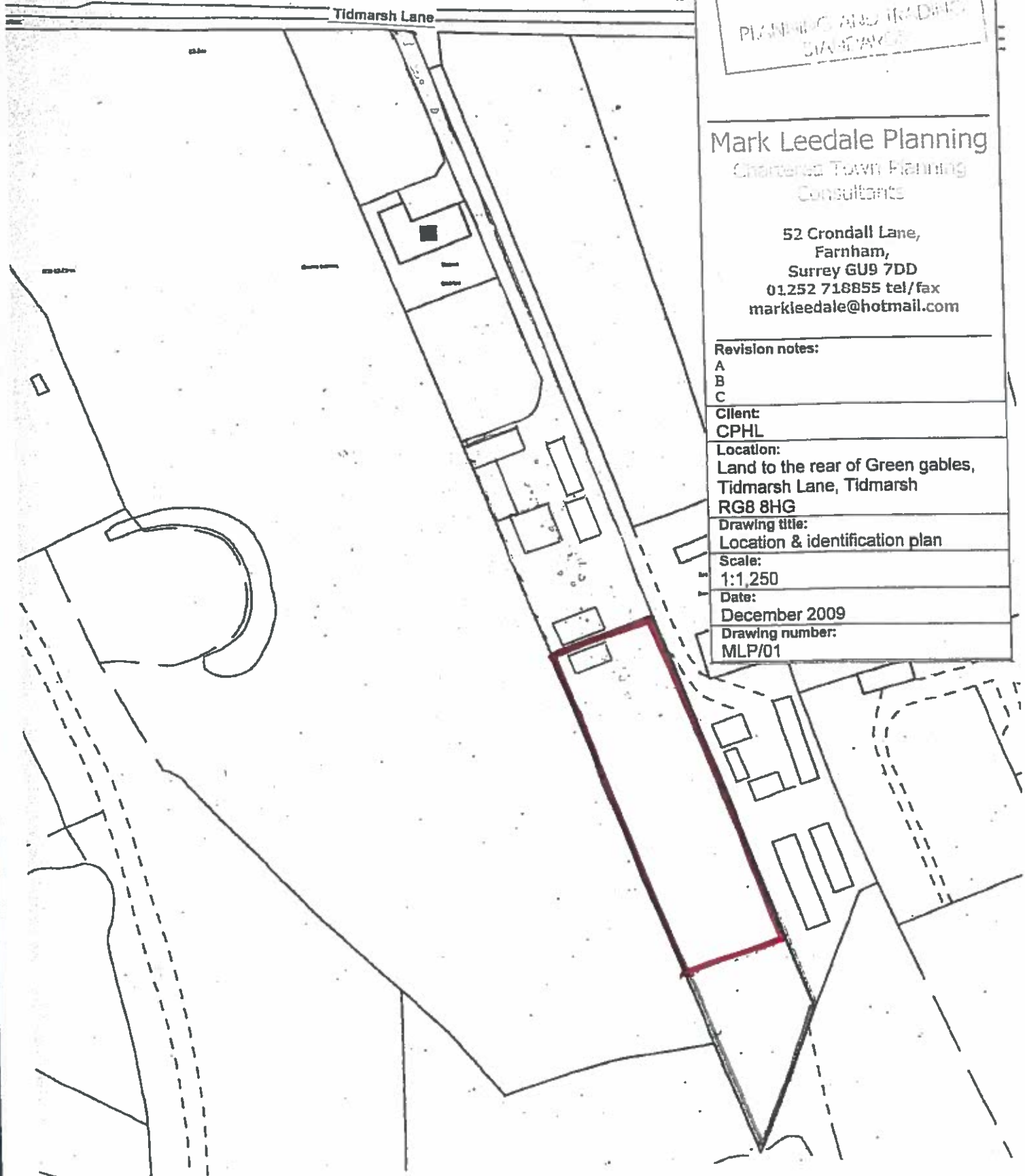
Location:
Land to the rear of Green gables,
Tidmarsh Lane, Tidmarsh
RG8 8HG

Drawing title:
Location & identification plan

Scale:
1:1,250

Date:
December 2009

Drawing number:
MLP/01



**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 AND 192 (as amended
by Section 10 of the Planning and Compensation Act 1991)**

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995:
ARTICLE 24**

Mark Leedale Planning
52 Crondall Lane
Farnham
Surrey GU9 7DD

Applicant:
Contractors Plant Hire Ltd

PART I - DETAILS OF APPLICATION

Date of Application

2nd October 2007

Application No.

07/02171/CERTE

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Operational development in the form of a hardstanding and installation of a petrol interceptor and wash down area on land to the south of Green Gables

Green Gables, Tidmarsh Lane, Tidmarsh, Reading

PART II - DECISION

West Berkshire Council hereby certify that on 1st October 2007 the use described in the First Schedule of this certificate in respect of land specified in the Second Schedule to this certificate, was **LAWFUL** within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

Having regard to the evidence submitted West Berkshire Council is satisfied that on the balance of probability the use was Lawful on 1st October 2007.

FIRST SCHEDULE:

Operational development in the form of a hardstanding and installation of a petrol interceptor and wash down area on land to the south of Green Gables

SECOND SCHEDULE:

Land at Green Gables, Tidmarsh Lane, Tidmarsh, Reading as outlined in red on the plan attached to the Certificate.

Decision Date :- 11th April 2008



Gary Lugg
Head of Planning & Trading Standards



WEST BERKSHIRE DISTRICT
COUNCIL
- 2 OCT 2007
PLANNING AND TRADING
STANDARDS

Tidmarsh Lane

07/02171

Green Gables

Do not scale except for planning & building regulations purposes

Licence number 100046766

Tow Acres

Mark Leedale Planning
Chartered Town Planning
Consultants

52 Crondall Lane,
Farnham,
Surrey GU9 7DD
01252 718855 tel/fax
markleedale@hotmail.com

Petrol Interceptor and
wash down area

Revision notes:

- A
- B
- C

Client:
Contractors Plant Hire Limited

Location:
Land south of Green Gables,
Tidmarsh Lane, Tidmarsh
RG8 8HG

Drawing title:
Identification plan

Scale:
1:1,250

Date:
October 2007

Drawing number:
MLP/HS/01

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 AND 192 (as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995:

ARTICLE 24

Name and Address of Agent (if any)

Mark Leedale Planning
52 Crondall Lane
Farnham
Surrey GU9 7DD

Name and Address of Applicant

Mr And Mrs C Holland
C/o Mark Leedale Planning
52 Crondall Lane
Farnham
Surrey GU9 7DD

PART I - DETAILS OF APPLICATION

Date of Application

8th March 2001

Application No.

01/00500/CERT

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Certificate of Lawfulness for existing use on land/buildings to rear of Green Gables - use of land and buildings for haulage, use of buildings for various Class B and sui generis purposes and erection of building for maintenance of plant.

Green Gables , Tidmarsh Lane, Tidmarsh, Reading

PART II - DECISION

West Berkshire Council hereby certify that on 8th March 2001 the uses described in the First Schedule of this certificate in respect of land specified in the Second Schedule to this certificate, were **LAWFUL** within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

On the balance of probability, the use specified appears to the Council to have existed on the site for more than 10 years.

FIRST SCHEDULE:

Use of land and buildings to the rear of Green Gables, Tidmarsh Lane, Tidmarsh specified in the Second Schedule to this certificate as stipulated in the manner described below.

- i. Building 1 – Use for Use Class B1(c) purposes
- ii. Building 2 – *Sui Generis* use as toilet and washroom block and for storage of office furniture and general supplies associated with the other authorised uses on the application site
- iii. Building 3 – *Sui Generis* use as an office and for the storage of vehicle parts and other items ancillary to the use of the land shaded orange on the plan forming the Second Schedule to this Certificate as an operating centre for a haulage business operating a maximum of two HGVs and two trailers
- iv. Building 4 – Use for Use Class B8 purposes
- v. Building 5 – Use for Use Class B1(c) purposes
- vi. Building 6 – Use for Use Class B1(c) purposes
- vii. The open land shaded orange on the plan forming Schedule 2 – *Sui Generis* use as an operating

centre for a haulage business operating a maximum of two HGVs and two trailers and for parking of non-HGV vehicles and non-HGV trailers associated with the lawful use of Buildings 1-6.

SECOND SCHEDULE:

Land and buildings at Green Gables, Tidmarsh Lane, Tidmarsh, Reading as indicated on Plan 'A' within which the uses described in the first Schedule to the certificate took place

INFORMATIVE:

1. This Certificate of Lawfulness for existing land and buildings to the rear of Green Gables, Tidmarsh Lane, Tidmarsh specifically excludes the erection of building for maintenance of plant, Building 7 on the submitted plans, as the Local Planning Authority is not satisfied that on the balance of probability the building had been erected, or substantially erected, on 8th March 1997.
2. For further information regarding the decision, please contact the Customer Call Centre on: 01635 519111.

Decision Date :- 24th September 2004



Gary Lugg
HEAD OF PLANNING AND TRANSPORT
STRATEGY

NOTES

1. This certificate is issued solely for the purposes of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use and operations specified in the First Schedule taking place on the land described in the Second Schedule were lawful, on the specified date and, thus were not liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This certificate applies only to the use and operations described in the First Schedule and to the land specified in the Second Schedule and identified in the attached plan. Any use or operations which are materially different from those described or which relate to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

PLAN 'A'

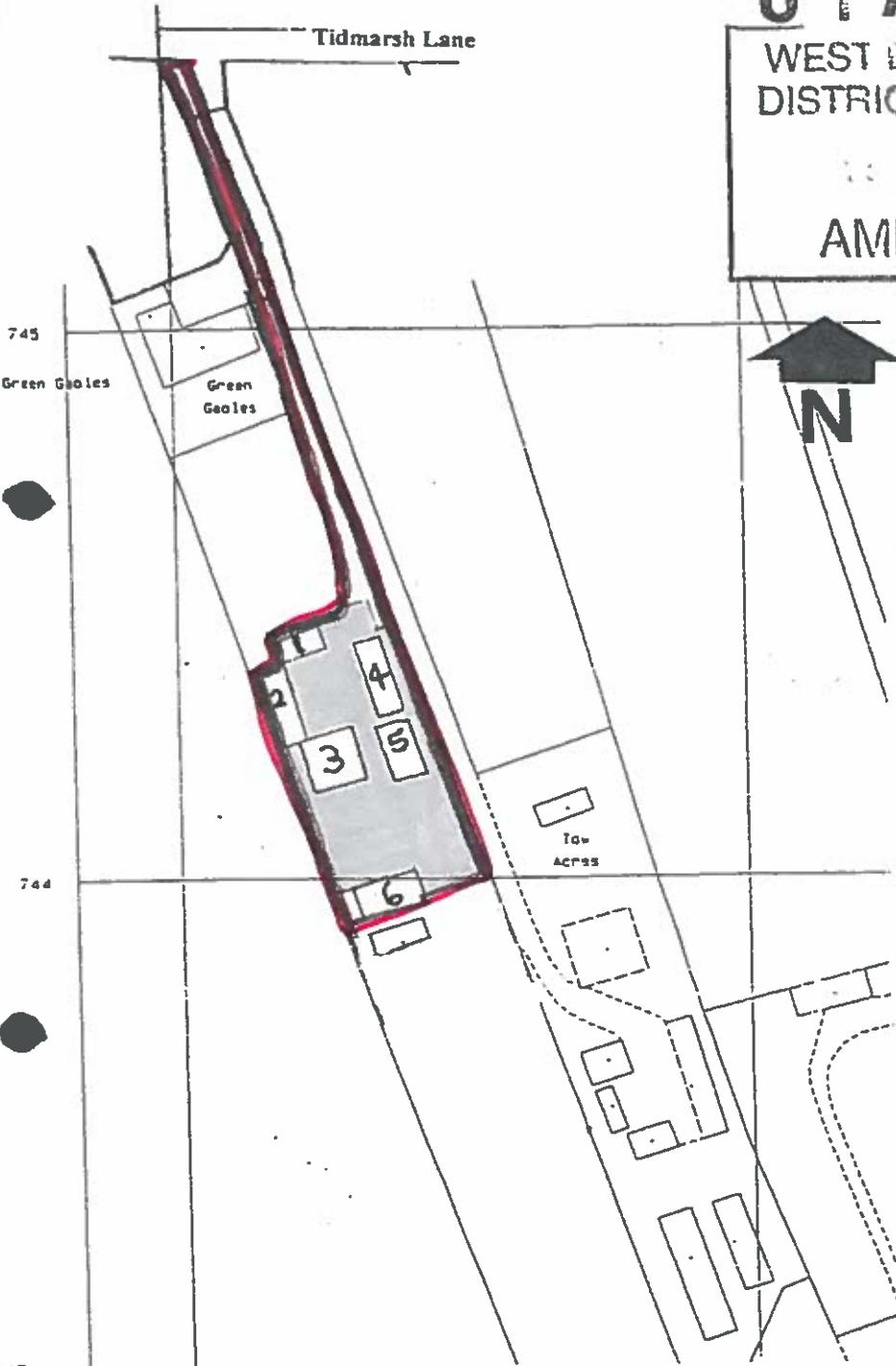
01/00500

WEST BERKSHIRE
DISTRICT COUNCIL

Do not scale except for planning & building regulations purposes

2003

AMENDED



Plans/Drawings



**Mark Leedale
Planning**

Chartered Town Planning
Consultant
52 Crondall Lane,
Farnham,
Surrey GU9 7DD
01252 711973 tel/fax
Mobile 07788 196253
markleedale@hotmail.com

Revision notes:

- A
- B
- C

Client:

Mr & Mrs C F Holland

Location:

Green Gables, Tidmarsh Lane, Tidmarsh

Drawing title:

Site identification plan

Scale:

1:1,250

Date:

December 2003

Drawing number:

MLP/ 02

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EASTERN AREA PLANNING COMMITTEE ON 7TH DECEMBER 2016

UPDATE REPORT

Item No: (2) **Application No:** 16/02600/FULEXT **Page No.** 25-174

Site: Fairwinds, The Street, Mortimer Common, RG7 3RD, Berkshire

Planning Officer Presenting: Andy Heron

Member Presenting: N/A

Parish Representative speaking: Mr Tony Butcher

Objector(s) speaking: Mr Andrew Clark

Support(s) speaking: N/A

Applicant/Agent speaking: Mr Steve Smith

Ward Member(s): Cllr Bridgman
Cllr Lock

Update Information:

1. CIL

- Please be aware that the CIL payment should be £362413.54 and not the sum stated in section 5.1 of the committee report. The revised total is based on a gross internal area of 2738.83 square metres.

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