

Notice of Meeting

Western Area Planning Committee

Wednesday 17 May 2017 at 6.30pm

**in the Council Chamber Council Offices
Market Street Newbury**

The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

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.

Further information for members of the public

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Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Council Chamber, Market Street, Newbury 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



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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 Jenny Legge on (01635) 503043/519441/519486 Email: jenny.legge@westberks.gov.uk

Date of despatch of Agenda: Tuesday 9 May 2017



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(continued)

To: All Members of the Western Area Planning Committee

Agenda

Part I

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1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 7 - 34
To approve as a correct record the Minutes of the meeting of this Committee held on 5 April 2017 and 9 May 2015.
3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Schedule of Planning Applications**
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).
 - (1) **Application No. and Parish: 17/00190/ADV, The Ibex Inn, Chaddleworth** 35 - 40
Proposal: 5 directional fascia board signs.
Location: The Ibex Inn, Chaddleworth.
Applicant: Chaddleworth Parish Council.
Recommendation: The Head of Planning and Countryside be authorised to REFUSE advertisement consent.
 - (2) **Application No. and Parish: 17/00420/FUL, The Fox and Hounds, Oxford Road, Donnington, Newbury** 41 - 48
Proposal: Replacement of existing store with a building for 7 bedrooms. Single storey link and extension to restaurant.
Location: The Fox and Hounds, Oxford Road, Donnington, Newbury.
Applicant: Mr and Mrs Vine.
Recommendation: The Head of Development and Planning be authorised to refuse planning permission.



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- (3) **Application No. and Parish: 16/02191/OUTMAJ, Land East of Laylands Green and South of Craven Close, Kintbury** 49 - 76
Proposal: Outline application for erection of 11 dwellings with associated access, car parking, landscaping and sustainable drainage infrastructure. Matters to be considered: Access and Layout.
Location: Land East Of Laylands Green and South Of Craven Close, Kintbury
Applicant: Donnington New Homes.
Recommendation: The Head of Development and Planning be authorised to APPROVE Outline Planning Permission subject to conditions.
- (4) **Application No. and Parish: 16/02452/FULD and 16/02453/LBC2, Manor Farm, Fidlers Lane, East Ilsley, RG20 7LG** 77 - 104
Proposal: Conversion of existing stables to C3 residential and erection of new build C3 residential (creation of 7 units in total), with associated access, parking and hard and soft landscaping.
Location: Manor Farm, Fidlers Lane, East Ilsley RG20 7LG.
Applicant: Maxted Farm Partnership
Recommendation: 16/02452 To **DELEGATE** to the Head of Development and Planning to **APPROVE** planning permission subject to the conditions set out in section 8.1 of this report.

16/02453 To **DELEGATE** to the Head of Development and Planning to **GRANT** listed building consent subject to the conditions set out in section 8.2 of this report.
- (5) **Application No. and Parish: 17/00360/HOUSE, 3 Love Lane, Donnington, Newbury** 105 - 118
Proposal: Loft Conversion, including rear skylights and change of use of bedroom to office.
Location: 3 Love Lane, Donnington, Newbury
Applicant: Alex Simeunovic
Recommendation: The Head of Development and Planning be authorise to APPROVE planning permission

Items for Information

5. **Appeal Decisions relating to Western Area Planning Committee** 119 - 124
Purpose: To inform Members of the results of recent appeal decisions relating to the Western Area Planning Committee.

Background Papers

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- (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.
- (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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DRAFT

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

WESTERN AREA PLANNING COMMITTEE**MINUTES OF THE MEETING HELD ON
WEDNESDAY, 5 APRIL 2017**

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

Also Present: Michael Butler (Principal Planning Officer), Derek Carnegie (Team Leader - Development Control), Stuart Clark (Principal Engineer), Rachel Craggs (Principal Policy Officer (Equalities)), Paul Goddard (Team Leader - Highways Development Control), Bryan Lyttle (Planning & Transport Policy Manager), Gary Rayner (Development Control Manager), Jo Reeves (Principal Policy Officer) and Shiraz Sheikh (Acting Legal Services Manager)

PART I**54. Minutes**

The Minutes of the meeting held on 15 March 2017 were approved as a true and correct record and signed by the Chairman, subject to the following amendment:

Page 9, Section 23, third line, the word 'not' to be changed to 'no'.

55. Declarations of Interest

Councillors Paul Hewer and Dennis Benneyworth 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.

Councillor Clive Hooker declared an interest in Agenda Item 4(2), but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

56. Schedule of Planning Applications**(1) Application No. and Parish: 16/03061/OUTMAJ - Land to the south of Priory Road, Hungerford.**

(Councillor Dennis Benneyworth declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a Member of Hungerford Town Council. As his interest was personal and not prejudicial or a disclosable pecuniary interest and the item was an outline application, he determined to remain to take part in the debate and vote on the matter. He was also a resident of Kennedy Meadow, which abutted the application site).

(Councillor Paul Hewer declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was employed by Sovereign Housing. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Clive Hooker declared that all Members had been lobbied on Agenda Item 4(1)).

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1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 16/03061/OUTMAJ in respect of an outline application for approximately 100 dwellings, public open space and landscaping. The matters to be considered were access only.
2. Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. The Officer recommendation was to grant conditional planning permission subject to the first completion of a Section 106 planning obligation.
3. Michael Butler emphasised that the only matter under consideration at the meeting was access and the reserved matters application would deal with the appearance, scale and layout of the development.
4. Highways Officers had advised that although there would be some impact on traffic in Hungerford Town Centre, the impact would not be so severe as to justify a recommendation for refusal.
5. Michael Butler advised that the Committee would need to consider the planning balance having regard to the relative visual and landscape harm that would result from the scheme. The extent of the harm, having regard to the landscape mitigation to be put in place, was the important test.
6. Members were referred to the Update Report and in particular the response from the Planning Policy Team who had concluded that since the Housing Sites Allocation Development Plan Document (HSA DPD) was at a very advanced state, significant weight should be given to the policy allocation and therefore the application was not premature. Michael Butler also asked Members to note that the North Wessex Downs Area of Natural Beauty (AONB) had formally requested the National Planning Casework Unit to call in the proposal should Members approve it.
7. Michael Butler concluded by advising that if the Committee were minded to refuse the application, the Development Control Manager, under his delegated authority would automatically refer the application to the District Planning Committee for decision.
8. Bryan Lyttle provided the following information to the Committee:

The HSA DPD had been examined and the Inspector had already published his Preliminary Findings on the Main Modifications to the DPD including what final report would be considered at Council on the 9 May 2017, with the report being published in advance of that meeting.

From the day of publication, decision-takers must also give weight to relevant policies in emerging plans according to:

- Stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that might be given);
- The extent to which there were unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that might be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that might be given).

The North Wessex Downs AONB Unit submitted a strong objection to the proposed development – the Unit objected to the Core Strategy Policy Area Delivery Plan Policy 5 (ADPP5) which required up to 2,000 houses throughout the AONB in West

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Berkshire. This had been considered by the Planning Inspector and the policy was found to be sound.

During the examination of the HSA DPD the Inspector was concerned about the proposed level of development in the AONB as it exceeded the 2,000 units and asked the Council additional questions as part of the 'homework'.

However, the Inspector had not proposed to remove any of the sites in the AONB from the document as part of the Main Modifications consultation. Therefore these sites must be in compliance with the National Planning Policy Framework (NPPF) and paragraph 116 otherwise he would have made significant changes as part of the Main Modification consultation in order to make the plan comply with the NPPF.

The Council attached great weight to the need to conserve the character and appearance of the AONB and to the fact that major development should be refused unless there were exceptional circumstances and the development could be demonstrated to be in the public interest (NPPF para 116).

However, there was no definition in Government guidance for what constituted "major development" in terms of AONBs.

The North Wessex Downs Partnership defined "major development" as set out in Statutory Instrument 2015 No.2184 - The Town and Country Planning (Development Management Procedure (England) Order 2015). It also drew particular attention to paragraph 14 footnote (9) of the NPPF that restricted the "presumption in favour of sustainable development" in AONBs. The North Wessex Downs Partnership then went on to clarify that it would decide whether paragraph 116 was relevant in terms of the impact on the area based on local context as consideration had to be given to location, scale and impacts.

In terms of the tests in paragraph 116, the general need for the scale of development in the AONB and the scope for developing that elsewhere had already been considered sound through the Core Strategy. The Council considered that the extensive nature of the AONB designation (74% of the District), taken together with the fact that 29% of the population was already resident within the AONB, many in existing established settlements, represented exceptional circumstances that formed part of the justification for the proposed general scale of development within the AONB. The Spatial Strategy across the District had already been agreed through the Core Strategy and the Council's strategy was for the AONB to 'have appropriate sustainable growth throughout the plan period to meet identified local needs and support the local communities and rural economy.' The role of the HSA DPD was to allocate non-strategic sites in accordance with that agreed strategy. Sites would therefore be allocated in the areas the Core Strategy set out as suitable for some level of growth. In the AONB, the sites were being taken forward in accordance with policy ADPP5 which made clear how development would be accommodated across the AONB.

Policy ADPP5 stated that 'development would be focussed in Hungerford as the more sustainable Rural Service Centre'. Hungerford was a sustainable settlement which enjoyed a wide range of facilities and services.

The principle of development in Hungerford was therefore established and the issue then became whether or not the development would adequately respect the need to conserve the landscape and scenic beauty of the area.

The Council had considered any detrimental effects on the environment by taking a landscape-led approach to individual sites. With appropriate planting, layout and design there was no reason to conclude that any harm caused would be of such

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significance to the landscape and scenic beauty of the AONB that it would outweigh the need for Hungerford to accommodate an appropriate level of growth for such a sustainable settlement.

The changes to Policy HSA 19 suggested by the Planning Inspector as part of the Main Modifications were:

- Increase of site area from 5 to 7 hectares.
- Provision of permanent allotments in association with the development of the site would be explored.

The Hungerford Town Plan was not a land use plan and did not form part of the development plan for West Berkshire.

9. In accordance with the Council's Constitution, Martin Crane, Parish Council representative, Tim Bevan, objector, Steven Smallman, Agent, and Councillors Paul Hewer and James Podger, Ward Members addressed the Committee on this application.
10. Martin Crane in addressing the Committee raised the following points:
 - Hungerford Town Council was not against new housing developments in the town.
 - They had identified space for 100 dwellings within the town boundary that would not affect the AONB. Commercial consultants had helped them to develop the plan.
 - This was a major development and there had been a huge amount of public concern.
 - The development would not be good for the Hungerford economy, as stated in the report, as it was being built by a major developer who would not be using local builders and carpenters.
 - The DPD was still in draft and would not be policy until 9 May 2017, so it was premature to be considering this application now.
 - West Berkshire Council's (WBC) record on maintaining the number of affordable housing in initial planning applications was not good.
 - This was an outline application and therefore it was not certain that the plans currently on the table would be the end result, as the site could be sold to another developer. Therefore the conditions included within the application were unsustainable.
 - The proposed development was situated in the North Wessex Downs AONB and the Town Council supported their objection.
 - There was a requirement for a detailed assessment in relation to the traffic impact as they had not seen evidence of this. Even WBC had stated that traffic impact would be high and it was not possible to divert the A4 as the Council's policy stated there were insufficient funds for this.
11. Councillor Anthony Pick noted the report stated that the Town Council considered that sufficient Brownfield sites would be available in the future and enquired if this was the case. Mr Crane confirmed that this was correct.
12. Councillor Jeff Beck asked Mr Crane to explain why the development would cause economic damage to the retail businesses. Mr Crane replied that the development would create an additional 600 journeys through the town centre per day and this would affect the shops as free flowing traffic in the town centre was required.

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13. Councillor Paul Bryant enquired whether any of the sites identified by the Town Council had been brought forward to the DPD. Mr Crane responded in the affirmative and added that the Town Plan refresh had been adopted by WBC. It identified seven sites in the town that could accommodate 100 houses in total.
14. Councillor Bryant further enquired whether these were rejected by WBC and Mr Crane confirmed that they were rejected and expressed the view that WBC wanted to take the easy option of one large development.
15. Councillor Bryant then asked whether the Town Council was responsible for the Hungerford Housing Needs Policy and if so, what it said in terms of the number of dwellings that were required. Mr Crane responded that it had identified 80 to 90 dwellings were required.
16. Councillor Garth Simpson queried whether the Town Council had debated the alternative site options with the Planning Inspector during the review in summer 2016 and Mr Crane confirmed that they had done so.
17. Tim Bevan in addressing the Committee raised the following points:
 - He was speaking on behalf of Stuart Davies, Claudia Meyer, Malcolm Meyer and Bob Hammond.
 - He was a layman and did not understand planning policy. He was also a resident of Kennedy Meadow.
 - In their view there was a lot wrong with the application as Hungerford could provide the housing that was needed from elsewhere, but no one was listening to this viewpoint.
 - It might be easier for WBC to have one developer providing the total housing allocation, but it was not good for Hungerford.
 - The issues regarding the AONB had not been resolved.
 - The application site was different from that on the allocation plan.
 - Other sites within Hungerford were ready to be used.
 - No rational reason had been given setting out why this site was better than any of the others.
 - They had always said that a site to the north of the town would be better as it would avoid the town centre that gets congested by traffic.
 - There had recently been a case at the High Court involving Mevagissey Parish Council and Cornwall District Council. It concerned exceptional circumstances for building on AONB and the decision was that the District Council had not proved there were exceptional circumstances.
 - As it was possible for these houses to be built elsewhere, this site was the wrong place for them.
 - Hungerford was already badly congested with traffic and would suffer more by 2020, even before the new development was built.
 - Even if the building of Kennedy Meadow was a mistake, it made no sense to compound it by building this development.
18. Councillor Beck asked how Mr Bevan could justify economically that the number of affordable houses could be provided on the smaller sites. Mr Bevan replied that he was unable to comment on this.

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19. Councillor Simpson noted that Mr Bevan had mentioned two sites and asked if there were any others and what their capacity was. Mr Bevan again replied that he was unable to comment on this.
20. Councillor Hewer referred back to Councillor Beck's earlier question, which related to a comment he believed Mr Bevan had made about the number of affordable houses that could be provided on the smaller sites. Councillor Hewer clarified that Mr Bevan had been referring to the number of houses that could be provided on this sites and not the number of affordable houses.
21. Steven Smallman in addressing the Committee raised the following points:
 - He was accompanied by Andrew Blacker from WSP Parsons Brinckerhoff and Fiona McKenzie from the Environmental Dimension Partnership (EDP), who would be able to assist with questions from Members.
 - The proposed development accorded with the Council's Core Strategy and the DPD.
 - It was a sustainable development, visually well contained and included 40 affordable houses as well as public open space.
 - They recognised that the development was not supported by the Town Council, the AONB Unit and residents. However they had met with the Town Council and the AONB Unit and consulted with the public in an attempt to address their concerns.
 - One of the concerns had been in relation to the prematurity of the application. This was of WBC's own making as the applicant had said it would be possible to defer the application until the Planning Inspector's decision had been made on the DPD. However the DPD was at an advanced state and so should be given the appropriate accord and the allocation of this site had emerged from the DPD.
 - Therefore to fail to grant planning permission would be to fatally undermine the process.
 - The objection from the AONB Unit could not in principle be an objection, as the Core Strategy was explicit regarding the preference for future housing in the AONB to be in Hungerford.
 - Natural England was not against the application and their view should be recognised.
 - WBC had commissioned a landscaping capacity assessment, which supported the development of the site.
 - They recognised that a balancing act was required in relation to the visual impact of the development as already explained.
 - All the relevant junctions would continue to operate effectively except for the A4 Charnham Street / A338 Bridge Street mini roundabout and there were proposals being put forward to relieve this.
22. Councillor Billy Drummond noted that Martin Crane had expressed concern that local builders would not benefit from the development and he asked if this would be the case. Mr Smallman replied that he was unable to comment as he did not know how the local craftsmen would be sourced.
23. Councillor Simpson expressed concern about the Charnham Street roundabout and asked if any detailed modelling had been undertaken on the traffic flow from

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Salisbury Road and the next roundabout down. He further asked if they were concerned about the traffic problems the development would bring. Andrew Blacker responded that the proximity of the Kennedy Meadow's roundabout to the development had been designed to Highways' standards and they would be moving the 30 mph limit further south.

24. Councillor James Podger in addressing the Committee raised the following points:
 - It was obvious from previous speakers how strong feelings were in Hungerford about the proposed development and the comments from Councillor Simpson about the impact of the traffic were very pertinent.
 - When he was first elected he had been very opposed to building beyond the settlement boundary, however he now appreciated that it was sometimes difficult to argue against it.
 - If the settlement boundary was to be extended it should be to the north of the town as it would be possible for the traffic to disperse along the A4 and M4.
 - The site was within the DPD and therefore had already been agreed.
25. Councillor Paul Hewer in addressing the Committee raised the following points:
 - The north of the town provided a far more superior development site.
 - The AONB was very important and to erect 100 houses on the great entrance to Hungerford would be a blot on the landscape.
 - He appreciated that there was a requirement for more housing in the area and supported the inclusion of affordable housing on most sites. However this was the wrong site.
26. Councillor Beck asked Councillor Podger whether he thought it would be possible to develop the alternative sites mentioned by previous speakers if they would provide 100 dwellings. Councillor Podger advised that some of the sites were protected employment sites and would not alleviate the requirement for 100 dwellings.
27. Councillor Virginia von Celsing questioned how many houses the Eddington site would deliver. The Chairman interjected and advised that it was spurious to consider other sites as the Committee needed to deliberate the application before them.
28. Councillor Adrian Edwards commented that there had been a considerable amount of discussion about alternative sites and questioned whether any of them would provide 40 affordable houses. Councillor Podger responded that he was not in a position to provide an answer to this.
29. Councillor Benneyworth enquired what impact taking the traffic away from the A4 would have on the local businesses. Councillor Podger replied that free flowing traffic was the life blood of Hungerford.
30. Councillor Hilary Cole asked Paul Goddard for his professional view of the development's impact on the traffic, as modelling must have been undertaken.
31. Paul Goddard referred Members to Page 23 of the report, which set out the issues in relation to access and highway matters. He assured the Committee that a roundabout was being installed to reduce the traffic speeds coming into Hungerford from the south. However the proposed roundabout and the roundabouts at Kennedy Meadow would not have capacity issues as they were much larger than the mini roundabouts in the centre of Hungerford. He was aware that most, although not all, of the traffic went through Hungerford Town Centre and there was congestion during

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peak travel periods. However it was common to have traffic congestion in larger settlements including Newbury and Thatcham. The decision was required on whether the congestion in Hungerford met the definition of severe, as set out in paragraph 32 of the NPPF. The mini roundabouts in Hungerford Town Centre were nearly at capacity, but the mini roundabout at the junction with Charnham Street and Bridge Street would already be over capacity by 2021. Consequently this would constitute the definition of 'severe' and on these grounds they should be refusing the planning application.

32. Nevertheless there was a potential solution, as the development would be liable to a Community Infrastructure Levy (CIL) payment that could be used to fund highways infrastructure. It could be possible to divert the A4 around Charnham Park away from this mini roundabout or have Visual Message Signing that could be activated during busier periods to divert traffic. This would be an issue for the Council to consider in future with Hungerford Town Council. Therefore in conclusion, there would be an impact but it could be difficult to recommend refusal.
33. Councillor Bryant asked if the Oakes Brothers and Eddington sites had been considered. Bryan Lyttle advised that the Oakes Brothers site was not considered as it was in the town centre and a protected employment site. The Eddington site was considered by the Planning Inspector but it had not been included in the DPD.
34. Councillor Pick enquired whether it would be possible to ensure that no more than 100 houses were built on the site, if the application was approved. Michael Butler responded that this was stipulated in Condition 10 and consequently, if the application was approved, the developer must comply with this. However, it was not a personal application and once approved, the developer could sell it onto another developer who could submit a full planning application for, eg 110 houses. Even if this was refused by the Council, he could not guarantee that it would not be approved at appeal. It might also be possible for the developer to put in a request to remove or vary conditions on the original outline planning permission under Section 73 of the Town and Country Planning Act 1990. Consequently it would not be possible to guarantee the number of houses that could be built on the site.
35. Councillor Pick further enquired whether the conditions imposed on the site would help to alleviate the flooding risks. Stuart Clark confirmed that they would alleviate the flooding risks and added that there were no records of properties being flooded in the vicinity. There was photographic evidence showing that surface water 'run offs' went down the footpath to Priory Road, but he believed that all the surface water could be contained within the site, which would improve the situation.
36. Councillor Pick then asked what Public Rights of Way (PROW) would be affected by the development and Michael Butler pointed these out on the site plan.
37. Councillor Benneyworth requested an explanation of 'exceptional circumstances'. Bryan Lyttle responded that there were no set criteria and it was dependent on local context, as consideration had to be given to location, scale and impact. This site had been assessed rigorously and the Planning Inspector had not deleted it from the DPD, so it must be taken that there were no exceptional circumstances. Councillor Benneyworth further asked what exceptional circumstances would allow a site to be considered. Bryan Lyttle stated that this was covered during the Housing Site Allocations Planning Process. Mr Smallman had provided a detailed land assessment for the site, which had led to some modifications such as the inclusion of permanent allotments.

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38. Councillor Simpson wondered what differences had been highlighted between this site and the others during the consultation stage. Bryan Lyttle assured him that the arguments setting out the reasons why this site was preferable were part of the DPD, so they were not relevant to this application. All the sites had been considered during the HSA DPD process and this site had not been rejected. Derek Carnegie added that the merits of all the other sites in Hungerford would have been promoted at this stage and this site would have been subject to the same detailed investigation as they were.
39. Councillor Hewer commented that roads and roundabouts that were beyond capacity should be considered as exceptional circumstances.
40. In considering the above application the following debate ensued.
41. Councillor Cole sympathised with the concerns of residents but this site had previously been approved as suitable for development in the DPD. There had been a good discussion about whether to approve the site, but this site had already been agreed and the Committee was only being asked to approve the access to the site. Therefore, although the arguments were interesting, they were irrelevant and wherever the houses were built, it would have an impact on traffic.
42. Councillor Simpson considered that the real issue was the impact of the north to south traffic.
43. Councillor Beck also expressed his sympathy with the residents' concerns. However the development would bring 40 affordable homes and would be a tremendous gain to Hungerford. He appreciated that free flowing traffic was the life blood of the town but as Paul Goddard had said, most towns suffered from traffic congestion. He saw the development as an extension to earlier developments and he therefore proposed that the Committee accepted the Officers' recommendation. This was seconded by Councillor Cole.
44. It was proposed that the application should be subject to an amendment put forward by Paul Goddard. This related to increasing the 2 metre footway widths in Conditions 12 and 14 to 2.5 metres and the inclusion of a cycleway with a similar width in Condition 12.
45. Councillor Beck proposed to accept this change, which was seconded by Councillor Cole.
46. The Chairman invited the Committee to vote on Councillor Beck's proposal, seconded by Councillor Cole to accept Officers' recommendation, which included the amendment requested by Paul Goddard. At the vote this was carried.

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

The meeting took a break at 8.10pm and Councillor Paul Hewer left as he was unwell.

Conditions

1. The development hereby permitted shall be begun on or before whichever is the later of the following dates:-
 - (i) 3 years from the date of this decision
 - (ii) 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

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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.

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.

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.

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).

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) 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

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- (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)

7. 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.

8. 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;
 - d) Include a drainage strategy for surface water run-off from the site;
 - e) 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;
 - f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
 - g) 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;
 - i) Include flood water exeedance routes, both on and off site; Include flow routes such as low flow, overflow and exeedance routes;
 - j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
 - k) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
 - l) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
 - m) 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;
 - n) 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;
 - p) Include a Contamination Risk Assessment [if required] for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);
 - r) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)

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- v) 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;
- w) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development;
- x) 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;
- y) 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 predevelopment and post-development must be provided.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings hereby permitted 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.

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.

9. No development shall take place until details of the proposed access into the site has 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).

10. The development must be carried out in strict accord with the amended application form and plans submitted on the 1st March 2017—plan number 15-917-001-K refers. In addition this permission shall ensure that no more than 100 dwellings in total shall be constructed on the application site.

Reason. To clarify the planning permission, in accord with the advice in the DMPO of 2015 and the advice in policy HSA19 in the Council HSADPD of November 2015.

11. No development shall commence until an impact study of the existing water supply infrastructure has been submitted to and approved in writing by the Local Planning Authority, in concert with Thames Water.

Reason. To ensure sufficient future water supply to the prospective residents on the application site, in accord with the advice in the NPPF of 2012.

12. No development shall take place until details of a 2.0 to 2.5 metre wide footway / cycleway to be constructed on the east side of Salisbury Road, along the site frontage and northwards to the Kennedy Meadow junction has been submitted to and

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approved in writing by the Local Planning Authority. No dwelling shall be occupied until the footway/cycleway has been provided in accordance with the approved scheme and any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. 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).

13. No development shall take place until details of a 2.5 metre wide footway to be constructed on the east side of Salisbury Road, along the site frontage and northwards to the Kennedy Meadow junction has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the footway/cycleway has been provided in accordance with the approved scheme and any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. 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).

14. By completion of the 50th dwelling, the following works shall be provided by the developer through a Section 278 Agreement:
 - (a) Amended junction arrangement at the mini-roundabout at the A4 Charnham Street / A338 Bridge Street mini roundabout to move the stop line forward on the A4 Charnham Street west arm;
 - (b) Widen the existing footway on Salisbury Road, across the site frontage, to 2.0 to 2.5 metres, extending north to the Kennedy Meadow junction with possible lighting;
 - (c) Improvements to the footway link with Priory Road, including an all-weather surface and lighting.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists, and mitigating traffic impact. 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).

15. By completion of the 50th dwelling, the following works shall be provided by the developer through a Section 278 Agreement:
 - (a) Amended junction arrangement at the mini-roundabout at the A4 Charnham Street / A338 Bridge Street mini roundabout to move the stop line forward on the A4 Charnham Street west arm;
 - (b) Widen the existing footway on Salisbury Road, across the site frontage, to 2.5 metres, extending north to the Kennedy Meadow junction with possible lighting;
 - (c) Improvements to the footway link with Priory Road, including an all-weather surface and lighting

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists, and mitigating traffic impact. 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).

16. A Travel Plan Coordinator shall be appointed 3 months prior to first occupation and there shall be a Travel Plan Coordinator in post for the duration of the Travel Plan.

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The Residential Travel Plan shall be implemented from first occupation. It should be reviewed and updated if necessary within 3 months of the initial baseline survey including the written agreement of targets with the Local Planning Authority. After that the Travel Plan shall be annually reviewed and updated for a period of five years from first implementation, or two years after completion of the development, whichever is later. All reasonable and practicable steps shall be made to achieve the agreed targets and measures within the timescales set out in the Residential Travel Plan and any subsequent revisions. The developer shall commit to funding the Residential Travel Plan including all measures, including a cycling voucher to the value of £50 for every household that can be redeemed against cycle purchase or repair, the development of a walking and cycling map covering the development and the Hungerford area, and the implementation of the Travel Plan Coordinator role for the full duration of the Travel Plan.

Reason: To ensure the development reduces reliance on private motor vehicles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006), and Policy LTP SC1 of the Local Transport Plan for West Berkshire 2011-2026.

17. Full details of how the development will be delivered to enable residents to have access to electric vehicle charging points shall be provided and approved in writing by the Local Planning Authority before development commences.

Reason: To ensure that the development provides for predicted future growth in electric vehicle ownership. This condition is imposed in accordance with point ix. of Policy P1 of the West Berkshire Housing Site Allocations DPD; and West Berkshire Council Local Transport Plan, policies LTP K1 (Travel Choice), LTP SC3 (New Technology), and LTP K5 (Climate Change).

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
3. This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the ****. You are advised to ensure that you have all the necessary documents before development starts on site.
4. Permitted development rights may be removed from all/some of the approved dwellings in the reserved matters submission. This has not been undertaken at the outline stage given that layout was not at that stage a matter to be approved.

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58. **Application No. and Parish: 17/00190/ADV - The Ibex Inn, Chaddleworth**

The meeting recommenced at 8.20pm.

(Councillor Clive Hooker declared a personal interest in Agenda Item 4(2) by virtue of the fact that he had been lobbied on the matter. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter. However he would vacate the Chair for the item and Councillor Paul Bryant would take his place.)

(Councillor Paul Bryant in the Chair)

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/00190/ADV in respect of five directional fascia board signs for the Ibex Inn, Chaddleworth.
2. In accordance with the Council's Constitution, Grahame Murphy, applicant/agent and Councillor Clive Hooker, Ward Member, addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations and the Officer recommendation was to refuse advertisement consent. The item had been called in by Councillor Hooker as he was of the opinion that refusal would not support trade for the public house or the village.
4. Derek Carnegie emphasised that there was a balance between supporting local businesses and protecting the Area of Natural Beauty (AONB). He was concerned that approval of the application would set a precedent as it would lead to a cumulative impact on the AONB. The planning authority had a great deal of sympathy with public houses in the rural area but it had a duty to protect the AONB. He added that an application to place brown signs adjacent to highways signage would be viewed more positively. Therefore, as the application currently stood, there was a strong recommendation to the Committee to refuse the application.
5. Grahame Murphy in addressing the Committee raised the following points:
 - The objection came about as the Planning Officer had misplaced the proposed location of one of the signs.
 - This Committee had been kind enough to grant planning permission to the Ibex and enabled the adjacent houses to be sold in order to fund the redevelopment of the public house.
 - As a result, a considerable amount of money had been spent on the redevelopment of the Ibex.
 - They had spoken to all the residents in the village and held two meetings, each of which had been attended by over 70 people and everyone was in support of the application.
 - The Ibex was not able to draw on passing trade due to its location and it was difficult to find, which was why they required the five signs to help patrons to find it.
 - He asked the Committee to approve the application as so many rural public houses were closing. The Ibex had only reopened in December 2016 and could not rely on the trade of the 400 people resident in the village so it was vital to attract passing trade.

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6. Councillor Hilary Cole asked Mr Murphy why they had been resistant to the erection of the brown signs. Mr Murphy assured her that they were not resistant to them and had written two letters to the Planning department requesting costing for them but had not received a reply. He had managed to obtain some 2014 prices from Wiltshire County Council that indicated the cost would be £1,754 plus £200 for the application and the cost for Highways to fit them. Therefore the total would be in the region of £3-4,000 which the Parish Council could not afford.
7. Mr Murphy added that he had been communicating with the Case Officer and Derek Carnegie said he would find out why Mr Murphy had not received a reply. Paul Goddard suggested that Mr Murphy should discuss this with Glyn Davis in Highways.
8. Councillor Jeff Beck recalled that the brown signs were discussed at the site meeting and Derek Carnegie said he would process the details so it was unfortunate that this had not happened.
9. Derek Carnegie noted that there was no problem with the location of the signs if Sign 2 was relocated to the south, therefore the only issue was in relation to the nature of the signs.
10. Councillor Howard Bairstow asked if the Council had a monopoly on the manufacture of the signs. Paul Goddard clarified that this was only the case if the signs were on the highway and did not apply if they were not on it.
11. Councillor Garth Simpson opined that the proposed signs were large and very busy and asked Mr Murphy if he would be prepared to change any of the detail. Derek Carnegie interjected that the Council wanted the Ibex to be successful and suggested that the application was deferred until Highways and Planning Officers had had the opportunity to find a solution. Councillor Paul Bryant asked Mr Murphy if he was in agreement with this, however he was unable to do so without discussing it with the Parish Council.
12. Councillor Clive Hooker in addressing the Committee raised the following points:
 - In 2013 the Ibex was a failing public house. However the Parish Council had been determined to support its retention and they had applied to have it listed as a village asset, which was granted.
 - The Ibex had ceased trading in 2013-14 and was bought by a developer. The Parish Council worked with the developer and a planning application was developed, which was submitted to Committee in 2014 and it was approved.
 - The Ibex now provided an important facility for the village and the signs were required to help keep it going.
 - This Committee had originally 'stuck its neck out' by agreeing the planning application for the public house and it now needed to support this application to help keep the business viable.
13. During the course of the debate Councillor Dennis Benneyworth declared an interest in the item as he was born to the trade and had frequented the Ibex. He then asked if the cost of the brown signs could be met by a Members' bid. Councillor Hooker responded that he had already posed this question, but had been told it was not possible to do so.
14. Councillor Jeff Beck expressed the view that he considered it essential for the Committee to continue to support the Ibex and he felt the requirement for the signs should be classed as an exceptional need, which Councillor Hooker opined.

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15. Councillor Adrian Edwards asked if he thought approving this application would set a precedent and other public houses in the rural area would want to do something similar. Councillor Hooker drew attention to the Swan at East Ilsley, which had been granted permission for similar signs in 2009 and this had not set a precedent.
16. Councillor Beck commented that Officers would like to support the signs. The locations for the signs had been agreed. Derek Carnegie added that planners had a greater responsibility to protect the AONB and they wanted to find a reasonable compromise. Consequently they would like to find a solution in time for the next Committee using the brown signs.
17. Councillor Virginia von Celsing noted that the cost of the brown signs seemed unreasonably high and asked if the item was deferred could this be explored, which Derek Carnegie affirmed.
18. Councillor Hooker asserted that when the item came back to Committee, he did not want the Parish Council to be left with signs that they could not afford.
19. Councillor Cole asked where the harm was if the signs were not on the highway. Derek Carnegie clarified that one sign would be acceptable, but not all five.
20. Councillor Anthony Pick proposed that the item was deferred but said he wanted a guarantee that it would come back to the next Planning Committee meeting. Derek Carnegie assured him that if it did not come to the next meeting it would be definitely be on the agenda for the following meeting. The proposal was seconded by Councillor Benneyworth.
21. Councillor Hooker asked what would happen if it came back to Committee and it did not qualify for a brown sign. Councillor Bryant assured him that his understanding was that this would be resolved between the applicant and Officers.
22. The Chairman invited the Committee to vote on Councillor Pick's proposal, seconded by Councillor Benneyworth to defer the item until a later meeting to enable a solution to be found between Officers and the applicant. At the vote this was carried.

RESOLVED that the Head of Planning and Countryside be authorised to defer the planning application to allow further discussions to take place.

59. Application No. and Parish: 17/00315/FULD - Woodridge House, Bucklebury Alley, Cold Ash

(Councillor Clive Hooker resumed the position of Chairman).

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 17/00315/FULD in respect of Section 73 Variation of Condition 2: Approved Plans in accordance of approved reference 15/03473/FULD (Demolition of existing dwelling and associated outbuildings and replacement with a new dwelling and garden shed.
2. In accordance with the Council's Constitution, M Munro, Parish Council representative, Bob Thorley, objector, Howard Waters, applicant/agent and Councillor Garth Simpson, Ward Member addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. The item had been brought before the Committee as more than ten objections had been received to the application.

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4. The application sought the variation of Condition 2 of the earlier planning permission, which included a revised scheme to provide basement storage underneath the new dwelling. This would reduce the requirement for the proposed piling and there would be less spoil to remove from the site. The Officers' recommendation was to approve the planning permission as it was considered very acceptable.
5. M Munro in addressing the Committee raised the following points:
 - The Parish Council had objected to the original design due to over massing. However the applicant had agreed to amend the plans and they found the new application to be acceptable.
 - The ramp underneath the building was an improvement on the previous plan although they were aware that there were still some objections to the development.
 - The main objection related to noise from the ramp but the Parish Council felt that as the underground storage would be used for a collection of vintage cars, it would not be in continual use.
 - Therefore, after consideration, they felt the concerns had been addressed and they had no further objections.
6. Bob Thorley in addressing the Committee raised the following points:
 - He had lived at Pine Lodge for 33 years, which was adjacent to Woodridge and it was in an AONB.
 - He had strongly supported the earlier planning application.
 - All the changes in this application would have a direct impact on Woodridge, as the ramp and the 6-7 door garage would be located immediately adjacent to his property.
 - There might be benefits from the new application during construction, but there would be a permanent impact on Pine Lodge and he was concerned about the step ramp, which was parallel and adjacent to his boundary.
 - There would be noise and disturbance caused by access to the ramp and the right turn into the garage.
 - Headlights from the vehicles accessing the garage would spill over the top into the front of Woodridge and the master bedroom.
 - A beautiful 50 year old, 30 feet golden yew tree that screened the two houses was threatened and was not included on the plans. The tree was within the curtilage of Woodridge and its roots would be damaged during the construction of the ramp.
 - He asked the Committee to agree that the greater good lay with the original approved plans.
 - However, if the application was approved, an acoustic fence would assist, as would raising the height of the eastern wall and refreshing the hedge.
7. Councillor Hilary Cole asked what the distance was from Pine Ridge to the garage door at Woodridge. Mr Thorley replied that he was not sure but he believed this information had been provided during the site visit.
8. Councillor Howard Bairstow suggested that if the vehicles did not use their headlights when accessing the garage that this would reduce their impact. Mr Thorley agreed, but felt it was unlikely that drivers would turn the headlights off.

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9. Howard Waters in addressing the Committee raised the following points:
- The application was the end of a long and emotional process for Mr and Mrs Samuels.
 - There had been a number of objections to this planning application even though it was an improvement on the original one.
 - The refinement referred to the basement parking under the house, which dispensed with the need to build a garage above ground.
 - This meant there would be space on site for the contractors' vehicles.
 - There would be no piling so it would be less disruptive with less noise as there would be less spoil leaving the site.
 - The concern about disturbance from car headlights was a red herring as there would be less disturbance than that caused by cars parked at ground level.
 - The ramp would be less steep than in the previous application so there would be less noise from car engines.
 - There would be no impact on the yew tree and it had not been ignored.
 - Mr and Mrs Samuels had tried to lessen the impact on neighbours as they had been living at the property for some time.
 - The builder had attended the planning meeting, which was a measure of how seriously the neighbours' concerns were being taken.
10. Councillor Jeff Beck observed that mention had been made about acoustic fencing and headlights exiting the garage and that Mr Waters had assured them during the site meeting that he would look into this. He therefore asked Mr Waters if he would agree to the inclusion of a condition to this effect. Mr Waters replied that a landscaping scheme had already been approved, which could be implemented immediately and he felt this would be more appropriate in an AONB. Consequently, having given it some thought he did not consider it was an issue.
11. Councillor Beck further observed that the boundary hedging related to an earlier application and a sound assessment of noise from the garage appeared to have been pushed to one side. Mr Waters retorted that they were certainly not ignoring this concern.
12. Councillor Anthony Pick queried at what point the cars would reach ground level as they emerged from the basement and Mr Waters pointed this out on the map.
13. Councillor Pick then enquired if Mr Waters would be willing to install some protection against the headlights until the natural hedging had taken effect. Mr Waters agreed that this would be acceptable and suggested the installation of a 2 metre fence.
14. Councillor Garth Simpson asked if the beech hedge would be retained, which Mr Waters affirmed as this was a condition of the planning application.
15. Councillor Simpson requested the timescales for construction and Mr Waters advised it was due to start within the next fortnight and would take a year. The basement and ramp would be built first and this would take about 3 months.
16. Councillor Simpson then asked for clarification about the root protection in place for the yew tree and Mr Waters advised some root protection measures had been retained from the previous application.

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17. Councillor Cole referred members to Paragraph 7.13.5 (Continuation of Meeting) of part 7 of the Council's Constitution which stated that meetings of Committees should not normally continue past 10.00pm. However, the meeting could extend to 10.30pm at the latest if it was felt that the business of the meeting could be concluded within that time. Councillor Cole proposed that the meeting was extended to 10.30pm at the latest to determine the application. This was seconded by Councillor Beck and approved by the Committee.
18. Councillor Garth Simpson in addressing the Committee raised the following points:
 - The main concerns raised by the objectors to the earlier application had been addressed and the new application did not contain any material changes.
 - The new application would bring considerable benefits to the development as the frontage from the ramp would be reduced as would the visual impact.
 - Consequently he approved of the new application although he did appreciate there would be an impact on Pine Lodge.
 - The ramp did provide visual mitigation and attention to the hedge near the ramp should be given as it needed to be refreshed.
 - He noted that consideration should be given to the installation of an acoustic fence.
19. Councillor Adrian Edwards noted that there had been no mention of the archaeological impact caused by excavating the site for the basement. Derek Carnegie reassured him that consultation had been undertaken on this as part of the planning application and if there had been any concerns, these would have been raised.
20. Councillor Simpson observed that when looking at a cross section diagram, it showed the soil around the yew tree within the Woodridge boundary running at an angle, whereas on the Pine Ridge side it was level. It therefore looked as if the soil around the roots was very shallow. Derek Carnegie reassured him that a detailed investigation had been carried out by the Tree officer.
21. Councillor Virginia von Celsing expressed her support for the application and proposed that permission was granted. This was seconded by Councillor Pick with the proviso that it included a two metre fence to protect against the car headlights when emerging from the ramp until the hedge had grown.
22. The Chairman invited the Committee to vote on Councillor von Celsing's proposal, seconded by Councillor Pick to accept Officers' recommendation, which included the amendment requested by Councillor Pick. At the vote this was carried.

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

Conditions

1. Time to Implement

The development hereby permitted shall be begun on or before 29th March 2019, this date being three years from the date of the first permission (15/03473/FULD).

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Plans approved

The development hereby approved shall be carried out in accordance with:
Site Location and Block Plan 1584.01

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Proposed Site Plan	1584.30-A
Proposed Plans and Elevations	1584.29
Proposed Shed and Gate Details	1584.06
Site Section and Street Scene	1584.07-A

Associated Documents:

Planning, Design and Access Statement, (MWA 1584 revision A Dated 2nd February 2017) Phase I Habitat Survey (Arbtech 10th February 2014) First received as part of application 14/02878

All received with the application validated on 7th February 2017 unless otherwise specified.

Reason: To ensure that the development is carried out in accordance with the submitted details in accordance with the National Planning Policy Framework 2012, policies ADPP1, ADPP5, CS 13, CS 14, and CS 19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, Supplementary Planning Document: Quality Design 2006.

3. Materials

The following external materials shall be used in the development hereby approved unless alternative details are agreed, through a condition discharge application, in writing with the local planning authority:

Facing Brick Michelmersh Dark Victorian Red
Tile Hanging Marley Plain Clay Ashdowne (Aylesham Mix)
Roof Dark Grey Natural Slate (Forna Especial)

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

4. Hard Surfacing

The development hereby approved shall include the hard surfacing areas and materials shown on drawing 1584.Land 2.

The hard surfacing shall be completed in accordance with the approved scheme before the dwelling hereby permitted is occupied. The approved hard surfacing shall thereafter be retained.

Reason: In the interests of visual amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

5. Spoil removal

Spoil arising from the development, hereby approved shall be disposed of in accordance with the details first received through discharge of condition application 16/01706. Finished ground levels shall be in accordance with the details shown on approved drawing 1584.30-A. All spoil arisings will be taken off site and Top soil will be temporarily stockpiled on site pending re-use at the completion of the project as soil around the building, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework

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(March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

6. External Lighting

The development hereby approved shall include the external lighting details shown on drawing 1584.Land 2 and as approved through discharge of condition application 16/01706.

The external lighting shall be installed in accordance with the approved scheme before the dwelling hereby permitted is occupied. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development/To protect the amenities of adjoining landusers and the character of the area. The area is unlit at night and benefits from dark night skies. Inappropriate external lighting would harm the special rural character of the locality. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

7. Temporary Parking, Turning and Construction Method Statement

The construction of the development hereby approved shall be in accordance with the details shown on Site Management Plan 1584.SM2 and as set out in the MWA 1584 Construction Method Statement dated 2nd February 2017.

The approved parking and turning area and Construction Management shall be provided at the commencement of development and thereafter maintained in accordance with the approved details until the development has been completed. During this time, the approved parking and turning area shall be kept available for parking and used by employees, contractors, operatives and other visitors during all periods that they are working at or visiting the site.

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).

8. Landscape Scheme

The development hereby approved shall be landscaped in accordance with the details shown on drawing 1584.Land 2. The approved scheme shall ensure:

- a) Completion of the approved landscape scheme within the first planting season following completion of development.
- b) Any trees shrubs or plants that die or become seriously damaged 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. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

9. Arb Method Statement and Watching Brief

The development hereby approved shall be carried out in accordance with the approved Arboricultural Method Statement and Watching Brief, first received through condition discharge application 16/01706 (Fulford-Dobson Associates dated 22nd June 2016),

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Tree Protection Plan 1584.05 and supplemental statement from Fulford-Dobson Associates (Jasper Fulford-Dobson) dated 8th March 2017. This statement includes details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

10. Protective Fencing

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing number 1584.05. Within the fenced areas, there shall be no excavations, no storage/mixing of lime based products or fuels, no storage of materials, or machinery, no parking of vehicles, no fires.

Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

11. Hours of work (construction)

Demolition or construction works shall not take place outside the following hours:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the living conditions of adjacent occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

12. Piling

No piling shall take place until details of the type of piling to be used has been submitted to and approved in writing by the Local Planning Authority.

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

13. Parking and Turning

The dwelling shall not be occupied until the vehicle parking and turning space have been surfaced, and provided in accordance with the approved plans. The parking and 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).

14. Gradient of Private Drives

The gradient of private drives shall not exceed 1 in 8 or, where buildings are likely to be occupied by the mobility impaired, 1 in 12.

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Reason: To ensure that adequate access to parking spaces and garages is provided. 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).

15. Gate Set Back

The gates to be provided at access where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least 5 metres from the edge of the highway.

Reason: In the interest of road safety and to ensure that vehicles can be driven off the highway before the gates are opened. 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).

16. Wildlife protection

At all times during the construction of the dwelling when works is not taking place all unfilled excavations created during construction shall either be:

Completely covered by solid materials, or

Have a rough sawn plank place in the then.

Reason: To ensure the protection of wildlife. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS17 of the West Berkshire Core Strategy (2006-2026).

17. Shed Location

No works to the shed shall take place until details of the proposed location of the shed within the red line has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interests of visual amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

18. PD Rights Windows

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed at first floor level on the east and west (side) elevations of the dwelling hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

Informatives

1. NPPF

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

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development which improves the economic, social and environmental conditions of the area.

2. Community Infrastructure Levy (CIL)

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

3. 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.

4. 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.

5. Wildlife enhancement

The applicant is advised that the opportunity should be taken to introduce bio and geo diversity enhancements such as the introduction of bat boxes and swift boxes within the house design/garden

60. Appeal Decisions relating to Western Area Planning Committee

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

(The meeting commenced at 6.30 pm and closed at 9.50 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(1)	17/00190/ADV Chaddleworth	4 April 2017	5 directional fascia board signs, The Ibex Inn, Chaddleworth. Chaddleworth Parish Council

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/00190/ADV>

Recommendation Summary: **The Head of Planning and Countryside be authorised to REFUSE advertisement consent.**

Ward Member(s): Councillor C Hooker

Reason for Committee determination: Called in by Cllr. Hooker – refusal will not support the attraction of trade for the public house and village store.

Committee Site Visit: 30th March 2017

Contact Officer Details	
Name:	Liz Moffat
Job Title:	Assistant Planning Officer
Tel No:	(01635) 519336
E-mail Address:	emoffat@westberks.gov.uk

1. Site History

04/02547/ADV – Double sided sign for The Stag Inn at land adjacent to B4494 (opposite Egypt Cottages) APPROVED at Committee 16.02.05

2. Publicity of Application

Site Notice Expired: 9 March 2017

3. Consultations and Representations

Parish Council: Unable to comment

Highways: No objections to Signs 1, 3, 4 and 5
Object to Sign 2 – within highway land and therefore unacceptable.
Suggest relocating sign to the south side of the road, beyond the boundary.

Archaeology: Evidence suggests that there will be no major impact on any features of archaeological significance.

Correspondence: One letter of objection – whilst sympathetic to the commercial difficulties suffered by pub trade, advertisement hoardings should be resisted in the AONB. Regarding proposed sign at Egypt turning on B4494 – dangerous junction with several bad accidents.

4. Policy Considerations

National Planning Policy Framework 2012 – Paragraph 67
West Berkshire Core Strategy 2006 - 2026 - Policies ADDP 5 – North Wessex Downs Area of Outstanding Natural Beauty (AONB), CS14 - Design Principles, CS19 - Historic Environment and Landscape Character

5. Description of Development

Advertisement consent is sought for 5 identical non-illuminated, directional board signs for Ibex Inn in Chaddleworth. The proposed locations are:

- Sign 1 – B4494 to Newbury (Egypt) **(3000 metres from the Ibex Inn.)**
- Sign 2 – Hangman's Stone Lane (nr West Berks Golf Club) **(1,250 metres)**
- Sign 3 – Farnborough Copse (B4494) **(5,000 metres)**
- Sign 4 – Trindledown Copse (A338) **(3,500 metres)**
- Sign 5 – Buckham Hill (A338) **(3,300 metres)**

The signs are proposed in open countryside within the AONB. The figures shown in bold represent the approximate distances (by road) between the Public House and its advertisement.

The proposed signs will be aluminium on 2 - 2.5 metre high posts, and measure 700mm in width and 565mm high.

6. Consideration of the Proposal

Advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts.

6.1. The impact on the visual amenity

6.1.1 The application sites are situated in sensitive, rural locations as detailed above. Therefore it is important to ensure that any development within these areas is appropriate. The NPPF discusses supporting a prosperous rural economy and local and neighbourhood plans should promote the retention and development of local services and community facilities in villages such as local shops and public houses. The impact of advertisements on the visual amenity of these sensitive areas is an important consideration, particularly given the fact that the sites are located within the AONB and therefore afforded a greater level of protection.

6.1.2 Paragraph 67 of the NPPF states that poorly placed adverts can have a negative impact on the appearance of the natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. In assessing the impact on amenity, the Local Planning Authority should have regard to what impact, including cumulative impact, the proposals will have on the surrounding area. Whilst businesses in the countryside will expect to advertise their whereabouts, care should be taken to ensure that a proliferation of individually acceptable signs does not spoil the appearance of the open countryside. Although it is acknowledged that businesses in rural locations such as this may require some form of advertisement in order to prosper, it is not considered that this form of advert is appropriate or acceptable, particularly given the remoteness of the signs from the Public House they are advertising.

6.1.3 It is considered that the use of an officially approved highway sign may be produced to meet the needs of the community, which may not require planning permission. Further consideration could be given to the use of a brown 'tourism' sign, if the Public House fulfils the necessary requirements (a matter which the Local Planning Authority is not directly involved with and which would require research on the part of the applicant to confirm whether this is an option).

6.1.4 If the application were allowed, it would not be unreasonable for further advertisements for similar signage in the vicinity or across the district to be sought, which the Local Planning Authority would then find difficult to resist. This would lead to an unacceptable proliferation of signage in the open countryside which would harm the character and appearance of such sensitive, rural locations.

6.1.5 Consideration has been given to a sign for the Swan Public House in East Ilsley which is located to the west side of the A34, just south of the East Ilsley junction. It should be noted that in 1993 the Planning Inspectorate stated that the decision to allow the sign "should not be taken as an indication that a comparable advertisement in another location would necessarily be regarded as acceptable." The primary reason for granting this consent is the fact that this sign had been in situ for many years.

6.2 The impact on highway/public safety

6.2.1 The Council's Highways team have no objections to the proposed locations, apart from Sign 2. This sign could be easily relocated to the south of the highway boundary to be considered acceptable.

6.2.2 The sign for the Stag Public House at Leckhampstead which is sited in a similar location to that proposed for Sign 1, was approved in 2005. On this occasion the Council's Highways

team objected to the design and siting as it would distract drivers and could result in sudden and unpredictable vehicle movements to the detriment of road safety.

7. Conclusion

- 7.1. Having taken account of all relevant policy considerations and the material considerations referred to above, it is considered that there are clear reasons why the development proposed is unacceptable. There is no justification to allow the signs in this sensitive rural location.

8. Full Recommendation

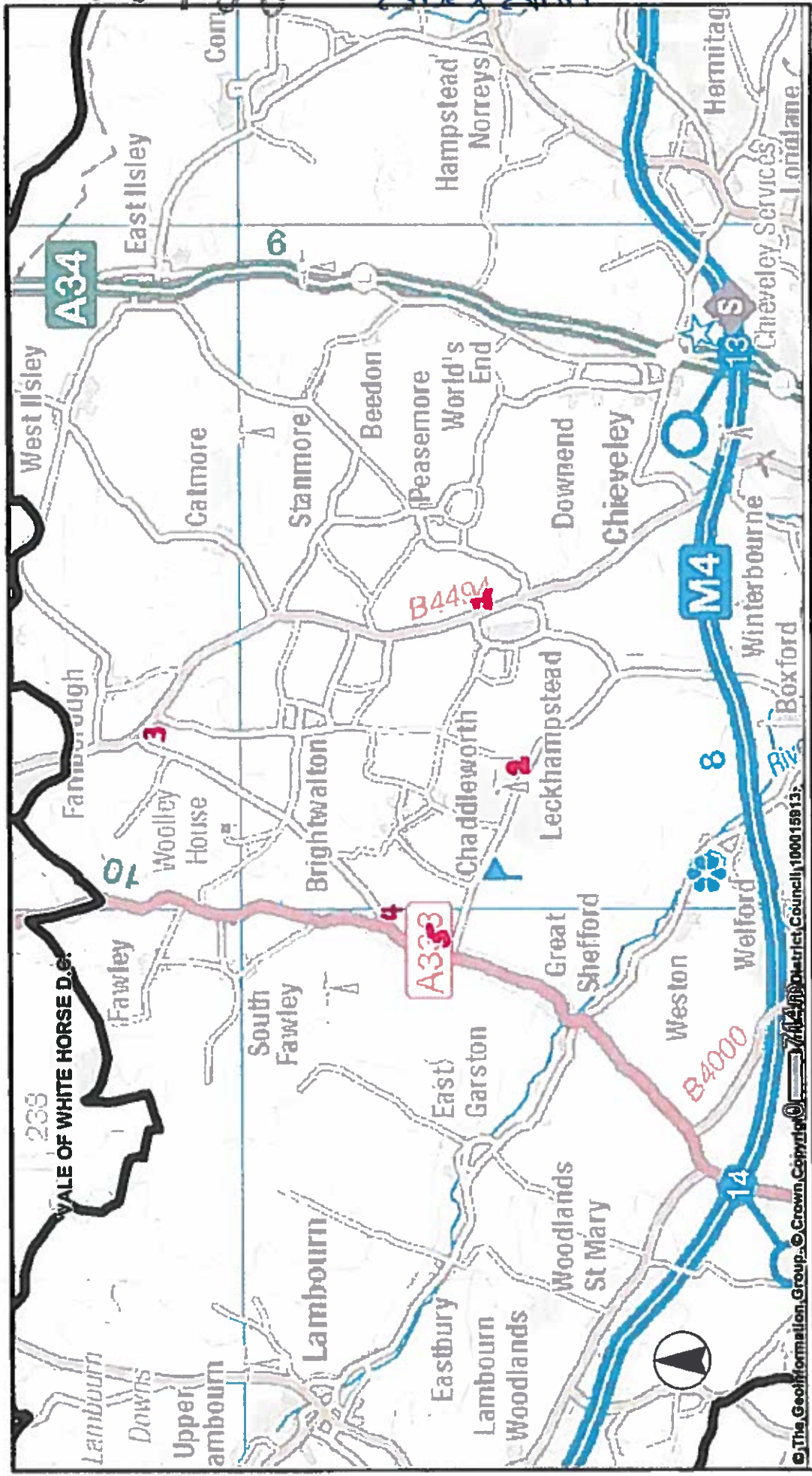
- 8.1 The Head of Planning and Countryside be authorised to **REFUSE** advertisement consent for the following reasons:

1. The proposed signs, due to their size and siting in an isolated countryside location would have a detrimental impact on the visual amenity of this nationally designated sensitive Area of Outstanding Natural Beauty. There is no justification to allow these advertisements, which will be situated a considerable distance from, and will therefore be unrelated to the Public House they seek to advertise. As such the proposal is contrary to the provisions of the National Planning Policy Framework 2012 and Policies ADDP5, CS14 and CS 19 of the West Berkshire Core Strategy 2006 -2026. These policies and government advice seek to ensure that, inter alia, advertisements, and proposals within Areas of Outstanding Natural Beauty, do not lead to a detrimental impact on visual amenity.
2. If this application were allowed it would not be unreasonable for further advertisements for similar signage in the vicinity or across the district to be sought, which the Local Planning Authority would then find difficult to resist. This would cumulatively lead to an unacceptable proliferation of signage within the open countryside, a matter which is specifically referred to within the National Planning Policy Framework Paragraph 67 and which would harm the character and appearance of such sensitive, rural locations.

DC

* No.s represent/correspond to 5 locations

17/00190 - Alex Stan



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Agenda Item 4.(2)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(2)	17/00420/FUL Chieveley Parish Council.	21 April 2017	Replacement of existing store with a building for 7 bedrooms. Single storey link and extension to restaurant. The Fox and Hounds, Oxford Road, Donnington, Newbury. Mr and Mrs Vine.

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/00420/FUL>

Ward Member(s):

Councillor Hilary Cole.

Reason for Committee determination:

The Ward Member has called in the application if officers recommend refusal. The scheme would support the local rural economy.

Committee Site Visit:

11th May 2017.

Recommendation.

The Head of Development and Planning be authorised to refuse planning permission.

Contact Officer Details

Name:

Michael Butler

Job Title:

Principal Planning Officer

Tel No:

(01635) 519111

E-mail Address:

michael.butler@westberks.gov.uk

1. Site History

Various applications for minor extensions and refurbishment of the public house post 2000. All approved.

2. Publicity of Application

Site notice displayed 8th March 2017. Expiry 29th March 2017.

3. Consultations and Representations

Chieveley Parish Council. No objections

Shaw cum Donnington Parish Council No objections.

Highways Recommends refusal on the basis of a lack of car parking on the application site.

Environment Agency No objections.

Economic Development The application is to be encouraged as it will create additional employment and support the local rural economy.

Public representations One letter received in support. The public house has for many years been very welcoming to local amenity / charity / group meetings so it should be supported.

4. Policy Considerations

National Planning Policy Framework 2012.
National Planning Practice Guidance 2014.
West Berkshire Core Strategy 2006 to 2026.
Policy CS13.
SPG 19 - Public Houses.

5 Description of development.

5.1 The application site comprises the Fox and Hounds Public House lying to the east of Old Oxford Road in Shaw cum Donnington parish. To the east lies the A339 dual carriageway, to the north Fox Cottage and the A34 bypass overbridge and to the west open land. It is proposed to demolish and rebuild an existing outbuilding to the south of the main public house into a two storey building, to incorporate seven en suite bedrooms for paying guests, one being fully accessible. Connecting this new build to the main public house will be a single storey link. To the north of the public house on the ground floor will be a single storey extension for the main restaurant, comprising circa 30 plus covers.

5.2 In addition to this the current 13 car parking spaces to the rear [east] of the present public house will be retained. The applicant [outside the red line application site but understood to be within his control via a 15 year lease] also seeks to provide space for a further 27 vehicles to the south on an existing informal parking area. Whilst this is indicated clearly on

the submitted site plan, since it lies outside the red line site, it cannot and does not, form any part of the officer's examination and assessment of the proposal. This is because should planning permission be granted for the development on the basis of the plans submitted, no conditions can be applied to this land parcel in question to ensure it remains available for parking purposes in perpetuity, if the scheme is built out.

6 Planning consideration.

The application will be considered under the following issues:-

6.1. Principle of development in the countryside.

- 6.1.1 The principle of supporting [inter alia] public houses in the rural areas is clearly desirable, given the clear social and economic benefits which will arise. In this case, not only will additional staff be employed at the site, but the scheme will assist in the continuing viability of the public house, by providing additional on site accommodation for not only business users but also tourists. This is supported in the advice in SPG 19 and indeed in the NPPF.
- 6.1.2 The NPPF makes it clear, in para 14 that the economic role of planning is most important, and where the Development Plan is silent, absent, or out of date, planning permission should be granted unless there are material adverse impacts in doing so, demonstrably outweighing any benefits, and / or there are specific policies in the Plan which would preclude / restrict such new building.
- 6.1.3 In this particular case, the Planning Authority is in a slightly "odd" situation. Saved policy ENV20 in the previous Local Plan, which corresponded to the redevelopment of rural buildings in the countryside, has now been formally superseded by policy C1 in the now adopted Local Plan / HSADPD [assuming at the time of writing that this was the case at Full Council on May 9th 2017]. However, policy C1 only corresponds to new housing in the countryside. This application is a public house use so the policy cannot apply. As a consequence the Council as Planning Authority must take on board the advice in the NPPF as above.
- 6.1.4 Officers consider firstly that the loss of the barn to the south of the public house, being non listed and of little architectural merit, will not be harmful. In addition, it is considered that the scale, mass, form and design of the new outbuilding is acceptable and will not be harmful to either the local street scene, nor indeed the setting of the public house, nor indeed the wider countryside. It is of course acknowledged that the visual backdrop of the site is dominated by significant road infrastructure, to the west, north and east. The application site is thus visually well contained. It is also accepted that the additional link, and the restaurant extension themselves are single storey only, and modest in scale. On this basis the application conforms to the aims of policy CS19 [Landscape Character] in the Core Strategy, and so the advice in the NPPF, in terms of visual harm.
- 6.1.5 In this regard the Committee should also be aware that the application site is located in the AONB and so policy ADPP5 in the Core Strategy applies, in addition. However it should also be recognised that the southern car parking area lies just outside the AONB. Bullet point 1 in the environment section of this policy seeks to ensure that new development will not harm the AONB landscape, or character. This application is considered to meet this test.
- 6.1.6 The next principal issue to consider is biodiversity – as noted under policy CS17 in the Core Strategy. Being an old building, of traditional build, the barn to be demolished has the potential to contain bats. Bats are a protected species so their habitats need to be retained where possible. The applicants have produced an ecological survey of the building in question, which concludes that there was no evidence discovered in the barn suggesting the presence of bat roosts. The Council's ecological response is awaited on this matter.

6.1.7 The only other issue of significance in terms of policy, is whether the scheme will comply with flood risk, and policy CS16 in the Core Strategy corresponds to this issue. The Environment Agency have responded, indicating no objections on flood risk, although they do raise potential concerns with waste water and sewerage disposal. The views of Thames Water are awaited on this issue. On the assumption [without prejudice] that neither consultee objects to the application, the sole issue remaining is that of highways.

6.2. Highways.

6.2.1 The application site currently has 13 parking spaces to the rear in the red line application site. This is apparently acceptable for the existing public house. The applicant, in conjunction not only with the extensions but the 7 new rooms, is proposing up to 27 further spaces immediately to the south. If this had been in the application site this could have been conditioned, but it is not and the applicant has elected not to resubmit a fresh application with a revised red line, [due to cost of the planning fee] although encouraged to do so by the Council officers. If this had been the case then the application would [without prejudice] have been supported by the officers. For clarity, this additional parking area is required for the new bedrooms to be created and the additional business and so parking demand caused by the larger restaurant area.

6.2.2 The applicants are able to demonstrate a 15 year lease on the land to the south of the public house to incorporate the additional parking area required. However whilst this is laudable, given that any planning permission is not personal to the applicants, but runs with the land in question, the Local Planning Authority cannot be assured that this lease will remain in place in perpetuity. If taken away from future owners / tenants, and parking difficulties arose on the site, the LPA could not serve a breach of condition notice, since the parcel of land lies outside the red line. As a consequence, conditions or road danger would arise on the adjoining highway, due to increased pressure for on street parking. This would be contrary to both the advice in the NPPF and policy CS13 in the Core Strategy. The Old Oxford Road in this location has very fast traffic flows upon it, at both on and off peak times.

6.2.3 It is accepted from a pragmatic view that the above may appear “convoluted and contrived.” However the Council as both Planning and Highway Authority must remain consistent in its approach to highways safety and parking standards in order that no harmful precedent is set. The applicants have not been able to clearly demonstrate any exceptional justification for the new build, which would override the highways officer’s advice. In this instance it is of course in the gift of the Committee to overturn such a recommendation, should they wish to do so.

7.0 **Conclusion.**

7.1. The NPPF advises local planning authorities to determine planning applications in accord with the three golden threads in the NPPF. In social terms the application is encouraged, since it will support the continuing profitability of a successful and popular local public house, which of course serves a valuable community function. In addition, it is also encouraged in economic terms since the public house additions will support the local economy via increased expenditure and jobs. It is also accepted in environmental terms, in respect of visual impact. The principal environmental problem lies in the conditions of highways danger which would arise due to the lack of parking available on the application site, so leading to on street parking. Given public safety is potentially involved, officers consider that the application should be rejected, notwithstanding the benefits arising. In addition, it is known that the applicants have a valid fall back position, in the sense that an alternative application can be submitted to potentially resolve this situation.

8. Recommendation:-

The Head of Development and Planning be authorized to REFUSE planning permission on the following highway / parking grounds.

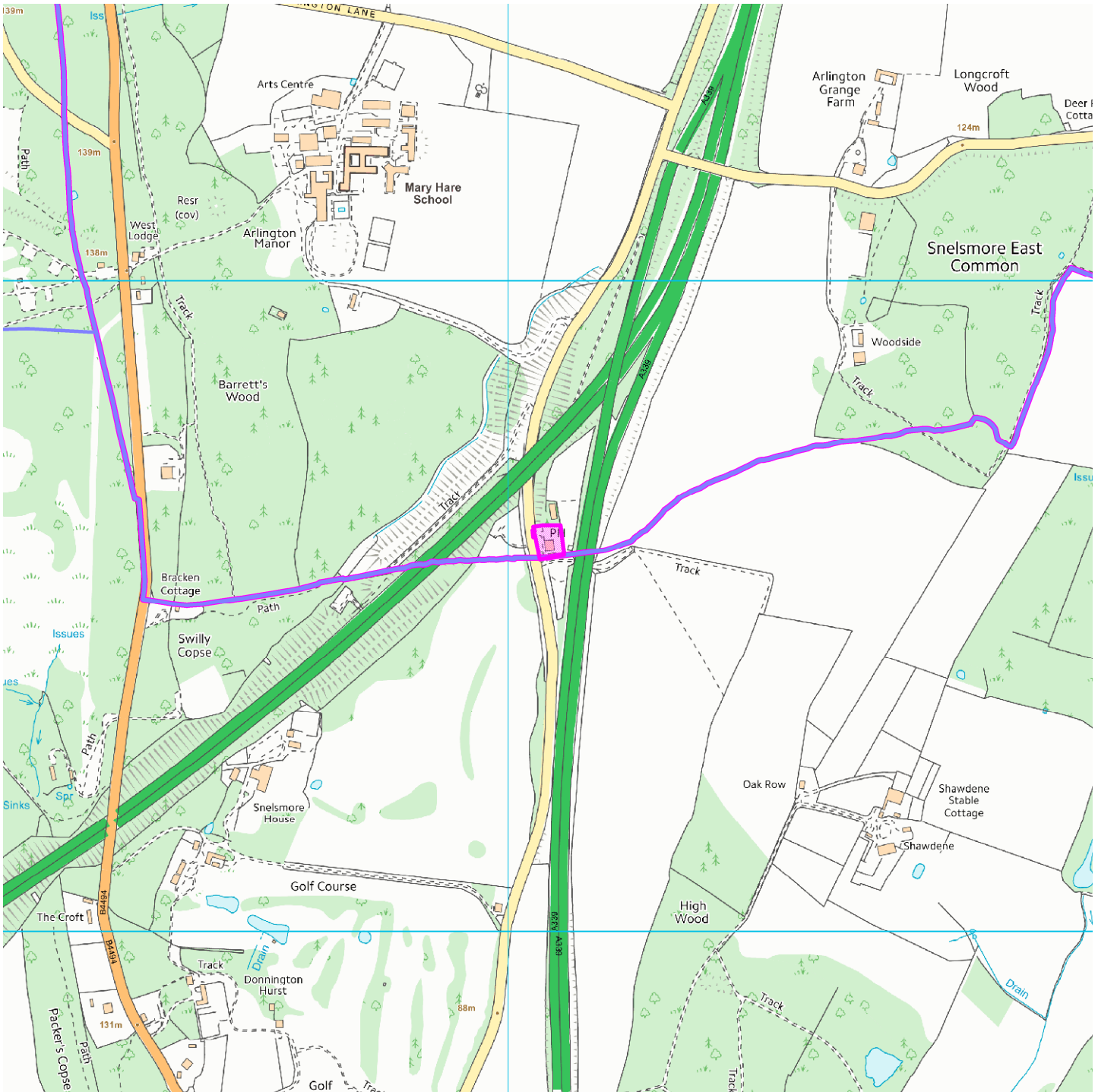
- 1 The applicant has failed to demonstrate to the satisfaction of the Council as Highway Authority that sufficient parking spaces will be available on the application site, once the new development is implemented, were it to be permitted. This lack of on site parking will lead to additional pressures for parking on the public highway, leading to conditions of poor road safety. This in turn is contrary to the advice in the NPPF of 2012, and policy CS13 of the West Berkshire Core Strategy of 2006 to 2026. It is thus unacceptable.

Informative.

In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application the local planning authority has been unable to find an acceptable solution to the problems with the development so that the development can be said to improve the economic, social and environmental conditions of the area.

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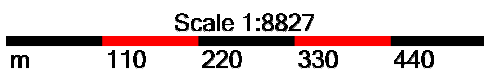


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Organisation	West Berkshire Council
Department	
Comments	
Date	04 May 2017
SLA Number	0100024151

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Agenda Item 4.(3)

Item No	Application and Parish	No.	8/13 Week Date	Proposal, Location and Applicant
(3)	16/02191/OUTMAJ Kintbury Parish.	15 th 2016	November	Outline application for erection of 11 dwellings with associated access, car parking, landscaping and sustainable drainage infrastructure. Matters to be considered: Access and Layout Donnington New Homes Land East Of Laylands Green and South Of Craven Close Kintbury

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/02191/OUTMAJ>

Recommendation Summary: **The Head of Development and Planning be authorised to APPROVE Outline Planning Permission subject to conditions set out in section 8.1 below.**

Ward Member(s): Councillor Anthony Stansfeld and Councillor James Cole

Reason for Committee determination: More than 10 letters of objection

Committee Site Visit: 11th May 2017

Contact Officer Details	
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1. Site History

- No recent relevant planning applications relating to this site.

2. Publicity of Application

Site Notice Expired: 7th September 2016

Neighbour Notification Expired: 6th September 2016.

3. Consultations and Representations

Kintbury Parish Council	Objection - (Full comments of Parish Council in Appendix). Impact on AONB Kintbury has already had new recent housing and does not need more Highway safety due to narrow streets and lack of footpaths within the village and no practical/achievable solution. Existing problems will be exacerbated by more housing. Former use as clay workings and potential impact for ground water GCN habitat Subsidence to nearby properties, ground conditions may make delivery of affordable housing difficult. Buffer zones inadequate as they include rear gardens
Highways	No objection Comment: During consideration amended details requested to secure visibility splays, road construction (width, service margins, turning for refuse vehicles) access radius, access construction (bell mouth with dropped kerbs and tactile paving) Clarification on parking provision/spaces and cycle parking Amended plans received including car ports, now acceptable. Requested Conditions: Construction Method Statement, Road and Footpath Design, Creation of Access first development operation, Visibility Splays, Parking and Turning, Use of Car Ports for Parking, Cycle Storage plus informatives
Waste Management	No objection Swept Path Analysis to meet highway design requirements. Details of provision of storage of refuse and recycling materials to be secured by condition.
Ecology	No objection Further details submitted during consideration including addendum with Habitat Suitability Index. Mitigation measures set out in the Middlemarch Ecological Report and Addendum dated 25 th April 2017 acceptable. These are reasonable and necessary without being overburdening. No need to see EPS Licence informative suggested.
Natural England	No comments to make The application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes
BBOWT	No objection. Comment: Assessment of submitted documents: Preliminary Ecological Assessment (RT-MME-121281-02) Reptile Survey (RT-MME-122054-01)

	<p>Great Crested Newt Survey (RT-MME-121281-03) Landscape Mitigation and Enhancement Plan (ACLA/BFR04) Herpetofauna Mitigation Strategy (RT-MME-122498-01)</p> <p>Boundary hedgerow and trees to be retained. A section of species poor hedgerow will be lost to create access. Permanent loss of 0.54ha of semi improved grassland for new housing. The reptile survey revealed slow worm and grass snake on site and Great Crested Newts (GCN) at ponds in close proximity. Mature trees and species rich hedgerow on site likely to be used as foraging habitats by bats and breeding habitat by wild birds. Lack of Habitat Suitability Index (HSI).</p> <p>If minded to approve, conditions are requested to ensure:- Necessary licences from Natural England Full HSI assessment to assess impact on foraging habitat for GCN Compensatory habitat land for protected species and reptiles Details of lighting strategy. Biodiversity enhancements through a Landscape and Ecological Management Plan.</p>
Tree Officer	<p>No objection</p> <p>Detailed comments. Initial concern regarding siting of houses impact on protected trees, shading from trees to south and likely pressure to future removal. Amended plans secured. No objection in principle. A method statement will be required to ensure that the development will have minimal impact on retained trees. Conditions requested to secure Arboricultural Method Statement, Tree Protection, Landscape Scheme and Boundary Treatments and Landscape Management.</p>
Archaeology	<p>No objection</p> <p>Comment: The applicant has supplied an archaeological desk based assessment, which concludes that, due to the undisturbed nature of the development site, there is some archaeological potential. However, reviewed against information held regarding heritage assets and historic land uses in this area, the site is some distance from the historic settlement core of Kintbury and areas of earlier (prehistoric and Roman) potential. It is therefore unlikely to contain any archaeological features or deposits of significance and an archaeological assessment or programme of investigation and recording is not necessary.</p>
Environmental Health	<p>No objection.</p> <p>Comment: The Phase 1 & 2 Environmental and Geotechnical Investigation ref no. 3794/15 concludes that additional gas monitoring is required to be carried out. A full contaminated land condition is requested. Given proximity to existing dwellings an hours of work condition is requested.</p>
Drainage Engineer	<p>No objection</p> <p>Comment: Detailed comments provided to original documents and further additional details submitted during consideration. The proposed SuDs methods area acceptable given clay make up of ground. Attenuation methods should be under permeable paving areas and swale with restricted off site discharge. There was a query regarding groundwater investigation results; actual position of groundwater table and design of attenuation which should be allowing for at least a 30% Climate Change. A further response has been submitted by the consulting engineer and accepted by</p>

	<p>the Council Drainage Engineer. This included the fact that the development and proposed SuDS measures will not affect existing drainage within the vicinity of the development and may provide opportunity for water run off into site given new road and gradient away from Layland's Green.</p> <p>Further detailed design of SuDS solution to be secured following further site investigation. This should include source control measures within individual properties, and design of adoptable road and swale to increase biodiversity benefits and maintenance/management.</p> <p>A condition is suggested to secure SuDS to manage surface water.</p>
Thames Water	<p>No objection</p> <p>Detailed comments regarding: discharge of groundwater into public sewer (licence required); surface water drainage measures; pollution control (interceptors to be fitted). No objection regarding water infrastructure or sewerage capacity</p>
RBFRS	<p>No objection</p> <p>No additional hydrants required. Comment on access width and consideration to the fitting of domestic sprinklers.</p>
No other consultation responses received	
Representations.	<p>13 no. of letters of objection received, 4 from the same property. Comments summarised as follows:</p> <ul style="list-style-type: none"> • traffic impact/highway safety – existing narrow road and poor junctions • existing parking and likely parking on Laylands Green • existing and potential flooding, poor drainage, clay base • busy road • impact on protected species and wildlife • impact on street scene, character of area, AONB • overdevelopment of Kintbury/ no need for more housing • is footway necessary/character of area/ urbanisation/ ownership for delivery • subsidence in area • disturbance during construction • loss of outlook • lack of landscape buffer and protected TPO area • does not comply with HSA27

4. Policy Considerations

- 4.1 The statutory development plan comprises the West Berkshire Core Strategy 2006- 2026 (WBCS) and the saved policies in the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP).
- 4.2 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework (March 2012) (NPPF)
 - National Planning Practice Guidance (NPPG)
- 4.3 The following policies from the West Berkshire Core Strategy are relevant to this application:
- Area Delivery Plan Policy 1: Spatial Strategy

- Area Delivery Plan Policy 5: North Wessex Downs AONB
- CS 1: Delivering new homes and retaining the housing stock
- CS 4: Housing Type and Mix
- CS 5: Infrastructure requirements and delivery
- CS 6: Provision of Affordable Housing
- CS 13: Transport
- CS 14: Design Principles
- CS 15: Sustainable Construction and Energy Efficiency
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

4.4 The proposed Housing Site Allocations Development Plan Document (HSA DPD) will form part of the Local Plan and contains proposed housing and parking standards policies which would replace those of the Local Plan Saved Policies. Significant weight must be given to these policies for which the anticipated adoption date will be late Spring 2017. The following policies are relevant to this application:

- GS1: General site policy
- HSA27: Land at Laylands Green, Kintbury
- Appendix 6: New Settlement Boundaries - Kintbury
- C1: Location of new housing in the countryside
- C3: Design of housing in the countryside
- P1: Residential parking for new development

4.5 Paragraph 215 of the NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. Some saved policies from the WBDLP have not been replaced by policies contained within the WBCS and are therefore relevant to this application:

- OVS.5: Environmental Nuisance and Pollution Control
- OVS.6: Noise Pollution
- HSG.1: The Identification of Settlements for Planning Purposes
- TRANS.1: Meeting the Transport Needs of New Development

4.6 In addition, the following locally adopted and other policy documents are relevant to this application:

- Supplementary Planning Document Quality Design (June 2006)
 - Part 1 Achieving Quality Design
 - Part 2 Residential Development
 - Part 3 Residential Character Framework
 - Part 4 Sustainable Design Techniques
- Planning Obligations SPD (December 2014)
- Community Infrastructure Levy Charging Schedule, Adopted March 2014 – Effective from 1st April 2015.
- The North Wessex Downs AONB Management Plan 2014-19

5. Description of Development

5.1 This application seeks outline planning permission for the erection of 11 dwellings with associated access, car parking, landscaping and sustainable drainage infrastructure. The matters to be considered under this application relate to access and layout with Scale, External Appearance and Landscaping to be considered under a separate Reserved Matters application.

5.2 The site is located to the south of Kintbury on the eastern side of Layland's Green, adjacent to, but outside the current settlement boundary. It has been allocated for approximately 10 dwellings in the Council's emerging Housing Site Allocations Development Plan Document (HSA DPD)(HSA27). The DPD proposes to extend the settlement boundary to include the site and existing dwellings Albany and Villa Real, located on Layland's Green, between the application site and the existing settlement boundary. Access into the site would be taken off Layland's Green, which at this point is characterised by a linear development form. Land to the north, within the existing settlement is more densely developed. Dwellings opposite the site and further to the south, all outside the identified settlement, comprise detached or semi detached dwellings. Most appear to date from the 19th Century, some originally as agricultural workers dwellings, plus some more recent infill. The two bungalows to the north appear to have been constructed during the 1960's. The site is an irregular shaped plot, comprising semi improved grassland with a few trees within the site. It is contained by established vegetation including mature trees and hedgerow and to the north woodland protected by a Woodland TPO. With dwellings on three sides and existing power lines crossing the site has an urban fringe feel rather than open rural feel. Land to the east is in agricultural use.

The site is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

5.3 The submitted layout plan, which has been revised during consideration of the application, proposes 7 detached dwellings, all set in spacious plots, a pair of semi detached dwellings and two maisonettes. The maisonettes and semi detached dwellings will be affordable dwellings.

5.4 The proposed maisonettes (plots 1&2) and house 11 will have a separate parking/driveway off Layland's Green, with the remaining 8 dwellings sharing a new access road, constructed to adoptable standards. The new accesses will result in the loss of existing hedgerow, other boundary trees and hedgerow around the site will be retained. The layout plan shows each detached four bedroom dwelling with a garage, car port and 2 further spaces. The three bedroom dwelling (plot 7) has a garage and two spaces, each two bedroom dwelling has 2 car parking spaces. The one bedroom maisonettes each have one space plus one shared space for visitors, accessed directly off Layland's Green.

5.5 During consideration of the application, the layout of the site has been revised to address concerns initially expressed from The Highway, Waste and Tree Officers. Plot sizes, house footprints and position within the site have been altered slightly to maximise garden areas, move built form away from protected trees and increase distance to the landscape buffer zone.

5.6 The application includes provision of a footway to link with the existing footpath along the eastern side of Layland's Green to the north. The application also refers to the use of the site during construction for the storage of materials/plant to enable the stalled development at the Kintbury Garage site (06/02632) to proceed.

6.0 Consideration of the application.

The main issues for consideration in the determination of this application are:

- 6.1. The principle of the development
- 6.2. The impact on the character of the area including the AONB
- 6.3. Amenity issues
- 6.4. Highway impact
- 6.5. Drainage and Flooding
- 6.6. Ecology
- 6.7. Affordable Housing

- 6.8. Community infrastructure Levy
- 6.9. The assessment of sustainable development

6.1 The Principle of Development.

- 6.1.1 The NPPF takes the development plan as the starting point for all decision making, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy (adopted 2012) and the Saved Policies of the West Berkshire District Local Plan 1991-2006.

Compliance with Development Plan and Emerging Policies

- 6.1.2 Policy CS1 of the Core Strategy attracts full weight as a development plan policy adopted since the publication of the NPPF. It states that new homes will be located in accordance with the district settlement hierarchy, and primarily developed on suitable previously developed land, and other suitable land, within settlement boundaries. Whilst Policy ADPP1 of the Core Strategy promotes the redevelopment of brownfield land, the Core Strategy acknowledges in Policy CS1 that undeveloped land will need to be allocated to maintain housing supply.
- 6.1.3 According to the area delivery plan policies of the Core Strategy, allocations in the spatial areas will be made adjacent to existing settlement boundaries which will be re-drawn through the Housing Site Allocation DPD (HSA DPD). Policies ADPP1 and ADPP5 provide the spatial strategy for the AONB within West Berkshire. Together with Policy CS1 they are guiding the allocation of housing sites across the district outside the existing settlement boundaries through the HSA DPD.
- 6.1.4 The selection and allocation of sites in the Housing Site Allocations DPD has been based on evidence, technical assessments, the SA/SEA (Sustainability Appraisal/Strategic Environmental Assessment) and the outcomes of public consultation. The objective of the DPD is to allocate the most sustainable non-strategic sites based on the technical evidence and the SA/SEA and in accordance with the housing distribution as set out in the spatial strategy of the Core Strategy.
- 6.1.5 Therefore although the site is shown as adjacent to the settlement boundary under extant Policy HSG.1 of the WBDLP, it is shortly to be replaced by Policy C1 (location of new housing in the countryside) of the HSA DPD. This policy will provide a presumption in favour of development within the redrawn settlement boundary of Kintbury. At this advanced stage in the plan making process, Policy C1 is a material consideration, which now attracts substantial weight.
- 6.1.6 Policy GS1 of the HSA DPD is a general site policy applicable to all allocations. It seeks to ensure comprehensive developments and several requirements which are generally applicable to all sites. The proposed development complies with this policy, or is capable of doing so by condition.
- 6.1.7 Policy HSA27 of the HSA DPD is the site specific policy for the application site. A full assessment of the policy criteria below will be provided in the relevant sections of the report, however the proposal is, taking POLICY HSA27 as the starting point, considered to be in accordance with the details of the policy. The full policy is:

Land to the east of Layland's Green, Kintbury (site reference KIN006 and KIN007)

The sites, when considered together, have a developable area of approximately 0.5 hectares. They will be delivered together comprehensively in accordance with the following parameters:

- The provision of approximately 10 dwellings in a low density scheme that provides a mix of dwelling sizes and types appropriate for the local area.
- Vehicular access to the site will be obtained from Layland's Green.
- Footway provision will be expected along Layland's Green to join the site with the existing footway to the north.
- The scheme will be developed in accordance with the Landscape Sensitivity Assessment (2011) and will include:
 - The protection and enhancement of existing landscape features including boundary hedgerows and trees.
 - Appropriate buffers to be provided to protect the woodland Tree Preservation Order in the north and the tree boundary to the south.
 - The development of the pit in the north of KIN007 into a permanent pond as part of a SuDS scheme.
- The development design and layout will be further informed by a full detailed landscape and visual impact assessment.
- Two dwellings will front Layland's Green to integrate the development into the existing street scene.
- A Flood Risk Assessment (FRA) will be required for the site, given that the area is underlain with clay and the site lies within a groundwater vulnerability zone. This will include appropriate flood mitigation measures, including SuDS required.
- A methodology for foundation design will be required as the area is underlain with clay.
- The scheme will be informed by an extended Phase 1 habitat survey with further detailed surveys arising from that as necessary. A Great Crested Newt survey will also be required to cover all ponds within 250m south and east of the site. Appropriate avoidance and mitigation measures would need to be implemented to ensure any protected species were not adversely affected. This will include a corridor left for newts along the northern boundary. Development will be expected to contribute net gains for biodiversity given that the site is within a Biodiversity Opportunity Area.
- The scheme will be informed by a phase 1 contamination report with further detailed reports arising from that as necessary, due to the old brick and tile works at Kiln Farm.

Prematurity

- 6.1.8 According to the Planning Practice Guidance, in the context of the NPPF and in particular the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the NPPF and any other material considerations into account.
- 6.1.9 The emerging HSA DPD now attracts substantial weight, and the proposed allocation of the site weighs heavily in favour of the proposed development. Having considered the above guidance on weight and prematurity in relation to the emerging HSA DPD, the principle of development is acceptable.

6.2 The Impact on the Character of the area including The North Wessex AONB

- 6.2.1 Policy CS14 of the Core Strategy states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. The site is situated within the North Wessex Downs AONB where the sensitive nature of the landscape and special qualities of the area are conserved under Policy ADPP5.
- 6.2.2 The Council has adopted a Supplementary Planning Document series entitled Quality Design (SPDQD). Part 1 provides design guidance including key urban design principles.

Part 2 provides detailed design guidance on residential development. Part 3 provides a residential character framework for the prevailing residential developments in the district.

- 6.2.3 The proposed layout has been informed by a Landscape and Visual Impact Assessment (LVIA). This concludes that impact on landscape will be at local level rather than the wider AONB, due primarily to the enclosed nature of the site by woodland and viewed from the east hedgerow and topography. The existing appearance of the site, from agricultural land (semi improved grassland) to housing will be altered by the new built form and creation of new access points, this will be obvious when viewed locally, especially from Layland's Green. The layout has been given careful consideration to ensure overall density is medium to low. This will maximise the opportunity for tree and hedgerow retention, reinforcement planting of native species and to soften the settlement edge. The new dwellings will all have rear garden areas within part of the required landscape buffer and the dwellings on plots 5 and 6 encroach slightly into the woodland TPO area. The LVIA notes that the woodland TPO area includes young trees and scrub at the southern end. It is noted that there is an error in species identification (hedge plants) shown on the submitted topographic survey and existing site plan. Correct species are identified in the arboricultural consultant reports.

The Tree Officer has, following receipt of amended plans, concluded that, with the use of suitably worded conditions, the long term survival of mature trees will be ensured, most boundary hedging and trees will be retained and enhanced and the woodland TPO area will be brought under enhanced management. Policy HSA27 seeks to ensure appropriate buffers between the development and woodland TPO to the north and tree boundary to the south. Some built form and gardens will encroach into these areas, however the criteria set out within Policy HSA27 set out the starting point. Based on the planning merits, constraints on the site and submission documents it is considered that the slight encroachment into the landscape buffer and woodland TPO area will provide an acceptable form of low density development. The encroachment of gardens into the landscape buffer area and gardens and buildings within plots 5 and 6 into the woodland TPO will provide a much lower density development appropriate to the edge of settlement location and existing development within the immediate area. The landscape buffer areas will be contained within garden areas, the requirement for a landscape scheme and management, tree protection and the removal of PD rights in respect of ancillary buildings and structures would ensure their long term retention and enhancement.

- 6.2.4 The southern boundary of the site lies adjacent to a woodland buffer. This will ensure that views into the site from the south will be limited. Any works to these trees outside of the application site will require consent from the owner.
- 6.2.5 The application also includes the extension of the existing footway on the east side of Layland's Green into the site. This will involve no-dig construction (subject to S278 requirements) close to existing hedgerow, in addition some species poor hedgerow (see ecology section below) will be lost to provide new access points. New hedging outside of sightlines is proposed. It is accepted that these works will affect the character of this part of the road, but are required by HSA27 criteria. It has been questioned whether this footway extension is really necessary. The improvement to pedestrian facilities with the extended footway, safe access into the site, with removal of some hedgerow and provision of new housing is considered on balance to outweigh the change in character to this part of Layland's Green, immediately to the south of the already built up area. Full details including replacement planting can be secured by condition. It is noted that ownership of the verge to facilitate the footway is questioned by properties affected (Villa Real and Albany). It has been confirmed by the Highway Department, that the location of the extended footway is on public highway, which extends to the hedge at the top of the verge in this location.
- 6.2.6 The LVIA recommends that the woodland TPO area, wildlife corridor and boundary hedgerow should be retained and reinforced and to include an enhanced management scheme. Careful consideration of appropriate new landscaping and boundary treatments

will be taken at the Reserved Matters stage or through condition details. The retention, reinforcement and enhanced management of the woodland TPO area, wildlife corridor, retained hedges/landscape buffers and new landscaping will ensure that the development is in keeping with the character of the area, visual character of the AONB and will safeguard neighbouring amenity.

- 6.2.7 It is considered that the quality of the overall internal site layout, combined with the retention, reinforcement and enhanced management of existing woodland trees and boundary hedgerow will facilitate a scheme which, with appropriate attention to detail, could ensure a high quality public realm and compliance with policy HSA27 and GS1, CS14, CS19 and the Quality Design SPD.

6.3 Amenity

- 6.3.1 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. The West Berkshire Quality Design SPD and the West Berkshire House Extensions SPG provide guidance on the impacts of development on neighbouring living conditions.
- 6.3.2 The impact on neighbouring amenity is an issue that would need to be examined further at the Reserved Matters stage. However, at outline stage it is considered that the layout does not raise any significant concerns in this respect, particularly because of the separation distances between the proposed buildings (layout) and neighbouring properties and the intervening landscaping along the boundaries of the site.
- 6.3.3 According to the Quality Design SPD, the Council considers it essential for the living conditions of future residents that suitable outdoor amenity space is provided in most new residential development. The quality of outdoor space is of high importance, with the SPD providing minimum size guidelines. At this outline stage it is clear that good quality outdoor amenity space, would subject to Reserved Matters detail, be provided.
- 6.3.4 The site has previously been used to provide clay and chalk for the nearby Kiln Farm Brick and Tile works. The application includes a phase 1 and 2 Environmental and Geotechnical Investigation which concludes that further additional gas monitoring is required. This monitoring is scheduled and will either require mitigation measures or, due to the age of the disused clay and chalk pits, may conclude no measures are required. A suitably worded condition to secure further contamination surveys and mitigation measures has been suggested by the Environmental Health Officer.
- 6.3.5 The application site is close to existing residential properties. In order to minimise disturbance during construction a condition restricting construction hours is suggested.
- 6.3.6 It is considered that the amenity of neighbouring dwelling and future occupiers of the proposed houses will not be adversely affected by the proposed development. Consideration to scale and external appearance of the dwellings will be taken at the Reserved Matters stage. Suitably worded conditions to secure contaminated land survey and restrict hours of construction are suggested. The proposal therefore complies with policies CS14, OVS6 and the Quality Design SPD.

6.4 Highway Impact

- 6.4.1 Policy CS13 states that development generating a transport impact will be required to reduce the need to travel, improve and promote opportunities for healthy and safe travel, mitigate the impact on the local transport network and the strategic road network, and

prepare transport assessments to support planning proposals in accordance with national guidance.

- 6.4.2 Policy P1 of the emerging HSA DPD sets out the parking standards for new residential development. This site is in the parking zone 3, where the policy states that a minimum of 2.5 spaces for 3 bed dwellings and 3 spaces for 4 bed dwellings is required. The total proposed spaces will be determined at the reserved matters stage, but from the illustrative block plan, sufficient space is available for the parking and turning of vehicles on site. The proposed car ports will be conditioned for retention.
- 6.4.3 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development. It states that transport assessments must; ensure safe and suitable access to the site can be achieved for all people, and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. As part of Policy HSA27, a footway is required along the frontage of the site to link with the existing footway to the north. This will be constructed on highway owned land. The footway extension will add to safety for pedestrians from the site accessing the facilities in Kintbury to the north.
- 6.4.4 Cycle and refuse storage is expected within new development in accordance with the Quality Design SPD, and the Council's Highways and Waste Officers have provided comments and conditions in relation to the proposed layout. Full details would be secured at the reserved matters stage or by condition.
- 6.4.5 The Highway Officer has reviewed the proposed plans, following receipt of additional details and amended plans, no objection is raised. Acceptable visibility and access is demonstrated in the submitted plans. It is noted that there is concern from the Parish Council and residents regarding existing highway issues within Kintbury, in terms of narrow streets, lack of footpaths and no scope to improve the situation. These objectors consider that the current application will worsen the existing situation. The Highway Officer is aware of the local concern, however based on the size of this new development (11 dwellings) and proposed improvements to the local footpath network an objection, on highway safety grounds is not raised. It is therefore considered that the proposed development will comply with the criteria contained within Policy CS13 of the Core Strategy, Policy P1 of the HSA DPD and the NPPF.

6.5 Flood Risk and Drainage

- 6.5.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Policy CS16 of the Core Strategy strictly applies a sequential approach across the district. The application site is located in the Environment Agency's Flood Zone 1, which has the lowest probability of fluvial flooding. The site is therefore suitable for residential development in terms of flood risk. The underlying clay means that there could be some risk from surface or groundwater flooding.
- 6.5.2 Policy CS16 of the Core Strategy states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS). This application includes a Flood Risk Assessment and proposed drainage design following a ground investigation report. Given the underlying clay, the site is not suitable for infiltration discharge. The proposed scheme will manage surface water drainage through the use of a variety of methods including permeable paving to private drives, attenuation tanks and a swale, with controlled discharge to the existing pond located in the northern part of the site. The application includes a Foundation Methodology, as required by HSA27. This concludes that foundations will be designed at the detailed construction design stage, taking into account clay ground conditions, proximity to trees and geotechnical evidence. Different types of foundation may be used in different parts of

the development. This will be considered mainly through Building Regulations and with regard to trees as part of the Arboricultural Method Statement (see above).

- 6.5.3 It is considered that the proposed development will be capable of managing and discharging surface water run off through controlled attenuation via a new swale and existing pond, without increasing surface water flooding and affecting the existing network. Further source control measures, within the site, have been requested by the Drainage Engineer, these design details along with management and maintenance of the drainage for the site can be secured by condition. Thames Water raise no objection to this application but provide advice regarding groundwater discharge and surface water management. Necessary licences would be required at the construction stage. An informative to address Thames Water comments is suggested. The proposed development will comply with the criteria contained within Policy CS16 of the Core Strategy and advice contained within the NPPF.

6.6 Ecology

- 6.6.1 Policy CS17 of the Core Strategy states that biodiversity and geo diversity assets across West Berkshire will be conserved and enhanced. Policy HSA27 of the HSA DPD requires the submission of an extended phase 1 habitat survey and resulting surveys as necessary, along with a Great Crested Newt Survey to cover all ponds within 250m south and east of the site. A phase 1 Habitat Survey, Reptile Survey, Great Crested Newt (GCN) survey and Herpetofauna Mitigation Measures Survey has been submitted, along with a further addendum including a Habitat Suitability Index (HSI). There is no evidence of bats on site, although one tree may be a roost; there is evidence of GCN at the ponds in the adjacent nature reserve/local wildlife site known as Kintbury Newt Ponds 60 metres to the west; the presence of slow worms and grass snakes on site (northern boundary) and the mature trees and hedgerow providing a foraging habitat for bats and breeding wild birds. The development of the site would result in the loss of 0.54 ha of semi improved grassland. The proposed layout will ensure that woodland TPO trees, boundary trees and most boundary hedgerow will be retained all providing areas suitable for bio and geo diversity. The woodland TPO area and hedgerow to the east will be brought under enhanced management with land to the north of the site and north of the neighbouring dwellings (Albany and Villa Real) providing a wildlife corridor. Landscaping including the swale will include native species and bio diversity enhancement opportunities. A 0.2ha receptor field to the southeast of the site has been identified to provide a compensatory habitat area. The mitigation measures also include capture and relocation of reptiles to the identified receptor sites under a European Protected Species (EPS) licence.
- 6.6.2 The Council Ecologist has commented that the proposals are acceptable subject to compliance with the submitted reports. The addendum providing the HSI for the GCN population demonstrates that there are existing maternity ponds close to the site. The site itself only provides foraging for the GCN population. The proposed 0.2 ha of compensatory land is considered acceptable, given the location of the site on the edge of settlement, with mature groups of trees/hedgerow to the boundaries, wildlife corridor to the north, open countryside to the east and existing nature reserves in close proximity. Further conditions in relation to the use of external lighting and planting schemes containing native species, including details of the proposed swale, are considered essential to the conservation and enhancement of protected species. It is noted that the response from Berks, Bucks and Oxon Wildlife Trust (BBOWT) requests further details, by condition, in respect the impact of the development on the terrestrial foraging habitat for GCN (an HSI), compensation for the 0.54ha loss for the development, details of proposed external lighting (sensitive lighting strategy) and further details of landscape mitigation and enhancement to ensure there is a net gain for bio diversity. However, the Council Ecologist is now satisfied that the Environmental Report and Addendum (25th April 2017) with proposed mitigation measures contained within the Herpetofauna Mitigation Strategy, is reasonable and necessary without being overburdening. Suitably worded conditions to ensure the development is carried out

in accordance with the Environmental reports, further landscape details, enhancements and management and external lighting are suggested. It is not considered necessary to see the required EPS licences as this requirement is set out within the Environmental Report.

- 6.6.3 It is therefore considered that the proposed development, subject to suggested conditions would comply with Policy CS17 of the Core Strategy, advice set out in the NPPF , and the statutory provisions of the Wildlife and Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2010, and the Natural Environment and Rural Communities Act 2006.

6.7 Affordable Housing

- 6.7.1 Policy CS6 of the Core Strategy states that in order to address the need for affordable housing a proportion of affordable housing will be sought from housing development. This proposal is for 11 new dwellings on a greenfield site of 0.5 ha or more. A 40% contribution is sought. A total of 4 units are required, these are proposed by the applicant as plots 1&2 (one bed maisonettes) and plots 3&4 (three bedroom houses). The applicant has agreed to this provision and recognises the need to provide affordable housing within the rural areas of the district.
- 6.7.2 The Housing Officer has welcomed the proposal. A mix of two one bed flats (maisonettes) and a two bedroom house and three bedroom house would be preferred. The provision can be secured by condition with the exact tenure and unit size negotiated at that stage. The proposal therefore complies within the requirement of Policy CS 6 and advice set out within the NPPF.

6.8 Community Infrastructure Levy

- 6.8.1 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations the proposal is liable for CIL. The CIL Charging Schedule sets out that the amount calculated is to be determined under the AONB Residential Rate of £125 per m². As this is an Outline application, the final figure will be based on the floorspace details submitted at the Reserved Matters stage.

6.9 Presumption in favour of sustainable development

- 6.9.1 The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.
- 6.9.2. Future residents would make a contribution to the local economy, and the development would provide employment in construction for a short period. The environmental considerations have been assessed in terms of the impact on the character and appearance of the area and the AONB, and neighbouring amenity and highway safety and for the reasons given above are considered acceptable. The development would bring social benefits in terms of providing housing required to meet the needs of present and future generations, including four affordable housing dwellings. As these have been found acceptable the development is considered to constitute sustainable development.

7. CONCLUSION

- 7.1. Having taken account of all the relevant policy considerations and the other material considerations referred to above, it is considered the proposal is considered to be acceptable and a conditional approval is justifiable for the following reasons.

- 7.2. The proposal will not unduly harm the character and appearance of the surrounding area and the AONB, or neighbouring amenity, and there are no other material considerations that indicate planning permission should otherwise be refused. It is recommended that the application be approved.

8. RECOMMENDATION.

The Head of Development and Planning be authorised to APPROVE Planning Permission subject to the following conditions:-

8.1 Schedule of conditions

1. Time limit

The development to which this permission relates shall be begun before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the approved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Reserved Matters

Details of the appearance, landscaping, and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority no later than the expiration of three years beginning with the date of this permission, and no building or other operations shall start on site until the Reserved Matters have been approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in strict accordance with the approved details and with the requirements of any conditions attached to any approved reserved matters application. This condition shall apply irrespective of any indications as to the reserved matters which have been given in the application hereby approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004). 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 development plan.

3. Plans approved

The development hereby approved shall be carried out in accordance with:

Site Location Plan BFR 102 Rev B
Existing Site Plan BFR 101 Rev A
Proposed Site Layout 15128.04 Rev N
Proposed Landscape Mitigation and Enhancement ACLA/BFR 04 Rev A (indicative)
All received by e-mail dated 8th March 2017

Associated Documents and Background Documents

Site Survey 1638 01 dated 6th April 2016
Context Plan 15128.14
Site Section (plots 3, 4, 5, 7) 15128.15 (received by e-mail dated 8th March 2017)
Planning, Design and Access Statement, Jackson Planning 043 16 August 2016
Arboricultural Survey and Arboricultural Impact Assessment RT-MME-121281 01 Rev D (revised May 2017)(received by e-mail dated 3rd May 2017)
Landscape and Visual Impact Assessment (ACLA/BFR 6th March 2017) (received by e-mail dated 8th March 2017)

Flood Risk Assessment and Preliminary Surface Water Drainage Strategy 16-018 July 2016
Flood Risk Assessment 16-018 Addendum (received by e-mail dated 8th March 2017)

Phase I Preliminary Ecological Assessment RT-MME-121281 02 February 2016
Middlemarch Environmental Addendum dated 25th April 2017 (received by e-mail dated 26th April 2017).

Reptile Survey RT-MME-122054-01 April 2016

GCN Survey RT-MME-121281-03 May 2016

Herpetofauna Mitigation RT-MME-122498-01 July 2016

Archaeological Report (Thames Valley Archaeological Services)(LGK16/95)

Phase 1 & 2 Environmental & Geotechnical Investigation 3794/15

Aerial Image Context Plan (ACLA BFR 05) (received by e-mail dated 8th March 2017)

All received with the application validated on 16th August 2016 unless otherwise specified.

Reason: To ensure that the development is carried out in accordance with the submitted details in accordance with the National Planning Policy Framework 2012, policies ADPP1, ADPP5, CS13, CS14, and CS19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, Supplementary Planning Document: Quality Design 2006, and HSA DPD Policy HSA27.

4. Materials

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

Reason: To ensure that the external materials are visually attractive and respond to local character AONB and Conservation Area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

5. Hours of work (construction)

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: To safeguard the living conditions of adjacent occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

6. Affordable Housing

No development shall take place until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it.

The scheme shall include:

- i) the provision of four dwelling houses, identified as plots 1, 2, 3 and 4 on the approved plans, which consists of 40% of the proposed dwellings;
- ii) the type and size;

- iii) the tenure shall be split 70% social rented (and 30% intermediate (which may include affordable rented) or other split as agreed by the RSL and local planning authority;
- iv) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- v) the arrangements for the transfer of the affordable housing to a Registered Provider regulated by the Homes and Communities Agency (HCA) or any body that replaces it;
- vi) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing, including arrangements where appropriate for the subsidy to be recycled for alternative affordable housing provision;
- vii) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing (in accordance with the common housing register) and the means by which such an occupancy criteria shall be enforced;
- viii) the affordable homes to be built to the standards by the HCA at the time of development.

The affordable housing provided shall remain affordable on site thereafter.

Reason: To ensure that the site delivers affordable housing to meet local need. In accordance with West Berkshire Local Plan 2006-2026 Policy CS6 and advice contained within the NPPF and NPPG.

7. Full Contaminated Land Condition

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

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. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,

- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

If required:

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy CS14 of the West Berkshire Core Strategy (2006-2026) and advice set out within the NPPF.

8. SuDS

Notwithstanding the details submitted with this application, no development shall commence 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 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;
- d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- e) 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;
- f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- h) 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;
- i) 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;
- j) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)

The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings are first occupied or 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 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.

9. 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

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).

10. Variation HIGH1 - Layout and Design Standards (YHA1)

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 and construction of the extended footway along Layland's Green. 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, pedestrian safety, 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).

11. Access Condition

As a first development operation, the vehicular, pedestrian/cycle access and associated engineering operations shall be constructed in accordance with the approved drawing(s).

Reason: To ensure that the access(es) into the site are constructed before the approved buildings in the interest of highway 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).

12. HIGH9 - Visibility splays before development (YHA21)

No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above 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).

13. 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).

14. HIGH23 – variation (car ports)

Irrespective of the provisions of The Town and Country Planning (General Permitted Development) Order 2015, the car ports on the site shall not be used for any purpose other than as vehicle parking, no doors are to be added to enclose the car ports unless permission has been granted by the Local Planning Authority as a result of an application being submitted for that purpose.

Reason: To ensure that the car ports are kept available for vehicle parking in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

15. HIGH20 - Cycle storage (YHA41)

No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. 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).

16. Storage of refuse

No development shall take place until details of the provision for the storage of refuse and recycling materials for the dwellings has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall be retained for this purpose thereafter.

Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

17. Landscaping (including hard surface/means of enclosure)

No development shall take place (including site clearance and any other preparatory works) until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing, means of enclosure and materials to be used, a schedules of plants (noting species, plant sizes 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:

- a) completion of the approved landscaping within the first planting season following the completion of the development;
- b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species;

- c) The completion of all hard surfacing and means of enclosures, for each dwelling before first occupation.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy July 2006-2026.

18. Landscape Management Plan

No development or other operations shall commence on site until a landscape management plan (for the lifetime of the development) including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall include any areas of existing landscaping including woodlands, boundary buffer zones within rear gardens, and also include any areas of proposed landscaping except areas of new landscaping in private domestic gardens.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

19. Tree Protection (scheme submitted)

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan C121281-01-03_Rev D (shown in the AIA document) . Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

20. Tree Protection Construction Precautions

No development or other operations shall commence on site until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted to and agreed in writing by the local planning authority.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

21. Arboricultural Method Statement

No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

22. Arboricultural Watching Brief

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in

accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

23. Arboricultural Programme of Works

No development or other operations shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

24. External lighting

No external lighting shall be erected until full details of a sensitive lighting strategy have been submitted to and agreed in writing by the local planning authority. The strategy shall;

a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites or resting places or important routes used to access key areas of their territory, for example for foraging; and

b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy. No other external lighting shall be installed without prior consent from the local planning authority.

Reason: To ensure the protection of protected species, which are subject to statutory protection under European Legislation and to protect the dark night skies within the AONB. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

25. Ecology

The development hereby approved shall be carried out in accordance with the following documents:

Phase I Preliminary Ecological Assessment RT-MME-121281 02 February 2016

Middlemarch Environmental Addendum dated 25th April 2017 (received by e-mail dated 26th April 2017).

Reptile Survey RT-MME-122054-01 April 2016

GCN Survey RT-MME-121281-03 May 2016

Herpetofauna Mitigation RT-MME-122498-01 July 2016

Landscape Mitigation and Enhancement ACLA/BFR 04 Rev A (indicative)

Further details of the proposed Landscape Mitigation and Enhancement shall be submitted and agreed in writing by the local planning authority, as part of conditions attached to this permission.

The mitigation measures will be carried out in full and retained/maintained thereafter, with implementation and timing agreed as part of the required EPS licence process.

Reason: To ensure the protection of protected species, which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS17 of the West Berkshire Core Strategy 2006-2026.

26. Removal of permitted development rights (extensions etc).

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 Policies CS14, CS17, CS19 of the West Berkshire Core Strategy 2006-2026 and HSA DPD Policy HSA27.

27. Removal of permitted development rights.

Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no walls or fences shall be erected beyond the front wall or along side boundaries adjacent to the highway/footway, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

Reason: In the interests of amenity and character of the area, within the AONB and at the edge of a settlement. In accordance with Policies CS14, CS17, CS19 of the West Berkshire Core Strategy 2006-2026 and HSA DPD Policy HSA27.

Informatives:

1. The NPPF

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. Community Infrastructure Levy

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 with the Reserved Matters 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

3. 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.

4. 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.

5. 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.

6. HI 8 Excavation in close proximity to the highway

In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.

7. 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.

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.

8. Ecology

The developer must ensure that all necessary licences required in respect works affecting protected species are secured before development commences, or within the timescale set out within the licence.

DC

APPENDIX – FULL COMMENTS OF KINTBURY PARISH COUNCIL - See Over Page.

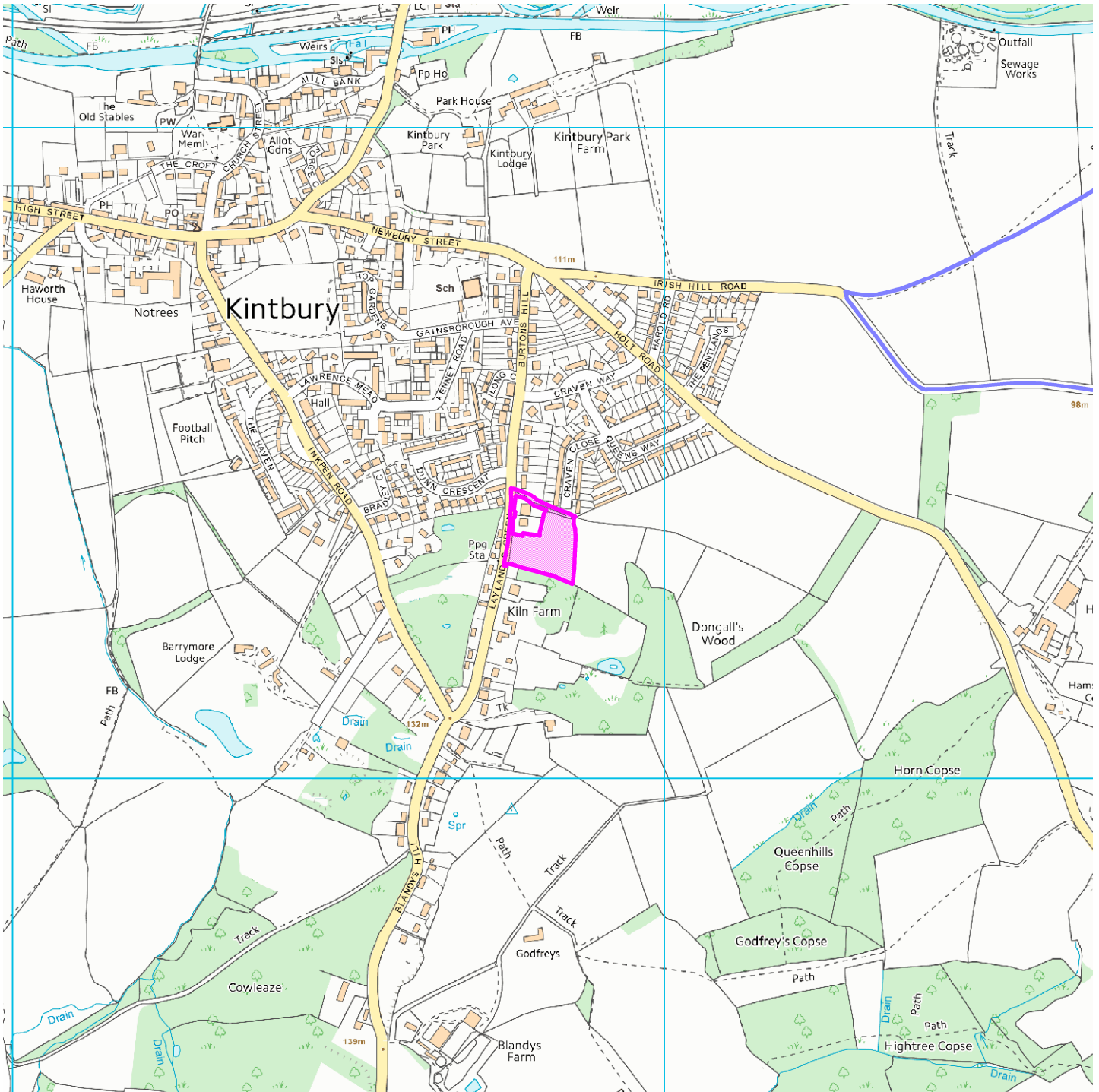
Kintbury Parish Council's Observations

Planning App 16/02191/OUTMAJ

- Area Delivery Plan Policy 5 of the Core Strategy clearly states "that conservation and enhancement of the natural beauty of landscape within the AONB will be a paramount consideration". The Parish Council considers that as the Village is located in the heart of the AONB, it means that any development opportunities, particularly outside of the current Village Envelope, are bound to be harmful to the natural beauty of the landscape and must, therefore, be avoided if the Core Strategy is to be complied with.
- The Core Strategy in referring to the Service Villages and other areas makes it clear that the overall number that these areas are required to contribute to the total number of units in the Plan is extremely limited and the fact that Kintbury has already contributed a significant number of units to the Plan suggests that there should be no further development in the Village. The Council strongly holds the view that a number of developments, over and above the previous LDF, have been given consent and have been built in Kintbury, comprising at least 143 units. These additional 143 units should be taken into account when consideration is being given to approval of development in Kintbury and there should, therefore, be no further development permitted.
- The Council also holds this view because these proposals will contribute further to the difficulties already experienced by Kintbury residents in relation to the current street network. This network consists of narrow lanes and streets, some used as main through routes, without adequate provision for pedestrians and with no practical solution to this problem, as it is impossible to provide pavements because of the proximity of houses to the streets. Furthermore, the narrow and difficult to negotiate junctions on the Village streets cannot, reasonably, take any further traffic movements that would be generated by further development and improvements to these junctions cannot, practically, be achieved for the same reasons set out above. Decisions on proposed developments must take into account the currently increasing amount of traffic generated from existing developed areas including those outside the Village and including increasing HGV traffic bound to and from Inkpen and Hungerford. To allow this development will only exacerbate the problem.
- The area for this development falls below an area used as clay workings for brick and tile manufacture in the 18th, 19th and 20th Centuries. It is a low lying area in relation to the surrounding land and prone to being waterlogged and, according to Ordnance Survey maps, includes a pond. Any development of this land is likely to disperse the current ground water to other areas and properties.
- The nature of the ground encourages its habitat for Great Crested Newts and neighbours to the sites confirm that they inhabit the area, which is extremely close to other areas that are Great Crested Newt habitats.
- A number of adjacent properties have been subject to repeated problems with subsidence because of the ground conditions and development will, therefore, be very difficult and expensive making it extremely likely that the suggestion, that the site will support the provision of affordable housing, will not materialise.
- The development of this area for C11 properties or more will increase the burden on the existing road and street network in Kintbury and although it is suggested that footway connections can be made they lead eventually to streets where there are no footways and no prospect of creating them.
- The proposed buffer zones are inadequate as they include areas that are developed/are to be used as gardens.

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Land East of Laylands Green and South of Craven Close, Kintbury



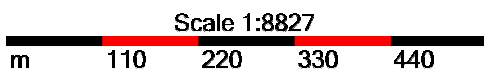
Map Centre Coordinates :

Scale : 1:8826

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Organisation	West Berkshire Council
Department	
Comments	
Date	04 May 2017
SLA Number	0100024151



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Agenda Item 4.(4)

Item No.	Application and Parish	No.	8/13 week date	Proposal, Location and Applicant
(4)	16/02452/FULD and 16/02453/LBC2			Conversion of existing stables to C3 residential and erection of new build C3 residential (creation of 7 units in total), with associated access, parking and hard and soft landscaping. Manor Farm, Fidlers Lane, East Ilsley RG20 7LG. Maxted Farm Partnership

To view the plans and drawings relating to these applications click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/02452/FULD>

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/02453/LBC2>

Recommendation Summary:

16/02452 To **DELEGATE** to the Head of Development and Planning to **APPROVE** planning permission subject to the conditions set out in section 8.1 of this report.

16/02453 To **DELEGATE** to the Head of Development and Planning to **GRANT** listed building consent subject to the conditions set out in section 8.2 of this report.

Ward Member(s):

Cllr Clive Hooker

Reason for Committee Determination:

10 letters of objection received

Committee Site Visit:

11th May 2017.

Contact Officer Details

Name:

Mrs Sue Etheridge

Job Title:

Senior Planning Officer

Tel No:

(01635) 519111

E-mail Address:

Susannah.etheridge@westberks.gov.uk

1. Site History

15/01145/FUL Conversion of existing stables to B1 office and erection of new build B1 office accommodation with associated access, parking and hard and soft landscaping. Approved 5th November 2015.

15/03173/LBC2 Conversion of existing stables to B1 office and erection of new build B1 office accommodation with associated access, parking and hard and soft landscaping. Approved 29th March 2016.

16/00450/FUL S73 Variation of Condition 18 - Sustainability and 23 - Hours of work of planning permission 15/01145/FUL. Split decision (condition 23 variation refused, condition 18 variation approved) 19th April 2016.

2. Publicity of Application

Site Notice Expired: 28th October 2016.

Neighbour Notification Expired: 17th October 2016.

3. Consultations and Representations

East Ilsley Parish Council:	No objection. Comment regarding external lighting and location of bin store.
Highways:	No objection. Detailed comments regarding layout, road design, bin and cycle store. Amended plans secured during consideration. No objection subject to conditions to secure Construction Method Statement, Layout and Design Standards, Footway/Cycleway provision, Parking and Turning, Cycle Storage plus informatives.
Waste Management:	No objection. Detailed comments regarding bin store location and safe carry distances for refuse collection. Amended plans secured revising bin store location. Full details of design to be secured by condition.
Conservation:	No objection. Detailed comments. Approximately the southern half of the site lies within the East Ilsley Conservation Area. The existing stables are listed Grade II. The application for Listed Building Consent is required specifically for the alteration and extensions to this building. There are other nearby listed buildings outside and to the south (The Granary, Grade II) , south east (The Manor, Grade II) and east (The Pigeon House, Grade II) of the site. These buildings together clearly have historical and architectural value as a group, forming part of a former farm complex. Works to listed building justified and accepted particularly bearing in mind extant consent for office conversion. New building use architectural references from existing buildings. These are acceptable to setting of nearby listed buildings and conservation area. Conditions to secure window and door details, tile reuse/matching reclaimed, works to match.
Archaeology:	No objection.

	<p>Comment, no objection to building conversion. The constructive conservation will make a positive contribution to the upkeep and longevity of the building. Works for new buildings may affect archaeology. The development site is within an area of historic settlement as defined by historic landscape characterisation, and is close to the Grade II Listed Manor House, which contains elements dating to the mid 16th century. As such, it is possible that the immediate area has been the site of settlement activity dating back to this period, and possibly earlier. A settlement at East Ilsley is mentioned in the Domesday book and archaeological investigations to the immediate west have identified activity (albeit limited) dating to the 12th or 14th century – including evidence of industrial activity. An evaluation to the north uncovered further Medieval deposits and cartographic sources indicate that the area proposed for the new build has been relatively undisturbed: therefore there is some potential for surviving archaeological deposits relating to the Medieval and later periods, which can inform as to the development of East Ilsley.</p> <p>A condition to secure a programme of archaeological supervision (watching brief) during the excavation of the foundations and any related groundworks for the new residential units, is requested.</p>
Environmental Health:	<p>No objection. Detailed comments. Noise from the A34 and farming activities (grain dryers) may affect residential amenity, previous uses (farming) may have caused land contamination, construction activities may affect neighbouring residents. During consideration noise impact survey submitted and mitigation acceptable. Conditions are requested to secure implementation of noise impact assessment mitigation measures, land contamination survey and mitigation measures and restriction on hours of demolition/construction.</p>
Planning Policy:	<p>No objection. Accept viability argument regarding affordable housing provision. No further comments.</p>
Ecology:	<p>No objection. Conditions as previous with new Bat Survey June 2018 if development not commenced.</p>
No other consultation responses received	<p>No further consultation responses received from Transport Policy, Drainage Engineer, AONB Management.</p>
Representations:	<p>10 letters of objection received. Comments summarised as follows:</p> <ul style="list-style-type: none"> Highway safety (access from Abingdon Road via Sheepdown); Conflict with existing business users; Pedestrian safety; Parking and turning within site; Disturbance to existing residential amenity (parking location and surfacing, bin store location, boundary treatments, potential overlooking); Implications of proximity to working farm for future

	<p>occupiers (safety and noise/light from mechanical activity); External lighting; Surface water run-off and potential flooding.</p>
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4. Policy Considerations

- 4.1 The statutory development plan comprises the West Berkshire Core Strategy 2006- 2026 (WBCS) and the saved policies in the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP).
- 4.2 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework (March 2012) (NPPF)
 - National Planning Practice Guidance (NPPG)
- 4.3 The following policies from the West Berkshire Core Strategy are relevant to this application:
- Area Delivery Plan Policy 1: Spatial Strategy
 - Area Delivery Plan Policy 5: North Wessex Downs AONB
 - CS 1: Delivering new homes and retaining the housing stock
 - CS 4: Housing Type and Mix
 - CS 5: Infrastructure requirements and delivery
 - CS 6: Provision of Affordable Housing
 - CS 13: Transport
 - CS 14: Design Principles
 - CS 16: Flooding
 - CS 17: Biodiversity and Geodiversity
 - CS 18: Green Infrastructure
 - CS 19: Historic Environment and Landscape Character
- 4.4 The proposed Housing Site Allocations Development Plan Document (HSA DPD) will form part of the Local Plan and contains proposed housing and parking standards policies which would replace those of the Local Plan Saved Policies. Significant weight must be given to these policies for which the anticipated adoption date will be late Spring 2017. The following policies are relevant to this application:
- GS1: General site policy
 - C1: Location of new housing in the countryside
 - C2: Rural Housing Exception Policy
 - C3: Design of housing in the countryside
 - C4: Conversion of Existing Redundant Buildings in the Countryside to Residential Use
 - P1: Residential parking for new development
- 4.5 Paragraph 215 of the NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. Some saved policies from the WBDLP have not been replaced by policies contained within the WBCS and are therefore relevant to this application:
- HSG1: The Identification of Settlements for Planning Purposes.
 - TRANS1: Meeting the Transport Needs of New development.
 - ENV16: Farm Diversification.
 - ENV19: The Re-Use and Adaptation of Rural Buildings.
 - OVS5: Environmental Nuisance and Pollution Control.
 - OVS6: Noise Pollution.

- 4.6 In addition, the following locally adopted and other policy documents are relevant to this application:
- Supplementary Planning Document Quality Design (June 2006)
 - Part 1 Achieving Quality Design
 - Part 2 Residential Development
 - Part 3 Residential Character Framework
 - Part 4 Sustainable Design Techniques
 - Planning Obligations SPD (December 2014)
 - Community Infrastructure Levy Charging Schedule, Adopted March 2014 – Effective from 1st April 2015.
 - The North Wessex Downs AONB Management Plan 2014-19
 - The Wildlife and Countryside Act 1981 (as amended).
 - The Conservation of Habitats and Species Regulations 2010.

5. Description of Development

- 5.1 This report covers two applications. The planning application seeks full planning permission for the conversion of existing stables to C3 residential use and erection of two new build C3 residential (creation of 7 units in total), with associated access, parking and hard and soft landscaping. The listed building application description of the proposal is the same, although strictly speaking the LBC application is considering the conversion of the grade II listed building only.
- 5.2 The application site is located on the west side of East Ilsley and forms part of Manor Farm working farm. On uneven ground the land is not actively used for agricultural purposes. The stables are grade II listed. Part of the stables fall within the defined settlement boundary of East Ilsley and the southern part of the site lies within the East Ilsley Conservation Area. The entire site, as with East Ilsley, lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).
- 5.3 The proposal seeks to convert the existing Grade II listed stable building to create a two bedroom flat on the ground floor and one bedroom flat above. The attached estate offices to the south will not be altered. An existing single storey lean-to on the north elevation will be reconstructed. The first floor flat will be accessed via a new external staircase, which will also serve the first floor entrance to apartment B5. New openings are proposed in the west elevation to provide windows, roof lights and doors to both new units. Existing openings including shutters would be retained in the east elevation with replaced windows and doors. There will be no additional openings created in the east elevation. Internally beams will be retained, modern partitions removed and room divisions created using stud partitioning. Externally the building will be re-roofed and brickwork repaired.
- 5.4 Two new buildings are proposed. These would be constructed to appear as traditional threshing type barns incorporating plain clay tiles, horizontal cladding and brick plinths. Block A (parallel to the listed stable building) would comprise three two bedroom apartments; two on the ground floor and one apartment above; this would be, accessed via an external staircase on the west elevation. Block B would be located at the southern end of the site, and linked to the stables by the proposed external staircase. There would be a two bedroom flat on each floor. The buildings will be set around a courtyard providing shared amenity space. A total of 14 car parking spaces are proposed along with bin storage areas and a covered cycle store.
- 5.5 The site is to be accessed from Abingdon Road, to the east, via Sheepdown. The existing adopted road serves five detached dwellings on the southern side at Sheepdown and an office building (known as The Barn), on the northern side. The road to the farm continues round past the rear gardens of numbers 3, 4 and 5 Sheepdown into part of the existing farmyard and the main part of the application site. This road is to be brought up to

adoptable standards, extending past the office building to the shared surface entrance of the main site. An overflow parking area is proposed on the northwest side of the new road to provide two spaces for the proposed development and four for the existing office building at The Barn. A turning area for vehicles is to be provided at the junction of the shared surface area into the site, extended road and existing concrete farmyard apron.

6. Consideration of the Proposal

The main issues for consideration in the determination of this application are:

- 6.1. The principle of the development
- 6.2. The impact on the character and appearance of the area and AONB
- 6.3. Impact on Heritage Assets
- 6.4. Access and Highway Safety
- 6.5. Impact on Amenity
- 6.6. Impact on Ecology
- 6.7. Drainage and Flooding
- 6.8. Affordable Housing
- 6.9. Community infrastructure Levy
- 6.10. The assessment of sustainable development

6.1 Principle of Development

- 6.1.1 The NPPF takes the development plan as the starting point for all decision making, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy (adopted 2012) and the Saved Policies of the West Berkshire District Local Plan 1991-2006. The Core Strategy is being consolidated by the provision of a Housing Site Allocations DPD which is at an advance stage and will allocate non-strategic development under the framework of the Core Strategy.
- 6.1.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The key policies that relate to the delivery of housing within West Berkshire, and are relevant to this application, are Core Strategy Policies ADPP1, ADPP5 and CS1, Saved Local Plan Policy HSG.1, and emerging Housing Site Allocations Policy C1.
- 6.1.3 The site is located to the west of the identified settlement of East Ilsley. With the exception of the existing Grade II listed stable building, the site is located outside of the settlement boundary as defined by Policy HSG1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. Part of the southern area of the site also sits within the Conservation Area of the village and the whole of the site is within the North Wessex Downs AONB. As such, all but the existing stable building of the application site falls within the open countryside as identified within Policy ADPP1 of the Core Strategy where 'only appropriate limited development in the countryside will be allowed, focused on the addressing identified needs and maintaining a strong rural economy'.
- 6.1.4 Policy ADPP5 of the Core Strategy identifies that there will be further opportunities for infill development and for development on previously developed land within the AONB. New housing allocations will be focused on rural service centres and service villages within the AONB.

- 6.1.5 Policy CS1 of the Core Strategy states that new homes will be located in accordance with the settlement hierarchy outlined in Policies ADPP1 and ADPP5. The Policy goes on to state that new homes will be primarily developed on:
- Suitable previously developed land within settlement boundaries.
 - Other suitable land within settlement boundaries.
 - Strategic sites and broad locations identified on the Core Strategy Key Diagram.
 - Land allocated for residential development in subsequent Development Plan Documents.

Exceptions are limited to rural exception housing schemes, conversion of redundant buildings, housing to accommodate rural workers and extension to or replacement of existing residential units. East Ilsley is not identified as a service village, but smaller village with a settlement boundary, where only limited infill development subject to the character and form of the settlement will be considered.

- 6.1.6 This application comprises two main elements. Conversion and alteration of an existing listed building to create two flats and erection of two new buildings to create five new dwellings in the countryside.
- 6.1.7 The conversion of the existing listed building, which lies within the identified settlement, to create two flats is therefore considered acceptable in principle, subject to other material considerations discussed below.
- 6.1.8 The erection of the two new buildings will provide five new dwellings, these will be outside of the identified settlement within open countryside. The site has not been put forward as an exception site in open countryside and is clearly outside of the defined settlement boundary of East Ilsley. However, the site does have an extant consent for two very similar sized buildings to create office accommodation and it is also surrounded by existing residential development on all sides. Therefore based on the character and form of the existing settlement under policy CS1 of the Core Strategy; or the site being within a closely knit cluster of 10 or more dwellings in the countryside (emerging Policy C1) the principle would on balance, taken on the merits of the site, be acceptable. Furthermore the proposed scheme for one and two bedroom flats will add to the existing housing type and mix within this rural area. The application is supported by the Parish Council.

6.2 The Impact on the Character and Appearance of the Area and AONB

- 6.2.1 Policy CS 14 of the Core Strategy states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. It further states that development shall contribute positively to local distinctiveness and sense of place.
- 6.2.2 Policy CS 19 seeks to conserve and enhance the functional components of the landscape character and environment. Particular regard will be given to the sensitivity of the area to change, and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. It also requires the conservation, and where appropriate, enhancement of heritage assets and their settings. ADPP 5 seeks to preserve local distinctiveness, sense of place and setting of the Area of Outstanding Natural Beauty.
- 6.2.3 The site lies within the original farmyard of Manor Farm between an existing estate office and the farm house. The site comprises one redundant farm building, hard standing and an area of unused grassland. To the west is an existing office known as The Smithy and beyond this is the modern farmyard mainly accessed off Fidlers Lane comprising tall modern agricultural barn structures including a grain store and driers. To the north of the application site is the residential development known as Sheepdown beyond which is an

existing two storey office building, these buildings (including the houses at Sheepdown) all lying outside of the defined settlement boundary. To the south of the application site is West End House. The application site does not contain any trees of significance. The ground slopes upwards in a westerly direction within the application site and continues to slope upwards into the field beyond towards the A34.

- 6.2.4 The proposed conversion and refurbishment of the existing Grade II listed stables will enable the improved appearance from outside of the application site when viewed from the east.
- 6.2.5 The proposed new buildings on the site are of vary similar appearance to those approved as part of the extant scheme for offices. The barn like appearance of the buildings seek to use architectural references from the existing buildings on the site, particularly The Smithy and the existing office building to the north, and also seek to replicate something of the design, scale and a farmyard/courtyard feel to the overall development.
- 6.2.6 The scale and form of the new buildings are considered to reflect the neighbouring traditional agricultural/ barn style buildings and would sit comfortably within the site, promoting and reinforcing local distinctiveness. Surrounded by existing built form there would be limited impact on the visual character of the wider AONB.
- 6.2.7 Consideration must be given to external materials and external lighting. Suitably worded conditions could be attached.
- 6.2.8 The proposal in terms of siting, form and scale is very similar to the extant consent. It is considered that the proposed development would be appropriate to the rural character of the area, within the AONB and viewed against a village setting. The proposal subject to conditions to ensure design details/ materials will therefore meet the objectives of policies CS14 and CS19 of the Core Strategy and advice set out within the NPPF.

6.3 The Impact on Heritage Assets.

- 6.3.1 The existing stables to be converted are Grade II listed. There are other nearby listed buildings outside and to the south of the application site (The Granary, Grade II), to the south east of the site (The Manor, Grade II) and to the east of the site (The Pigeon House, Grade II). These buildings together clearly have historical and architectural value as a group, forming part of a farm complex. The site is also of archaeological interest being within an area of historic settlement with the potential of surviving archaeological deposits relating to the Medieval or later periods. In addition the southern part of the site lies within East Ilsley Conservation Area.
- 6.3.2 The application includes a Heritage Statement. Conversion works to the stable relate to the removal of modern internal partitioning, a new external staircase at the southern end of the west elevation and new openings in this elevation for doors and windows including roof lights. The proposed works have been justified and the principle of conversion and providing the building with a use which will see its long term survival is accepted. The Conservation Officer has praised the retention of east elevation features but expressed concern regarding the number of openings for doors and windows, including roof lights in the west elevation. It is considered that unadulterated roofs are characteristic of and retain the agricultural/rural feel of farm buildings such as these. However, taking into account the changes permitted for conversion to offices (LBC extant) the Conservation Officer accepts the current proposal.
- 6.3.4 The proposals are not considered to have any direct impact on the other listed buildings outside the application site, nor is their setting considered to be affected. The retention of the existing character and appearance of the east elevation of the stables (as mentioned above) close to The Manor is particularly welcomed in this respect.

- 6.3.5 The setting of the Conservation Area in this locality has already been compromised by the newer developments to the west and north of the site. The proposed development is not considered to adversely affect the character, appearance and setting of the Conservation Area, or views in to and out of it.
- 6.3.6 The Council Archaeologist has provided detailed comments. The development site is within an area of historic settlement as defined by historic landscape characterisation, and is close to the Grade II Listed Manor House, which contains elements dating to the mid 16th century. The immediate area has been the site of settlement activity dating back to this period, and possibly earlier. A settlement at East Ilsley is mentioned in the Domesday book, archaeological investigations to the immediate west have identified activity (albeit limited) dating to the 12th or 14th century – including evidence of industrial activity. An evaluation to the north uncovered further Medieval deposits and cartographic sources indicate that the area proposed for the new build has been relatively undisturbed: therefore there is some potential for surviving archaeological deposits relating to the Medieval and later periods, which can inform as to the development of East Ilsley. A programme of archaeological supervision (watching brief) during the excavation of the foundations and any related groundworks for the new residential units is requested. A suitably worded condition could be attached.
- 6.3.7 The impact of this development on heritage assets is considered to be acceptable, subject to appropriately worded conditions, and in accordance with Policy CS19 of the Core Strategy and the NPPF.

6.4 Highway Impact

- 6.4.1 Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to highways and transport considerations. CS13 has a checklist of the types of mitigation likely to be required from development that has a transport impact. TRANS.1 relates to how the transport needs of new development should be met through a variety of measures including public transport, pedestrian and cycling provision. P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.
- 6.4.2 The access to the site will be taken from Abingdon Road, via Sheepdown. The existing road will be extended and improved to meet adoptable standards, this will include a footway on the southern side of the road and extension to the existing footway serving Sheepdown. During consideration of the application the layout has been amended and additional technical information, including swept path analysis, submitted to ensure that parking and turning is acceptable. The road and turning head is now designed to adoptable standards and includes a service margin along the southern edge of the access road. Refuse and delivery vehicles will be able to turn within the turning head. The access into the new flats will have a shared surface but no turning for delivery vehicles. The site layout has been amended to address concerns regarding cycle and bin store provision/location, safe carry distances, surface treatment and proximity to neighbouring dwellings. A total of 14 car parking spaces and 12 cycle spaces are proposed. The bin store will be located to the west side of block A with access for operatives from the adopted road. The cycle store is proposed to the north of the stable building next to the boundary with 2 Sheepdown.
- 6.4.3 There have been extensive and detailed discussions during the consideration of this application to address concerns expressed by the Highway Officer, Waste Officer and local residents. The proposed layout is now considered acceptable in terms of car parking, turning and bin store location. There is a shortfall of one cycle space. Full details of design and position of the cycle and bin store, along with provision and retention can be secured by condition. This will ensure that current design standards are met.

- 6.4.4 In terms of traffic generation, the proposed residential development will generate less traffic than the extant office permission. It is noted that most letters of representation have expressed concern regarding the safety of the access from Abingdon Road and suggest that an access off Fidler's Lane through the main farm yard could be used. This access is currently used for large agricultural vehicles and the applicant wishes to keep these vehicle movements separate from those associated with the proposed dwellings for safety reasons. The Highway Officer has not raised any objection to the development being served off Sheepdown in terms of network safety or capacity.
- 6.4.5 The proposal also includes a service margin along the southern edge of the improved roadway. A pavement extension to link to the existing pavement at the entrance to Sheepdown is required. This would enable residents to walk/cycle safely into the village. The provision of a footway would be secured by a Section 278 agreement. This would be secured as part of the conditions suggested by the Highway Officer.
- 6.4.6 The proposed development is considered acceptable in terms of highway safety and meets current guidelines. It will comply with the criteria contained within Policy CS13 of the Core Strategy, Policy P1 of the HSA DPD, and the NPPF.

6.5 The Impact on Residential Amenity

- 6.5.1 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. The West Berkshire Quality Design SPD and the West Berkshire House Extensions SPG provide guidance on the impacts of development on neighbouring living conditions.
- 6.5.2 There are existing residential dwellings to the north, east and south of the new development. The dwellings to the north at Sheepdown, are two storey detached houses, set at a lower level than the application site. The dwelling to the east/southeast is The Manor and to the south West End House both of which are in the applicants' control. The site is located within a working farm with modern farm buildings including grain store and driers to the west. The proposed layout is similar and the proposed footprint and scale is the same as the extant office permission. The extant permission included a condition restricting hours of use to between 7.00am and 7.00pm Monday to Friday, 8.00am and 6.00pm Saturday and not at all on Sundays or Bank Holidays.
- 6.5.3 Concern has been expressed regarding the nature of the use for residential being different from office use and potential impact on amenity, overbearing impact of the structure, noise from parking area, odour from bin store, boundary treatments, potential overlooking, disturbance during construction and impact on the amenity of future occupiers. During consideration of this current application amended plans have been secured and further details submitted to minimise impact on residential amenity.
- 6.5.4 Use - In terms of impact from the use, whilst there may be some impact from residents arriving and departing at any hour, this is likely to be minimal. The Environmental Health Officer has raised no objection.
- Bin Store and hard surfacing - The position of the bin store has been relocated away from the rear of No.2 Sheepdown, the proposed parking area on the eastern boundary of the site, next to No.2 will be block paved rather than gravel, limiting potential noise from loose gravel.
- Overlooking - There will be no direct overlooking into windows of the existing dwellings. However, as previously, the first floor windows in the north elevation of block A will have louvres fitted to stop any direct overlooking of the rear garden of No.3 Sheepdown. It is also considered that similar louvres serving the first floor south elevation window in block B should be secured. Previously these first floor windows were to be fixed shut. This is not

considered reasonable and could impact on the required means of escape for residential use. The Environmental Health Officer has raised no objection in respect of noise disturbance from windows to existing residential premises.

Scale – The proposed buildings are the same scale as the extant office buildings consent. It is not considered that the development would have an overbearing impact on the neighbouring residential dwellings. As previously a condition in respect of levels in relation to neighbouring buildings could be attached.

Boundary Treatments and Landscaping – It is noted that there is concern expressed regarding future boundary treatments with a request for a 2 metre high wall adjacent to 2 Sheepdown, to protect privacy from vehicles being parked and associated movements. Given the ground conditions, level change and space required for parking and manoeuvring the construction of a wall may not be possible. This proposed parking is in the same location as the office scheme. Full details of boundary treatments to ensure privacy of existing residents is protected can be secured by an appropriately worded condition.

6.5.5 The proposal is for seven flats. These will be constructed around a central courtyard which will provide parking and turning and a shared area of hard surfacing and landscaping. This area will provide a shared amenity space. Full details of the layout of this area, boundary treatments to the site and landscaping can be secured by condition. This may include plant beds and seating areas. Whilst the development of flats in a little unusual within a village setting, this shared space for the proposed one and two bedroom flats is considered acceptable and will meet the standards set out in the quality design SPD.

6.5.6 The new dwellings will be located close to existing grain driers on the working farm and within 150 metres of the A34 trunk road. The application site is located on a working farm. There are existing residential dwellings in close proximity to the application site. The Environmental Health Officer has requested conditions in respect of protection from externally generated noise, contamination from former use and impact during construction on existing residents.

Externally generated noise - The application includes a noise survey which concludes that standard thermal double glazing is sufficient for entire site. However certain windows would require alternative ventilation (e.g. trickle vent) to opening a window this will affect:

Living rooms within apartments A1 to A3 on the northern and southern facades and B4 and B5 on the southern and western facades; and

Bedrooms within apartments A1 to A3 on the southern facades and apartments B4 and B5 on the southern and western facades.

This can be secured by condition. It would also be necessary to meet Building Regulations.

Contamination – a full contaminated land survey with mitigation measures is requested.

Construction and demolition activities – these may affect residential amenity, conditions to limit hours of construction and dust minimisation (through the Construction Management Plan) are suggested.

6.5.7 Therefore subject to conditions, the proposal is acceptable in terms of impact on amenity and in accordance with policies CS14 and saved policies OVS5 and OVS6 and advice set out within the NPPF.

6.6 Impact on Biodiversity and Geodiversity

6.6.1 Core Strategy Policy CS17 states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. In order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.

- 6.6.2 The application includes an updated Ecology Report dated November 2016, which follows surveys carried out 2014 and 2015. The report concludes that the use of the Stable Building by bats has not significantly changed since the 2014 and 2015 surveys. Therefore conditions previously sought through planning permission 15/01145/16/00450, including the provision of a bat roost within the roof of the office building attached to the stables are required. Should development of the stable building not commence by June 2018 a further survey will be required.
- 6.6.3 The application is therefore considered to comply with European and national protected species legislation. The proposal is in accordance with Policy CS17 of the Core Strategy and advice set out in the NPPF.

6.7 Flood Risk and Drainage

- 6.7.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS16 strictly applies a sequential approach across the district. The application site is located in the Environment Agency's Flood Zone 1, which has the lowest probability of fluvial flood risk. Residential development is therefore generally considered appropriate in flood risk terms.
- 6.7.2 Policy CS16 of the Core Strategy states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) unless demonstrated to be inappropriate.
- 6.7.3 The application includes proposed drainage for the site with surface water to a storm water attenuation cellular system and foul water to the existing mains sewer. No details of drainage calculation, flow rate or implementation/maintenance have been received. A full SuDS scheme can be secured by condition. The Drainage Engineer has not provided any comments.
- 6.7.4 It is considered that the proposed development will be capable of managing and discharging surface water run off through controlled attenuation without increasing surface water flooding and affecting the existing network, subject to the submission of further details by condition. The proposed development will therefore comply with the criteria contained within Policy CS16 of the Core Strategy and advice contained within the NPPF.

6.8 Affordable housing

- 6.8.1 Policy CS6 of the Core Strategy states that in order to address the need for affordable housing a proportion of affordable housing will be sought from housing development. This proposal is for 7 new dwellings within the AONB. A 20% contribution has been requested which equates to one unit (rounded down). The applicant has been requested to provide either one unit on site, or in accordance with advice contained within the NPPG a commuted sum to contribute to off site provision. The applicant has confirmed that it is the intention to develop the site for seven dwellings for rent. A viability assessment has been submitted and it is concluded that the requested affordable housing contribution would make the scheme unviable. The Policy Officer accepts this conclusion. Therefore based on the merits of this case an affordable housing contribution is not sought. The applicant has suggested that a condition to ensure that the dwellings remain available for rent for a prolonged period (e.g. 10 years) could be attached and should the properties be sold this would trigger a viability review to establish whether the capital raised would facilitate an off-site affordable contribution to be made. A suitably worded condition could be attached if members feel it is appropriate based on the merits of this application. It is suggested as condition 5.

6.8.2 This application, based on the submission of the viability assessment and taking Policy CS6 as the starting point, meets the criteria set out within the Development Plan Policy and NPPF/NPPG.

6.9 Community Infrastructure Levy

6.9.1 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations new dwellings are liable to pay the Community Infrastructure Levy. In this instance the site is within the Area of Outstanding Natural Beauty charging area under which the chargeable rate is £125 per m² of gross internal area. A separate Community Infrastructure Levy liability notice detailing the chargeable amount is to be sent with planning the decision notices.

6.10 Sustainable Development

6.10.1 The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.

6.10.2 Future residents would make a contribution to the local economy, and the development would provide employment in construction for a short period. The environmental considerations have been assessed in terms of the impact on the character and appearance of the area and the AONB, relationship with the settlement boundary, impact on neighbouring amenity, highway safety and ecology for the reasons given above are considered acceptable. The development would bring social benefits in terms of providing housing required to meet the needs of present and future generations. As these have been found acceptable the development is considered to constitute sustainable development.

7. Conclusion

7.1 Having taken account of all the relevant policy considerations and the other material considerations referred to above, this proposal is acceptable and a conditional approval is justifiable for the following reasons.

7.2. The proposal will not unduly harm the character and appearance of the surrounding area and the AONB, neighbouring amenity, highway safety, heritage assets and ecology. It will provide new small housing within which will add to the type and mix within the village of East Ilsley. There are no other material considerations that indicate planning permission should otherwise be refused. It is recommended that the application be approved.

8. RECOMMENDATION

Application 16/02452

The Head of Development and Planning be authorised to APPROVE Planning Permission subject to the following conditions:-

8.1 Schedule of Conditions

1. Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Plans Approved

The development hereby approved shall be carried out in accordance with:

Site Location Plan 419 Rev B (site location plan only)
Proposed Site Plan 419 Rev G (received by e-mail dated 21st February 2017)
Proposed Site Layout and Ground Floor Plan 417 Rev G (received by e-mail dated 21st February 2017)
Proposed First Floor Plan 418 Rev B
Proposed Elevations (north and south) 415 Rev E (received by e-mail dated 9th November 2016)
Proposed Elevations (east and west) 416 Rev F (received by e-mail dated 9th November 2016)
Proposed Stables Elevations 104
Proposed Stables Floor Plans 120

Associated Documents and Background Documents

Stables Existing Floor Plans 100
Stables Existing Elevations 101
Stables Existing Floor Plan with Impact 103
Proposed Drainage Layout 420
Planning Statement September 2016 (Turley)
Design & Access Statement and Heritage Statement September 2016.
Transport Statement (Bellamy Roberts (GDB/4898/TS.2) August 2016 and further tracking details etc received during consideration
Supplementary Bat Surveys (arbeco) 15th January 2015 and 8th November 2016 (by e-mail 18th November 2016)
Noise Impact Statement (REC) 14th December 2016 (received by e-mail dated 19th December 2016)

All received with the application validated on 16th September 2016 unless otherwise specified.

Reason: To ensure that the development is carried out in accordance with the submitted details in accordance with the National Planning Policy Framework 2012, policies ADPP1, ADPP5, CS 13, CS 14, and CS 19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, Supplementary Planning Document: Quality Design 2006, and HSA DPD Policy HSA27.

3. Materials

No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the buildings (including new external staircases) and hard surfaced areas hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character AONB and Conservation Area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

4. Hours of work (construction)

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: To safeguard the living conditions of adjacent occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

5. Housing for rent

The development hereby approved shall be retained in a single ownership (presently Maxted Farms) and the dwellings shall be retained as private sector rented dwellings for a period of 10 years following the occupation of the first two dwellings. The local planning authority shall be advised in writing of the effective date within two months of that date. Should any of the dwellings be sold prior to this time it will be necessary to carry out a viability review to establish whether an off-site affordable housing contribution is required. This will be submitted to and agreed in writing by the local planning authority. Any contribution will be secured through a legal agreement or any other mechanism used by the local planning authority to secure financial contributions at the time of the application.

Reason: This application has been carefully assessed based on the details provided by the applicant and merits of the proposal. The provision of private sector rented dwellings will provide dwellings available for rent to the mobile intermediate market, increasing the tenure of dwellings within the locality and wider district, which will help to meet local housing need. In accordance with West Berkshire Local Plan 2006-2026 Policy CS6 and advice contained within the NPPF and NPPG.

6. Full Contaminated Land Condition

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

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. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

If required:

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with

Policy CS14 of the West Berkshire Core Strategy (2006-2026), and advice set out within the NPPF.

7. SuDS

Notwithstanding the details submitted with this application, no development shall commence 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 attenuation measures to retain rainfall run-off within the site and allow controlled discharge from the site at no greater than Greenfield run-off rates;
- d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- e) 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;
- f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- h) 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 (if applicable);
- i) 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;
- j) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)

The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings are first occupied or 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 and managed in accordance with the approved details and retained 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.

8. 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

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).

9. Additional HIGH1 - Layout and Design Standards (YHA1)

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.

Reason: In the interest of road safety and 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).

10. HIGH3 - Footway/cycleway provision (details) (YHA11)

No development shall take place until details of a 2 metre wide footway to be constructed on the south side of Sheepdown, between no.5 and the proposed turning head, have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the footway has been provided in accordance with the approved scheme and any statutory undertaker's equipment or street furniture located in the position of the footway has been re-sited to provide an unobstructed footway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. 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).

11. 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).

12. HIGH20 - Cycle storage (YHA41)

No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. 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).

13. Storage of refuse

No development shall take place until details of the provision for the storage of refuse and recycling materials for the dwellings has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall be retained for this purpose thereafter.

Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

14. Archaeology

No development/site works/development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. In accordance with Policy CS19 of the West Berkshire Core Strategy and advice contained within the NPPF.

15. Landscaping (including hard surface/means of enclosure)

No development shall take place (including site clearance and any other preparatory works) until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing and means of enclosure (and materials to be used), a schedule of plants (noting species, plant sizes 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:

- a) completion of the approved landscaping within the first planting season following the completion of the development;
- b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species;
- c) The completion of all hard surfacing and means of enclosures, before first occupation.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy July 2006-2026.

16. Landscape Management Plan

No development or other operations shall commence on site until a landscape management plan (for the lifetime of the development) including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

17. External Lighting

No development shall take place until details of the external lighting to be used in the areas around and attached to the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved scheme before any building hereby permitted is occupied. No other external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition without the prior approval in writing of the Local Planning Authority by way of a formal planning application made for that purpose. The approved external lighting shall thereafter be retained. No external lighting will illuminate the bat roost access points provided as part of the bat mitigation scheme.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development and to protect the amenities of adjoining land uses, protected species and the character of the area with dark night skies. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

18. Bat Roost

No development shall commence until detailed drawings showing the location of the new bat access points to the dedicated bat loft space over the farm office and the location of the lifted roof tiles as described in the Manor Farm supplementary survey for bat mitigation dated 15th January 2015 by ARBECO Ltd and drawings showing the proposed locations of the 2 Schwegler woodcrete 1FF and 2 Schwegler woodcrete 1FE bat boxes as described in the Preliminary Ecological Assessment and Bat Survey report dated 19th June 2014 by ARBECO Ltd, have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details before the buildings hereby permitted are occupied and the roosts created hereafter retained.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

19. Bat Mitigation Measures

The Bat Mitigation recommendations made in Sections 8.1 - 8.6 of the Preliminary Ecological Assessment and Bat Survey report dated 19th June 2014 for this site by ARBECO Ltd will be implemented in full.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

20. Bat Survey Repeat June 2018

Should the development hereby permitted not be commenced by June 2018, then the bat survey will be repeated and a report will be supplied to the Local Planning Authority for approval. Such report will include updated detailed bat mitigation measures. Such approved updated mitigation measures will be implemented in full and shall be retained thereafter.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

21. EPS Licence

No development shall commence on site until a copy of the Natural England EPS Licence required has been provided to the Local Planning Authority unless it can be shown to the Local Planning Authority's satisfaction that such a licence is not required.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

22. Ecological Conformity Report

Before first occupation of any building hereby permitted, a report from an qualified ecologist will be submitted to the Local Planning Authority which confirms that the approved mitigation and enhancement measures have been implemented in full and that a contract has been let with such an ecologist to undertake a bat monitoring survey 3 years after first occupation of these buildings hereby permitted. Such survey report will be submitted to the Local Planning Authority within one month of the completion of the survey.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

23. Swallow Nesting sites

No development shall commence until a plan showing replacement swallow nesting sites (including nesting cups) within a nearby building have been submitted to the Local Planning Authority for approval. No building shall be occupied until the approved plan has been implemented in full. The boxes shall be retained thereafter.

Reason: To accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

24. Finished Floor Levels

No development shall take place until details of the finished floor levels of the buildings hereby permitted in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).

25. Acoustic Mitigation Measures

No dwelling shall be occupied until the acoustic mitigation measures (glazing and trickle ventilation) set out in the REC Noise Impact Assessment (Maxted Farm, East Ilsley) AC102877-1R0 dated 14th December 2016, have been implemented in full. The approved scheme shall be retained and maintained in full working order for the lifetime of the development, unless an alternative scheme is agreed in writing by the local planning authority.

Reason: In order to protect the amenities of proposed residents/occupiers of the development from externally generated noise. In accordance with Policy OVS6 of the West

Berkshire District Local Plan (saved Policies 2007), Policy CS14 of the West Berkshire Core Strategy 2006-2026 and advice set out within the NPPF.

26. Window Treatment

The first floor flats in unit A and unit B shall not be occupied until full details of proposed louvres are submitted and approved in writing by the local planning authority and the scheme is implemented in full. The details shall ensure that the windows at first floor level in the:

North elevation unit A are fitted with louvres directing views from inside the building westwards

South elevation unit B are fitted with louvres directing views from inside the building eastwards

The windows and louvres at first floor level on the north elevation of unit A and south elevation of unit B shall be retained thereafter.

Reason: In the interests of the privacy and amenity of neighbouring properties and to prevent the overlooking of residential units in the interests of neighbouring amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (2006).

Informatives

1. The NPPF

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. Community Infrastructure Levy

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

3. 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.

4. 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.

5. 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.

6. Ecology

All bats are protected by The Wildlife and Countryside Act 1981 (WCA) (as amended) & The Conservation of Habitats and Species Regulations 2010. Should you find bats during development, all work must stop until advice has been sought from Natural England. Their local contact number is 0300 060 3886.

7. Tie between PP and LBC

This Planning Permission should be read in conjunction with associated Listed Building Consent 16/02453.

Application 16/02453/LBC

The Head of Development and Planning be authorised to GRANT Listed Building Consent subject to the following conditions:-

8.2 Schedule of Conditions

1. Time to implement

The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Approved Plans

The development hereby approved shall be carried out in accordance with:

Site Location Plan 419 Rev B (site location plan only)

Proposed Site Plan 419 Rev G (received by e-mail dated 21st February 2017)

Proposed Site Layout and Ground Floor Plan 417 Rev G (received by e-mail dated 21st February 2017)

Proposed First Floor Plan 418 Rev B

Proposed Elevations (north and south) 415 Rev E (received by e-mail dated 9th November 2016)

Proposed Elevations (east and west) 416 Rev F (received by e-mail dated 9th November 2016)

Proposed Stables Elevations 104

Proposed Stables Floor Plans 120

Associated Documents and Background Documents

Stables Existing Floor Plans 100

Stables Existing Elevations 101

Stables Existing Floor Plan with Impact 103

Planning Statement September 2016 (Turley)

Design & Access Statement and Heritage Statement September 2016.

All received with the application validated on 16th September 2016 unless otherwise specified.

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.

3. External Doors and Windows

No development of the stable conversion, shall take place until details of all external doors and new windows and rooflights, including materials and finishes, at a minimum scale of

1:20 and 1:2, have been submitted to and approved in writing by the Local Planning Authority. The rooflights should be conservation style and flush fitting. The windows, rooflights and external doors shall be installed in accordance with the approved details. This condition relates to the stable conversion only.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

4. Roof Tiles

Existing roof tiles from the main roof, which need to be removed as part of the proposal, shall be reused in the proposed works. Where insufficient numbers of salvageable roof tiles are available, matching reclaimed roof tiles shall be used.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

5. Timbers

Unless such work is clearly and specifically referred to on drawings or other documents hereby approved, no timber framing members/structural roof timbers shall be cut, replaced or removed in whole or in part until a written description of the steps to be taken has been submitted to and approved in writing by the Local Planning Authority. This includes the chasing of timbers to facilitate service runs. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

6. Workmanlike Manner

The development hereby permitted shall be carried out in a proper workmanlike manner appropriate to the age and character of the building and using traditional materials and techniques except where the use of modern materials and techniques has specifically been approved by the Local Planning Authority.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

7. Works to Match

All works of making good and repair to the retained fabric, whether internal or external, shall be finished to match adjacent work with regard to the methods used and to materials, colours, textures and profiles.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

Informatives

1. Ecology

All bats are protected by The Wildlife and Countryside Act 1981 (WCA) (as amended) & The Conservation of Habitats and Species Regulations 2010. Should you find bats during development, all work must stop until advice has been sought from Natural England. Their local contact number is 0300 060 3886.

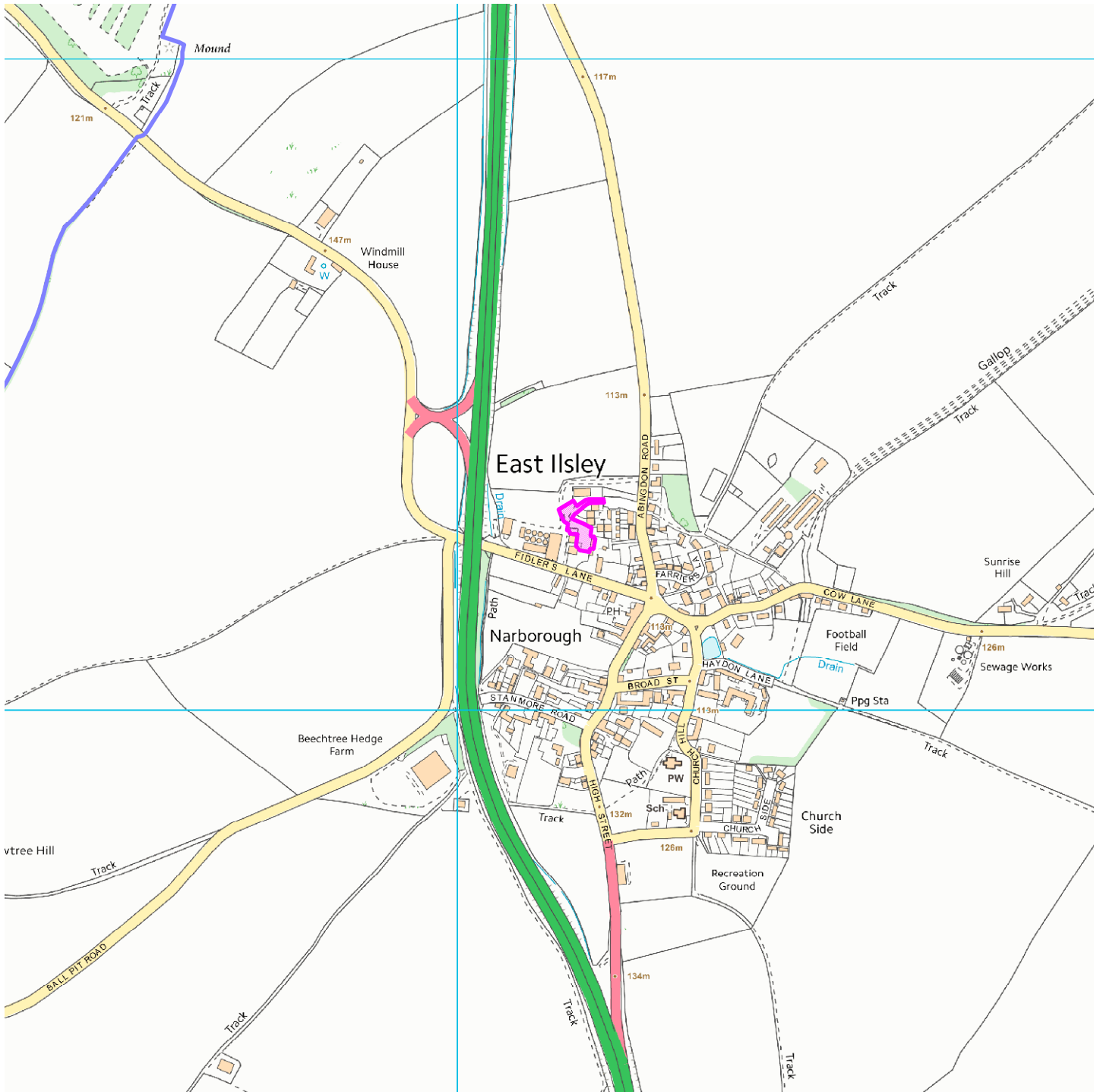
2. Tie between PP and LBC

This Listed Building Consent should be read in conjunction with associated Planning Permission 16/02452.

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Manor Farm, Fidlers Lane, East Ilsley

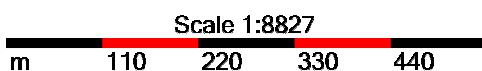


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Organisation	West Berkshire Council
Department	
Comments	
Date	04 May 2017
SLA Number	0100024151

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Agenda Item 4.(5)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(5)	17/00360/HOUSE	20 th April 2017 Extension of time granted to 18 th May 2017	Loft Conversion, including rear skylights and change of use of bedroom to office. 3 Love Lane, Donnington, Newbury, Berkshire Alex Simeunovic

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/00360/HOUSE>

Recommendation Summary: **The Head of Development and Planning be authorise to APPROVE planning permission**

Ward Member(s): Councillor Paul Bryant
Councillor Marcus Franks

Reason for Committee Determination: Ward Member call in:

The provision of rooms in the roof will make the property 2 and half storeys that may be out of keeping with the area and may be an over-development of the site.

Committee Site Visit: 11th May 2017

'To show the size of recent extensions and effect of rooms in the roof would have'.

Contact Officer Details	
Name:	Matthew Shepherd
Job Title:	Planning Officer
Tel No:	(01635) 519111
E-mail Address:	Matthew.Shepherd@westberks.gov.uk

1. Site History

- 1.1. 14/03240/HOUSE. Proposed erection of a two storey side and rear extension to existing residential dwelling. Demolition of existing garage and outbuilding. Approved 06.02.2015
- 1.2. 15.03209/PASSHE. Single storey rear extension 5m from rear wall, 3 m height and eaves height. Application not required 11.01.2016.
- 1.3. 16/00640/HOUSE. Retrospective in part - To extend the front elevation to be in line with existing front gable. Extend the side double storey extension with a single storey extension, 3 metres from the rear wall, 3 metre height and eaves height. Change of use of internal garage into domestic living space. Approved 06.06.2016
- 1.4. 16.01576/COND1. Application for approval of details reserved by Condition (4) - Vehicle Parking of planning permission 16/00640/HOUSE. Approved 05.08.2016
- 1.5. 16/01874/HOUSE. Construction of a single storey brick porch to the front elevation with a pitch tiled roof. Approved 05.10.2016.
- 1.6. 16/03472/FUL. Change of use from C3 to Sui Generis HMO with neither external nor internal alterations to the existing. Refused 02.02.2017/

2. Publicity of Application

- 2.1. Neighbour Notice Expired: 23/03/2017
- 2.2. Site Notice Expired: 27/03/2017

3. Consultations and Representations

Shaw cum Donnington Parish Council: Shaw-cum-Donnington Parish Council objects to this planning application. This is because the proposed changes would leave the property suitable for multiple occupancy with seven rooms named as bedrooms and more rooms that could easily be used as bedrooms. Use of the house as a property for multiple occupancy has already been refused by West Berkshire Council.

We are concerned that the planning applications regarding this house have been misleading. There have been seven since December 2014. The first five were made without mentioning multiple occupancy and were approved. West Berkshire Council wrote that the use of the house would be a family home and that the applicant had confirmed that via email to the case officer in September 2016. The sixth application in December 2016 was for permission to change use from C3 single occupancy to C4 multiple occupancy. At that time, the Parish Council submitted a detailed letter, explaining why we objected to the application for change of use. Our objections remain. In this seventh application, the decision by West Berkshire Council to refuse permission to change to multiple occupancy has clearly been ignored by the applicant.

We have very serious concerns in relation to traffic and parking, as follows.

Danger to pedestrians and disruption to traffic: The house is on a narrow road with double yellow lines directly opposite the pedestrian entrance to a primary school. Next to the primary school is the drive to the car park and the pedestrian entrance to the village hall, which is used as a pre-school for young children. Further along the road in one direction is a school for pupils with special needs. Further along in the other direction is a secondary school. Before the secondary school, there is a pedestrian entrance to Vodafone headquarters. There are bus routes and bus stops on the road. Chicanes close to the right and left of the property effectively slow the traffic, making it safer for pedestrians, but causing long queues of traffic at busy times, when many drivers drop off or pick up children and workers. Any extra cars driving in and out of the property at busy times will increase the danger for pedestrians, especially children arriving at and leaving the school and village hall, and increase the disruption to traffic and frustration for drivers.

Parking: There are seven bedrooms in the house, but useable space for only three cars to park on the property. There is nowhere else to park cars legally close to the property. If more than three residents have cars, they are likely to park them in the nearest narrow side streets, causing a nuisance to the residents of those streets. Residents already have an ongoing problem with Vodafone employees who ignore an agreed travel plan and park their cars in these streets.

This response is recommended by the Shaw cum Donnington Planning Advisory Group (PAG). It is not binding until ratified by the full Parish Council meeting on 19th April 2017.

Environmental Health

First response - no comment 02/03/2017

Second response - establishing if the property was considered by Environmental Health as a House of Multiple Occupation (HMO)

“As far as I am aware the property is not finished so is not currently tenanted and as such is not currently an HMO. As soon as it is occupied then it will be an HMO if that is what the owner decides to do, he is still debating between having his family live with him and renting the rooms out.

It is currently classed as an HMO on our system as a reminder to check on it as it may be used as one but I will wait until he has finished it and has people living there to determine whether it is an

HMO and if it requires a licence.”

Highways

Highways initial consultation raised issue in regards to inadequate parking for a HMO use. Highways were informed that no HMO status was afforded to the house. Evidence presented by Environmental Health and the applicant all indicated a domestic family dwelling (C3) was the current use of the dwelling. Highways responded with the below comments;

Would a change of use to a HMO require consultation with highways? There is clearly insufficient parking if this could take place without further consultation with us.

On the basis that this proposal is to be assessed as a single dwelling only, three car parking spaces (minimum) must be provided. I have attempted to scale the parking plan both on screen and from a printed plan but the scales shown do not appear to correspond with the dimensions.

Subject to a satisfactory scaled drawing detailing a minimum of 3 driveway spaces plus on-site vehicle turning, the highway recommendation would be for conditional approval as set out below.

The case officer suggested a restricting condition to a dwelling house so that consultation with Highways would be triggered as a result of a change of use application for C4 or Sui Generis HMO status. Highways were also informed that conditions previously stated were discharged under application 16/01576/COND1. Highways responded still requiring a bonded surface be laid, however this was a requirement of the previous condition which was discharged. Therefore placing the condition again would not meet the PPG six tests.

Highways responded that given this, and as the proposal is for internal alterations, I would suggest that the parking situation is unchanged from this previous approval and, on the basis that the parking was approved as part of the conditions discharge application, it is not required for this new application. The level of car parking required is as per the previous approval in regards to a domestic family dwelling.

Correspondence: 2 Objections were received.

One objection was raised to the application as a loft conversion was refused last year for this property in application 16/00640/HOUSE. The objector also stated that there was no extra parking for the additional bedroom. Commenting that there seems to be a large number of small apartments developing rather than a family home.

A second objector commented that the proposed porch and works to the entrance have reduced the parking area from 3 to 2 spaces. As

such an increase in bedrooms cannot be condoned in the objector's opinion.

In addition the objector suggested the building in the rear garden has to be taken into account as accommodation.

4. Policy Considerations

4.1. In this instance, the following policies of the Development Plan are considered relevant to the proposal.

4.2. West Berkshire Core Strategy (2006-2026)

Area Delivery Plan Policy 1 Spatial Strategy
Area Delivery Plan Policy 2 Newbury
CS 13 Transport
CS 14 Design Principles
CS 19 Historic Environment and Landscape Character

4.3. The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However, the following policies remain in place and should be given due weight according to their degree of consistency with the National Planning Policy Framework.

HSG.1 The identification of settlements for planning purposes
TRANS 1 Meeting the Transport Needs of New Development
OVS.5 Environmental Nuisance and Pollution Control
OVS.6 Noise Pollution

4.4. The West Berkshire Proposed Housing Site Allocations (DPD) is proposed to be adopted at the Full Council meeting on Tuesday 9th May 2017 as such weight should be given to its policies.

P1 Residential Parking for New Development

4.5. Supplementary Planning Guidance

Quality Design (June 2006)
House Extensions (July 2004)
Community Infrastructure Levy (CIL) Charging Schedule

5. Description of Development

5.1. The proposed development at 3 Love Lane Donnington, Newbury is for a loft conversion, including rear skylights and change of use of bedroom to office.

5.2. The development proposes 5 roof lights in upvc but does not specify colour. The sections show these roof lights not protruding beyond the plane of the roof (drawing

ref sections 3LL-007). This is also submitted in the description of the development in the application form.

- 5.3. The case officer would like to draw particular attention to the fact that this proposal could be considered permitted development under the General Permitted Development Order 2015 (As amended) due to the position and size. However, due to a restricting condition on new openings above first floor placed on application 16/00640/HOUSE, an application has to be made.

6. Consideration of the Proposal

- 6.1. Principle of Development
- 6.2. Design and Character of the Area
- 6.3. Impact on Neighbouring Amenity
- 6.4. Impact on Highways
- 6.5. Other Matters

6.1. Principle of Development

- 6.1.1. The National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy and the Saved Policies of the West Berkshire District Local Plan.
- 6.1.2. The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system and strongly emphasises the need to support sustainable economic growth. The first core planning principle set out in the NPPF is that planning should be genuinely plan led, providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.
- 6.1.3. The Core Strategy was adopted after the introduction of the NPPF and provides an up to date framework for development planning in West Berkshire which is being consolidated by the preparation of the Housing Site Allocations DPD.
- 6.1.4. The proposed development at 3 Love Lane, Donnington, Newbury, is within the settlement boundary of Newbury, as defined within policy HSG1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

6.2. Design and Character of the Area

- 6.2.1. The NPPF is clear that good design is indivisible from good planning; it attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, it is indivisible from good planning, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings.

- 6.2.2. Policy CS14 Design principles states how proposals should demonstrate a high quality design that respects and enhances the area and makes a positive contribution to the quality of life in West Berkshire. It should respond positively to the wider context it is placed in, not just the immediate area. CS19 Historic Environment and Landscape Character seeks proposals to respond appropriately in terms of location, scale and design reflecting a holistic approach to the local distinctiveness, sensitivity, and diversity of locations.
- 6.2.3. The Supplementary Planning Document House Extensions (July 2004) describes that the use of roof lights, where headroom allows, are a less obtrusive form of roof development.
- 6.2.4. The case officer finds that as the roof lights are to the rear of the building they therefore have little impact on the street scene of Love Lane.
- 6.2.5. The case officer draws attention to the roof lights previously approved on the single storey extension to the rear of the property. The inclusion of roof lights in the main roof would not have an adverse impact on the design of the dwelling.
- 6.2.6. Although the roof light materials are only stated to be UPVC in the application form a condition stipulating the colour of the roof light frames to match the rest of the openings is recommended.
- 6.2.7. The case officer finds little grounds to object to the proposed roof lights on the character of the area and design of the dwelling. The proposal is therefore considered in accordance with CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document House Extensions (July 2004).

6.3. Impact on Neighbouring Amenity

- 6.3.1 Policy CS14 requires development proposals to create safe environments and demonstrate a high quality of life and design that respects and enhances the character of the area. Developments should make a positive contribution to the quality of life in West Berkshire.
- 6.3.2. The case officer considered the use of roof lights at around 1.7 metres above floor height (taken from section drawings) do not cause an impact on neighbouring amenity from overlooking or perceived overlooking.
- 6.3.3. The roof lights are located above the first floor windows that look southwards over neighbouring gardens. As such a level of overlooking is afforded by existing windows on this rear facade. It is not considered the additional roof light type windows will cause an increase in overlooking.
- 6.3.4. The window to the west serves the bathroom can be conditioned to be obscured glazed. Windows to the side of the property can promote greater perception of perceived overlooking. As such a condition is recommended to ensure this.
- 6.3.5. The intensification of the use and the impact on neighbouring properties is not perceived to raise an issue. Environmental Health have considered the application and raised no objections in terms of noise generated as a domestic family dwelling

house. It should also be noted that these issues can be dealt with through Environmental Health legislation if disturbances were to arise.

- 6.3.6. The change of use of the office space is not considered development as home offices are ancillary to a domestic use of the dwelling and as such do not require permission. Due to the inability to condition the restriction of the rooms use as an office it has been treated as capable of being used as a bedroom. It should also be noted that the floor space in the loft is already in place as domestic floor space. This area could be utilised as storage or office space already ancillary to the residential use and as such the conversion of the floor space is not considered development. As such the intensification of the use of the site is not considered to be more than what is already permitted upon the site. The result of this is that no objection can be raised in terms of intensification of the use of the site.
- 6.3.7. The proposal is therefore in accordance with CS14 of the West Berkshire Core Strategy (2006-2026) and the neighbouring amenity of properties is preserved.

6.4. Impact on Highways

- 6.4.1. The proposal is for internal alterations and roof lights, this would suggest that the parking situation is unchanged from the previous approvals and, on the basis that the parking was approved as part of the conditions discharge application, further conditions are not required for this new application. The level of car parking required is as per the previous approval in regards to a domestic family dwelling
- 6.4.2. The case officer suggests a restricting condition to a dwelling house so that consultation with the LPA and Highways would be triggered as a result of a desire to change the use to a C4 small HMO. A large HMO would be considered Sui Generis, which would require a change of use application any way. This condition is placed as the property has insufficient parking provision were the enlarged habitation space be converted to a HMO. This should avail concerns raised by Neighbours and the Parish Council all of which raised concerns in regards to the parking provision and the previous history and concerns in regards to a HMO use.
- 6.4.3. The proposal as a family dwelling house is considered to be in accordance with the parking requirements of P1 Parking Standards for Residential Development of the West Berkshire Housing Site Allocations Document DPD (2015).

6.5. OTHER MATTERS

- 6.5.1. Presumption in favour of sustainable development.
- 6.5.2. The National Planning Policy Framework places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal.
- 6.5.3. Being a proposed installation of roof lights and domestic internal alterations, the scheme has limited economic considerations. The Environmental considerations have been assessed in terms of design, amenity and impact on the area. Social considerations overlap those of environmental in terms of amenity. Having

assessed the application in terms of design, impact on the area and impact on neighbouring amenity the development is considered sustainable development

6.5.4. Paragraph 203 of the NPPF is clear that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. The NPPF goes on to state at paragraph 206 that conditions should only be imposed where they are necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects. It is also clear that whether it is appropriate for the Local Planning Authority to impose a condition on a grant of planning permission will depend on the specifics of the case. Conditions have been placed in regards to the

- Commencement of works
- The approved plans
- The materials to match the original property
- Restriction of Change of use
- Restriction place on window to the west elevation to be obscured glazed

6.5.5. No new floor space is created and as such the development is not CIL liable.

7. **Conclusion**

7.4. The proposal is not considered to have an adverse impact on the design of the property or Love Lanes street scene. The intensification of the use of the site is not considered to raise concern in terms of neighbouring amenity impact. Despite the objections from neighbours and the parish council the evidence in front of the case officer supports that this is a dwelling house and as such the parking criteria of WBC policy is met and the use of the dwelling could lend itself to a large cross generational family which is increasingly common. As such, with the relevant restricting conditions, a recommendation of APPROVAL is given.

8. **Full Recommendation**

8.4. The Head of Development and Planning be authorised to GRANT planning permission subjection to conditions.

8.5. The proposal is considered in accordance with the National Planning Policy Framework (March 2012), ADDP1, ADDP 2, CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and P1 of the West Berkshire Housing Site Allocations DPD (2015). The proposal is also considered in accordance with Supplementary Planning Document House Extensions (July 2004) and Quality Design (June 2006).

9. **Recommended Conditions**

1. **Full planning permission time limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Standard approved plans

The development hereby permitted shall be carried out in accordance with the approved drawings

- Drawing title "Block Plan & Site Location Plan". Drawing number 3LL-001. Date stamped 23rd February 2017.
- Drawing title "Existing & Proposed Section through house". Drawing number 3LL-007. Date stamped 23rd February 2017.
- Drawing title "Existing & Proposed Roof Plan". Drawing number 3LL-006. Date stamped 23rd February 2017.
- Drawing title "Existing & Proposed Rear Elevation". Drawing number 33LL-0010. Date stamped 23rd February 2017.
- Drawing title "Existing & Proposed Flank Elevation". Drawing number 3LL-009. Date stamped 23rd February 2017.
- Drawing title "Existing and & Proposed Loft Plan". Drawing number 3LL-005. Date stamped 23rd February 2017
- Drawing title "Parking Plan". Drawing title ". Drawing number 3LL-002. Date stamped 23rd February 2017.
- Drawing title "Existing & Proposed First Floor". Drawing number 3LL-004. Date stamped 23rd February 2017.
- Drawing title "Existing & Proposed Ground Floor". Drawing number 3LL-003. Date stamped 23rd February 2017.

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

3. Materials to match

The materials of the proposed roof lights of the development hereby permitted shall match those on the existing development in colour, size and design as closely as possible. These materials shall remain at all times thereafter as the unaltered external finish to the development hereby permitted.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

4. Obscure glazing before use

The roof light with in the east elevation of the roof shall be fitted with obscure glass before the loft conversion hereby permitted is occupied. The obscure glazing shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March

2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

5. Use class restriction

The property shall be used solely as a dwellinghouse (Use Class C3). Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and/or the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order(s) revoking, re-enacting or modifying those Orders with or without modification), the property shall not be used for any other use purpose that would normally be permitted by those Orders, including use as a house of multiple occupation (Use Class C4).

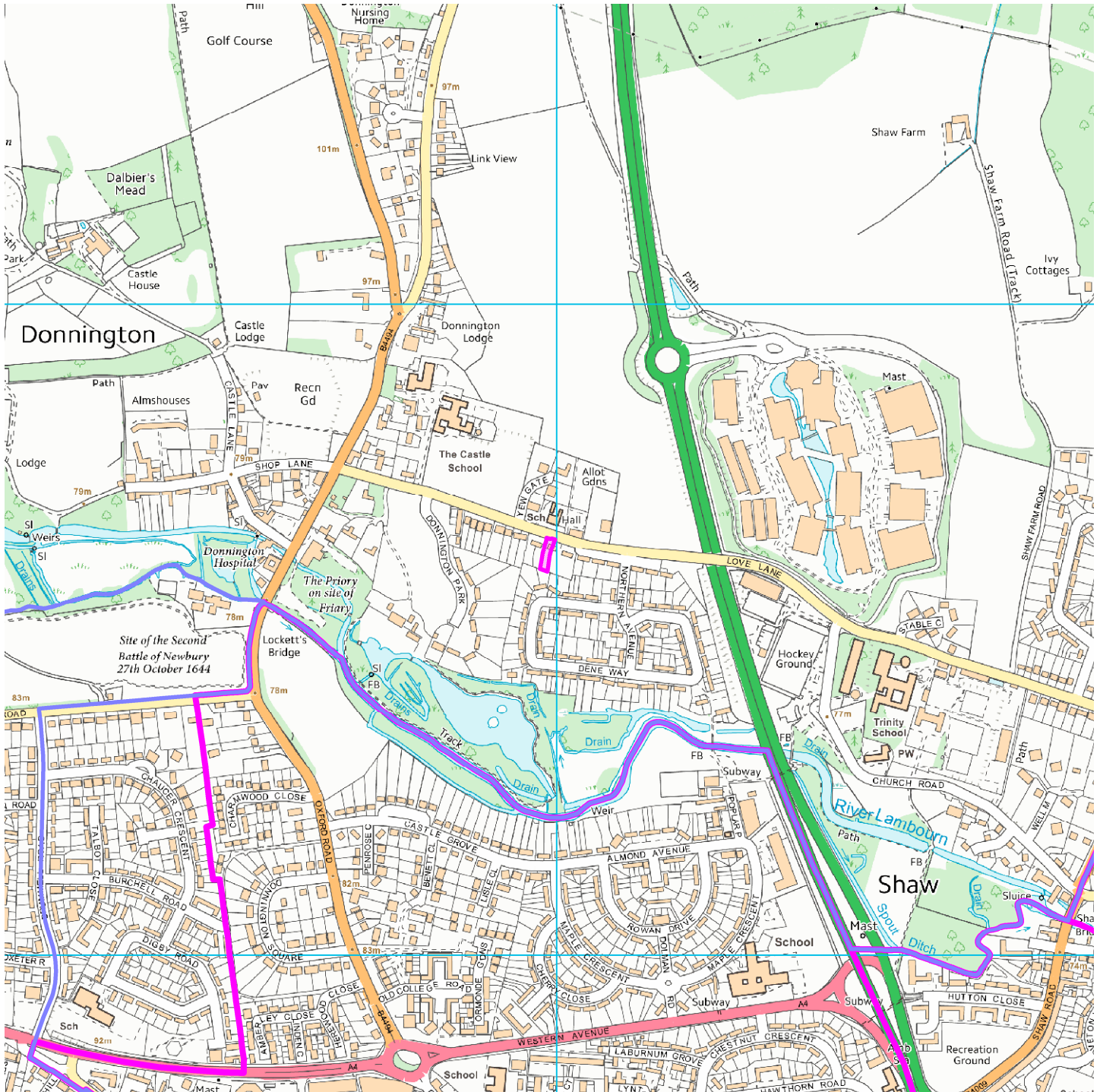
Reason: The property has insufficient parking provision were the enlarged habitation space to be converted to a HMO. An otherwise permitted change of use to C4 would therefore be unacceptable. This condition is applied in the interests of highway safety, in accordance with the National Planning Policy Framework and Policy P1 of the West Berkshire Housing Site Allocations DPD (2015).

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17/00360/HOUSE

3 Love Lane, Donnington, Newbury

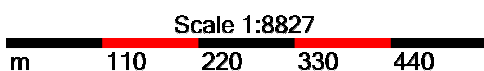


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Date	04 May 2017
SLA Number	0100024151

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Agenda Item 5.

APPEAL DECISIONS WESTERN AREA-COMMITTEE

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Rec.	Decision
COLD ASH 16/00315/FULD Pins Ref 3164943	Pataya, Bucklebury Alley Cold Ash Mr R Atkinson	Proposed new dwelling and 2 two storey side extensions to the existing dwelling.	Delegated Refusal	Dismissed 24.4.17

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COLD ASH 16/00315/FULD Pins Ref 3164943	Pataya, Bucklebury Alley Cold Ash Mr R Atkinson	Proposed new dwelling and 2 two storey side extensions to the existing dwelling.	Dele Refusal	Dismissed 24.4.17
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Main Issues

The main issues are the effect of the proposed development on:

- the character of the area, and
- the living conditions of surrounding occupiers.

Reasons

The character of the area

The appeal site straddles the settlement boundary of Cold Ash and lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). It is set between a leafy, green lane and a public footpath which enclose houses of varying scale, distinctive for their broad separation in generally substantial plots containing trees and shrubs which create a green and spacious transition to the countryside.

The introduction of this backland form of development would undermine the distinctive pattern of development in the vicinity which is characterised by houses which have a direct bearing on Bucklebury Alley or Drove Lane. Moreover, the siting of the proposed house, uncharacteristically close to Pataya and with its frontage facing towards the rear and flank walls of Pataya, would appear at odds with the spacious separation of the surrounding housing and the orientation of their frontages, which tend to address Bucklebury Alley or Drove Lane, rather than a neighbouring house.

The Inspector took into account the substantial size of the site compared to the varying plot sizes in the surrounding area. There is no evidence that the plot ratio or site coverage of the proposal or the extensions to Pataya would be cramped or out of character in terms of scale with the surrounding pattern of development. However, the siting of the proposed house would make it appear uncharacteristically cramped towards Pataya, and at odds with the distinctive surrounding pattern of development.

Given the woods on the opposite side of Drove Lane, he disagreed that the area has an urban character. The Inspector understood that the boundary line of the settlement crosses the site and that the new house would be located within it. However, this does not mitigate the resulting, awkward relationship of the siting of the proposed house, in spatial terms, to Pataya, which would be incompatible with the prevailing siting of houses in the surrounding area. He accepted that the proposal would not be visually prominent, but its relationship to Pataya would be visible from Drove Lane and from surrounding dwellings.

The Inspector noted that the site is inside the AONB. The proposal would be well contained within a developed area of the settlement, and would conserve the landscape and scenic beauty of the AONB. In respect of this issue, he saw no conflict from the proposal with paragraph 115 of the National Planning Policy Framework (the Framework). Nor could he identify any harm to existing trees or shrubs in Bucklebury Lane which might result from the proposal.

The Inspector concluded that the proposal would harm the character of the area. While he could see no conflict from the proposal with Policies ADPP1 and ADPP5 of the West Berkshire Local Plan Core Strategy (2006-2016) adopted 2012 (CS) which concern the spatial strategy and the AONB, it would be at odds with CS Policies CS14 and CS19. These expect development, amongst other things, to respect and to enhance the character of the surrounding area and to give particular regard to location in the context of the existing settlement form, pattern, and character.

It would also conflict with advice in the Framework which suggests that development should respond to local character as well as the guidance in the Planning Practice Guidance which advises that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development.

The living conditions of surrounding occupiers

The arrangement of the openings to the habitable rooms in Pataya would ensure that there would be no material loss of privacy to its occupiers from the proposed house. While the windows of two bedrooms in the proposed house would face towards Pataya, their orientation would be oblique to the main area of Pataya's garden and they would be set sufficiently distant from it not to cause a material loss of privacy.

While the proposed house would feature in the outlook from the rear of Pataya, the principal aspects of Pataya's closest habitable rooms would face away from the proposed house. The siting of Pataya maximises the area of garden with a southerly aspect and reduces the north-facing garden behind the house. While the proposed house would appear in the outlook from part of the rear area of Pataya, the area stands between a garden store and the garage of the extended Pataya. Given the distance of the proposed house from the boundary of Pataya and that its closest section would be single storey, the outlook from Pataya would not be harmed by the proposal.

There would be no upper floor windows in the end elevation of the proposed house. This would prevent direct overlooking of Goran. While there would be the potential for some indirect overlooking from the first floor bedroom windows in the front elevation of the proposed house, given its oblique angle to Goran and its distance from the boundary, there would be no risk of a harmful loss of privacy.

The Inspector appreciated that the outlook today from Goran towards the site of the proposed house is largely undeveloped, and this would change as a result of the development. However, he noted the fall of the land across the site and the degree of planting on the boundary of Goran. Given the distance of the proposed house from Goran, together with its end-on orientation towards Goran and the form of its roof which would slope away from Goran, he did not consider that the outlook from within Goran or from its garden would be harmed by the proposal.

Pataya is set so far back into its plot that its relationship to St Anton is unusual in that the front elevation of Pataya faces towards the rear elevation of St Anton. Pataya already has a first floor bedroom window in its flank wall facing towards the side boundary of the neighbouring house, St Anton, and dormer windows in the roof on its return elevation. The side extension proposed to Pataya would extend the flank wall closer to the garden of St Anton and introduce a full-height window in the flank together with an additional dormer containing a 'Juliette' balcony with glazed double doors.

While the Inspector noted the openings in St Anton facing Pataya, given the separation distance between them and the extensions at Pataya, he identified no harm to the privacy or outlook of the occupiers within the house, St Anton. Similarly, given the scale of the proposed extension and its distance from the side boundary, it would not harm the outlook from the back garden of St Anton.

Notwithstanding this, the timber boundary fence and few shrubs along the boundary between the two plots would be an ineffective screen to the direct overlooking from the flank window into the back garden of St Anton. The Inspector appreciated that the balcony with inward opening double doors would provide advantages of letting-in space and light, and it would be oblique to St Anton. However, it would invite occupiers to enjoy views from the balcony, including to the back garden of St Anton, to a far greater degree than the less expansive openings of the dormer windows beside it. Given its proximity to the side boundary, it too would result in a harmful degree of overlooking into the back garden of St Anton.

The Inspector acknowledged the appellant's suggestion for a condition for an alternative window in place of the inward opening doors in the dormer. However, there are no details of an alternative and he was not satisfied that this would not deprive those who should have been consulted on such a change, the opportunity of such consultation. In any event, it would not relieve the overlooking from the flank window, which he found would be harmful to living conditions.

The Inspector concluded on this issue that the proposed development would harm the living conditions of the occupiers of St Anton through overlooking into their back garden. While he saw less relevance in regard to this issue with saved Policy HSG1 of the West Berkshire Local Plan (1991-2006) adopted 2007 and CS Policies ADPP1 and CS19 to which the Council refers and which concern the spatial strategy, the historic environment and landscape character, the proposal would nonetheless conflict with CS Policy CS14. This Policy concerns design and layout and requires new development to make a positive contribution to the quality of life in West Berkshire. It would also conflict with one of the core planning principles of the Framework; that planning should always seek to secure a good standard of amenity for all existing occupants of land and buildings.

Other matters

The Inspector had taken the views of local residents into consideration, and he had already dealt with what he regarded as the main planning issues. He understood the concern of neighbours about the potential impact of the development from additional traffic and manoeuvring, however, there is no evidence that the roads could not cope with the additional traffic likely to result from the development. A suitably sized passing place and turning area could be secured by condition.

He noted the objections regarding surface water and the level of Drove Lane; however, without substantive evidence to the contrary, he considered that appropriate conditions could mitigate any risk of surface water flooding. Similarly, while the site benefits from several mature trees, their retention could be secured by appropriate conditions.

Conclusion

Whilst the development would provide a modest benefit of one additional house to local housing supply, this is outweighed by the unacceptable harm it would cause to the character of the area and the living conditions of the occupiers of St Anton, which is in clear conflict with the policies of the development plan.

For the reasons given above, and taking account of all matters raised, the Inspector concluded that the appeal should be dismissed.

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