

NOTE: These Minutes have been amended. Please see Minutes dated 22 February for amendments.

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 18 JANUARY 2017

Councillors Present: Howard Bairstow, Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Hilary Cole, Billy Drummond, Adrian Edwards, Clive Hooker (Chairman), Anthony Pick and Garth Simpson

Also Present: Michael Butler (Principal Planning Officer), Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control), Jenny Legge (Principal Policy Officer) and Shiraz Sheikh (Principal Solicitor)

Apologies for inability to attend the meeting: Councillor Paul Hewer and Councillor Virginia von Celsing

PART I

41. Minutes

The Minutes of the meeting held on 23 November 2016 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

Item 38, page 6, 1st paragraph, 3rd line: change 'or a other registrable...' to 'or an other...'

Item 38, page 6, 2nd point, 1st line: change 'Mrs Elizabeth O'Keefe' to 'Miss'

Item 38, page 8, 16th point, 2nd line: change 'old piling' to 'screw piling'

Item 38, page 8, 16th point, 5th line: insert 'screw' to 'piling'

Item 38, page 9, 1st to 4th bullet points: First two bullet points have been repeated. Remove 3rd and 4th bullet points

Item 39, page 34, 3rd paragraph: Councillor Anthony Pick asked that it be recorded that he too had been lobbied

Item 39, page 38, 25th point, 1st bullet point: change 'shoe-in' to 'shoo-in'

Item 39, page 40, 35th point, 2nd line: change 'lived experience' to 'live experience'

Agenda Item 4(1), page 43, 1st table: change 'Newbury Town Council' to 'Greenham'

42. Declarations of Interest

Councillors Jeff Beck, Hilary Cole, Adrian Edwards, Billy Drummond and Anthony Pick declared an interest in Agenda Item 4(1), but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

43. Schedule of Planning Applications

(1) Application No. and Parish: 16/00669/OUTMAJ, Land to the north of Pinchington Lane, Newbury

(Councillors Jeff Beck, Adrian Edwards, Billy Drummond and Anthony Pick declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were Members of Newbury Town Council (NTC). Councillors Pick and Edwards were present when the application was discussed, but would consider the application afresh. As their interest

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was personal and not an other registrable or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.))

(Councillor Hilary Cole declared a personal interest in Agenda Item 4(1) by virtue of the fact that she is the Portfolio Holder for Planning and Housing. As her interest was personal and not an other registrable or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

- 1 The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 16/00669/OUTMAJ in respect of land off Pinchington Lane and Greenham Road and a new public open space and wildlife area with 157 dwellings and new road accesses.
- 2 In accordance with the Council's Constitution, Mrs Lucy Crofts, objector, and Mr Steven Smallman (Pro Vision), Mr Allan Bell (Hydrock) and Mr John Birch (Glanville), applicant/agent, addressed the Committee on this application.
- 3 Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers recommended the Committee grant planning permission, subject to the completion of a section 106 obligation.
- 4 The Chairman drew attention to page two, paragraph two of the Update Report and asked that if the need for a cap, and therefore an increase in the site levels, was under discussion whether the application would need to be reconsidered. Michael Butler explained that this had been looked at carefully by Officers and had been conditioned, however it was up to Members to make a decision on the visual impact of the proposal.
- 5 Councillor Jeff Beck sought clarification as to whether the increased height would be across the entire site or just where the properties would be built. Michael Butler suggested that the applicant might be able to give a detailed answer to this query. Councillor Beck asked for confirmation of the number of dwellings as stated on page 46, second line of the agenda. Michael Butler confirmed that there was an error and that the proposal was for 157 homes rather than 75.
- 6 Councillor Hilary Cole addressed a question to the Highways Officer as to what logic was used to decide between the use of cross-roads in preference to a mini-roundabout. Paul Goddard informed the Committee that a four-arm mini-roundabout would not work well in this situation and that a cross-roads would allow for traffic to move from each direction and would reduce the potential for a rat-run through the estate.
- 7 Councillor Cole also enquired what provision was being made for methane drainage on the public open-spaces and the ecological area. Michael Butler noted that the applicant would be able to answer this question more fully.
- 8 Councillor Paul Bryant voiced his concern over the continued maintenance of the ecological area and asked what could be put in place to guarantee that the developer would manage the land in perpetuity. Michael Butler averred that the section 106 agreement meant that the developer must accord with the approved plans and any variance would require a new planning application. He could not guarantee that this would be forever, but it would be so for the foreseeable future.
- 9 Councillor Bryant speculated that a covenant might be safer. Michael Butler considered that a section 106 would suffice and that the obligation to maintain the area lay with the land, not the developer. Shiraz Sheik noted that this would be confirmed as part of the negotiations between the Council and the applicant. Michael Butler further asserted that should the Committee approve the outline planning application, Officers would negotiate with the applicant. He continued that another option would be for the land to be

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transferred to the Council, but this was not recommended. Councillor Bryant wondered whether the Berks, Bucks and Oxon Wildlife Trust (BBOWT) would be better placed to take on the management of this area.

- 10 Councillor Anthony Pick asked if the cross-roads would be of a simple design or whether they would be lit. Paul Goddard explained that the crossing would be made safe.
- 11 Councillor Pick sought clarification on the matter of capping. Derek Carnegie informed the Committee that this was a technical matter that would be dealt with by Building Control rather than Planning. The Chairman suggested that this question be posed to the applicant.
- 12 Councillor Adrian Edwards asked for confirmation that the access points would be clearly signed to aid the safety of cyclists and pedestrians. Paul Goddard confirmed that Officers would ensure that signage complied to the usual standards.
- 13 Councillor Beck inquired if the maintenance of the land was to be resolved for this or the reserved matters application. Derek Carnegie stated that, if approved, the current application would be subject to a section 106 agreement, the details of which would be negotiated by the Public OpenSpace, Legal and Planning teams. He confirmed it would be a separate debate.
- 14 Councillor Billy Drummond pointed out that the traffic in Greenham was currently very bad and conjectured whether Officers had considered blocking off access to the new estate. Paul Goddard assured Members that the road through the eastern site would be set at 20 miles per hour and he would endeavour to make it bendy and tortuous to deter residents from using it as a rat-run. Councillor Drummond was certain that it would become a rat-run due to the high volume of congestion in the area. The Chairman offered the view that measures would be taken by Highways Officers should drivers start to use the road as a cut-through.
- 15 Michael Butler advised the Committee was only approving the access in this outline application during this meeting or what was within the 'red-line', and that the layout drawings were only illustrative. The detail of the design would be discussed at the reserved matters application, for example, should the applicant wish to change the number of dwellings, there would need to be a full application that would need consideration. If Members wished, all subsequent applications could come to Committee.
- 16 Councillor Pick was worried that the applicant would distribute houses on the ecological open-space. Michael Butler reiterated that the application being considered at this meeting was the 'red-line' and not the detail.
- 17 Councillor Dennis Benneyworth asked if bollards or other traffic calming measures could be used on the site. Paul Goddard explained that as the road would not be a bus route, there could be more substantial obstacles put in place to calm traffic, or alternatively the road could be closed off. Councillor Benneyworth wondered what level of traffic would lead to this action. Paul Goddard answered that Officers would consult with residents should traffic become a problem.
- 18 Mrs Crofts (objector) in addressing the Committee raised the following points:
- Mrs Crofts was representing Greenham Parish Council and the residents of Water Lane and Hastings Drive.
 - She had lived, and brought up her family for the past 15 years, in Water Lane.
 - There were three main areas of objection:
 1. Over development of the area and increasing infill

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2. Access and safety
3. Ecology and contaminated land

- With regards to overdevelopment, the building on the Race Course and Greenacres was still underway, there were proposals to build at Sandford and there was an increased amount of infill building in the area.
 - The green-space and gap was being eroded.
 - The covenant which was put in place to protect the land for over 100 years was being overridden by the Council and the developer and this raised concerns over the protection of other open-spaces in Greenham. The objectors felt that there must be another way to ensure these spaces were maintained.
 - There were objections to the two access points and she felt that the one on Water Lane was not required. The other access point would have little impact on residents, but she conceded that she would use the Water Lane access as a rat-run to avoid congestion on Pinchington Lane.
 - To ensure visibility for the access points on Greenham Road, hedgerows would need to be destroyed. She suggested using Greenacres as an access point.
 - The site was on contaminated land. Other residents on a similar site had been advised never to grow food in their gardens. The toxic run-off and dust from the land as it was disturbed by the building work would affect the great-crested newts and dormice that were supposed to be protected.
 - The site would be a metre higher than houses to the north.
- 19 Councillor Cole asked if Mrs Crofts was aware the site had been identified as part of the Housing Site Allocations Development Plan Document (HSADPD). Mrs Crofts replied that she was and that she was also aware that the document had not yet been approved by the Inspector.
- 20 Councillor Garth Simpson was concerned about the traffic in Greenham and asked the objector to relay the Committee with her experience of tailbacks. Mrs Crofts explained that during the school-run the congestion could be queued as far back as the A339 and sometimes beyond.
- 21 Councillor Bryant inquired if she had been affected by any pollution from the site. Mrs Crofts concluded that she had not, but that a neighbour, who was closer to the site, had mentioned the bad smell that was emitted from the area.
- 22 Mr Bell, Mr Smallman and Mr Birch (applicants) in addressing the Committee raised the following points:
- Mr Smallman noted that there was a plan led system put in place to provide five years worth of building land. The HSADPD was an interim measure pending the preparation of a revised Local Plan. This site was in the HSADPD and there had been no objection raised by the Inspector during his consideration thus far.
 - The level of affordable housing offered by this application underpinned the integrity of the HSADPD.
 - The application not only accorded with the HSADPD, but had been in response to consultation. Discussions with the Ecology Officer had shaped the site. Engineering solutions had been discussed with the Contaminated Land Officer and had been informed by the on-site management over the past 15 years.

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- The proposal would transform an area of wasteland into an attractive open-space with cycle routes and footpaths; using a brown-field site, rather than green-field.
 - The section 106 agreement would continue to allow the Council to control the development of the area and the open-spaces would maintain the gap.
 - The site was in a sustainable position as it was close to the town centre, retail amenities and public transport.
 - The developers had listened carefully to any objections. He noted that considering the size of the development, there had been relatively few objections and he considered this was due to the extensive consultation undertaken as part of the HSADPD and the support for this site from the Environmental Agency and BBOWT.
- 23 Councillor Beck asked for clarification on which areas of the site would be raised by one metre.
- 24 Mr Smallman explained that the proposal to increase the ground level to a maximum of one metre had been included in the Ecological Impact Assessment and the landscaping and Visual Impact Assessment had been carried out with the assumption that the level would be increased. The developed areas would be raised up to a maximum of one metre to provide room for a cap and help with surface drainage, however, there would be no raising of the ecological management area.
- 25 Councillor Beck further inquired as to the management of the open-spaces. Mr Smallman commented that the long-term management and maintenance of the open-spaces would be discussed with the Planning and Ecology Officers. Without planning permission the development could not take place and therefore neither would the implementation and future maintenance of the open space, the planned monitoring or the maintenance of the land fill and the ecological space.
- 26 Should the application be approved, the obligation for maintenance and management would rest with the developer, as the landowner. The ultimate responsibility for the site rests with the polluter. If the site were to be transferred to the Council or BBOWT they, as owners, would assume this onerous responsibility. The management plan and timescales were at the expense of the landowner who was obligated to carry them out. The applicant would provide an insurance bond, which the Council could draw on to fulfil the management plan, should the applicant go out of business. The details of this bond would be confirmed during the section 106 negotiations.
- 27 Councillor Bryant asked if the piling would go down into the refuse below the cap. Mr Bell responded that the potential risk of the landfill getting into the chalk below had been considered and would not occur, due to the London clay cap. The best technical solution was to use steel driven piling through the landfill, but the refuse would be contained by the clay.
- 28 Councillor Bryant questioned the suitability of three storey flats for this residential area as shown on the drawing of the scheme. The Vice-Chairman further enquired if sprinkler systems would be used within the flats. Mr Smallman reiterated that this was an illustrative scheme and that the detail would be discussed during the reserved matters application, where Officers might wish to condition the ridge heights of the proposed units and sprinkler systems could be considered.
- 29 Councillor Edwards suggested that 157 properties would add 350 vehicles to the Greenham roads and acknowledged that Mrs Crofts had identified certain times of day when congestion was at its worst. He asked if the applicant was aware of the congestion in this area. Mr Birch noted that these additional vehicles would not all be on the roads at the same time. The additional traffic had been modelled using the TRICS database and

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the increase would be small in relative terms (1.37%–1.55% on Pinchington Lane and 1.6%–1.97% on Greenham Road to the east). This was not as extensive as the maximum threshold in the National Planning Policy Framework (NPPF) guidance of 3%. Mr Smallman continued that there was a desire to discourage people driving straight through the eastern estate. Mr Birch further explained that the two access points, which would be adopted by the Council, would better allow for the distribution of traffic.

30 Councillor Pick wondered how the increased site level would assist with water run-off. Mr Bell explained that it would mainly assist with road drainage which would flow to the foul sewers through the drainage system.

31 Councillor Cole queried whether there would be additional methane vents on the site. Mr Bell stated that there would be a system of venting trenches and stacks which would control the migration of the gas through the site and where it was vented off.

32 Councillor Drummond, in addressing the Committee as Ward Member, made the following points:

- He thanked Mrs Crofts for her presentation.
- He acknowledged that this site was in the HSADPD, but that didn't mean this proposal was right. The residents of Greenham had seen more than their fair share of development.
- The footpath was used by a lot of children and was well used between Greenacres and the Bowling Club. The buildings would be too close to the road and footpath.
- The site would become a rat-run between Pinchington Land and Greenham Road.
- He was concerned about the planned walkway, as currently not many children played in the field and also that it might become an area for fly-tipping.
- He did not agree with the Officers description (point 6.4.2) that the current condition of the site was "not necessarily attractive".
- The only benefit that he could see was that it would provide 63 affordable homes.

33 The Committee debated the points raised and Councillor Beck observed that he had thought the whole of the gap would be lost, but he was gratified to see that there would still be a considerable amount of open space. There was a great need for more housing, but he accepted that traffic was already a problem. He would be pleased to see the application go forward. If the application were to be approved, he would like to see a non-revocable, on-demand bond put in place. He proposed that the application be approved, as per Officer recommendation. The proposal was seconded by Councillor Bryant.

34 Councillor Pick observed that the Committee should bear in mind that 'in perpetuity' meant approximately 50 years and that Members should be completely satisfied that whatever sums were required would be available in the future.

35 Councillor Cole reflected that she was fairly relaxed about the management plan, as this was business as usual. The public open-space would be more usable and the area would be enhanced. She also noted that this site had been selected and approved in the HSADPD.

36 Councillor Bryant found it upsetting to see so much of the land in the district going to housing, however he felt there was no alternative but to release land. The Council had been through a long process to identify land and he felt that Members would have to let this application through.

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37 Councillor Edwards was not against the site in principle, however there was little emphasis on alternative means of transport. He would hope to see a higher level of importance put on cycle routes when the application came to reserved matters.

38 Councillor Hooker invited the Committee to vote on the proposal of Councillor Beck, as seconded by Councillor Bryant to accept Officers recommendations. At the vote this was carried with one abstention.

39 **RESOLVED** that the Head of Planning and Countryside be authorised to **grant** planning permission subject to the first completion of a s106 planning obligation. That obligation to deliver the 63 affordable homes, plus the relevant s278 highways works. In addition the obligations required for ecological enhancement and monitoring of the open space in perpetuity, for the newt population and the following conditions:

40 **Conditions**

Time limit

1. The development hereby permitted shall be begun on or before whichever is the later of the following dates:-

1 - 3 years from the date of this decision

2 - the expiration of 2 years from the date of the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter approved.

Reason: to clarify the permission in accord with the advice in the DMPO of 2015.

Reserved matters

2. Full details of the external appearance of the housing, the scale, the layout and the landscaping of the site, the ('reserved matters') shall be submitted to the Local Planning Authority not later than the expiration of 3 years beginning with the date of this permission, and shall be approved in writing by the Local Planning Authority before any building or other operations start on site. This condition shall apply irrespective of any indications as to the reserved matters which have been given in the submitted application and the development shall be carried out in strict accordance with the approved details.

Reason: The application is not accompanied by sufficient details of the reserved matters to enable the Local Planning Authority to give proper consideration to those matters and such consideration is required to ensure that the development is in accordance with the advice in the DMPO of 2015.

Drainage strategy

3. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed"

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community, in accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

Hours of working.

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4. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

Highways layout.

5. 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. The road and footpath design should be to a standard that is adoptable as public highway. This condition shall apply notwithstanding any indications to these matters which have been given in the current application. All the required s278 and s38 agreements shall be completed prior to the first occupation of any dwelling.

Reason: In the interest of road safety and flow of traffic, and waste disposal. . 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).

CMS

6. 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) (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

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).

Removal of permitted development rights.

7. Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no additions or extensions to the dwellings shall be built or ancillary buildings or structures erected within the curtilages, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the over-development of the site and to safeguard the amenities of neighbouring properties in accordance with the advice in the NPPF of 2012.

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Fire hydrants

8. No development shall commence until details of fire hydrant provision on the site has been submitted and agreed with the LPA. The development must be carried out in strict accord with this scheme prior to any dwelling occupation.

Reason: To protect public safety in accord with the advice in the NPPF of 2012.

Suds.

9. No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include a drainage strategy for surface water run-off from the site;
- d) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- f) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +30% for climate change, plus a stress test for the affect of a 40% increase;
- g) Include flood water exeedance routes, both on and off site; Include flow routes such as low flow, overflow and exeedance routes;
- h) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- i) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- j) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- k) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- l) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
- m) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);

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- n) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)
- o) Attenuation storage measures must have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;
- p) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development;
- q) Written confirmation is required from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow;
- r) Details of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and where the flows exit the site both pre-development and post-development must be provided.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced/before the building(s) hereby permitted is/are occupied/before the dwelling(s) hereby permitted is/are occupied/in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained in the approved condition thereafter/The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

Land contamination.

10.No development shall commence in each phase approved by this planning permission until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:

all previous uses potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination at the site.

- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

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- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The land was previously landfill. It will need to be remediated in accord with NPPF advice.

Verification.

11. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that contamination at the site is remediated, such that the site does not pose a threat to controlled waters. In accord with the advice in the NPPF.

Remediation.

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that any unexpected contamination encountered during the developments is suitably assessed and dealt with, such that it does not pose a unacceptable risk to ground or surface water. In accord with the NPPF advice.

Piling.

13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which maybe given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The site is on a former landfill, piling could lead to the contamination of groundwater, in accord with the advice in the NPPF.

HEMP

14. No development shall commence until a HEMP is submitted to and approved in writing by the LPA, in accord with the principles defined in the draft HMP set out by BSG Ecology dated the 5th July 2016 on South East Newbury. Consequently all the habitat management proposals including the long term maintenance and monitoring of the site shall be put in place and fully implemented for the lifetime of the housing development hereby permitted.

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Reason: To ensure that the ecological impacts of the application are sufficiently mitigated, in accord with policy CS17 in the West Berkshire Core Strategy of 2006 to 2026.

Amended/approved plans.

15. This permission corresponds to the following plans--1261/ds04p Rev P, dated August 13, and 1606 DS05P Rev J dated August 2013, and plan number 1261/spo2 Rev K dated Oct 2015. All by Pro Vision. In addition the eastern access shall be constructed in accord with the revised plan by Glanville dated November 2016 number 8140821/6106 Rev A.

Reason. To clarify the planning permission in accord with the advice in the DMPO of 2015.

Access

16. No development shall take place until details of the proposed accesses into the site have been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the vehicular, pedestrian/cycle access and associated engineering operations shall be constructed in accordance with the approved drawings.

Reason: To ensure that the accesses into the site are constructed before the approved dwellings are occupied in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

Levels

17. All the proposed dwellings shall be of two storey height only [with NO rooms in the roof] apart from the proposed 3 storey building facing Pinchington Lane [Plots 116 to 157].

Reason: To ensure that the overall visual impact of the scheme is restrained given the plateau nature of the site having regard to the advice in policy CS14 in the West Berkshire Core Strategy of 2006 to 2026.

INFORMATIVE:

- 1 This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.
- 2 The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

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- 3 This Decision Notice must be read in conjunction with the terms of a Legal Agreement. You are advised to ensure that you have all the necessary documents before development starts on site.

44. Appeal Decisions relating to Western Area Planning Committee

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

(The meeting commenced at 6.30pm and closed at 8.00pm)

CHAIRMAN

Date of Signature