

DISTRICT PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY, 15 DECEMBER 2016

Councillors Present: Pamela Bale, Dennis Benneyworth (In place of Garth Simpson), Paul Bryant, Jeanette Clifford (Substitute) (In place of Anthony Pick), Hilary Cole (Chairman), Richard Crumly, Paul Hewer (Substitute) (In place of Clive Hooker), Marigold Jaques (Substitute) (In place of Keith Chopping), Alan Macro, Tim Metcalfe (Substitute) (In place of Alan Law), Graham Pask (Vice-Chairman) and Virginia von Celsing (Substitute) (In place of Jeff Beck)

Also Present: Michael Butler (Principal Planning Officer), Stuart Clark (Principal Engineer), Paul Goddard (Team Leader - Highways Development Control), Bryan Lyttle (Planning & Transport Policy Manager), Gary Rayner (Development Control Manager), Shiraz Sheikh (Principal Solicitor) and Peta Stoddart-Crompton (Public Relations Officer), Linda Pye (Principal Policy Officer)

Apologies: Councillor Jeff Beck, Councillor Keith Chopping, Councillor Clive Hooker, Councillor Alan Law, Councillor Anthony Pick and Councillor Garth Simpson

PART I

15. Minutes

The Minutes of the meeting held on 28th September 2016 were approved as a true and correct record and signed by the Chairman.

16. Declarations of Interest

Councillors Dennis Benneyworth, Paul Bryant, Virginia von Celsing, Jeanette Clifford, Hilary Cole, Paul Hewer and Graham Pask declared an interest in Agenda Item 4(1), but reported that, as their interest was a personal or a other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

17. Schedule of Planning Applications

Councillor Hilary Cole introduced the Committee to all those present and advised that this was a quasi-judicial committee with formal set procedures and conduct. Firstly, the Planning Officer would introduce the application followed by presentations from the Highways Development Control Team, the Principal Highways Engineer and the Planning and Transport Policy Manager. Only those persons who had pre-registered would be allowed to speak and the time limit of five minutes for each category of speakers would be strictly adhered to. All speakers were requested to remain in their seats to answer any questions from Members of the Committee seeking clarification of what had already been said. It was not permissible for Members or speakers to introduce any new topics during this time. Following all presentations the Planning Committee Members would consider, question and seek clarification on the application in order to reach a decision which might or might not agree with the Planning Officers' recommendation.

The District Planning Committee considered recommendations deemed by the Development Control Manager and/or his representative to have:

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

- A possible conflict with a policy that would undermine the Local Plan or the Local Development Framework;
- A district-wide public interest; or
- The possibility for claims for significant costs against the Council.

The application being considered that evening met two of these tests/criteria. As part of the Council's constitutional arrangements there was provision for Officers (Head of Planning and Countryside and/or Development Control Manager) or Members to request that the District Planning Committee should make a decision on applications which were of district-wide importance and relevance. As the decision to refuse planning permission was contrary to the policies of the emerging Development Plan Document, those decisions had district-wide planning implications that went beyond the local area concerns of the Western Areas Planning Committee, so as a consequence it was appropriate that the application was referred to the District Planning Committee for a final determination. This was a normal and appropriate constitutional process.

The role of the Local Planning Authority was to determine any valid planning application using local and national planning policy. The Committee's role was not to suggest alterations to schemes, whether they were a good idea or needed, whether they were too costly or whether there were alternative uses.

It was noted that a large number of apologies for the meeting had been received but the Chairman reassured the meeting that those Members substituting all sat on Planning Committees and had the necessary experience to enable them to determine the application.

(1) Application No. & Parish: 16/01489/OUTMAJ Land at Coley Farm, Stoney Lane, Cold Ash

It was noted that all Members of the Committee had received a briefing document from the developer and all had been lobbied on the application.

(Councillors Dennis Benneyworth, Paul Bryant, Jeanette Clifford, Hilary Cole, Paul Hwer and Virginia von Celsing declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were all Members of the Western Area Planning Committee where this application had been heard previously. However, they confirmed that they would listen to all the evidence afresh prior to determining the application. As their interest was personal and not an other registrable or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(Councillor Paul Hwer declared a personal interest in Agenda Item 4(1) by virtue of the fact that he worked for Sovereign Housing Association but it was noted that a provider had not yet been chosen for the affordable housing element of the application. As his interest was personal and not an other registrable or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillors Alan Macro and Graham Pask declared a personal interest in Agenda Item 4(1) by virtue of the fact that he had been a Member of the Planning Policy Task Group when the inclusion of this site in the DPD had been discussed. As their interest was personal and not an other registrable or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(Councillor Jeanette Clifford declared a personal interest in Agenda Item 4(1) by virtue of the fact that she was a Member of the Newbury Town Council Planning Committee. As her interest was personal and not an other registrable or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 16/01489/OUTMAJ in respect of the erection of 75 dwellings with associated access and open space improvements.

In introducing the report, Michael Butler, Principal Planning Officer, advised that the Western Area Planning Committee had considered a report on 23rd November 2016 regarding the application as identified above. In summary this application was for the erection of 75 dwellings on a greenfield site, on land to the east of Stoney Lane in Cold Ash Parish. The land was outside any identified settlement boundary as noted in saved policy HSG1 in the Saved District Local Plan. Accordingly, in "normal" circumstances, there would be an automatic presumption against such new housing in the countryside, unless for exceptional reasons as allowed for in policy - such as agriculturally tied dwellings.

Policy HSA3 in the Housing Site Allocations DPD of November 2015, set out a housing allocation on the application site for up to 75 dwellings, including 40% affordable units (30 in number), with access to be derived from Stoney Lane which would require widening, as the application proposed. A secondary private access was to be considered via the application process and this had been done.

The Western Area Planning Committee had fully examined the planning merits and demerits of the application before them, as presented by officers and objectors. In arriving at their overall view of the proposal, they were concerned with three main issues. Firstly, highways impact, in particular the potential increase in traffic flows on the nearby road network, which was already congested at peak periods. Secondly they were concerned with the level of visual harm which would arise from this density of development on the site, leading to a detrimental impact on local landscape character, which was considered to be of high quality. Thirdly, they were concerned with the potential for flooding arising from the site, leading to off-site difficulties with drainage. For these three principal reasons the Councillors elected to resolve to refuse the application had they been in a position to do so. Should the application be rejected by the District Planning Committee, a fourth reason for refusal should be included which related to the lack of a completed s106 planning obligation to deliver the benefits noted, including affordable housing.

In applying the planning balance, officers had concluded that given the agreed allocation of housing on the site in question, the principle of development had already been accepted by the Council. Accordingly, if all technical difficulties arising from the proposal were satisfied the development was acceptable, and indeed would deliver important planning benefits in terms of affordable housing and the widening of an existing substandard highway at no cost to the Council. There was also the enhancement of local play areas to take into account and locally improved footway provision. The consequence of this was that should this application be rejected, this would fundamentally undermine the Council's adopted plan-led approach to new housing in the District. This in turn would seriously weaken the Council's defence of the many ongoing housing appeals which were presently taking place. The Housing Site Allocation Development Plan Document (HSA DPD) had been agreed at the Council meeting on 5th November 2015.

The Planning Officer outlined the points set out in the Update Sheet as follows:

- The current identified settlement boundary for Newbury on Inset Map 1 in the WBDLP 1991 to 2006 lay immediately to the south of the application site – it was coterminous with the red line boundary with the public open space.

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

- The Manor Park Development to the east of Yates Copse was an allocated site in the last local plan for housing with an associated settlement boundary alteration, proposed by Officers and accepted by the Council as the Local Planning Authority.
- The public open space enhancements proposed to the south of the application site, were not required to be within the application red line site, since they would form permitted development under Part 12 of the GPDO of 2015 as amended which corresponded to development by local authorities for their own purposes on land in their ownership. This was irrespective of who would be funding the works.
- The application site did not lie in the North Wessex Downs AONB. The closest proximity was 1km to the north along Long Lane.
- In policy HSA3, the development description noted (inter alia) “approximately 75 dwellings” not “up to” as the Committee report had incorrectly noted.
- The future ongoing maintenance of the application site in terms of drainage, should it be permitted and implemented, was not a matter which could be controlled by condition as the consent would not be a personal one to any particular company.
- The Council had set out its principal proposed modifications to the HSA DPD sites following the Inspector’s notes. This outlined essentially landscape mitigation on the northern and western boundaries with development set back. The allocation no longer indicated access from the south. It was considered by Officers that the amended plans in the application satisfactorily complied with the revisions as proposed in policy terms.
- The Cold Ash Flood Warden had raised concerns about potential frost pockets/spots being likely along stretches of Stoney Lane which would lead to potential conditions of highways danger and had asked that this matter be addressed if possible in any planning approval. This was exacerbated by poor drainage on the road at present.
- The Planning Officer confirmed that no further letters of objection/representation/support had been received on the application post the Western Area Planning meeting.

The Planning Officer concluded that there would be a degree of highways and visual impact from the development as the north-eastern corner of the site was elevated. However, the benefits of the affordable housing on the site and enhanced public open space facilities outweighed any objections to the application and would deliver 75 additional homes in the district which was important in meeting the district housing needs.

Paul Goddard, the Highways Officer, referred to paragraph 32 of the National Planning Policy Framework - March 2012 which stated that *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”*.

It was proposed that there would be one main single access onto Stoney Lane with an additional small private access serving five houses. The accesses would comply with all standards regarding widths and sightlines and Stoney Lane would be widened to 5.5m from the south to north of the private access. The 30mph speed limit would be relocated to the north of the site and a gateway feature would be provided there. The detailed design of the accesses which would include levels would be decided during the Section 278 process. Frost spots would be overcome by ensuring that the levels allowed the water to drain.

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

In order to project traffic generation a Trip Rate Information Computer System (TRICS) had been used. This was a database of traffic surveys from across the UK including residential areas which had been established by a local authority consortium in the 1990's and its use was standard to project traffic levels.

Projected travel generation levels for the morning/evening periods were as follows:

Time	Average trips per house from TRICS	Development total for 75 houses
07.00 to 08.00	0.354	29
08.00 to 09.00	0.553	42
09.00 to 10.00	0.376	28
Total	1.326	99

Time	Average trips per house from TRICS	Development total for 75 houses
16.00 to 17.00	0.454	34
17.00 to 18.00	0.535	40
18.00 to 19.00	0.411	31
Total	1.401	105

It was noted that at the Western Area Planning Committee meeting Members had been sceptical about the traffic generation figures and therefore Officers had looked at data from the Cold Ash Ward Census and had undertaken a manual traffic survey in Yates Copse and Harrington Close.

From TRICS –

- 07.00 to 10.00 hours – 1.326 car movements
- 16.00 to 19.00 hours – 1.401 car movements

From the Census –

- 2001 – 1.74 cars average per house
- 2011 – 1.59 cars average per house

It was noted that 75% of households were economically active which indicated that the TRICS figures were robust.

The Highways Officer had also completed a number of traffic counts at nearby housing developments including Yates Copse that had 95 houses, with a greater number of large houses than the proposal, and Harrington Close that had a lesser number of large houses. The trip rates for Coley Farm should therefore be between the two housing developments and that was exactly what was projected.

The Highways Officer was therefore content with the traffic projections.

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

Time	Average trips per house		
	Yates Copse	Harrington Close	Proposal
08.00 to 09.00	0.642	0.378	0.566
17.00 to 18.00	0.621	0.500	0.553

From Census journey to work data it was noted that over 90% of traffic to and from the site would head towards the south. There would then be a 70:30% split west to east on Turnpike Road although it was recognised that the 70% figure could be an overestimate from the surveys done at Yates Copse and Harrington Close, and the traffic data did not take into account congestion. It was also noted that no traffic had been distributed via Waller Drive.

The Highways Officer then plotted the traffic flows and modelling results on the B4009/Kiln Road/Church Road mini roundabouts at AM and PM peak times where it was noted that the new development would have minimal impact on this junction with only a small increase in traffic.

In respect of personal injury accident data for this junction it was stated that there had been five injuries during the last five years and that all injuries sustained had been slight. A lot of the problems at this junction involved traffic congestion from the south from the Robin Hood roundabout. There had also been no recorded injuries to persons along Stoney Lane. The Highways Officer confirmed that a number of improvements and widening on the Robin Hood roundabout were proposed in 2018 which would improve traffic flow to this junction. However, the timing of this was subject to the outcome of appeal decisions in respect of the north of Newbury.

The Highways Officer concluded that following analysis of the traffic flow, distribution and the accident data, the development would have a minimal impact in highways terms. Highway Officers had sought to provide assurance to Members in respect of the highway data to demonstrate that the impact on the highways from the development would not be severe.

The Principal Highways Engineer, Stuart Clark, stated that he was satisfied that the surface water management proposals which included sustainable drainage would ensure that the development remained safe and would not increase flood risk downstream. Run off rates and volumes had been calculated in accordance with the Environment Agency's latest guidance and that was for a run off generated by a 1 in 100 storm event plus a 40% allowance for climate change. Water would be contained in attenuation basins on the site and released gradually. He was also satisfied that the Council has sufficient powers to ensure that the drainage system would be properly maintained for the life of the development.

The Planning Policy Manager referred the Committee to page 53 of the report and in particular to paragraph 6.1.2 which set out the policy issues in respect of the proposed development. The site had been recommended as part of the HSA DPD as one of the Council's preferred sites for development in order to meet the requirement for 10,500 dwellings in the area for the period up to 2026. The Council submitted the DPD for inspection together with various supporting evidence and the Examiner held a number of public meetings. On 14th July 2016 at Shaw House, the development site was debated along with sites at Newbury College, Bath Road, Speen and Greenham Road/New Road. The questions that the Inspector asked the Council was the evidence regarding the soundness of all the elements of the proposed allocations at Newbury. He questioned generally whether the Council had considered alternative sustainable residential sites

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

and the settlement boundary of Newbury. Following the hearings the Inspector set the Council some 60 pieces of “homework” where he sought further clarification and in relation to the proposed application site the Inspector asked three specific questions:

No. 47 – provide a comment from Stuart Clark on the drainage;

No. 48 – provide a copy of Cold Ash Village Design Statement;

No. 49 – provide an updated site map for the site including landscaping.

As Members of the Committee would be aware, in the previous week the Council had debated the HSA DPD and the Inspector’s proposed modifications to that document. The site still remained in the document which had gone out again to consultation and that would finish at the end of January 2017. The Inspector had made slight changes to the map to include a landscaping buffer and he had also asked for the following to be included:

- The landscaping modification was required to soften the edge and help integrate the site into the landscape;
- Protection of vegetation along Stoney Lane except at the access points;
- Development should be set well back from Stoney Lane and a wide landscape buffer provided;
- Development would be set back from the northern boundary and a wooded belt provided.

Those changes had been considered in the update report by the Case Officer who was of the opinion that this application met those tests.

The Development Control Manager commented that what the Committee was hearing was the culmination of a lot of concentrated work by people to try and convince the Committee of the soundness of this housing site. He believed the views from the relevant professionals had been provided in a very succinct but clear way.

Councillor Graham Pask asked for confirmation that the northern edge of the site was a permitted site in the DPD and that this was the northern limit that development would be permitted to extend to. The Planning Officer confirmed that this was the case. Councillor Pask also asked the Principal Highways Engineer for clarification around the 1 in 100 year flood risk and the additional 40% due to climate change. The Principal Highways Engineer confirmed that this followed guidance produced by the Environment Agency in order to enhance the 1 in 100 year requirement and to make the site future proof.

Councillor Pamela Bale stated that she was confused about the location of the application site and whether it actually was in Newbury. The postal address was Thatcham but the site was in Cold Ash Parish. The Planning Officer clarified that if the site was developed then it would be in the settlement of Newbury. The application fell within Cold Ash Parish but it was considered to be North East Newbury. Bryan Lyttle advised that at the Core Strategy stage the Inspector had suggested that development adjacent to existing settlements should be considered. There was an existing settlement boundary adjacent to the application site and therefore the new development would form part of the housing allocation figures for Newbury. Councillor Bale referred to the north of Stoney Lane and asked if there were any plans to widen this piece of road. The Highways Officer responded that less than 10% of traffic would travel north out of the site and therefore the increase in traffic going in that direction would not be severe.

Councillor Alan Macro referred to the modelling results for the mini roundabout junction and noted that there was a difference in the numbers from the model and those from the

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

survey. The Highways Officer confirmed that the numbers were similar enough to be robust and had been accepted.

Councillor Paul Bryant queried how the Council could ensure that the drainage system could be maintained for the life of the development. The Principal Highways Engineer confirmed that the developer would produce a management plan which would provide details of who would be maintaining the various features on the site. The Council would be required to maintain a register of drainage features which would be regularly inspected. If they were not being maintained appropriately then a notice would be served on the developer whereby the Council would be permitted to undertake the works at the developer's expense. These details would form part of the Reserved Matters application.

Councillor Bryant asked for clarification on paragraph 6.2.7 which stated that most of the new internal road network would be adopted. The Highways Officer confirmed that the road network and footpaths would be adopted and an application had already been submitted. The private access would not be adopted.

Councillor Tim Metcalfe asked if the play area was in the settlement boundary and it was confirmed that this was the case. Councillor Metcalfe referred to paragraph 5 in the update sheet which included the words "approximately 75 dwellings". He queried whether an application for 80 houses would be considered as "approximately 75". The Planning Officer replied that if an application for 80 houses had been received and it satisfied all the technical and landscape requirements then that would probably have been recommended for approval. He referred to a similar situation in respect of a site at Hungerford where an application had been received for 119 houses but the policy stated "approximately 100 dwellings". A judgment on that would need to be made by Officers. However, in this case the judgement was very clear cut as the application for 75 houses coincided with the number quoted in the policy. He confirmed that it would not be possible to reinsert the words "up to 75" as it was not one of the Inspector's recommended modifications.

Councillor Jeanette Clifford noted that the applicant's highways consultants had used Junction 9 software to model the impact on the mini roundabouts of Shaw Hill and Turnpike. It was confirmed that the figures provided had been checked internally to ensure that they were correct.

In accordance with the Council's Constitution, Mr. Bernard Clark and Mr I. Goodwin, Parish Council representatives, Mrs. Veronica Koroleva, Mr. Keith Benjamin and Mr. George Price, objectors, and Ms. Rebecca Humble (WYG), Mr. Jeremy Gardiner (Donnington Homes), Mr. Ben Thomas (iTransport) and Mr. Glen Charles (C&A Consulting Engineers), applicants/agents, addressed the Committee on this application.

Mr. Bernard Clark and Mr. I. Goodwin in addressing the Committee raised the following points:

- Mr. Bernard Clark stated that the Cold Ash and Ashmore Green Village Design Statement supported the principal objections to the proposed development on this site in that it was an over development of the lovely countryside, inadequate road and transport links, liability to flooding, sustainability and above all compliance with the Village Plan;
- The Village Plan had been drawn up in consultation with West Berkshire Council and had been approved. Guidelines stated that development would only be accepted if it was sympathetic infilling within the Settlement Boundary and further housing development would be in small groups;

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

- Cold Ash was not a NIMBY (Not in My Back Yard) village – it welcomed development and understood the requirement for housing in the countryside in order that children had somewhere to live. Cold Ash Parish Council had identified at least 16 sites over the next couple of years where housing could be put which would be consistent with the design statement but not 75 dwellings crammed into a beautiful site the size of four football pitches;
- Transport was a major issue and the Parish Council had looked at the developer's transport assessment which had been paid for by the developer. It was therefore necessary that the figures within it needed to be looked at particularly carefully by Council Officers. A number of distance figures in the report were fundamentally wrong, for example, the assessment said that it was 1300m to Fir Tree Lane School but in fact it was 1500m which was therefore 200m out and 15% in the developer's favour. Altogether of the 20 contested distances 17 were in the developer's favour which made it a 131,000:1 chance of it being accidental. If the transport assessment was so flawed why had this not been picked up by Council Officers? The DPD had been based on a report where the figures that could be judged were clearly wrong;
- Mr. I. Goodwin stated that the majority of the points that he had raised through the Planning portal had been covered by Officers and he thanked them for doing so. However, his main concern was the long term maintenance of the SUDS (Sustainable Urban Drainage System) systems being protected for their whole life. Because the Council would not take on SUDS systems it remained part of the development and each household was therefore partly responsible for the upkeep and maintenance of the SUDS system. He felt that what was required was for a body to be set up which should be funded at the outset by the developer.

Councillor Paul Bryant noted that Mr. Clark had referred to 16 possible sites in Cold Ash for development and he queried whether they had planning permission. Mr. Clark confirmed that the Parish Council had set up a Planning Committee to consider all the sites. One particular site was for 18 houses for which planning permission needed to be applied for and which would be in keeping with the village. Some sites had planning permission and some did not.

Councillor Tim Metcalfe referred to an area within Coley Farm and he queried whether that site would be acceptable in the Parish Council's development plan as a brownfield site. Mr. Clark responded that if it was where the caravans were located then that would have been acceptable.

Councillor Dennis Benneyworth queried how Mr. Clark had measured the distances he had referred to in his speech and how sure was he that those measurements were correct. Mr. Clark stated that he had used a builder's wheel and assured the Committee that his measurements would be correct to the nearest centimetre.

Mrs. Veronica Koroleva, Mr. Keith Benjamin and Mr. George Price in addressing the Committee raised the following points:

Councillor Hilary Cole clarified that no new material could be introduced and that photographs which had been submitted to Council Officers had been out of time for inclusion at that evening's meeting and could not therefore be referred to.

- Mrs. Veronica Koroleva stated that she would take Councillors on a journey that she made on a daily basis as she travelled to work. She was faced with a choice as to whether she should go up Stoney Lane or down into Kiln Road/Turnpike Road;
- She was frightened to travel along Stoney Lane as it was mostly a single track rural road which was unlit with sharp turns and obscured visibility. There had been

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

numerous accidents along that road of which she had given examples. The Highways Officer had stated that none of that was a problem;

- In order to avoid Stoney Lane Mrs. Koroleva was forced to travel along Turnpike Road/Kiln Road with traffic bumper to bumper all the way up to the Pelican crossing with drivers crawling through a mile and a half of traffic for 45 minutes;
- School children walked, biked or skateboarded to school on both sides of Kiln Road and sometimes wore ear plugs. They would jump right in front of a car if they saw their friend on the other side of the road;
- On reaching the Pelican crossing cars were again bumper to bumper and could not move despite a green light due to the fact that cars were queuing right up to the Robin Hood roundabout;
- The Robin Hood roundabout was often full of cars which had to negotiate buses and trailers and if an ambulance needed to get through it was nearly impossible with cars not able to give way;
- After 45 minutes of sitting in traffic the cars jammed themselves diagonally onto the roundabout creating another pre-accident situation;
- Mrs. Koroleva urged the Councillors to imagine what impact a further 75 to 150 cars would have on the road system and she did not believe that widening Stoney Lane along less than 2% of its length would in any way alleviate the problem;
- She felt that statistics could justify any truth and particularly the developer who had produced the traffic assessment;
- If the Committee cared about the safety of their residents and their families then she urged Members to listen to the people who had to endure the traffic on a day to day basis and not to made up models;
- The proposed development went against the spirit of a number of policies and would increase traffic on to unsafe roads, destroy the countryside and recreational character of Stoney Lane without any mitigation but the Council had disregarded objections to qualifying development of more than 500 residents, Cold Ash Parish Council, 70 responses to the DPD consultation, some objections from the MP, the Cold Ash Village Design Statement and objections to a previous application in 2008;
- It was recognised that the Council needed to build new houses in Newbury but she believed that the core policies and principles were there to ensure that building was sustainable;
- Mr. Butler's report stated that the site lay outside the Settlement Boundary and under normal circumstances it would automatically be rejected. She felt that these were normal circumstances and the only reason for it not to be normal was that the Council was under pressure to build more houses and in doing so had chosen unsustainable land for the development of approximately 75 houses;
- Pressure was being put on the Committee by stating that rejection of the application would constitute departure from the DPD and the pending appeals but with seven weeks of public consultation still to go on the pending DPD it was not a final document and according to the current DPD was outside the development boundary and therefore unsustainable land should not be included. She urged the Committee to reject the application;
- Mr. Keith Benjamin noted that the Inspector had said that hedges should only be removed at the access points however, it was planned to remove the hedges all the

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

way down. The proposed development would have a detrimental impact on this piece of countryside and would urbanise it. Flooding was already an issue in Fir Tree Lane.

Ms. Rebecca Humble, Mr. Ben Thomas and Mr. Glenn Charles in addressing the Committee raised the following points:

- Ms. Rebecca Humble confirmed that the site had been submitted under the HSA DPD's call for sites and the developer had waited to submit the application until the DPD was at an advanced stage;
- The Planning Officer was clear in paragraph 6.1.2 that following the Examination substantial weight could be given to the application;
- Access to the site would be provided from Stoney Lane;
- The proposed development had been designed in consultation with Officers from Planning, Highways, Drainage, Ecology and Open Space and the developer had responded positively to consultees and members of the public in respect of the proposed application;
- The proposed development would include 40% affordable housing which would assist the Council in achieving its housing supply target;
- Upgrades and improvements would be made to the open space which would be connected by circular walkways and existing trees on the site would be preserved together with new wildlife habitats. The improvements would be of benefit to the wider community;
- The developer had worked with Highways Officers to provide a solution to provide a safe access to the site whilst retaining the character of Stoney Lane and this had been reflected in paragraph 6.2 of the Officer's report. Adjacent to the site Stoney Lane would be widened whilst retaining the leafy character of the area and reinforcement of the existing hedgerow;
- Safe access to the site would be provided for emergency vehicles;
- Junction modelling and a traffic assessment had been carried out to assess the impact on the wider road network and it had been concluded that no harm would result from the development;
- Water would be stored on site in a controlled manner which would result in a flow of water less than at present;
- It was hoped that Members of the Committee would support the application which was the first stage of bringing forward one of the Council's allocated housing sites.

Councillor Paul Bryant stated that the Parish Council had made a great play around the errors in the measurements and he asked whether the measurements had been made by the developer or the Council. It was confirmed that they were the developer's measurements but it was dependant upon where the measurement was taken from i.e. from the edge or the centre of the site and there was always a tolerance allowance. Even if the Parish Council's measurements were correct then there was only a difference of 200m which would not change the conclusion that this was a sustainable site.

Councillor Pamela Bale asked where the affordable housing would sit on the site and it was noted that it would be pepper potted throughout the development and was shown in green on the plan.

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

Councillor Alan Macro queried the accesses to the site. It was confirmed that this was part of the master planning of the site and that there would be no difference in highway terms with one or two accesses.

Councillor Garth Simpson, as Ward Member, raised the following points:

- This application brought aggressive urbanisation;
- The site was highly visible across town and Stoney Lane was the southern gateway between Cold Ash, Ashmore Green and Newbury;
- The environmental impact of the proposed development would be huge in this beautiful part of Newbury as the site was a popular leisure resort;
- The lack of policy compliance was extensive with green space being gifted away;
- The traffic along Turnpike Road, Kiln Road and Shaw Road was a nightmare and journeys could take 25 minutes. Victoria Koroleva had given further details in relation to the traffic situation in her presentation;
- Councillor Simpson lived along Stoney Lane, some 2.7 miles from the Council Offices, and he had to budget 30 minutes at peak times plus 15 minutes contingency for a journey into Newbury - this had been his experience for 39 years;
- The Transport Assessment was seriously flawed around distances to key destinations, gradients of streets both in and outside the site, lack of compliance with government guidance in relation to walking and cycling and northbound traffic along Stoney Lane;
- Coley Farm was a remote site and prospects of modal shift were nil;
- The Travel Plan was delusional;
- There were 140 houses along Stoney Lane and Ashmore Green and the Coley Farm development would increase that by 54% locking existing residents in who wished to travel by foot to town;
- The Kiln Road/Shaw Road mini roundabout had the most stressed capacity in West Berkshire. It was badly configured, hugely constrained with a dangerous Pelican crossing at the junction which was heavily used at peak times with school children going to Trinity School;
- This junction had been described as 'substandard' by Gary Lugg. It had 89% capacity and anything over 85% was bad. The proposed application increased the use by 3% on the southern mini roundabout to 92%;
- This was a simple NPPF (National Planning Policy Framework) sequence test and did not fully address the complex issue of capacity in the context of traffic forecasts;
- Highways had received a petition about the roundabout and personal injuries had not been reported in the statistics – Councillor Simpson had details if they were required. In response Highways had made limited alterations to the junction;
- This application proposed a further 75 houses with additional vehicle movements and there were issues around traffic, landscape impact, urbanisation and sustainability;
- The sustainability analysis submitted to the Inspector by the Council was flawed as it skated over landscape urbanisation, ignored traffic problems, distances to shops, bus stops and places of employment – Councillor Simpson had measured them;
- The bus service was limited and therefore car ownership was essential;

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

- The site was inherently unsound. Social housing tenants would be stranded and to walk through the site would be on a 11% incline which was way above walking guidance. The fundamental question was, was the Inspector wrong and what level of detail did the Inspector go into when considering the site;
- The Local Plan and HSA DPD overloaded the Kiln Road roundabout with housing allocations for Cold Ash, Compton and Bucklebury totalling 324 (249 net);
- The Cold Ash APNR (Automatic Number Plate Recognition) study showed 14% through traffic came from the M4, Compton and Bucklebury. Newbury bound traffic from an additional 249 houses would also end up on the Kiln Road roundabout;
- Traffic modelling on the mini roundabout would break down long before 100% utilisation and was happening now on a daily basis;
- The issues around this development had only been briefly understood prior to the Western Area Planning meeting and surfacing questions had been brushed aside. However, it was important to debate these issues as there was a Local Plan problem;
- The proposed development was aggressive infilling without infrastructure and was a nemesis in terms of traffic issues.

Councillor Graham Pask said that he had not caught the bit about landscape mitigation being examined in the DPD and he asked Councillor Simpson to explain what point he had been trying to make. Councillor Simpson explained that the landscape mitigation was confined to retaining as much as the hedgerow as possible but the reality was that most of it would have to come down.

Councillor Tim Metcalfe stated that on the site visit Members of the Committee had walked up Stoney Lane and looked into the site to where the pig sty's were and where a sharp incline down to the edge of the site could be seen. He noted that Councillor Simpson had mentioned a gradient of up to 11% and he enquired whether the gradient across the whole of the site had been measured. A considerable volume of infill would be required to create a road to go down to the houses. Councillor Hilary Cole felt that this was a question which should have been put to Officers although she recognised that Councillor Simpson had only just raised it.

Councillor Jeanette Clifford noted that Councillor Simpson had made a comment about figures of 89% capacity with a 3% increase and she asked for clarification on that point. Councillor Simpson responded that it was a rule which he had been told by Highway officials. 85% capacity was where a junction was judged as bad in the NPPF and if there was a 5% increase it would be judged as severe and that came about through case law. If you believed the developer's assessment he reckoned it was only 3%.

Councillor Alan Macro went back to the issue around case law and asked if he thought that the increase from 89% to 91% RFC at the Kiln Road junction would be classified as severe. Councillor Simpson said that technically it would not but it was necessary to consider whether the TRICS data was correct or whether the case law was right.

The Planning Officer confirmed that the levels were set out in the report which went to the Western Area Planning Committee on 23rd November 2016. In the landscape section it noted that the highest point on the site was 116m AOD and the lowest was 98m AOD with a consequent fall of 18m. This 18m drop went across a distance of 225m and the site was relatively well self contained and therefore longer distance views of the site would be well screened.

In terms of accesses it was correct that only one access was mentioned in the HSA DPD but as a principle of development the Council was not legally bound by the detail in that

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

document. If a proposal for two accesses was acceptable then that could be recommended to Committee. This application was one for recommendation and did not have to comply in exact detail.

The Highways Officer referred to specific points which had been made. He advised that this was a private development and the Council were only required to check that the highways elements were acceptable. In this case the dimensions had been checked and were found to be satisfactory. He advised that 2km was a comfortable walking distance and therefore whether the distance to Fir Tree Lane School was 1.3km or 1.5km it was still within that limit. Accidents were only reported and recorded if a personal injury occurred. The Highways Officer felt that the traffic congestion would not be severe as a result of the development and reported that there were many junctions in West Berkshire which were stretched. Street lighting was not proposed on the development to avoid light pollution as it was in a rural area. Councillor Tim Metcalfe referred to the entrance into the site from Stoney Lane and he suggested that a flat area would be required back into the site and a gradient which was acceptable. A load of soil would need to be brought on to the site to achieve that. The Highways Officer confirmed that the details around that would be considered in the Reserved Matters application.

In considering the above application Councillor Hilary Cole reminded Members of the Committee that this was an approved site in the HSA DPD and the majority of Members had voted in favour of the DPD when it had been considered at a special Council meeting in November 2015. No sites had been taken out or added in to the DPD as a result of the Examination process and any modifications required were all in relation to landscaping or access. She asked the Planning Policy Manager to remind the Committee of the modifications which were requested on this specific site by the Inspector:

No. 47 – provide a comment from Stuart Clark on the drainage;

No. 48 – provide a copy of Cold Ash Village Design Statement;

No. 49 – provide an updated site map for the site including landscaping.

Councillor Cole stated that although this was an isolated site if one looked across to the south and west there was existing housing development.

Councillor Graham Pask stated that he understood that planning could be controversial but the Council had a Local Plan to plan where development would go and local residents had an input into that process. Luckily in West Berkshire a lot of work had been put in to examine hundreds of sites and this list of sites had been thinned down for a variety of reasons. The Inspector had looked at the HSA DPD in some detail and examined each site in depth over a period of weeks. The Inspector had pushed back on a number of the sites. However, he had not taken any of the sites out of the Plan nor had he included any new sites. Councillor Pask made reference to an Inspector at St. Albans who had thrown their plan out and the Council now had to do planning by appeal. He did understand the concerns raised by residents in relation to traffic and the development of this site however, if this application was not accepted then this Council would end up planning by appeal. He empathised with the views made during the presentations but these should all have been expressed during the consultation on the HSA DPD. He would therefore need to be convinced to vote against the Officer recommendation.

Councillor Pamela Bale confirmed that she had not examined all the sites in the DPD but she noted that all sites would be subject to a planning application. However, she confirmed that she had not realised that this site was in Cold Ash but had thought that it was in Newbury.

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

Councillor Alan Macro said that the principle of development had already been approved by the Council and the Inspector but his concern was around the traffic and the modelling of the mini roundabouts as he had no confidence in the numbers.

Councillor Tim Metcalfe felt that the Inspector had been misled in respect of the access and had not been given sufficient information and he therefore could not accept the officer recommendation.

Councillor Paul Hewer stated that all of the Committee Members were Ward Members and all had to make difficult decisions at some time or another. However, there was a housing crisis and affordable housing was needed in the area. The traffic situation was an issue but he could not see how the application could be refused.

Councillor Marigold Jaques said that on the site visit the Committee Members had walked into the open space area and she asked why the play area could not be included in the development site itself. Her concern was in respect of the wildlife as it was a valuable asset. Councillor Hilary Cole responded that it was not possible at this stage to bring in any other suggestions. She agreed that the site was isolated and under used and she felt that it could be brought into better use. The paths in the field did not appear to be well used at present and improving that area could be achieved whilst still protecting the ecology.

Councillor Richard Crumly confirmed that the majority of Members had voted for the site at the Council meeting in November 2015 and an application had now come forward. If the Committee refused the application it would go to appeal and would be likely to be approved with the Council being awarded costs against it and ridiculed by the Inspector for refusing an application on one of its preferred sites. There would be benefits from this development as the road would be widened with an improved wildlife area to the south which included a play area. This was an outline application and details in relation to flooding etc. would be brought forward in the Reserved Matters application. Overall Councillor Crumly could see no reason to refuse this application. He therefore proposed that the Officer recommendation for approval should be accepted. This was seconded by Councillor Paul Hewer.

Councillor Dennis Benneyworth asked what incentive there was for Parish Councils to produce a Village Design Statement if it was disregarded. The Planning Officer confirmed that a Parish Council could produce a Parish Plan, a Village Design Statement or a Neighbourhood Development Plan. All these documents would shape the development in that particular area and would be used in the forthcoming Local Plan. Greater weight would however be given to a Neighbourhood Development Plan.

Councillor Paul Bryant felt that Councillor Garth Simpson had made a number of valid points in his presentation as traffic in that particular area was bad. If one looked at all the DPD sites all of them would be on pleasant pieces of land and many of those would also have traffic issues. If this application was refused then the Committee would have to refuse other similar applications as a precedent would be set. The Council had a requirement from Government to provide houses in its district and if not it would be ruled by the Inspector as to where houses would go. This Council was a plan led authority. Councillor Bryant would prefer it if no more houses had to be built in West Berkshire but he was certain that if this application was refused and it went to appeal the Council would have considerable costs awarded against it

Councillor Pamela Bale asked for clarification as to whether the costs of widening the road and the removal of the hedgerow would fall to the developer. The Highways Officer confirmed that that would be the case but the Council would maintain it as it did at present.

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

The Officer recommendation for approval of the application was taken to the vote. There were five votes in favour of the Officer recommendation, five votes against and one abstention. Councillor Hilary Cole therefore had the casting vote as Chairman of the Committee and voted in favour of the Officer recommendation.

RESOLVED that the Head of Planning and Countryside be authorised to grant planning permission subject to the following conditions and the first completion of the relevant s106 planning obligation as identified on the agenda sheet:

Conditions

Time limit

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

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

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

Reserved matters

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

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

Drainage strategy

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

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

Hours of working.

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.

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

Highways layout

5. The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. The road and footpath design should be to a standard that is adoptable as public highway. This condition shall apply notwithstanding any indications to these matters which have been given in the current application. All the required s278 and s38 agreements shall be completed prior to the first occupation of any dwelling.

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

CMS

6. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Removal of permitted development rights.

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

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

Fire hydrants

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

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

Piling

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

9. If piling on the site is required then auger piling shall be used wherever possible to minimise noise and vibration unless otherwise agreed with the LPA.

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

Contamination

10. 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,
 - ground waters and surface waters,
 - ecological systems,
 - archaeological 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

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

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 accord with the advice in the NPPF of 2012.

Storage of refuse

11. 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).

SUDS

12. 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.

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

These details shall:

- (a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- (b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- (c) Include a drainage strategy for surface water run-off from the site since no discharge of surface water from the site will be accepted into the public system by the Lead Local Flood Authority;
- (d) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- (e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- (f) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change; [see note opposite regarding possible variations to C/C rate]
- (g) Include flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes;
- (h) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- (i) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- (j) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- (k) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- (l) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
- (m) Include a Flood Risk Assessment (FRA) for developments located in areas at risk of flooding (Flood Zone 2 and 3) or developments larger than 1 hectare;
- (n) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible.
- (o) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)
- (p) Assess the volume of run-off from Stoney Lane uphill of the site entrance and accommodate this flow within the site drainage scheme.

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

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

drainage measures shall be maintained and managed in accordance with the 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.

Minerals

13. No development shall take place until a statement of mineral exploration and associated development management plan has been submitted to and approved in writing by the Local Planning Authority. This statement shall include:

- i. A method for investigating the extent and viability of the potential construction aggregate mineral resource beneath the application site, particularly the eastern end of the site where it is proposed to locate the sustainable urban drainage system.
- ii. A methodology that ensures that construction aggregates that can be viably recovered during development operations are recovered and put to beneficial use, such use to be agreed with the Planning Authority, and such an agreement not to be unreasonably refused; and
- iii. A method to record the quantity of recovered mineral (for use on and off site) and the reporting of this quantity to the Local Planning Authority.

Reason: To ensure compliance with Policies 1, 2 and 2A of the Replacement Minerals Local Plan for Berkshire to ensure the appropriate use of the identified mineral resources located beneath the application site.

Amended plans

14. The development must be constructed in strict accord with the layout and revised access arrangements as submitted on the 25th October 2016 to the LPA --namely plan numbers BFM 08--revised red line plan, drawing numbers 58286 -6C, 58286-5C, and the plans as contained in the updated technical note on highways ITB 9002-OO3C received on the 25th October 2016.

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

Travel Plan

15. No development shall commence until the owner has finalised and received approval in writing from the Local Planning Authority of a detailed Residential Travel Plan to include a firm list of commitments. The owner shall implement the approved Travel Plan from first operation/occupation of the development and take reasonably practicable steps to achieve and maintain the agreed targets within the timescales set out in the 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

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

Planning Document Quality Design (June 2006), and Policy LTP SC1 of the Local Transport Plan for West Berkshire 2011-2026

Cycle and motorcycle storage

16. Full details of secure cycle storage in accordance with the West Berkshire Council 'Cycle and Motorcycle Advice and Standards for New Development, November 2014 shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The approved cycle storage shall be provided prior to the occupation of each dwelling and thereafter retained for this purpose at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS 14 of the West Berkshire Core Strategy (2006-2026) and Policy LTP K13 of the Local Transport Plan for West Berkshire 2011-2026.

Electric charging points

17. The buried infrastructure to enable future residents to fit an electric vehicle charging point without recourse to excavating, other than within their allocated parking space(s), should be provided for each house and shared parking courts on the development.

Reason: To ensure that the development provides for predicted future growth in ultra low emission 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).

Archaeology

18. No 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 accord with the advice in the NPPF of 2012.

Stoney Lane width

19. No dwelling shall be occupied until the carriageway of Stoney Lane, between the northwest corner of the development site and Pine Ridge has been widened in accordance with drawing no. ITB9002-GA-001 rev.J and any statutory undertaker's equipment or street furniture re-located in accordance with current WBC carriageway standards.

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).

Speed limit

20. No development shall commence until details of how the '30/National' speed limit change will be relocated approximately 220metres north, together with an entry feature and associated street lighting have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the speed limit will be relocated

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

including details of the gateway feature and associated lighting on Stoney Lane. No dwelling shall be occupied until the speed limit change has been relocated and street lighting has been provided in accordance with the approved details.

Reason: To ensure the development is served by an adequately lit highway in order to maintain 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).

Footway

21. No dwelling shall be occupied until a two metre wide footway to be constructed on the east side of Stoney Lane, between the southwest corner of the development site and no.63 Stoney Lane, including a dropped kerb crossing over Stoney Lane, have been constructed in accordance with the approved drawing(s) and any statutory undertaker's equipment or street furniture located in the position of this 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. 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).

Forward visibility splay

22. No dwelling shall be occupied until the visibility splays at the two new accesses on to Stoney Lane have been provided in accordance with drawing number ITB9002-GA-001 rev.J. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

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

Children's play area specification

23. No development shall commence until a specification for the children's play area has been submitted to and approved in writing by the LPA. The play area shall then be built out in strict accord with the details as approved.

Reason: To ensure good play facilities in accord with the advice in the NPPF of 2012.

24. No development shall commence until details of the gradients and cross sections of the northernmost vehicular access off Stoney Lane are submitted to and approved by the Council. Those approved works shall then be implemented to the satisfaction of the Council prior to any first occupation of any dwelling on site.

Reason: To ensure adequate safe access into the site, as advised in the NPPF of 2012.

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.

DISTRICT PLANNING COMMITTEE - 15 DECEMBER 2016 - MINUTES

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.

(The meeting commenced at 6.30 pm and closed at 8.35 pm)

CHAIRMAN

Date of Signature