

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, 4 APRIL 2018

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

Also Present: Jake Brown (Principal Planning Officer), Derek Carnegie (Team Leader - Development Control), Rachel Craggs (Principal Policy Officer (Information Management)), Paul Goddard (Team Leader - Highways Development Control) and Catherine Ireland (Planning Officer)

Apologies for inability to attend the meeting: Councillor Dennis Benneyworth

PART I

47. Minutes

The Minutes of the meetings held on 21 February and 14 March 2018 were approved as a true and correct record and signed by the Chairman.

48. Declarations of Interest

Councillor Hilary Cole declared an interest in Agenda Items 4(1) and 4(3), but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

Councillors Jeff Beck, James Cole and Virginia von Celsing declared an interest in Agenda Item 4(3), 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.

49. Schedule of Planning Applications

50. Application No. and Parish: 18/00223/FULD - Chieveley

(Councillor Hilary Cole declared a personal interest in Agenda Item 4(1) by virtue of the fact that she was a Member of Chieveley Parish Council and was present at the meeting when the application was discussed. As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/00223/FULD in respect of a proposal to erect a detached dwelling, garaging and associated works on land adjacent to Morphe, Downend, Chieveley.
2. In accordance with the Council's Constitution, Mr Mike Belcher, Parish Council representative, Mr Richard Griffiths, objector, Mr Mark Campbell, agent and Councillor Hilary Cole, speaking as Ward Member addressed the Committee on this application.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. He advised that the planning application had been called in by Councillor Hilary Cole due to concerns from residents about the effect on the footpath and ten letters of objection had also been received. However, the report detailed that the proposal was acceptable and a conditional approval was justifiable.
4. Paul Goddard was invited to make a comment on the highways matters. He advised that access to the site was over a footpath and if the Committee was minded to grant planning consent, it did not mean that the site would have vehicular access, as this issue would need to be resolved by the applicant. In his opinion, vehicular movements from the site would be minimal. However, the Construction Management Plan included in the conditions, required that the footpath was restored to its original state once construction on the site had been completed.
5. Mr Belcher in addressing the Committee raised the following points:
 - The Parish Council did not have any objections to the development.
 - Their concerns were in relation to the narrow and rustic nature of Morphe Lane and the fact that it was a Public Right of Way (PROW), which meant it was used as a footpath by walkers.
 - If Members granted planning consent, the Parish Council requested that visitors to the property were made aware of the status of the footpath to enable priority to be given to pedestrians and repairs were made, following any damage. Therefore, they hoped the pedestrian right of way would be sympathetically protected.
 - As parking in the lane would cause an obstruction, parking should be provided on the site for construction traffic.
 - A condition was requested requiring reasonable hours for construction work on the site.
 - Suitable screening was required following construction in order to protect neighbouring properties.
6. Mr Griffiths in addressing the Committee raised the following points:
 - He was representing some of the objectors.
 - The site where the house would be constructed was within the settlement boundary, but the footpath was not. Therefore the usual presumption in favour of development did not apply to the whole area.
 - The character of the site should be protected and the proposed dwelling was out of character with the area.
 - The case officer's report was incorrect as it stated there was currently a garage building on the site. However the original planning permission had been given for the erection of a workshop.
 - Sustainable development should not preclude protection of the area and there must be a limit to the number of vehicles that could access the lane.
 - The proposed dwelling would result in an additional four vehicles accessing the lane, which represented a 25 percent increase in usage and this was not beneficial to the area.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

- It would be reasonable to refuse planning permission. However if planning permission was granted, it would be a criminal offence to use the footpath without vehicular rights and proof of private vehicular rights had not been addressed in the report.
 - Consequently a condition should be included requiring proof of private vehicular rights prior to the commencement of construction.
7. Councillor Anthony Pick asked Mr Griffiths how he had concluded that there would be a 25 percent increase in vehicular movements. He replied that there were currently 34 daily movements in the lane and another eight equated to a 25 percent increase.
 8. Councillor Hilary Cole enquired which part of the site was within the settlement boundary and Mr Griffiths advised that the lane was not within it. Derek Carnegie interjected that this was not a planning concern and Mr Griffiths added that as the plot was within the settlement boundary, it would be possible to access it from the Peasemore Road.
 9. Councillor Paul Bryant noted that access to development sites did not need to be within the settlement boundary and wondered why it was important in this case. Mr Griffiths responded that this was because the only way to access the site was through the lane, which would result in it being overused, as it could not take any further traffic.
 10. Councillor Bryant further enquired if the other six dwellings on the lane were accessing their properties illegally. Mr Griffiths answered that the occupiers had been granted access either by long use or by the original owner. He added that he expected the plot had been granted access by long use for use of the workshop only and not for access to a dwelling.
 11. Councillor Garth Simpson questioned how vehicles were currently managing to access the lane, since it had been described as narrow. Mr Griffiths responded that it was accessed with difficulty, as although there was a reasonable width at the bottom, vehicles had to pull into driveways further up the lane.
 12. Councillor Simpson added that he found the proposed 25 percent increase in vehicular movements to be overstated and where he lived, which was similar in nature, the neighbours had a code of conduct for accessing their properties.
 13. Councillor James Cole enquired what the track was constructed of and was advised it consisted of scalping, mud and gravel and was informally maintained by the residents.
 14. Mr Campbell in addressing the Committee raised the following points:
 - The application was for a single dwelling within the settlement boundary and consequently the presumption was in favour of a new housing development.
 - There were no valid reasons for planning permission to be refused.
 - He had noted that no objections had been received from Highways and PROW officers and that they were in favour of planning consent being granted if legal rights of access to the site could be obtained.
 - Access to the property was not a valid planning matter and there was no planning requirement for this.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

- There was a garage already situated on the site, which generated vehicular movements along the lane and therefore, there would be little impact from the proposed dwelling.
 - Conditions could be included to regulate the construction traffic.
 - He urged the Committee to grant planning permission and heed the officer's recommendation.
15. Councillor Hilary Cole asked whether the garage was in use, as the surrounding area looked overgrown. Mr Campbell confirmed that it was possible for the applicant to use it.
16. Councillor Bryant enquired whether the refuse lorry accessed the lane and affirmation was received on this point.
17. Councillor Bryant suggested that sprinklers should be included in the dwelling and Mr Campbell confirmed that this requirement could be included as a condition.
18. Councillor Hilary Cole in addressing the Committee raised the following points:
- She understood the desire to develop the site and the objectors concerns.
 - Just because there was a presumption in favour of development, it did not mean that the application had to be approved.
 - The issue regarding access to the site had to be taken into consideration, as it was a public footpath, which the applicant might or might not have access rights to.
 - She had called the application into the Committee as she had wanted to provide the objectors with the opportunity to voice their concerns.
19. Councillor Clive Hooker asked if Councillor Hilary Cole was a Member of Chieveley Parish Council and if so, if she had been involved in the discussion about extending the settlement boundary. Councillor Hilary Cole responded that she was a Member of the Parish Council but the extension to the settlement boundary had been approved by the Planning Policy Group. However, it was her view that when sites were put forward, they should be visited by Members of the Planning Policy Group, as if this site had been visited, the settlement boundary might not have been extended.
20. Councillor Pick enquired whether Councillor Cole's comment referred to the legality or the practicality of accessing the site. Councillor Cole confirmed she had been referring to the practicality issues, as it would be difficult to widen certain parts of the lane and a fire tender would have difficulty accessing the site in a hurry.
21. Councillor Simpson asked Paul Goddard if the pedestrian traffic along the PROW had been measured and if the narrowest section of the lane, where it was only three metres wide, would be sufficient for pedestrians to use without putting them at risk. Paul Goddard responded that no count had been taken. He considered that three metres would not be sufficient for a pedestrian and vehicle to pass each other; however he assumed there would be places for pedestrians to wait in order to allow a vehicle to pass.
22. Councillor Bryant sought clarification as to whether a condition could be included covering a requirement for sprinklers in the dwelling. Derek Carnegie answered that it would not be appropriate from a planning perspective for such a condition to be included as an Inspector would not agree to it being a valid condition. He added that it was more appropriate to consider whether a fire tender could access the site.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

23. Councillor James Cole questioned whether it was possible to include a condition relating to the requirement for proof of access rights prior to the commencement of construction. However, Derek Carnegie advised that this was a matter for the applicant to resolve and it was not appropriate to refuse the application on this issue.
24. Councillor Hilary Cole conjectured that, therefore, it was possible that the site could be landlocked and Derek Carnegie confirmed that this could be the case.
25. In considering the above application Councillor Jeff Beck proposed that the Committee accepted the officer's recommendation to grant planning consent. He added that the query from Councillor Bryant regarding sprinklers was covered in the report; however the applicant should take note of the comments regarding fire tender access. He also agreed that clearance of the track needed to be taken account of. Councillor Beck's proposal was seconded by Councillor Bryant.
26. Councillor Pick pointed out that he did not believe the objectors had a sustainable argument.
27. Councillor Bryant commented that access to the site was not perfect but there were a number of similar sites in the district and it could be resolved if the residents worked together. Therefore he supported the application and Councillor Simpson also added his support.
28. Councillor Hilary Cole observed that she did not have any strong arguments against the Committee's comments. However, she had called it in to the Committee to enable the objectors and the Parish Council to voice their concerns.
29. Councillor James Cole stated that granting planning permission was not providing the applicant with access rights and Councillor Hilary Cole added that the applicant and the residents would need to resolve this.
30. The Chairman invited the Committee to vote on the proposal of Councillor Beck as seconded by Councillor Bryant to approve planning permission. At the vote, the motion was carried.

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

Conditions

1. 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. The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below:

Location and Block Plan 17067/002 P3

Site Plan 17067/001 Rev P3

Proposed Plans and Elevations 17067/003 Rev P2

Proposed Garage Plans 17067/004 Rev P1

Proposed Roof Plan and Sections 17067/005

Associated documents

Design Statement

Planning Statement

Arboricultural Impact Assessment by SJ Stephens Associates

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

Preliminary Ecological Appraisal

Site Levels 17067/006

All received with the application on 19th January 2018.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

3. No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the dwelling 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 site on request. Thereafter the development shall be carried out in accordance with the approved materials unless alternative materials are first agreed in writing by the Local Planning Authority.

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 CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and Chieveley: A Village Design Statement.

4. 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 Tree Protection Plan within the Arboricultural Impact Assessment. 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.

5. 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.

6. No trees, shrubs or hedges shown as being retained on tree survey project no.1075 shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

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.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

7. No development or other operations shall commence on site until a detailed scheme of hard and soft landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing (to incorporate the use of a porous material to any hard surfaced areas) and materials to be used, 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 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.
 - c) Details of the carrying out of any earth moving operations concurrently with the carrying out of the building and other works.

Thereafter the approved scheme shall be implemented in full.

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

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;
- 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 +40% for climate change;
- j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- 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;

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

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

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 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. No demolition or construction works shall 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 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).

11. No development shall commence until a written specification for the surveying of the public footpath, between Downend and the site access, so as to assess its condition, has been submitted to and approved in writing by the Local Planning Authority.

The public footpath, between Downend and the site access, must be surveyed in accordance with the approved details before work commences, and again after work has been completed on site. Details of both surveys shall be submitted to the Local Planning Authority, along with details of any repairs or making good of any damage caused by the works hereby approved, within 1 month of the completion of the development. The repairs and making good shall then be carried out within 1 month of approval in writing by the Local Planning Authority of the submitted details or in accordance with a timetable to be agreed with the submission of the details of repairs.

Reason: To enable the Local Planning Authority to determine whether any damage to the Public Right of Way is attributable to the works carried out by the developer. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5, CS13 and CS 18 of the West Berkshire

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

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

12. No development shall take place until details of the finished floor levels of the dwelling 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 ADPP5, CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

13. No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the dwelling hereby permitted is 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 approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026).

14. The detached garage building hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling hereby permitted. The garage building shall not be used as a separate dwelling unit and no separate curtilage shall be created.

Reason: The creation of a separate planning unit has not been considered as part of this application, and may not be acceptable. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026).

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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 shall be constructed at first floor level of above on the east elevation of the garage building hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overlooking of Downend Farmhouse 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).

16. Any gates to be provided at the site access where vehicles will enter or leave the site shall open away from the adjoining Public Right of Way and be set back a distance of at least 13 metres from the edge of the Public Right of Way. Any such

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

gates must provide a minimum of 3.1m clear opening to allow for emergency access to the site.

Reason: In the interest of emergency access. 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).

51. Application No. and Parish: 17/02772/FULC - Hampstead Norreys Parish Council

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/02772/FULC in respect of change of use of a grain storage building to B8 use class at the Grain Store, Wyld Court Farm.
2. In accordance with the Council's Constitution, Mr David Barlow, Parish Council representative, Mr Alexander Dick, adjacent Parish Council representative, Mr George Greenham, objector, Mr Peter Danks, agent and Councillor Virginia von Celsing, speaking as 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. He advised that the planning application had been called in to the Committee as 97 objections had been received from residents in relation to traffic congestion. However, the report detailed that the proposal was acceptable and a conditional approval was justifiable.
4. Paul Goddard was invited to make a comment on the highways matters. He advised that the facility was currently being used as a grain store that could accommodate one thousand tonnes, with access to the site from the B4009. The sight lines to the left of the site were substandard, but whether this was an issue depended on vehicle movements. Highways officers had had difficulty in calculating the traffic that the change in usage would generate.
5. The applicant had advised that the grain store with dryer could be used twice a year, with some 130 fifteen tonne tractor and trailers delivering the grain to the store and larger 29 tonne vehicles removing the grain. With other movements such as monitoring, there could be up to 470 vehicle movements per annum. Consequently there were periods when there was a considerable amount of activity and others when there was no activity. However this averaged out at one traffic movement in and out per day. While this was much disputed by residents, there was no evidence to cast doubt on the information provided by the applicant.
6. It was difficult to project the vehicle movements following a change to B8 usage, as it would depend what type of B8 the facilities were used for. For example, if they were used for self-storage there would be a low level of vehicle activity. A B8 use, similar to that of the joinery workshop already operating with B8 usage, would also be low. On the other hand, the facilities could be used for parcel distribution with up to four heavy goods vehicles (HGVs) coming in and out of the site per day.
7. However, the latter use was considered unlikely as such uses were usually located near the strategic road network. It was also stressed that the size of the storage facilities should be taken into account, as they comprised two units with a total floor area of 510 square metres. Consequently any HGVs accessing the site would not be large and frequent.
8. Paul Goddard referred the Committee to paragraph 32 of the National Planning Policy Framework (NPPF), which stated that a planning application should only be refused on transport grounds unless the impact on the area was severe. Having

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

considered the likely B8 uses, the Council could have some difficulty in defending a refusal at Appeal. He also referred the Committee to page 65 of the report, which provided the results of a five day traffic survey undertaken in March 2016 that showed only some 3% of vehicles over 3.5 tonnes. In conclusion, he stated that Highways officers recommended planning consent was granted.

9. Mr Barlow in addressing the Committee raised the following points:
 - It was a rural parish and the change to B8 usage would set a precedent.
 - Concerns had been expressed by residents about the increase in traffic in the area, which would put cyclists and pedestrians at risk of harm.
 - The B4009 did not provide suitable access to the site as its layout would result in HGVs and large goods vehicles (LGVs) having to drive in the middle of the road in places. In addition, when turning left into the site, it would be necessary to turn into the centre of the road.
 - The B4009 was susceptible to flash flooding, resulting in vehicles heading south having to cross onto the north-bound carriageway.
 - The traffic would have to pass through a conservation area that was valued for its distinctive appearance and character, which would be negatively impacted as a result.
 - There was nowhere for HGVs and LGVs to pass easily on the road that accessed the site.
 - There were existing proposals for a further 140 properties in Compton, which would lead to more traffic, as would the changes to the school catchment areas for Hampstead Norreys Primary School and the Downs School.
 - Hampstead Norreys Parish Council was not averse to development but they did not feel this was an appropriate site, due to the existing road infrastructure.
10. Councillor Garth Simpson asked Mr Barlow if he had had some reservations when the planning permission for the B8 usage for the joinery workshop was submitted. Mr Barlow responded that he had not been on the Parish Council at the time.
11. Mr Dick in addressing the Committee raised the following points:
 - Ashampstead Parish Council was objecting to the planning application because the road network would be better suited to B1 usage than B8.
 - He urged the Committee to consider the photographs he had provided, which showed the existing problems that residents had to contend with.
 - There would be no point in forcing HGVs to approach the site from the west as drivers use satnavs to navigate, which would not take them this way.
 - He agreed that the adjacent joinery workshop already had B8 usage but this was utilised for light industrial use, which was more appropriate to the area.
 - The existing traffic movement data provided by the applicant for the grain store were a fallacy, as this had never been a large scale operation. In addition the traffic would only have used local roads and would not have used the wider road network.
 - A common sense approach would result in the planning application being refused, as there were more appropriate places to site a unit with B8 usage.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

12. Councillor James Cole noted that the case officer's report stated there were currently a total of 470 vehicle movements per annum and he asked what a realistic estimate would be. Mr Dick responded that these traffic movements would only have been along the roads that link the grain store to the farm and would not have included the highway.
13. Mr Greenham in addressing the Committee raised the following points:
 - He was representing the 850 residents of the parish.
 - They were not objecting to the change to the grain store; however B1 usage was more appropriate for the location than B8 and this would still provide employment for the village.
 - Even though the adjacent joinery workshop had been granted permission for B8 usage, the facility was smaller than the grain store and it was only operating with B1 usage.
 - The objections were in relation to the generation of traffic from the change in usage and the estimates provided by the applicant for current usage were misleading, as they were grossly understated.
 - Traffic through Hampstead Norreys was already well above that predicted by the Council.
 - The extension to the catchment areas for Hampstead Norreys Primary School and the Downs School would lead to an increase in traffic.
 - The increase in HGVs would pose a risk to residents and children who were encouraged to walk and cycle.
 - It was a rural community in an Area of Outstanding Natural Beauty (AONB) and it was not an industrial estate.
 - Therefore enough was enough and this needed to be said before there was a fatality.
14. Councillor Hilary Cole asked how the extension to the catchment area for the Downs School would affect traffic travelling through Hampstead Norreys. Mr Dick advised that it was necessary for traffic from Hermitage to travel through Hampstead Norreys to get to Compton.
15. Mr Danks in addressing the Committee raised the following points:
 - The proposal was for change of use from agricultural storage to general storage.
 - It would not result in large numbers of HGVs accessing the site but was more likely to be frequented by white vans using the storage facilities.
 - The units would provide opportunities for local builders and carpenters or for the storage of classic vehicles and would help make a contribution to the local economy.
 - The applicant recognised the potential for the change in usage to cause disturbance to neighbours and they were willing to work with the Council to prevent this from occurring.
16. Councillor Jeff Beck asked what type of business the applicant hoped to attract, if the intention was not to provide large scale warehousing. Mr Danks responded that

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

the applicant had already been approached by someone holding a large collection of classic cars.

17. Councillor Anthony Pick questioned the need to change the usage from B1 to B8. However Mr Danks advised that this was necessary to enable the units to be used for storage purposes.
18. Councillor Paul Bryant noted that there had been an application for B8 usage in 2007 and enquired whether this was for the grain store or the joinery workshop. It was confirmed that it had been for the latter.
19. Councillor Virginia von Celsing asked how many jobs would be generated by the change in usage and Mr Danks informed her that there would be 8-10 parking spaces for employees or visitors. He added that if the facility was used as a builder's yard, it would be possible to employ a store person and other staff, but a restriction on vehicle movements would make this difficult.
20. Councillor James Cole reflected that if the facility was used for the storage of vehicles, the movements would be low. However he wondered what the vehicle movements would be like if it was used as a builder's yard. Mr Danks speculated that it could include the delivery of vehicles once a week and that the movements would be undertaken by light vehicles.
21. Councillor Pick enquired whether the classic cars would be delivered or driven to the facility and he was advised that it was likely they would be driven there by their owners.
22. Councillor von Celsing in addressing the Committee raised the following points:
 - She was representing the three parishes of Hampstead Norreys, Ashampstead and Hermitage.
 - None of the parishes were against the creation of employment but wanted the site to be for light industrial usage and were fearful of HGVs travelling through Hampstead Norreys.
 - Hermitage Parish Council had not been consulted on this planning application although they were a neighbouring parish and there was no pavement from Wyld Court.
 - There was a public footpath that went through the site, which was not compatible with pallets and lorries utilising the site.
 - The application might cause a large amount of HGVs to access the site and she urged the Committee to refuse the application.
23. Councillor Bryant asked for clarification with regard to Building Research Establishment Environmental Assessment (BREEAM). Derek Carnegie replied that they had not included a condition requiring it, as the Council was not in a position to do so.
24. Councillor Bryant further enquired whether it would be appropriate to introduce a weight restriction on the road to the west of the site. Paul Goddard advised that this would need to be taken up separately by the Parish Council as it would be difficult to enforce, because it was often difficult to distinguish between vehicles that were genuinely using the B4009 and those that were not.
25. Councillor Paul Hewer asked if the facility could end up being used for Amazon style deliveries if the application was approved. He was advised that this was possible with B8 usage, but it was unlikely due to the poor road network distribution

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

away from roads such as the M4 and the fact that the units were relatively small in size.

26. Councillor Adrian Edwards enquired as to whether there were any cycle routes in the vicinity and he was advised that there were not.
27. Councillor James Cole questioned whether it would be possible to restrict usage of the site and Derek Carnegie responded this would not be possible, as the applicant would be able to appeal any conditions imposed with such restrictions. However, he reiterated that the size of the buildings would restrict their use. He added that Highways officers had calculated the implications of vehicular movements and any use of HGVs and white vans was likely to be determined by the size of the units.
28. Councillor Simpson noted that B8 usage enabled the facilities to be used for distribution and storage and queried whether B1 usage could not be used for storage, as the joinery workshop appeared to be operating with B1 usage. Derek Carnegie answered that it was difficult to be precise about how the joinery workshop was operating and what its usage complied with. Furthermore if Members were minded to grant the B8 permission there could be elements of manufacturing and storage.
29. In considering the above application Councillor Beck stated that he shared the concerns of local residents. However, it was unrealistic from a business perspective, to select this site for a high throughput operation. Consequently he felt the risk of it being utilised for high volume distribution was extremely low. Therefore, he proposed that the Committee accepted the officer's recommendation and granted planning permission. This was seconded by Councillor Hilary Cole.
30. Councillor James Cole drew attention to the current vehicular movements provided by the applicant, which he did not believe were correctly described. As a result, he would have difficulty in supporting the application, which could result in large numbers of HGVs accessing the site.
31. Councillor von Celsing concurred with Councillor James Cole as her view was that by approving the application the Council would be giving permission for large lorries to access the site and the road network could not support it.
32. Councillor Hilary Cole advised that she agreed with Councillor Beck's view as it would not be possible for a large distribution centre to be sited in this location. In addition, she felt it was necessary to support the local economy and create some employment through the use of a redundant building. In addition, in order to enable people to carry on living and working in rural areas, it was necessary to accept some vehicle movements.
33. Councillor Simpson commented that he was deliberating whether to take the risk and grant permission for B8 usage or restrict it to B1 usage.
34. Councillor James Cole stated that he would support B1 usage on the site, as he was definitely in favour of providing places of employment in rural areas.
35. Councillor Bryant conjectured that the Planning Inspector would not turn down the application for B8 usage. However he added that he was worried about the references made by officers to their inability to carry out enforcement, as he considered that the Council should be looking at what was right and not what was expedient.
36. Councillor Edwards offered the view that having seen the restrictions with the road network, he could not see HGVs utilising the facility and therefore, he could not see any reason not to approve the application.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

37. The Chairman invited the Committee to vote on the proposal of Councillor Beck as seconded by Councillor Hilary Cole to approve planning permission. At the vote, the motion was carried.

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

Conditions

1. The development hereby permitted shall commence 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. The development hereby permitted shall be carried out in accordance with the approved drawings and supporting documentation:

Drawings:

- RAC/7000/01 (location plan)
- RAC/7000/02 (proposed site plan)
- RAC/7000/05 (proposed layout)
- RAC/7000/06 (proposed internal layout plan)
- RAC/7000/07 (proposed elevations)
- RAC/7000/09 (parking plan)
- 8170470/6101 rev.B (visibility splay plan attached to Transport Statement).

Documentation:

- Transport Statement prepared by Glanville
- Structural Survey prepared by Graham Smith Associates
- Arboricultural Report prepared by GHA Trees Arboricultural Consultancy

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

3. The use hereby permitted shall not commence until the visibility splays at the approved access have been provided in accordance with drawing number 8170470/6101 rev.B. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 1.05 metres above the carriageway level.

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

4. The use hereby permitted shall not commence until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plans listed under 2. 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 free flow of traffic. This condition is imposed in accordance with the NPPF, 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).

5. Prior to their installation, details of the colour and finish of the roller shutters doors and new pedestrian/fire exit doors on the building, and the specification of the hard surfacing areas and details of the post and rail fence adjacent to the Public Right of Way hereby permitted shall be submitted to and approved in writing by the

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development harmonises with the surroundings and responds to local character. This condition is imposed in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and SPD 'Quality Design' (June 2006).

6. The development hereby permitted shall be carried out strictly in accordance with the recommendations of the approved Arboricultural Method Statement ref: GHA/DS/15560:17 prepared by GHA Trees Arboricultural Consultancy received by the Local Planning Authority on 6 October 2017. The method statement shall be carried out in full, including 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.

7. Prior to their installation, details of any external lighting on the site shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed, maintained and operated strictly in accordance with the approved details.

Reason: To protect the character and appearance of this rural area designated as an Area of Outstanding Natural Beauty, and to protect neighbouring residential amenity from excessive light pollution in accordance with the objectives of the NPPF, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies ENV19, OVS5, OVS6 of The West Berkshire District Local Plan 1991-2006 (saved policies), SPD 'Quality Design', SPG 'House Extensions' and the NPPF.

8. No works, in association with the use hereby permitted, shall take place outside the following hours:
 - 7:00am to 19:00 Mondays to Fridays;
 - 7:00am to 13:00pm Saturdays;
 - There shall be no working on Sundays or Bank or Public Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the objectives of the NPPF and Policies CS14 of the West Berkshire Core Strategy (2006-2026) and Policies ENV19, OVS5, OVS6 of The West Berkshire District Local Plan 1991-2006 (Saved Policies), SPD 'Quality Design', SPG 'House Extensions' and the NPPF.

9. With the exception of the storage of motor vehicles under condition 4 above, there shall be no external storage of material, equipment, vehicles or any other items associated with the use of the building hereby permitted.

Reason: To protect the character and appearance of this rural area designated as an Area of Outstanding Natural Beauty, and to protect neighbouring residential amenity from excessive noise and disturbance in accordance with the objectives of the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies ENV19, OVS5, OVS6 of The West Berkshire District Local Plan 1991-2006 (Saved Policies), SPD 'Quality Design', SPG 'House Extensions' and the NPPF.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

10. The development hereby permitted shall be used for B8 use only and for no other purposes including any other purposes in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and reacting that order with or without modification.

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

52. **Application No. and Parish: 17/01550/FULEXT - Greenham**

In accordance with point 7.2.8 of the Council's Constitution, the Chairman asked the Committee if they were in agreement with continuing the meeting past 10.00 pm if necessary. At the vote the motion was carried.

(Councillor James Cole declared a personal interest in Agenda Item 4(3) by virtue of the fact that he knew one of the objectors on a personal basis and he had been lobbied on the application. Councillors Jeff Beck, Hilary Cole and Virginia von Celsing had also been lobbied on the item. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 17/01550/FULEXT in respect of change of use of agricultural land to land for siting 40 additional holiday lodges, construction of access road, parking spaces and hard standing bases and associated landscape planting and infrastructure at land south of Lower Farm, Hambridge Lane, Newbury.
2. In accordance with the Council's Constitution, Mr Adrian Abbs, Mr Frank Chitty and Ms Sarah McGonnell, objectors, Mr Nick Laister, agent and Councillor Billy Drummond, speaking as Ward Member, addressed the Committee on this application.
3. Jake Brown introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. He advised that the recommendation had been amended in the Update Report to allow a reasonable time for the planning obligation to be completed. He concluded that officers were recommending approval, having taken account of the Planning Inspector's reasons for overturning the applicant's previous application. However, the considerations were finely balanced
4. Paul Goddard was invited to make a comment on the highways matters. He advised that Highways officers had objected to the previous application. However it was overturned at Appeal, which was probably because it included access improvements that the Planning Inspector found to be acceptable. The previous application had comprised 25 units with an estimated 30 vehicular movements into the site and 30 out on a daily basis. The estimates for the current application were an additional 48 vehicular movements into the site and 48 out on a daily basis.
5. It was noted that there was no one present from Greenham Parish Council to address the Committee on the application.
6. Mr Abbs, Mr Chitty and Ms McGonnell in addressing the Committee raised the following points:
 - Point 6.3 in the officer's report relating to the 'Impact on Heritage Assets' had underplayed the impact the development would have on the Pigeon's Farm heritage buildings as the buffer between them would be eroded.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

- Point 6.4.4 of the officer's report in relation to the impact of noise was also incorrect as the units would have outdoor verandas and there had already been an increase in noise from the current units.
 - There was an error in the applicant's report at point 5.5, which stated that Great Crested Newts were absent from the site, which was incorrect.
 - The units were called holiday chalets but they were being advertised as retirement properties and permanent dwellings.
 - This was a rural area enjoyed by walkers and there would be a 160% increase in traffic, which would equate to 260 vehicle journeys per day, without including delivery vehicles accessing the site.
 - Conditions were included in the Inspector's Appeal Decision Report relating to the need for a second footpath, which was later overturned and would impact on the safety of local residents and walkers.
 - They implored the Committee to consider the conditions included in the Appeal Decision Report.
7. Councillor Paul Bryant queried where the units were being advertised as retirement homes. Mr Abbs replied that this had been on the Dream Lodge website and marketing information received from them. In addition, a complaint had been submitted to Trading Standards by residents from outside the district in 2017.
8. Mr Laister in addressing the Committee raised the following points:
- The development would meet visitors' expectations and create local employment in line with local policy and the West Berkshire Economic Development Strategy 2013-18.
 - Amendments and improvements had been made to the scheme since last year. For example, net gains would be made to bio diversity and traffic calming would be made to the Public Right of Way (PROW).
 - None of the consultees had provided any objections to the scheme.
 - It would increase expenditure in the local area.
 - There was no requirement to consider the landscape and visual impact of the development. However they would be providing landscape planting to improve the site and a planning condition had been included in relation to this. This would include two-three metre high trees and fast growing plants.
 - The neighbouring properties were in excess of 80 metres from the site and Environmental Health officers had not raised any concerns about the impact from noise.
 - They had provided a comprehensive Heritage Statement.
 - Traffic calming would be provided along the access track and Highways officers had not raised any objections to the application.
 - The development was sustainable and complied with all the relevant planning policies.
 - The applicant would be donating £31,000 to the Wildlife Trust and a contribution of £16,000 would be made to public transport improvements.
9. Councillor Jeff Beck noted that the Planning Inspector had been in favour of a separate footpath but this had been overturned. He therefore asked if the

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

application was approved, whether the applicant and Rivar would reinstate the offer to provide a separate footpath. Mr Laister replied that they would be prepared to discuss the reinstatement of the footpath with Rivar to see if it could be provided. However, the traffic calming measures they would be introducing would also slow the traffic and make the road safer.

10. Councillor Anthony Pick noted that Dream Lodge was offering properties for purchase on its website and asked how they would ensure they would only be used for holiday lets. Mr Laister assured him that they had standard conditions covering this, which were relatively straight forward to enforce and there was a considerable amount of case law on this type of enforcement. In addition, purchasers had to demonstrate they had another permanent residence. The site would be a mixture of lodges that had been sold and others that had been retained for holiday lettings by Dream Lodge. As a result, people renting the chalets for a holiday let would not know if it was owned by a private owner or Dream Lodge.
11. Councillor Pick asked why this application for a further 40 lodges had been submitted. Mr Laister advised that following the high level of interest in the first phase of lodges, Dream Lodge had taken the view that a second phase was viable.
12. Councillor Pick went onto enquire how many of the 25 lodges in phase one had been constructed and how many were being offered as holiday lets. Mr Laister advised that 80 percent had been completed and 60 percent of the total would be offered for holiday lets.
13. Councillor Adrian Edwards referred to the point raised by Mr Abbs when he had suggested that the chalets were being offered for sale as permanent retirement homes. Mr Laister confirmed that the units were popular as retirement investments but could not be used as permanent retirement homes and he suggested that perhaps this related to another site.
14. Councillor Bryant questioned whether they were licensed as holiday homes and Mr Laister confirmed that this was the case.
15. Councillor Bryant further questioned where the construction of the access road would start and end. Mr Laister confirmed that it was the section that led to the diversion from the PROW and would include an improved surface and traffic calming measures.
16. Councillor Hilary Cole enquired as to whether a register of lettings would be maintained and she was assured that this would be the case.
17. Councillor Virginia von Celsing asserted that if it was possible to purchase the chalets and use them for holiday homes on a frequent basis, they could effectively become a permanent home. Mr Laister confirmed that this was possible but the purchaser still had to have another permanent home and was required to demonstrate this by providing council tax and utility bills. They were also required to sign a contract stating that they would not be residing at the chalet.
18. Councillor Pick asked about progress with the boundary treatment and hard and soft landscaping. Mr Laister advised that 90 percent of the planting and landscape management had been completed. They had hoped it would be completed by Easter, but it had been delayed by the bad weather and they were now aiming to complete it by the first May Bank Holiday.
19. Councillor Pick further enquired about completion of the reception centre and he was told this would also be completed by the first May Bank Holiday.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

20. Councillor James Cole asked if the chalets would be furnished and Mr Laister responded in the affirmative.
21. Councillor Drummond in addressing the Committee raised the following points:
 - It would set a precedent for further development in the surrounding fields, including residential development.
 - He was in full agreement with the comments made by Mr Abbs, Mr Chitty and Ms McGonnell and hoped Members would consider them.
 - The applicant was actively pre-selling the units suitable for permanent and retirement homes.
 - The footpath needed to be made up to a bridleway and traffic calming measures were required.
 - There would be an increase in light and noise pollution.
 - There would be an adverse effect on the character and beauty of the area.
 - Access to the site was unsuitable.
 - The application did not address the need for housing and resources to support local housing needs.
 - The development would not be of benefit to the local community.
22. Councillor Hilary Cole questioned whether officers would have recommended approval of the application if refusal of the previous application had not been overturned by the Planning Inspector. Derek Carnegie confirmed that if the previous application had not been overturned, they would be recommending refusal.
23. Councillor Beck noted that the Inspector had made a strong argument for a separate footpath and improvements to access to the site. These had later been overturned, which he considered a retrograde step. He therefore asked whether the Council had endeavoured to obtain a separate footpath with this application. Jake Brown confirmed that he had requested this from the agent; however the agent had confirmed this could not be achieved as was agreed by the Council in the application to remove the separate footpath.
24. Councillor Bryant queried whether a condition could be included stating that an access road and a separate footpath should be completed before construction commenced on the site. Jake Brown responded that there had been a condition to this effect in the last application and therefore, it would be unnecessary to repeat it.
25. Councillor Bryant added that as the applicant had shown a reluctance to carry out the improvements to the access road, it was important that a condition was included stating this should be undertaken before any further chalets were constructed. Jake Brown acknowledged that this could be achieved, however it was also possible to enforce the earlier condition.
26. Councillor Bryant noted that Environmental Health had stated a licence was required as the site was 50 metres from a road and he queried which road this related to. Jake Brown advised that as this was an Environmental Health requirement, it would be necessary to query it with them.
27. Councillor Edwards asked what direction the bus route would take and Paul Goddard explained that the previous application included Section 106 monies for

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

- buses, but this was for general bus routes and there would not be a bus route in this area. This was following on from the previous application
28. Councillor James Cole queried the requirement for the buffer zone and the habitat for the Great Crested Newts. Jake Brown assured him that a buffer zone under separate land ownership remained between the development and the heritage assets. In addition, a Habitat Enhancement Management Plan that included the protection of the Great Crested Newts would be secured by condition.
 29. Councillor Pick questioned whether condition four in the original planning permission had been implemented. Jake Brown advised that the signage had not been implemented and nor had some of the improvements to the PROW.
 30. Councillor Hilary Cole asked if the Planning Service had had sight of the letting register and Jake Brown confirmed that this had been received and was currently with the Enforcement Team.
 31. Councillor Hilary Cole further enquired as to the public benefits in the NPPF that were referred to in the case officer's report and Jake Brown replied that this related to the economic benefits.
 32. Councillor Clive Hooker asked for confirmation of the amended date for the applicant to complete the planning obligations and was advised that this had been extended to 29 June 2018.
 33. In considering the above application, Councillor Hilary Cole noted that the Planning Inspector had only approved the original 25 chalets and this application would take it up to 65 units. She therefore speculated whether this would have been approved if the original application had been for 65 chalets. Since Mr Laister had confirmed that the standard size of the Dream Lodge sites was 50+ units, the submission of the earlier smaller application might have been a ploy to obtain approval. Consequently, she proposed that the Committee refused this application, which would send a message to the Planning Inspector to say that the original application should have been refused.
 34. Derek Carnegie interjected that if the application was refused, it would be necessary to provide planning reasons for this. Councillor Hilary Cole responded that the Planning Inspector had approved 25 units on the site, which would not impact on the heritage buildings and landscape. In addition, access to the site had been approved for 25 units and not 65 units.
 35. Councillor Pick noted that Newbury Town Council was interested in the development of Newbury Leisure and consequently he was not as anti the application as some of the other Committee Members. However the access road was in a bad condition and some of the other conditions had not yet been fulfilled. In addition, he was concerned the Planning Inspector had allowed representations to be made to him that made the wording of holiday lets unclear. He was also disturbed that sites could be sold and it had not been made clear to purchasers that these were holiday lets.
 36. Councillor Hooker added that some of the chalets were being sold as investments, so it would be possible for them to be inhabited for the whole year.
 37. Councillor von Celsing stressed that just because the Planning Inspector had approved the earlier application for 25 units, it did not mean that the Committee should approve the application for a further 40 units. Therefore she was unable to support it.

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

38. Councillor Edwards seconded the proposal for refusal and added that he was opposing the application as it was over development, out of keeping with the area and the infrastructure was inadequate.
39. Councillor James Cole stated that the access road was dangerous for walkers and the Planning Inspector had worked on the perspective that HSG1 applied to housing and not holiday lets. There appeared to be a query about whether these chalets were holiday lets and he believed the Planning Inspector had been misled.
40. Councillor Simpson said that he was opposing the application as it did not provide sufficient screening for neighbouring properties.
41. Councillor Paul Hewer expressed the view that the first application was a Trojan horse and he could not support this one.
42. The Chairman invited the Committee to vote on the proposal of Councillor Hilary Cole as seconded by Councillor Edwards to refuse planning permission. At the vote, the motion was carried.

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

1. Impact on setting of listed buildings

The proposed development would detrimentally impact on the setting of the Grade II listed buildings to the south, Pigeon's Farm and Hall Barn House. The heritage significance of the two listed barns, lies in their traditional appearance and historic construction, along with their contribution to the group value of the former farmstead. To the extent that both the visibility and historical context of the farm relies on its relationship with the surrounding fields, the loss of further agricultural land to the north of Pigeon Farm and the subsequent reduction in the size of the agricultural buffer, would have some detrimental effect on the setting of the listed buildings. This fact is recognised in the applicant's Heritage Statement (HS), which finds that the proposed development would result in the slight loss of significance of these heritage assets as a result of change within their setting. The harm would be less than substantial, however, there would, nevertheless, be real and serious harm which requires clear and convincing justification for it to be overcome. The public benefits of the development proposed are not considered to outweigh the real and serious harm identified and there are no material considerations that justify the harm to the setting of the listed buildings as a result of the proposed development.

Therefore the application is considered to run contrary to Policies CS14 and CS19 of the Core Strategy 2006-2026 as well as the NPPF.

2. Access

The application site is to be accessed off a public right of way (GREE/6/3). This consists of an unadopted gravel track of poor surface, width and alignment. It is considered that the increased traffic generated by the proposal will be detrimental to users of the public right of way. In the absence of any plan to segregate vehicle users and pedestrians, it is considered that the application runs contrary to Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the NPPF.

3. Impact on Character and Appearance of area

The proposed change of use for an additional 40 holiday lodges is considered to result in an overdevelopment of the site, and, in combination with the existing use to the north for 25 holiday lodges and a reception building, would introduce development that is out of keeping with the area. Therefore, the development proposed would result in a

WESTERN AREA PLANNING COMMITTEE - 4 APRIL 2018 - MINUTES

detrimental impact on the character and appearance of the area and the amenity of users of the public right of way contrary to Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and the NPPF.

4. Lack of Planning Obligation

The application fails to secure contributions to mitigate the impact on infrastructure and services (local bus and local living landscape). These are considered necessary to mitigate the impact of the development proposed in accordance with the CIL Regulations 2010 (as amended) and the NPPF.

Therefore, this application is contrary to Policies CS5, CS13 and CS17 of the West Berkshire Core Strategy 2006-2026, the Planning Obligations SPD (December 2014) and the NPPF and PPG as well as the statutory obligations of the Conservation of Habitats and Species Regulations (2010) (as amended), the Wildlife and Countryside Act (1981) (as amended).

(The meeting commenced at 6.30 pm and closed at 10.00 pm)

CHAIRMAN

Date of Signature