

Notice of Meeting



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District Planning Committee

Wednesday, 23rd August, 2017
at 6.30 pm

in the Council Chamber Council Offices
Market Street Newbury

Members Interests

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

Date of despatch of Agenda: Tuesday, 15 August 2017

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

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

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Council Chamber, Market Street, Newbury between 5.30pm and 6.30pm on the day of the meeting.

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

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

Email: planapps@westberks.gov.uk



Agenda - District Planning Committee to be held on Wednesday, 23 August 2017
(continued)

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

Any queries relating to the Committee should be directed to Linda Pye on (01635) 519052
Email: linda.pye@westberks.gov.uk



Agenda - District Planning Committee to be held on Wednesday, 23 August 2017
(continued)

To: Councillors Pamela Bale, Jeff Beck, Paul Bryant, Keith Chopping, Hilary Cole (Vice-Chairman), Richard Crumly, Clive Hooker, Alan Law (Chairman), Alan Macro, Graham Pask, Anthony Pick and Garth Simpson

Substitutes: Councillors Lee Dillon, Billy Drummond, Paul Hewer, Marigold Jaques, Mollie Lock, Tim Metcalfe and Virginia von Celsing

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 5 - 30
To approve as a correct record the Minutes of the meetings of this Committee held on 15th December 2016 and 9th May 2017.
3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Schedule of Planning Applications**
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).
- (1) **Application No. and Parish: 17/01235/COMIND, Plantation Farmhouse, Beedon** 31 - 66
Proposal: Erection of a free range egg laying unit.
Location: Plantation Farmhouse, Beedon Common.
Applicant: Miss Hayworth.
Recommendation: The Head of Development and Planning be authorised to **REFUSE** the application as submitted.

Items for Information

5. **Plans and Drawings**

Andy Day
Head of Strategic Support

Agenda - District Planning Committee to be held on Wednesday, 23 August 2017
(continued)

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



DRAFT

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

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.

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

- 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

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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.)

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.

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- 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.

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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.

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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

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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

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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;

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- 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

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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

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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.

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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;

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- 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

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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.

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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.

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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.

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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

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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

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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.

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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

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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

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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

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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

DRAFT

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

DISTRICT PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY, 9 MAY 2017

Councillors Present: Pamela Bale, Jeff Beck, Paul Bryant, Keith Chopping, Hilary Cole, Richard Crumly, Clive Hooker, Alan Law, Alan Macro, Graham Pask, Anthony Pick and Garth Simpson

PART I

1. **Election of Chairman**

RESOLVED that Councillor Alan Law be elected Chairman of the District Planning Committee for the 2017/18 Municipal Year.

2. **Appointment of Vice-Chairman**

RESOLVED that Councillor Hilary Cole be appointed as Vice-Chairman of the District Planning Committee for the 2017/18 Municipal Year.

(The meeting commenced at 8.03 pm and closed at 8.04 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

Item (1)	17/01235/COMIND
Title of Report:	Plantation Farmhouse, Beedon Common Miss Hayworth Erection of a free range egg laying unit.
Report to be considered by:	District Planning Committee
Date of Meeting:	23 rd August 2017
Forward Plan Ref:	N/A

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/01235/COMIND>

Purpose of Report: For the District Planning Committee to determine the application in question.

Recommended Action: The Western Area Planning Committee, at the meeting on 9th August 2017, recommended that the application be approved.

Reason for decision to be taken: The application, if approved, would comprise a departure from the current Development Plan Policy in the Core Strategy 2006 to 2026 - ADPP1, ADPP5, CS14, CS18 and CS19.

Key background documentation: Western Area Planning Committee on 9th August 2017. Agenda Report and draft minutes, plus update sheet. Application file 17/01235/COMIND.

Key aims.

Conserve, enhance and preserve the North Wessex Downs AONB.
Promote the rural economy.

Portfolio Member Details	
Name & Telephone No.:	Councillor Hilary Cole
E-mail Address:	Hilary.Cole@westberks.gov.uk
Date Portfolio Member agreed report:	15/08/17

Contact Officer Details	
Name:	Catherine Ireland
Job Title:	Planning Officer
Tel. No.:	01635 519111
E-mail Address:	Catherine.Ireland@westberks.gov.uk

Implications

Policy:	Core Strategy Policies - ADPP1, ADPP5, CS10, CS13, CS14, CS16, CS18 and CS19.
Financial:	N/A
Personnel:	N/A
Legal/Procurement:	N/A
Property:	N/A
Risk Management:	N/A
Equalities Impact Assessment:	N/A

EXECUTIVE SUMMARY

1 INTRODUCTION

- 1.1 The Western Area Planning Committee considered a report on 9th August 2017 regarding the application as identified above. This is an application for the erection of a free range egg laying unit as well as associated egg collection and packing facilities, two feed bins and external hard standings and concrete aprons. Planting is proposed around the building. It is proposed that the building would operate a multi-tier system and would accommodate 16,000 hens.
- 1.2 The application site is located in the countryside and the North Wessex Downs AONB. To the south of the site are two existing units, and a third, but mobile unit is also located on the farm.
- 1.3 Members resolved to approve the application but the Development Control Manager under his delegated powers determined that approval of the scheme would comprise a departure from the Development Plan, so the policy issues involved should be considered by the District Planning Committee.

2 CONCLUSION

- 2.1 The Western Area Planning Committee were made aware that officers considered the proposal to be contrary to the development plan and national planning policy due to the harm arising from the proposal on the NWD AONB, but Members considered that the proposed landscaping would provide sufficient screening. There was support from the committee for the economic benefit that would result from the unit.

3 RECOMMENDATION

- 3.1 That the District Planning Committee **REFUSE** planning permission for application 17/01235/COMIND as the proposed development is considered to be inappropriate in location and scale and fails to respond positively to local context or conserve the existing landscape character and setting of the North Wessex Downs Area of Outstanding Natural Beauty. It is therefore contrary to policies ADPP1, ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, the North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019 and advice contained within the NPPF.

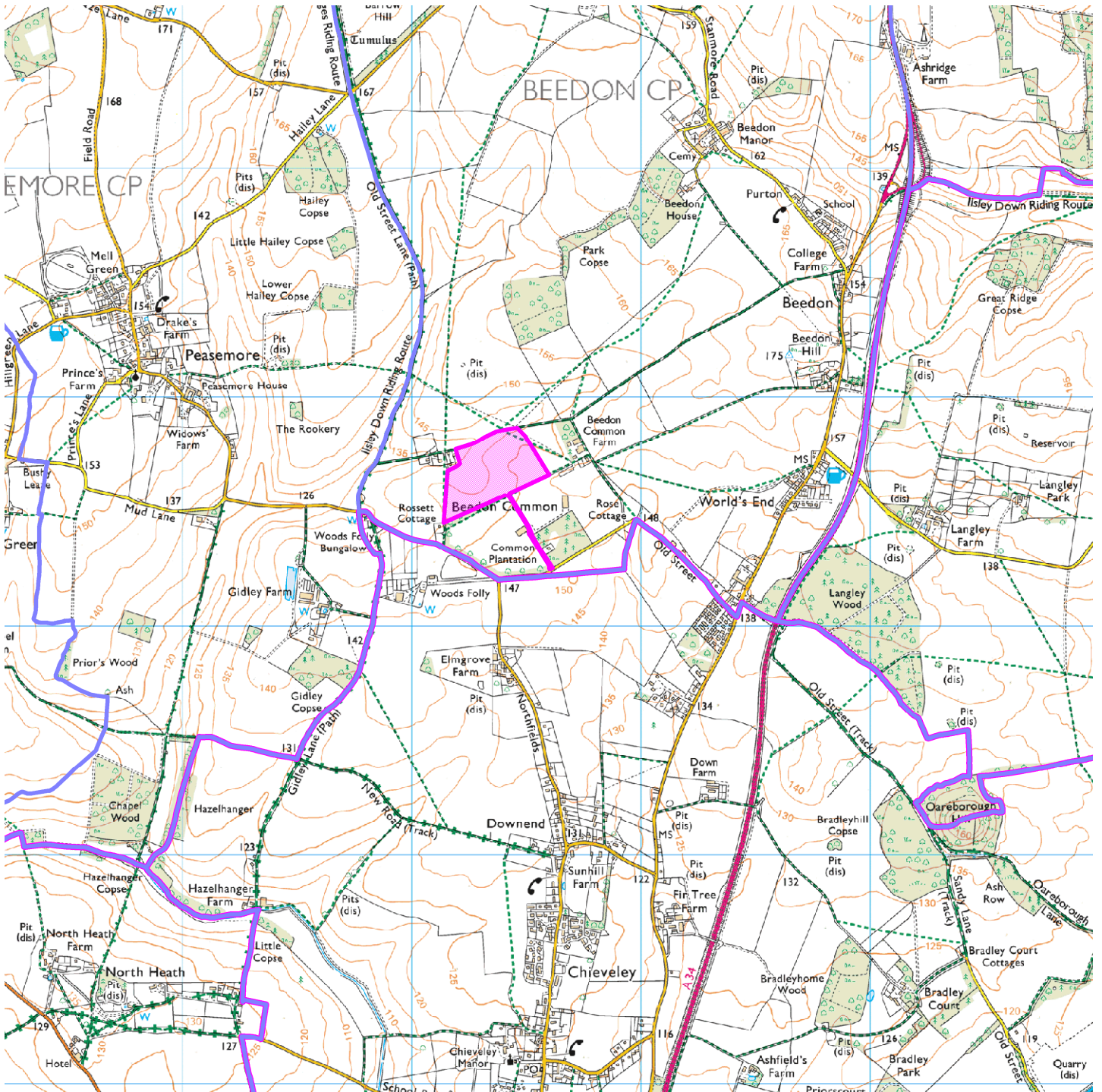
Appendices

- 1 WAP Committee Report of 9th August 2017
- 2 Update report of 9th August 2017
- 3 Draft minutes of WAP meeting.

DC

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Plantation Farmhouse, Beedon Common, Newbury, RG20 8TU

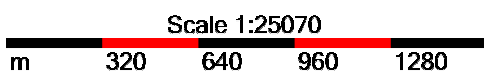


Map Centre Coordinates :

Scale : 1:25069

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Organisation	West Berkshire Council
Department	
Comments	
Date	14 August 2017
SLA Number	0100024151

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Item No	Application and Parish	No.	8/13 Week Date	Proposal, Location and Applicant
(2)	17/01235/COMIND Beedon Parish Council		28.07.2017	Erection of a free range egg laying unit. Plantation Farmhouse, Beedon Common Miss Hayworth

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/01235/COMIND>

Recommendation Summary: **The Head of Development and Planning be authorised to REFUSE the application as submitted.**

Ward Member(s): Councillor Clive Hooker

Reason for Committee determination: Called in by Councillor Hooker - This is an existing free range egg producing business that needs to expand to keep the business viable.

This opportunity will provide additional employment in the area and give the son of the business owner the opportunity to take on the new enterprise and contribute to the continued success of the farm for the future.

Two existing egg production buildings and associated runs exist on the farm and are in close proximity to the proposed, these are hardly visible from high viewpoints due to sympathetic landscaping and tree planting, the same will apply to the proposed development.

Committee Site Visit: 3rd August 2017

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

1. SITE HISTORY

- 16/02057/COMIND - Erection of a free range egg laying unit - Invalid
- 16/02238/COMIND - Erection of a free range egg laying unit - Invalid
- 16/02744/COMIND - Erection of a free range egg laying unit - Refused 01.03.2017

2. PUBLICITY OF APPLICATION

Site Notice Expired: 13.06.2017

Neighbour Notification Expired: 01.06.2017

Advertised in the Newbury Weekly News: 18.05.2017

3. CONSULTATIONS AND REPRESENTATIONS

Beedon Parish Council	<ul style="list-style-type: none">• No comments will be submitted as two members of Beedon Parish Council are associated with this business.
Chieveley Parish Council	<ul style="list-style-type: none">• Concerns were raised regarding significant issues with respect to visual impacts in the AONB and the Parish Council agreed that appropriate weight needs to be applied to policies to protect the character and quality of the AONB.• The Parish Council noted the District Council's reasons for refusal of planning application 16/02744/COMIND.• Landscaping a concern and assurance nuisances controlled by environmental health required i.e. odours and vermin.• The Parish Council request a condition that the applicant has the responsibility to repair or meet the costs of repairs to footpath BEED 16/1 where the road crosses the path should it become damaged or in poor condition due to heavy goods vehicles using the access road. As the footpath crosses over the access road appropriate warning signs should be erected to warn pedestrians of vehicular movement in this location.
Highways	<p>No Objection - subject to condition and informatives. Comments:</p> <ul style="list-style-type: none">• Any additional vehicle movements should be minimal according to the Design Statement.
Environmental Health	<ul style="list-style-type: none">• Satisfied that noise and odour from the proposed development is unlikely to impact on neighbours.
Archaeological Officer	<ul style="list-style-type: none">• Although there is some cropmark evidence for archaeological activity in the vicinity, there are no know sites within the development area and evidence suggests that there will be no major impact on any features of archaeological significance. Do not, therefore, believe that any archaeological assessment or programme of investigation and recording will be necessary in relation to the current proposal.
SUDs	<p>Comments:</p> <ul style="list-style-type: none">• Location-wise the silt traps are adequate, although think there are going to be issues with the development, it would be useful to have the size of these units too for completeness. These should be of a 'decent size' and much bigger than 250mm diameter domestic type preformed plastic units.• Having read the EA letter [submitted regarding application 16/02744/COMIND], agree with their views and despite them not submitting a subsequent comment, suggest the inclusion of

	<p>appropriately worded conditions as expect the same concerns will apply. The Conditions should:</p> <ul style="list-style-type: none"> a) seek details of the collection, storage and spreading over the land of the waste from the development once in operation; and b) require a construction method statement dealing with pollution risks during construction.
<p>Public Rights of Way Officer</p>	<p>No objection - subject to condition and informatives Comments:</p> <ul style="list-style-type: none"> • The proposed development is located on Beedon Common, which is criss-crossed by a number of PROWs. Indeed the site itself is constrained on all sides by Public Footpaths and a Bridleway. The block plan shows the range fence will not obstruct any PROW. The proposed site access (for HGV use) crosses Beedon Footpath 16. • The LVIA acknowledges that PROWs are highly sensitive visual receptors. They are used by the public mostly for leisure purposes as a means of accessing and enjoying the countryside. Changes to the environment through which PROWs pass may therefore be keenly felt. • The LVIA indicates that the local topography may help reduce the visual impact of the proposed scheme. There is also a commitment to native screening planting, and this will also contribute to a reduction in the potential impact. It is also true to say that the countryside through which these PROWs pass is working agricultural land and members of the public would not be surprised to see a new (albeit larger) agricultural building consistent with this business expansion. The building is also to be rendered appropriately.
<p>Rambler's</p>	<p>Part objector and supporter Comments:</p> <ul style="list-style-type: none"> • We note that the Boundary for the development has been changed from an earlier application to avoid crossing footpaths to the North and East of the Unit which we welcome. However the access road also does cross footpath BEED/16/1 to the South of the development which does not get mentioned in the access statement. We believe this could present a hazard to footpath users and would request that suitable warning signs be added for the benefit of HGV drivers and pedestrians.
<p>Ecological Officer</p>	<p>Previous comments from 16/02744/COMIND apply:</p> <ul style="list-style-type: none"> • The new facility will be situated within an area of existing arable farmland which is unlikely to be of intrinsic ecological value. The proposals would not therefore result in any significant impact to valuable ecological features and it is not considered that an ecological assessment is necessary. • The proposed tree planting to the north of the facility is useful if it will utilise a range of locally-relevant native species and is managed accordingly. It is noted that the arboricultural consultee has suggested that a landscaping plan/strategy is secured by condition the Ecological Officer would echo these comments [Case officer note - further details were submitted with this application and the Tree Officer's recommended condition has changed accordingly].

<p>Tree Officer</p>	<p>No objection - subject to condition Comments: <ul style="list-style-type: none"> There are no significant trees that will be adversely affected by the proposals, the proposed landscaping scheme to enclose the egg laying unit will screen it from the properties in the north west in the medium to long term. For the woodland the species they have chosen is mainly oak and field maple (60%), with additional species of crab apple, cherry and white willow, which will provide a suitable screening. </p>
<p>Ministry of Defence</p>	<p>No safeguarding objections Comments: <ul style="list-style-type: none"> The application relates to a site outside of Ministry of Defence safeguarding areas. Therefore no safeguarding objections to this proposal. </p>
<p>Natural England</p>	<p>North Wessex Downs Area of Outstanding Natural Beauty (AONB) - Refer to AONB Board The proposed development is for a site within a nationally designated landscape namely the North Wessex Downs AONB. Natural England advises that great weight be given to the advice given by the AONB board in guiding your decision. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, should be considered as an extremely valuable contribution to the planning decision. Natural England would like to make the following comments:</p> <ul style="list-style-type: none"> The proposal site sits within the AONB in a rural, secluded and undeveloped location within an area of downland with woodland, a landscape recognised as one of the Special Qualities of the North Wessex Downs within the AONB management plan (2014-2019).The development of a significantly larger egg laying unit at this location with greater levels of noise from the birds and increased vehicle movements would undoubtedly impact upon the rural, tranquil setting. The proposed screening does not follow the present historic field patterns and hedge lines, thus it could draw the viewer's eye to the egg laying unit rather than taking the focus away from it consequently not fulfilling its purpose. Although the locations of certain listed buildings in close proximity to the proposal site are included in the LVIA, no viewpoints looking towards the proposal site from these buildings (or vice versa) have been included. The historic environment is recognised as one the special qualities of the AONB, and consequently it is Natural England's opinion that it has not been given appropriate consideration. Users of the public right of way (PROW) footpaths surrounding the site, would experience sequential views of the development thus altering the scenic beauty of the area. In addition, Natural England notes that the views selected for the LVIA do not represent the potential impacts to PROW users from long distance viewpoints. <p>Ashridge Wood & Snelsmore Common Sites of Special Scientific Interest (SSSIs) - No Objection</p> <ul style="list-style-type: none"> Based on the air quality assessment submitted, Natural

	<p>England considers that the proposed development will not have significant adverse impacts on Ashridge Wood & Snelsmore Common SSSIs and has no objection.</p> <p>General advice on landscape, agricultural land and soils, protected species, priority habitats and species, ancient woodland and veteran trees, environmental enhancement, access and recreation, rights of way, access land, Coastal access and National Trails and biodiversity provided.</p>
North Wessex Downs AONB	<p>Objection Comments:</p> <ul style="list-style-type: none"> • The proposed development comprises a visual intrusion into the landscape which is not in keeping with the local landscape character and would result in harm to the special qualities of the AONB. • The scale and type of development proposed amounts to an extended industrialisation of the open farmed landscape which typifies the 'Brightwalton Downs' Landscape Character Area. The AONB Management Plan identifies that a key issue for the 'Downland with Woodland' landscape, which includes the Brightwalton Downs, is "... to maintain the remote, secluded and relatively undeveloped character of these wooded downs". The proposed development conflicts with this objective and is thus considered neither to conserve nor to enhance the natural beauty of the North Wessex Downs AONB. It therefore does not align with the purposes of the AONB as set out in statute and elaborated in the Management Plan. • We remain of the view that the proposed screening mitigation will appear incongruous in the landscape, out of character with the historic pattern and form of field boundaries and, based on the 'Mitigation Planting' landscape visuals presented, rather similar in character to the block of plantation woodland adjacent to the existing egg laying units. • Consequently we maintain our objection to the proposed development.
Conservation Officer	<ul style="list-style-type: none"> • Whilst it is noted that Building Conservation comments were not requested on the previously refused application numbered 16/02704/COMIND, and whilst there are no designated heritage assets in close proximity to the application site (and therefore directly affected by the proposals), would support the opinions of Natural England and West Berkshire Council's Landscape Advisor that further assessment of wider views is required. Given the relatively open character of the AONB, such an assessment is essential to ascertain whether or not there are any such impacts arises.
Access Officer, Thames Water Utilities, Waste Management, BBOWT, Environment Agency	No response received
Representations	Comments summarised as follows.

1 no. letter of support received:

- Demand for free range eggs is increasing, investment at farms like Beedon Common will be key to them continuing to meet ever increasing demand.
- It is important that more egg production is developed in the region to utilise returning delivery vehicles.
- Securing reliable sources is harder than you may think, and so support Lucy Hayworth's plans to increase Free Range production.

11 no. of letters of objection received:

Impact on AONB & Landscape

- Industrial building of this size and scale would be significantly harmful to the rural character of the site and area. Out of keeping in a green field in an AONB. In the unspoiled Beedon Common Valley in NWD AONB.
- Due to positioning unit would be very visible across a large area of otherwise unspoilt countryside.
- Very large, requires additional space for access. Due to location would have a major impact on appearance of the valley and views from properties and PROW users. Should be protected by NWD AONB, who have already objected.
- Size and location wholly inappropriate in an AONB.
- NWD AONB - test the development against the AONB management plan and core policies - contravenes these criteria.
- The Beedon Common area is relatively unspoiled and should be protected against such development. It is one of the few valleys in the area without a metalled road and is very peaceful.
- Two egg units have been built within the last ten years or so - progressive deterioration of the AONB in this area. When will the progressive building of industrial units stop?
- Large industrial scale out of keeping in a green field site and an AONB.
- Destruction of much loved and inspiring view.
- Plans seem to have been drawn up with no concern for the AONB. Does not reference the relevant sections of the North West [sic] Downs Landscape Character Assessment. Does not take account of the local AONB strategy conservation points.
- Area needs to be protected and preserved for residents and users of footpaths and bridleways.
- Loss of green space.

LVIA

- The photographs included do not fully detail the impact the site will have on the area. Feel that the LVIA is biased towards the developer and applicant and does not truly reflect the impact on the AONB or local residents. Feel that the suggestion that the development would not be out of character with its surroundings is incorrect as the building stands alone.
- The consultants clearly set out to justify the large industrial building, and not to protect this unspoiled valley.
- Photographs from positions of no significance.
- The view that *'the proposed scheme would not be out of character with its surroundings'*, is unfounded and biased in favour of the development.

- Lacks objectivity.
- Omissions in the LVIA and disagree with the conclusions made within it.

Impact on neighbouring properties

- Impact on residential properties - social, environmental and financial.
- Visibility from neighbouring properties - would deter future buyers and devalue properties. Would be visible until trees have matured.
- Increase in vermin infestations, rats. Thatched properties would be at risk. If residents are infested is it fair to expect them to finance their own pest control?
- Chicken droppings and ammonia, smell and flies.
- Chickens in close proximity to residential boundaries will encourage pets to escape and potentially kill chickens - cause stress. Having to put up higher, solid fencing would be out of keeping and impact environmentally, financially and on view. How would this be addressed to ensure residents would not incur further financial penalties?
- Studies state that there will be little environmental impact from noise, smell light etc. - the only way these factors can be totally avoided is by not proceeding at all. Environmental impact reports state that impact will probably be low level - will only be proven once in operation and that will be too late. How loud would 7 large industrial fans be on a hot summer's day or night?
- Peaceful area - noise travels. Restrictions should be set on when automated feeding hoppers, fans and conveyor belts are to be used.
- Estimated noise and odour levels (reports are only an estimate) and vermin would increase. Increase infestations.
- Some neighbouring properties will be significantly impacted - imperative that their concerns are taken into account.
- Closer to properties on Beedon Common than previous two units.

Location

- The simulated views show what a "blot" on the landscape the development would be from a northern viewpoint. More sensitive site selection would avoid these issues and be hidden from all public rights of way.
- Would have less impact on eastern side of Beedon Common Farm - no residential properties apart from the farmhouse and access road - would reduce light and noise pollution.
- Would be better sited within the curtilage of the existing farm - less impact on local properties and the locality and would not further spoil the open fields along the valley.
- Eastern or southern side of Beedon Common Farm would have far less of an impact as there are no residential properties other than the main farmhouse and access road.
- Wrong development in the wrong place.

Public Rights of Way

- Will impact on views from footpaths and bridleway, in particular that running north to south to Beedon Common from the ridge

above.

- The footpath running south to north from Rossett Cottage to the Common will look directly onto the huge building and associated hard standing to the east. The footpath running west to east from the garden of Rossett Cottage will be crossed by the access road - should be taken into account.
- Will take years for the building to be properly screened to reduce the impact on the AONB and the green field site. During this time the building will be clearly visible from footpaths around this beautiful valley and also from the residential properties adjacent to the site.
- After 20 years of tree growth, the building may be shielded but will still be highly visible from most of the footpaths and bridleways in the valley.

Ecology

- Concerned about the effect on local wildlife from the extensive electric fencing to enclose the site. There should be measures in place to allow small mammals especially hedgehogs to pass through. Concerned that the electric fencing will force other wildlife through the garden of Rossett Cottage - cannot fully protect as the footpath runs through it.
- The proposed building and chickens would jeopardise the birds that are found in the area.
- There will be significant impacts on wildlife, bird bio-diversity and local environment from this progressive industrial development within an important and unspoiled valley.

Traffic

- Roads to Beedon Common not built for large HGV lorries. HGVs already come down small tracks onto the Common and get stuck.
- Has the council done a true feasibility study of the impact on the surrounding area - who is going to maintain the track and roads when damaged.

Other

- "Thin end of the wedge" - concerned this development will result in more along the valley. Creeping industrialisation.
- Little change in this application. Refusal should stand.
- Concern over light pollution - restrictions should be set on use of outside lighting.
- Impact on the valley.
- Concerned about the long term issues that this may raise. What will happen if, or when, these buildings [egg units] are regarded as redundant, or no longer needed as agricultural buildings. A change of use could bring significant impact to the Beedon Common Area.
- Concerned that within local institutions called upon to comment on such developments that there is a lack of leadership and passion for protecting the local landscape.
- The new tree belt should not be used to justify the building of the unit: will take 15 years to grow and provide visual shield intended. Out of keeping - will enhance the incongruity of the development and its inappropriate siting. Will not provide an effective visual shield from medium to longer distance public

	<p>rights of way view-points, which are entirely missing from the applicant's LVIA. Inadequate in view of the time needed to grow and impossibility of guaranteeing their long term survival.</p> <ul style="list-style-type: none"> • Concerned whether the development would increase the risk of flooding; live at the bottom of the hill immediately below the proposed site where a large amount of concrete is going to be poured. • Concerned about noise, smell, pollution and extra heavy good vehicles.
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4. POLICY CONSIDERATIONS

- 4.1 The statutory development plan comprises:
- West Berkshire Core Strategy (2006-2026)
 - Housing Site Allocations DPD
 - West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
 - Replacement Minerals Local Plan for Berkshire (2001)
 - Waste Local Plan for Berkshire (1998)
- 4.2 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework (March 2012) (NPPF)
 - National Planning Practice Guidance (NPPG)
- 4.3 The following policies from the West Berkshire Core Strategy are relevant to this application:
- Area Delivery Plan Policy 1: Spatial Strategy
 - Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty
 - CS 10: Rural Economy
 - CS 13: Transport
 - CS 14: Design Principles
 - CS 16: Flooding
 - CS 17: Biodiversity and Geodiversity
 - CS 18: Green Infrastructure
 - CS 19: Historic Environment and Landscape Character
- 4.4 The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:
- TRANS1: Meeting the Transport Needs of New development.
 - OVS5: Environmental Nuisance and Pollution Control.
 - OVS.6: Noise Pollution
- 4.5 The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:
- C1: Location of New Housing in the Countryside
- 4.6 Paragraph 215 of the NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. Some saved policies from the WBDLP have not been replaced by policies contained within the WBCS and are therefore relevant to this application:
- OVS.5: Environmental Nuisance and Pollution Control
 - OVS.6: Noise Pollution
 - TRANS.1: Meeting the Transport Needs of New Development

- 4.7 Other material considerations for this application include:
- The National Planning Policy Framework (March 2012) (NPPF)
 - Planning Practice Guidance
 - The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019

5. DESCRIPTION OF DEVELOPMENT

- 5.1 This application seeks outline planning permission for the erection of a free range egg laying unit, as well as associated egg collection and packing facilities, two feed bins and external hard standings and concrete aprons. It is proposed that the building would operate a multi-tier system and would accommodate 16,000 hens.
- 5.2 The application site is located in open countryside outside of any defined settlement boundary, approximately 0.8km north of Chieveley and 1.3km south east of Peasmore. It is within the North Wessex Downs AONB, and is bordered on all sides by public rights of way.
- 5.3 To the south of the site are two existing free range egg laying units which were granted planning permission in 1999 and 2002, in addition to a mobile building. Combined these house 20,700 hens, of which 1,900 are located in the mobile unit, which is to be removed as part of this scheme.
- 5.4 There are several, scattered neighbouring properties in the area, with the largest collection being located to the north west of the site, where there are six properties.
- 5.5 The proposed building would be situated along the southern boundary of the site, in front of an existing border of trees that screen the existing units. From here the site undulates and slopes gently away to the North West. The site is currently very open, with views into the site from the many public rights of way in the area.
- 5.3 The building would be 91 metres long, and between 19 and 20 metres wide (the width will be confirmed in the update) and would have a dual pitched roof, with the height to the ridge being approximately 5.7 metres, and to the eaves, approximately 3.05 metres. Seven vents would be included along the ridge of the building, and would increase the maximum height of the building to approximately 6.1 metres. The west elevation would contain three sets of double doors whilst the east elevation would contain one pair of double doors and one single doorway. The south elevation would not have any openings, but the north elevation would have 16 pop holes which would open at 8am daily and close at 9pm or dusk.
- 5.4 Approximately 1560m² of floorspace would be provided as a bird area, and would include a scratch area and perchery as well as nest boxes. At the eastern end of the building approximately 171m² of floorspace would provide a control room and egg packing area.
- 5.5 It is proposed that the building would be clad in polyester coated profile sheeting in juniper green on the walls and dark grey on the roof, with black ventilation chimneys.
- 5.6 Access to the public highway would be created by extending the current access to the existing units to the south, into the site, crossing over public right of way BEED/16/1.

6.0 CONSIDERATION OF THE APPLICATION

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

- 6.1 The principle of the development
- 6.2 Design and the impact on the character of the area and the North Wessex Downs AONB (NWD AONB)

- 6.3 Neighbouring amenity
- 6.4 Highway safety
- 6.5 Public rights of way
- 6.6 Trees
- 6.7 Flooding and drainage
- 6.8 Ecology
- 6.9 The assessment of sustainable development
- 6.10 Community Infrastructure Levy

6.1 The Principle of Development

- 6.1.1 The spatial strategy for West Berkshire district is set out in Core Strategy policy ADPP1, which is clear that development should follow the existing settlement pattern. The policy goes on to state that within open countryside, where this site is located, only appropriate limited development will be allowed which is focused on addressing identified needs and maintaining a strong rural economy.
- 6.1.2 Planning Policy ADPP5 of the WBCS re-emphasises Policy ADPP1. It sets out the criteria for the principle of development within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) in which this site is situated. Policy ADPP5 permits development preserving the strong sense of remoteness, tranquillity and dark night skies, particularly on the open Downland of the AONB. It seeks to conserve and enhance the character of the area, ensuring that any development responds positively to the local context.
- 6.1.3 The use of the land for an agricultural business is considered an acceptable use in principle on this site. This application however, is for a substantial building within a sensitive, designated landscape. There needs to be a balance between the requirements for physical developments within the site, the ability of the business to operate effectively and the protection of the NWD AONB and local amenities.
- 6.1.4 The impact on the character of the area including the AONB is considered in detail below. In summary however, whilst landscaping is proposed to shield the building from views in to the site, this is not considered sufficient to mitigate the adverse impact caused by the proposal, as it would break up an existing open landscape.
- 6.1.5 The development is therefore not considered to accord with the context of the surrounding rural area. The significant mass and siting of the building proposed does not fit in to the landscape of the site or the surrounding area to the north of the site.
- 6.1.6 In view of the above the principle of development is therefore unacceptable.

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

- 6.2.1 Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 6.2.2 The criteria contained within the policy state that development shall contribute positively to local distinctiveness and sense of place. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 6.2.3 Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of

the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Proposals for development should be informed by and respond to features identified in various settlement character studies including the Quality Design West Berkshire Supplementary Planning Document, and community documents which have been adopted by the council such as Parish Plans and Town Design Statements. Paragraph 115 of the NPPF places great weight to conserving the landscape and scenic beauty in AONBs, which is also reiterated by Core Strategy Policy ADPP5.

- 6.2.4 The proposed development, whilst set in an agricultural landscape, and adjacent to existing free range egg laying units, is considered to have an unacceptable impact on the NWD AONB. The existing units are on a parcel of land distinctly separated by planting from the proposed site and are located on land that is more level and less overlooked. The proposed site however is undulating and exposed in character by comparison. As a result the existing units are considered to have a lesser impact on the AONB than that which is proposed under this application.
- 6.2.5 The mass of the proposed building is considered to have a harmful impact on the AONB; at 91 metres long it would spread across the top of the site and would be viewed from many points along the public rights of way that surround the site.
- 6.2.6 Natural England have been consulted and have commented, stating that the development of a significantly larger egg laying unit at this location would impact upon the rural, tranquil setting. They also commented that the proposed screening does not follow the present historic field patterns and hedge lines, and could therefore draw the viewer's eye to the egg laying unit rather than taking the focus away; consequently it would not be fulfilling its purpose.
- 6.2.7 Natural England also commented that users of the public right of way (PROW) footpaths surrounding the site would experience sequential views of the development thus altering the scenic beauty of the area.
- 6.2.8 The North Wessex Downs AONB Planning Advisor has been consulted on this application and maintained their objection from the previously refused application, 16/02744/COMIND. They considered that the proposed development comprises a visual intrusion into the landscape which is not in keeping with the local landscape character and would result in harm to the special qualities of the AONB.
- 6.2.9 The scale and type of development proposed amounts to extended industrialisation of the open farmed landscape which typifies the "Brightwalton Downs" Landscape Character Area ¹. The AONB Management Plan identifies that a key issue for the 'Downland with Woodland' landscape, which includes the Brightwalton Downs, is "... *to maintain the remote, secluded and relatively undeveloped character of these wooded downs*". The proposed development conflicts with this objective and is thus considered neither to conserve nor to enhance the natural beauty of the NWD AONB. It therefore does not align with the purposes of the AONB as set out in statute and elaborated in the Management Plan.
- 6.2.10 The NWD AONB remain of the view that the proposed screening mitigation will appear incongruous in the landscape, out of character with the historic pattern and form of field boundaries and, based on the 'Mitigation Planting' landscape visuals presented, rather similar in character to the block of plantation woodland adjacent to the existing egg laying units.

¹ North Wessex Downs AONB Integrated Landscape Character Assessment (2002) Technical Report pp 91-95.
http://www.northwessexdowns.org.uk/uploads/File_Management/Publications/Landscape/LCA_Chapters/Landscape%20Character%20Assessment%205%20-%20DOWNLAND%20WITH%20WOODLAND.pdf

- 6.2.11 Consequently the NWD AONB maintain their previous objection, previously disagreeing with the Landscape Visual Impact Assessment (LVIA) submitted, as they believe that the potential harm is not minor to moderate, but at least moderate to major, and would therefore have a significant impact.
- 6.2.12 To the east of view point 4 in the LVIA, is an open, sweeping view of the site and open landscape beyond. The AONB Officer states that this is a highly valued vista which would have a high sensitivity to change and therefore a significant impact would be caused by the introduction of a new building and subsequent planting mitigation.
- 6.2.13 Whilst it is acknowledged that planting is proposed around the proposed building, it is considered that due to the open nature of the site and landscape in this area, the planting of such a large area of trees would appear contrived and out of place. Also, the sloping nature of the site means that the planting would be at a lower level than the proposed building and so would take longer to grow to conceal the development.
- 6.2.14 It is acknowledged that whilst mitigation planting could be secured by condition, the AONB Officer considers that it would take up to 15 years to achieve its purpose of screening the development, and would therefore not be an appropriate method of minimising harm. The AONB Officer also noted that the trees could be removed in the future, as they could not be secured by condition indefinitely. However a condition securing their retention and replacement where necessary could be attached to any permission granted.
- 6.2.15 The submitted landscape and visual impact assessment has been assessed and has been found to not fully represent the visual impact of the development with further work required before the full extent of the visual effects can be considered. It was also considered that the proposed woodland relates poorly to the field pattern and would emphasise the perception of poorly located development.
- 6.2.16 The AONB Officer also states that the viewpoints provided within the Landscape Visual Impact Assessment are considered close distance, with no long distance viewpoints considered. Natural England also commented that the LVIA views do not represent the potential impacts to PROW users from long distance viewpoints. They also stated that whilst the locations of certain listed buildings in close proximity to the site are included within the LVIA, no viewpoints from these have been included. As the historic environment is recognised as one of the special qualities of the AONB, Natural England were of the opinion that it has not been given appropriate consideration.
- 6.2.17 The Council's Conservation Officer was subsequently consulted and supported the comments of Natural England and the Council's Landscape Adviser, that further assessment of wider views is required. Given the relatively open character of the AONB, such an assessment is essential to ascertain whether or not there are any such impacts arises.
- 6.2.18 Therefore it is concluded that the LVIA is considered insufficient to fully assess the impact on the NWD AONB.
- 6.2.19 Taking the above policies into account, the development is not considered to accord with the character and appearance of the surrounding area. The mass of the proposed building and the proposed landscaping in addition to the proposed siting is considered to harm the character of the surrounding open countryside and the NWD AONB.
- 6.2.20 The proposal will also require the removal of part of the tree belt screening the existing poultry units to create an access point. It is considered that this removal will also enable further views through from the public rights of way to the existing units and increase the level of adverse visual impact.

6.2.21 In view of the above, the development is not in accordance with the character and appearance of the area and AONB and is contrary to Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026, The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019 and advice contained within the NPPF.

6.3 Neighbouring Amenity

6.3.1 The proposed development is sufficiently distant from nearby dwellings, such that it would not impact on neighbouring amenity in terms of sunlight, daylight, overlooking or loss of privacy.

6.3.2 A plant noise assessment and a dispersion modelling study have been submitted as part of this application. These were reviewed by the Council's Environmental Health Officer who was satisfied that the noise and odour from the proposed development is unlikely to impact on neighbours. They raised no objections to the application.

6.3.3 It is therefore concluded that there would be no adverse impact on neighbouring amenity and the application accords with WBCS Policy 14 and WBDLP Saved Policies 2007 OVS.5 and OVS.6.

6.4 Highway Safety

6.4.1 The proposal would be accessed via an existing route off of the highway which currently serves existing chicken units. This would be extended to the new unit.

6.4.2 In the design and access statement it is stated that the proposal would generate an additional 76 commercial traffic movements per annum.

6.4.3 When consulted the Council's Highways Officer had no objection subject to a condition ensuring that parking and turning is in accord with the plans. They concluded that any additional vehicle movements should be minimal. Therefore the proposal is considered acceptable in accordance with development plan policies on highway safety.

6.5 Public Rights of Way

6.5.1 Policy CS 18 of the Core Strategy covers green infrastructure, which is defined as including Public Rights of Ways. It states that the District's green infrastructure will be protected and enhanced and that developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted unless in exceptional cases a suitable replacement is proposed.

6.5.2 The proposed development is located on Beedon Common, which is criss-crossed by a number of public rights of way. Indeed the site itself is constrained on all sides by Public Footpaths and a Bridleway. The block plan shows the range fence will not obstruct any PROW. The proposed site access (for HGV use) crosses Beedon Footpath 16.

6.5.3 The public rights of way are used by the public mostly for leisure purposes as a means of accessing and enjoying the countryside. Changes to the environment through which PROWs pass may therefore be keenly felt.

- 6.5.4 The Public Rights of Way Officer noted that the LVIA indicates that the local topography may help reduce the visual impact of the proposed scheme and that there is also a commitment to native screening planting which will also contribute to a reduction in the potential impact. They also commented that the countryside through which the public rights of way pass is working agricultural land and members of the public would not be surprised to see a new, albeit larger, agricultural building consistent with this business expansion. They also felt that the building is to be rendered appropriately.
- 6.5.5 The Public Rights of Way Officer raised no objections to the proposal subject to a condition securing warning signage for drivers and pedestrians using Beedon Footpath 16.
- 6.5.6 However, it is acknowledged that whilst this is an agricultural building in an agricultural landscape, the building's location and significant size would result in an unacceptable level of harm to the AONB. In addition, the nature of the planting would introduce a feature that would not be in keeping with character of the with the open field landscape.
- 6.5.7 As previously noted, the proposal would be seen from many viewpoints along the public rights of way that surround the site, and would therefore have an adverse impact on the visual enjoyment of users of the public rights of way. This would be contrary to WBCS Policy CS 18 as green infrastructure would not be protected or enhanced.

6.6 Trees

- 6.6.1 The Tree Officer was consulted on this application and concluded that there are no significant trees that will be adversely affected by the proposals and that the proposed landscaping scheme to enclose the egg laying unit would screen it from the properties in the north west in the medium to long term. The woodland the species they have chosen are mainly oak and field maple (60%), with additional species of crab apple, cherry and white willow, which will provide a suitable screening.
- 6.6.2 No objection was raised by the Tree Officer subject to a condition to ensure that all landscape works are completed in accordance with the submitted details and that any trees, shrubs or hedges which die within five years are replaced within the next planting season.

6.7 Flooding and Drainage

- 6.7.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Policy CS16 of the Core Strategy strictly applies a sequential approach across the district. The application site is not within flood zones 2 or 3, nor is it within a critical drainage area. It is however within a groundwater source protection zone and the Environment Agency have been consulted accordingly.
- 6.7.2 When consulted Land Drainage requested that silt traps be added to the soakaways. As they anticipated issues with the development, for completeness, requested the size of the units. The silt traps would prevent silt or pollution entering the SuDS features and would prolong the life of the drainage system. These have been shown on the submitted plans and a condition could be attached if planning permission were to be granted to secure the details requested and to ensure that these are implemented in accordance with the details submitted.
- 6.7.3 Whilst the Environment Agency did not supply a consultation response for this application, they did comment on the previous, similar application, raising no objection. However they offered advice relating to ground water protection, as the site is located in a Source Protection Zone III (SP3), an area that requires protection from pollution. They also stated

that safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

- 6.7.4 The Land Drainage engineer recommended conditions to secure details of the collection, storage and spreading over the land of the waste from the development once in operation and to secure a construction method statement dealing with pollution risks during construction.

6.8 Ecology

- 6.8.1 Policy CS 17 of the WBCS states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced.

- 6.8.2 The Ecological Officer concluded that the new facility will be situated within an area of existing arable farmland which is unlikely to be of intrinsic ecological value. The proposals would not therefore result in any significant impact to valuable ecological features and an ecological assessment was not considered necessary.

- 6.8.3 The Ecological Officer commented that the tree planting to the north of the facility is useful if it is to utilise a range of locally-relevant native species and is managed accordingly.

6.9 Assessment of Sustainable Development

- 6.9.1 The NPPF places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal.

- 6.9.2 The proposal has the potential for economic benefit. However this is outweighed by the impact that the unit would have on the environment in terms of adverse visual impact on the AONB and social aspects in terms of adverse impact on the public rights of way network. The environmental considerations have been assessed in terms of design, amenity and impact on the character and appearance of the area and AONB and for the reasons given above are considered unacceptable. Social considerations overlap those of environmental in terms of amenity. As these have also been found unacceptable the development is considered to not constitute sustainable development.

6.10 Community Infrastructure Levy

- 6.10.1 This application does not propose the creation of floor space that would be CIL liable.

7. ENVIRONMENTAL IMPACT ASSESSMENT

- 7.1 In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the local planning authority (LPA) must adopt a screening opinion as to whether the proposal constitutes Environmental Impact Assessment Development and therefore whether an Environmental Impact Assessment is required as part of the application.

- 7.2 A screening opinion has been adopted because the proposed development is considered to fall within Section 1(c) of Schedule 2 of the EIA Regulations, and the development exceeds the applicable criteria, and the site is located within a sensitive area. The LPA does not consider the proposed development likely to have significant effects on the environment by virtue of factors such as its nature, size or location. As such, the LPA concludes that the proposal is not EIA development, and therefore EIA is not required.

7.3 The proposal was re-assessed as part of this application due to comments included within the Landscape and Visual Impact Assessment, but it was concluded that the original screening opinion issued under application 16/02744/COMIND was correct.

8. CONCLUSION

8.1 Having taken account of all the relevant policy considerations and other material considerations referred to above, it is considered that the application is contrary to development plan policies in respect of the impact on the North Wessex Downs AONB and green infrastructure.

9. RECOMMENDATION

The Head of Development and Planning be authorised to REFUSE Planning Permission:-

9.1 The location and built form of the proposed development would have an adverse visual impact and detrimentally alter the character of the site and the setting of the North Wessex Downs Area of Outstanding Natural Beauty. The siting of the proposed building on top of land which is undulating, open and exposed in character is visually prominent and part of a sensitive rural landscape. The substantial scale, size and massing of the building, at 91 metres long, would introduce an overly dominant structure into the landscape. The building would be visible beyond the site and from public rights of way, conflicting with the aims of the public right of way network and the amenity of its users. Insufficient justification has been submitted with the application to demonstrate that the visual harm identified can be suitably and appropriately mitigated. The LVIA received with the application requires further work to assess the impact of the proposal on further viewpoints, including from listed buildings and Peasemore Conservation Area.

9.2 As such the proposed development is contrary to the principle of development and impact on the character of the area under policies ADPP1, ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, the North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019 and advice contained within the NPPF, by being inappropriate in location and scale and failing to respond positively to local context or conserve the existing landscape character and setting of the North Wessex Downs Area of Outstanding Natural Beauty.

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

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**WESTERN AREA PLANNING COMMITTEE
ON 9TH AUGUST 2017**

UPDATE REPORT

Item No: (2) **Application No:** 17/01235/COMIND **Page No.** 43 - 62

Site: Plantation Farmhouse, Beedon Common

Planning Officer Presenting: Derek Carnegie

Member Presenting:

Parish Representative speaking: N/A

Objector(s) speaking: Dr Allen Careless on behalf of residents of Beedon Common

Supporter(s) speaking: N/A

Applicant/Agent speaking: Mr Roger Gent
Mr Ian Pick

Ward Member(s): Councillor Clive Hooker

Update Information:

1. Site History

99/54428/FUL - Free range poultry unit. comprising a grass range with a single building - sited and design to RSPCA freedom food standard - Approved 17.12.1999

02/00396/AGRIC - Free Range poultry unit comprising a grass range with a single building, sited and design to RSPCA freedom food standards - 06.12.2002

2. Consultations and Representations

Environment Agency - No objection subject to inclusion of following condition:

The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reasons: Proposed operation could generate significant quantities of potentially contaminating material / waste. Soakaways (if required) associated with the proposed sheds, should not be located in areas where excess chicken fouling are likely to be deposited.

Additional information from a third party objecting to the application:-

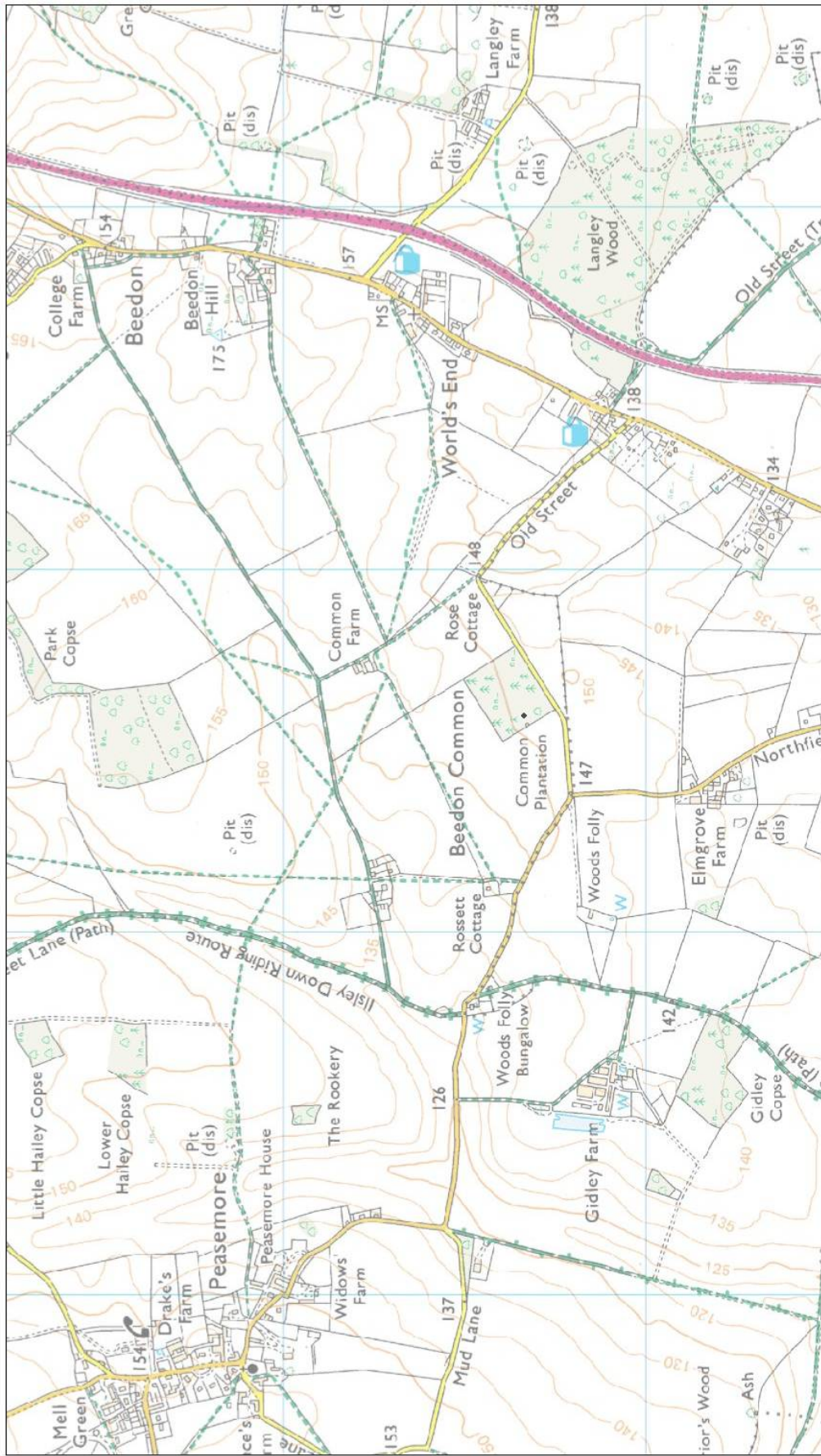
Photograph submitted showing view of the proposed development site backing onto the tree belt behind some of the houses at Beedon Common where the proposed industrial scale chicken shed will dominate the landscape. A second photograph shows a view of the proposed development site from the Ilsey Down Riding Route which runs past resident's houses. The proposed industrial scale chicken shed will dominate the view for walker and horse riders for some distance. This is also true of the short, medium and long distant views from other PROWs.



3. Description of development

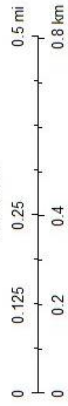
It has been confirmed that the building will have a footprint of 19.8 metres by 91 metres and an amended plan has been received showing this.

DC



August 8, 2017

1:10,000



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West Berkshire Council
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WESTERN AREA PLANNING COMMITTEE

EXTRACT FROM THE DRAFT MINUTES OF THE MEETING HELD ON WEDNESDAY, 9 AUGUST 2017

Councillors Present: Howard Bairstow, Jeff Beck, Hilary Cole, James Cole (Substitute) (In place of Adrian Edwards), Billy Drummond, Paul Hewer, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing

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

Apologies for inability to attend the meeting: Councillor Dennis Benneyworth, Councillor Paul Bryant and Councillor Adrian Edwards

PART I

16. Declarations of Interest

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

17. Schedule of Planning Applications

(2) Application No. and Parish: 17/01235/COMIND, Plantation Farmhouse, Beedon

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

Councillor Paul Hewer, in accordance with his declaration of interest in respect of agenda item (1), left the meeting at 6.35pm and did not return.

Due to the declaration of interest of the Chairman and in the absence of the Vice-Chairman of the Western Area Planning Committee, Members **RESOLVED** that Councillor Hilary Cole be appointed as Chairman for this item only.

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/01235/COMIND in respect of the erection of a free range egg laying unit.
2. In accordance with the Council's Constitution, Dr Allen Careless (on behalf of residents of Beedon Common), objector, and Mr Roger Gent and Mr Ian Pick, applicant/agent, 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. In conclusion the report detailed that the proposal was not acceptable and a conditional approval was not justifiable. Officers consequently recommended the Committee refuse planning permission. He further informed the Members that if they chose to approve planning permission, this application would be referred to the District Planning Committee, as it was against their own policy.
4. Councillor Hilary Cole noted that there was no request made by the Parish Council to speak on this item. It was regrettable that Beedon Parish Council had not commented on the application, as it would have helped the Committee make their decision. The Chairman felt strongly that some comment should have been forthcoming. If a member of the Parish Council had an interest in the application they should have left the room to allow for forthright and open discussion by the remaining members. There were mechanisms in place, as had occurred with Councillor Clive Hooker and Councillor Paul Hewer at this Committee, to allow for such an occasion.
5. Dr Careless in addressing the Committee raised the following points:
 - He was speaking on behalf of the residents of Beedon Common
 - The neighbouring cottages were 200-300 yards from the development; relatively close in such an open landscape.
 - He and his neighbours had chosen to live in the area because of the openness and they felt passionate about protecting it. They commended the officers for their report and excellent analysis.
 - They understood Roger Gent's wish to sustain his business, but felt this was the wrong development in the wrong place.
 - He felt the visual impact of such an industrial scale development was unacceptable and it had been sited in the worst place it could be within the farm.
 - Due to the topography of the land, the unit would be clearly visible for miles away on the public rights of way (PROW).
 - The emphasis on screening was inappropriate, as the block of trees in an open landscape would emphasise the incongruity of the unit, rather than disguise it.
 - In terms of economic benefit for the area, it was a highly mechanised unit and would require a maximum of two people to work in it. He felt this did not mitigate the harm.
 - He was concerned about the environmental impacts of noise, smell, light pollution and the attraction of vermin.
 - The increased volume of transportation of waste, feed and carcase disposal would cause upset.
6. Councillor Garth Simpson noted that the Heavy Goods Vehicles (HGVs) that serviced the existing sheds did not pass Dr Careless property. Dr Careless commented that there was a network of narrow lanes and poor signage, which already caused problems for large vehicles.

7. Councillor Anthony Pick asked if there was an agreement with Environmental Health Officers that neighbours would not be disturbed. Dr Careless reflected that this was based on theoretical models and once it had been made reality, it would be too late.
8. Councillor Howard Bairstow observed that the houses were surrounded by a lot of woodland and inquired if Dr Careless would still object to the application if Mr Gent were to use woodland to screen the unit. Dr Careless felt that the proposed plantation was not appropriate. He would not object to mixed woodland.
9. Councillor Billy Drummond asked if the residents had had any trouble with the existing chickens in the mobile unit. Dr Careless noted that the mobile unit was on the other side of the farm.
10. Councillor Clive Hooker asked if the objector considered his own house and those of his neighbours as appropriate in such an open landscape. Dr Careless felt they were attractive cottages, appropriate to the landscape.
11. Mr Gent in addressing the Committee raised the following points:
 - Egg production had started in 1999, following the out break of Bovine Spongiform Encephalopathy (BSE). Production was increased in 2001 following the Foot and Mouth outbreak. There were still some cows on the farm, but he felt it was only a matter of time before they became infected with tuberculosis (TB). He considered free range egg production as the way forward, as it stood alone without subsidy. This had to be taken into consideration post Brexit.
 - He took great care to protect the countryside and had been involved in woodland schemes and environmental work. He felt that the Area of Outstanding Natural Beauty (AONB) had to change and evolve alongside the changes that farmers had to embrace.
 - Time and care had been taken in the preparation of the proposal. It offered employment and trees and hedgerows. They would grow the crops to feed their own hens.
 - Demand for free range eggs had risen by 7-8% and regulations now meant that all hens had to be free range by 2025. Currently, nationally 60% were cage free.
 - It was a large investment for the farm and there had to be a robust plan to ensure it would work.
12. Mr Pick in addressing the Committee raised the following points:
 - There was only one reason that this application had to be considered by the Committee and that was because of the AONB. He felt that this impact could be mitigated, as with the two existing units, by tree planting around the building.
 - The units would be visible from the PROW, but he felt it was not unusual to see farm buildings in a farming landscape.
 - This was a relatively small project and was essential for the business to survive.

13. In answer to queries from Councillor Pick, Mr Gent replied that there would be one full time member of staff and a second person to help assist with egg collection. The shed was needed to provide a place for roosting, nesting, feeding and watering for the birds. He was legally bound to have a robust plan in place for vermin control. He used the new style of electric fencing that was wildlife friendly and would allow hedgehogs to pass through unharmed.
14. Councillor James Cole inquired how many extra lorries would be needed. Mr Gent explained that one extra lorry a week would be needed to bring food. The current pick up lorry was not used to its full capacity and therefore the additional eggs produced would just make it more efficient to use.
15. Councillor Cole further asked if Mr Gent would be prepared to plant larger trees than the three to four feet saplings proposed. Mr Gent agreed that he would. He had previously taken guidance from the Forestry Commission on what type of trees to plant and would do so again.
16. Councillor Simpson questioned the reasons for the location of the unit. Mr Gent explained that each building had to be allocated a fenced range for the birds. Due to the amount of PROW that cross the farm, if it was sited anywhere else the PROWS would run through the range.
17. Councillor Drummond recounted his experience as a chef and the dreadful smell of ammonia when sourcing eggs from a farm. Mr Gent explained that the older sheds got mucked out once a year. The new style shed was mucked out weekly. The farm had been producing eggs for 18 years and had never received a letter of complaint about a smell.
18. Councillor Drummond asked if Mr Gent was concerned about bird-flu. Mr Gent observed that he was caught between the devil and the deep blue sea, as he was required to have screening, but the trees attracted wild fowl that could bring the disease.
19. Councillor James Cole wondered what Mr Gent felt about the criticism that a woodland would look more natural and whether he would consider making the plantation bigger. Mr Pick noted that in the surrounding area there were five or six coppices that looked very similar to the plantation proposed. The AONB officer had proposed clumps of trees, as would be found in parkland, but he felt this was not appropriate for the area. In comparison, in the fields adjacent to his property, there were huge concrete buildings with no screening at all.
20. Councillor Hilary Cole enquired if he had consulted with his neighbours. He said he had done so. She further asked if he had sought guidance from the Council's AONB officer or pre-application advice. Mr Gent stated that he had taken independent guidance.
21. Councillor Simpson asked if the landscape in the AONB had changed over the years Mr Gent had farmed there. Mr Gent observed that he had been replanting boundaries and trees, but that it was basically the same open and sporadically wooded landscape. If it had not been farmed, it would have been scrubland.
22. Councillor Clive Hooker in addressing the Committee as Ward Member raised the following points:
 - It was the Officer's recommendation to refuse the application as it was in an AONB. The Committee could overturn this for exceptional circumstances.

- This was a family run business; not a large enterprise. They had farmed the land for three generations and it would never be their intention to degrade the landscape.
 - The business had to expand to be competitive. Free range eggs were the future as battery farms were no longer allowed. This farm was contributing to our food supply.
 - There were two existing barns already operating in the AONB. Councillors would have observed how well hidden the current units were by screening. The roofline of the new unit would be below that of the existing units. The applicant had agreed to use larger trees, as suggested by Councillor Cole.
 - The unit they proposed to install was the smallest and most modern available, with little noise or odour escaping. We lived in modern fast moving times and we had to find ways to be more efficient.
 - Helping to ensure the survival of a rural business was not a unique position for this Committee, there was also the bakery in Chieveley.
 - 74% of the district was in an AONB. Any farm would need to expand their business and contribute to the economy.
23. Councillor Pick noted that there had been previous applications on the property and asked if they had been for similar proposals. He also queried whether, in the case of a farm, there was a conflict between economic development and preservation of the AONB. Derek Carnegie observed that a balance had to be struck within the Council's policy.
24. Councillor Hooker sought clarification on whether a refusal could be construed as restrictive on the viability of the business and whether all businesses in the AONB should expect to be refused permission. Derek Carnegie replied that it may well have been there was a more appropriate location that would have, on balance, been acceptable.
25. Councillor Virginia von Celsing relayed her experience of the site visit. On arrival, she could not believe that the development had been suggested for such a beautiful area however, she was impressed that she couldn't see the existing units and this had changed her mind. She felt that far worse applications on other sites had been allowed and that, on this site, the impact was acceptable. Following Brexit, subsidies were only guaranteed until 2022 and rural businesses had to diversify. She agreed with Councillor James Cole's idea for planting larger native trees. She appreciated the residents' views, but felt that life had to go on.
26. Councillor von Celsing proposed that the Committee grant planning permission, against the Officer's recommendation. Councillor Simpson seconded the proposal.
27. Councillor Jeff Beck commented that it seemed that farmers were expected to retain the countryside for urban dwellers. He agreed with Councillor Hooker that farming was a business that we relied on for our food. The public had demanded free range eggs for ethical reasons and Mr Gent was going with the public trend. He suggested that conditions for approval could be drawn from the responses to the consultation, such as:

- a) Chieveley Parish Council, page 44: to repair or meet the costs of repairs to footpath BEED 16/1 where the road crossed the path should it become damaged or in poor condition due to heavy goods vehicles using the access road
 - b) Rambler's, page 45: add warning signs to the BEED/16/1 footpath for the benefit of HGV drivers and pedestrians.
 - c) Point 6.2.14, page 55: retention and replacement of trees, where necessary
 - d) Point 6.6.2, page 57: that any trees, shrubs or hedges which die within five years are replaced within the next planting season
 - e) Point 6.7.2, page 57: add silt traps to the soakaways
 - f) Point 6.7.4, page: details of the collection, storage and spreading over the land of the waste and a construction method statement that dealt with pollution risks.
 - g) Update report, page 1: scheme to dispose of surface water submitted and approved by the local planning authority.
28. Councillor Simpson observed that he had, on first sight, agreed with officers but on listening to the arguments he had changed his mind and felt that the land should not be set in aspic. He recounted that 200 years ago trees had been cut down to feed the industrial revolution and that it was inevitable that farming practices had to change following Brexit. He felt that the AONB had a crisp and artificial look to it and that by using arboreal tricks the new unit would be well screened.
29. Councillor James Cole believed this was a very professional operation and agriculture was changing. In other areas, agricultural buildings were being converted in to residential houses. The land on this farm was not good enough for intensive crop farming and TB was a genuine problem for beef farmers. He felt it was an efficient use of the land.
30. The Chairman invited the Committee to vote on the proposal of Councillor von Celsing, seconded by Councillor Simpson, to grant planning permission, against the Officer's recommendation and at the vote the motion was carried unanimously.
31. Councillor Hooker agreed with the Member's comments and noted that West Berkshire Council needed to address the ways it accommodated businesses in the AONB in its next Local Plan.
32. Councillor Pick felt that this type of application should be approached in the same way as that of a listed building, in that it had a strong economic base supporting the decision.
33. Councillor Hilary Cole explained that under national policy the AONB had been granted great protection; to the same degree as national parks. She had a large amount of experience, from sitting on the AONB Council of Partners Board and viewed the AONB as a man-made landscape. She subscribed to efforts to protect it however, there had to be an acknowledgement of the value of the working community.

34. Before the vote, Councillor Hilary Cole reiterated that if Members were minded to approve this application, against Officer recommendation, it would be referred to the District Planning Committee. This Committee was comprised of members of both the Eastern and Western Area Planning Committees.

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

Conditions

Potential planning conditions would be decided by the District Planning Committee, should they agree to grant planning permission.

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