

# Notice of Meeting



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## Eastern Area Planning Committee Wednesday 4 July 2018 at 6.30pm

in the Calcot Centre, Highview (off Royal Avenue), Calcot

### 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 26 June 2018

### 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 webcast, 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. Those taking part in Public Speaking are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Calcot Centre 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](mailto:planapps@westberks.gov.uk)

Further information, Planning Applications and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 4 July 2018**  
*(continued)*

Any queries relating to the Committee should be directed to Stephen Chard on (01635) 519462  
Email: [stephen.chard@westberks.gov.uk](mailto:stephen.chard@westberks.gov.uk)



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 4 July 2018**  
(continued)

**To:** Councillors Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster

**Substitutes:** Councillors Rob Denton-Powell, Lee Dillon, Sheila Ellison, Tony Linden, Mollie Lock and Quentin Webb

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# Agenda

## Part I

**Page No.**

1. **Apologies**  
To receive apologies for inability to attend the meeting.
2. **Minutes** 5 - 26  
To approve as a correct record the Minutes of the meeting of this Committee held on 13 June 2018.
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. & Parish: 18/00628/FULD - Midgham Cottage, Station Road, Woolhampton** 27 - 48  
**Proposal:** Section 73: Variation of Condition 9 -Treatment Plant and removal of Condition 12 - Minimise the effects of dust, of planning permission reference 17/00883/FULD (To erect 2 no. detached 4-bed houses and one pair of semi-detached 3-bed houses).  
**Location:** Midgham Cottage, Station Road, Woolhampton, Berkshire, RG7 5SE  
**Applicant:** Mr Michael Bundy (Woolhampton Design Centre Ltd)  
**Recommendation:** To **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION**.



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 4 July 2018**  
(continued)

- (2) **Application No. & Parish: 18/00562/COMIND - Home Farm, Purley Village, Purley On Thames** 49 - 64
- Proposal:** Re-alignment of the farm drive along with associated landscaping and use of part of the site for D2 (outdoor sports and recreation) use for up to 250 days per annum.
- Location:** Home Farm, Purley Village, Purley On Thames, Berkshire, RG8 8AX
- Applicant:** TW and VR Metcalfe
- Recommendation:** Subject to no adverse comments being received from the Lead Flood Authority and the Environment Agency, to **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION** subject to the conditions set out in section 8.1 of the report.

**Items for Information**

5. **Appeal Decisions relating to Eastern Area Planning** 65 - 66  
*Purpose: To inform Members of the results of recent appeal decisions relating to the Eastern Area Planning Committee.*

**Background Papers**

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Andy Day  
Head of Strategic Support

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



# Agenda Item 2.

## DRAFT

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

### **EASTERN AREA PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON WEDNESDAY, 13 JUNE 2018**

**Councillors Present:** Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Tony Linden (Substitute) (In place of Emma Webster), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Quentin Webb (Substitute) (In place of Alan Law)

**Also Present:** Paul Anstey (Head of Public Protection and Culture), Sharon Armour (Solicitor), Jessica Bailiss (Policy Officer (Executive Support)), Gareth Dowding (Senior Engineer), David Pearson (Development Control Team Leader) and Simon Till (Senior Planning Officer)

**Apologies for inability to attend the meeting:** Councillor Alan Law and Councillor Emma Webster

#### **PART I**

##### **8. Minutes**

The Minutes of the meeting held on 23<sup>rd</sup> May 2018 were approved as a true and correct record and signed by the Chairman, subject to the following amendment:

**Item 3 Application no. 17/03411/OUTMAJ – page 42, third paragraph:** Councillor Alan Macro reported that he had not abstained from voting and had voted in line with the proposal to refuse the application. Officers would check the detail on this point and if clarification could not be reached the comment should be removed. *(Post meeting comment: this could not be verified through checking the written version of the minutes and therefore the comment should be removed).*

##### **9. Declarations of Interest**

Councillors Graham Pask and Marigold Jaques declared an interest in Agenda Item 4(2), but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

##### **10. Schedule of Planning Applications**

###### **(1) Application No. & Parish: 17/03489/FUL - Sabre House, Bath Road, Midgham, Reading**

*(Councillor Tony Linden joined the meeting a 6.35pm)*

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/03489/FUL in respect of the mixed use of the site for: vehicle sales and leasing (sui generis), vehicle preparation and washing (B1), and MOT and servicing (B2). Alteration to east elevation to remove roller shutter door and install glazing to provide for vehicle display, internal alterations to workshop layout, visitor reception and WC and replacement windows to office area. Variation to authorised operating hours (for

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customers, workshop based operations, and lighting). Alternative scheme to the development approved under 16/03528/FUL.

Councillor Graham Pask asked members of the public if anyone intended to record the meeting. If this was the case then those making a representation had the right to refuse to be recorded. It was confirmed by Mr Steve Russell that he would be recording the meeting.

David Pearson introduced the report to Members of the Committee which was recommended for approval and ran through the key points. He highlighted that there was an amendment to Condition 21 set out within the update report. Mr Pearson also suggested that an amendment be made to condition 16 to state that the windows on the southern elevation of the workshop building should be 'top hung and obscured glazed windows'.

In accordance with the Council's Constitution, Mr Anthony Fenn, Parish Council representative, Mr Steve Russell, objector, Mr P Felton, supporter and Mr Simon Joyce, agent, addressed the Committee on this application.

Mr Anthony Fenn in addressing the Committee raised the following points (*Mr Fenn confirmed that he was happy to be recorded*):

- At its meeting on the 23<sup>rd</sup> January 2018, Midgham Parish Council recorded an objection to the application on the grounds that a vehicle showroom was not suitable for the location, which was rural and close to dwellings.
- The Parish Council strongly objected to any attempt to remove or change previously imposed conditions relating to operating hours, lighting, use of pressure washers and undertaking work outside the building. Conditions were put in place to protect those living near to a site and therefore all conditions should be upheld.
- The extra 15 hours of activity per week was excessive and would fail to protect the amenity of the area. Extended hours of lighting would impact upon the neighbouring dwellings and would cause a visual impact on the area.
- Pressure washers operated at about 85 to 100 decibels, which could damage hearing and would affect the amenity of the neighbouring properties.
- The Planning Officer's report had considered the impact from pressures washers to be low however, the Parish Council disagreed with this.
- Mr Fenn had visited the adjacent properties six times in the last year and on two of these occasions the workshop doors had been left open. The noise had been so loud, no other ambient noise could be heard. When the doors were closed ambient noise could be heard as well as the noise from the A4.
- Based on the reasons set out above the Parish Council was opposed to the application. If the Committee was minded to approve the application then the Parish Council pleaded that all existing conditions were retained.

Councillor Graham Bridgman asked Mr Fenn to clarify the extra 15 hours he had mentioned. Mr Fenn stated that this was the difference between the existing times and the proposed times for the site. Councillor Bridgman struggled to see where Mr Fenn had identified the extra 15 hours as he could only identify an additional 7.5 hours. Mr Fenn stated that an extra 2.5 hours was proposed each side of the day Monday to Friday and then there was an extra 5 hours proposed at the weekend. Councillor Bridgman stated that according the report, no additional hours were proposed for weekdays and he could only identify a proposed increase in hours on a Saturday from 1300 to 1800.

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Mr Steven Russell in addressing the Committee raised the following points:

- Objections had been raised against the two applications requesting changes of use in autumn 2016 and summer 2017. Objections raised had included changes to the street scene; impact upon local residents, particularly those living at the four dwellings which were adjacent to the site; noise and smells generated by the site and increased traffic.
- Conditions had been put in place to protect residents and a strategy was now being applied by the applicant to weaken the conditions.
- Mr Russell presented two pieces of media to the Committee. The first piece was a video including sound taken from a back bedroom window. A banging noise could be heard as part of the video. Mr Russell stated that the banging noise could be heard from within the dwelling, The Barn, that the video had been recorded from.
- The second video was an audio recording of two of Mr Russell's neighbours standing next to his fence with equipment that he stated was a pressure washer. Talking could be heard prior to commencement of the operation of the equipment to give an idea of the sound levels. Mr Russell felt that noise was unacceptable when children were trying to get to sleep; working from home or studying.
- In particular Mr Russell asked that the condition be transposed from the previous planning permissions on the site that stipulated that no work should take place outside the building; no pressure washing to take place outside and no external lighting.
- Mr Russell added that a hedge had been removed from the front of the site by the applicant.
- Residents were against the industrialisation of Midgham and the impact this would have on people's lives.

Councillor Graham Pask recalled from the site visit that the main concern had been the east facing roller-shutter door. The new application involved the removal of this door. Mr Russell stated that the video he had shown had been taken whilst the door was open. When the door was shut there was a big improvement to the level of noise. Mr Russell stated that it was not just this that concerned residents. The introduction of a new showroom and lighting that would be visible from the bedrooms of his house would further exacerbate the impact on neighbouring dwellings.

Councillor Marigold Jaques referred back to the site plan and noted that the plans showed what seemed like a large distance between the dwellings and the boundary fence however photos shown indicated that this gap was much smaller. Mr Russell stated that Orchard Cottage, Wisteria Cottage, Old Acre House and The Barn were all dwellings that were very close to the site and conditions were required to protect them.

Councillor Bridgman asked Mr Russell to clarify where the recordings were taken. Mr Russell stated that the first recording had been taken by his neighbours who lived at The Barn and the second video had been taken at the fence that was adjacent to the site.

Councillor Richard Crumly noted that Mr Russell had referred to unpleasant smells and asked what the smells related to. Mr Russell stated that the business sold and repaired vans and therefore the smell generated was due to solvents used to spray the vans. This had now been restricted and the neighbours were grateful as there had been much improvement.

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Councillor Crumly referred to Mr Russell's comment about the hedge being removed. Mr Russell stated that there had been a very mature hedge along the A4 side of the site, which was Council owned. This had been removed by the applicant.

Councillor Bridgman asked where the audio recording of the pressure washer had been taken and Mr Russell confirmed that the recording was taken on the other side of the fence and a pressure washer was operated within the vicinity that the recording was taken.

Councillor Bridgman further queried Mr Russell's reference to the hedge on the A4 side of the site and Mr Russell explained that this was a sensitive issue as the residents of Midgham considered the area to be part of the countryside and removal of the hedge had increased the industrial feel of the area.

Finally Councillor Bridgman asked if when taking the recording of the pressure washer, if the east side roller-shutter door had been open and Mr Russell confirmed that it had been.

The Chairman reminded the Committee that the hedge in question did not form part of the application and therefore was not for consideration.

Councillor Keith Chopping asked Mr Russell to confirm the four areas where he wished conditions to be retained and Mr Russell confirmed that these were; no increase to working hours; no extension to the hours of lighting; no pressure washer usage and no extension to allow activity to take place outside of the building.

Mr Fenton in addressing the Committee raised the following points (*Mr Fenton confirmed that he was happy to be recorded*):

- He had worked for Anchor Vans for four years and it had been a tremendous experience. It was a family run company and although starting off small was continuing to grow.
- A business could not grow without teething pains or the odd mistake and it was a business's responsibility to rectify any issues.
- Anchor Vans employed 60 people in total and 500 vans were kept in rolling stock. Customers from all over the country used the business and they were increasingly asking for an increased service that included MOTs and maintenance.
- Mr Fenton gave varying examples of loyal customers who used services provided by Anchor Vans and explained that the business was made up of a variety of customers and employees. Employees included those who had left school with low qualifications to those with professional degrees. Ongoing secure employment was offered to those working for the company.
- Mr Fenton felt that opportunities to help the business grow should be utilised and in order to grow a company had to change.

Councillor Jaques referred to the number of employees mentioned (60) and asked if this referred to the site in question or the business as a whole, which consisted of three sites. Mr Fenton reported that there were 60 employees spread across the three sites operated by Anchor Vans and some were part time.

Councillor Tim Metcalfe asked what the purpose of the tent like structure was located next to the east side roller door. Mr Fenton confirmed that this was a temporary structure that had been used for storage whilst high quality flooring was laid down within the main building. The Chairman reminded Members of the Committee that they could only ask questions in relation to Mr Fenton's presentation. Councillor Tim Metcalfe stated that he



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was trying to find out if the structure was permanent and if it could be used for pressure washing. The Chairman felt that this question would be better directed to applicant.

Councillor Bridgman asked if there was any notice on the site to keep the roller-shutter door closed. Mr Fenton confirmed that the door was currently kept shut however, he was not aware of any such notice. From a health and safety perspective Mr Fenton did not feel a notice enforcing that the door remained shut would be advisable as the air in the building might need changing on occasion.

Councillor Chopping noted that the business was growing and asked if it was possible that it had actually outgrown the site. Mr Fenton stated that in an ideal world the business would be on a custom-built site rather than an existing site and have plenty of room to grow. The business had originally operated out of a small shed. He did not feel that the business had finished expanding and in remaining where it was currently located was a benefit to the community. The proposed showroom would offer a much improved facility.

Mr Simon Joyce in addressing the Committee raised the following points (*Mr Joyce confirmed that he was happy to be recorded*):

- He gave apologies on behalf of his father Graham Joyce (applicant) who was unable to attend the meeting and that he would do his best to answer the Committee's questions.
- The planning application being considered did not include any major changes and were in line with the services provided by the business.
- The changes would help standardise the business and would bring the site and services up to the same quality and standard as the other two sites owned by Anchor Vans.
- He felt that some of the objections raised by Mr Russell were unfair. Expensive research had been conducted on the site in the way of sound reports and all the plans included within the application were in line with findings from these reports.
- A new roller-shutter door had been constructed on the north elevation of the building on the site to address concerns of local residents. Regarding the lighting concerns raised by Mr Fenn, he had failed to state that the site was located next to the A4 where LED street lighting had recently been installed. Mr Joyce commented that the light impact from the site would not be as great as this new street lighting.
- Regarding Mr Russell's pressure washer recording, Mr Joyce stated that this had not been a recording of a pressure washer being used by Anchor Vans on the site. The sound reports conducted had concluded that the noise generated by pressure washers on the site would not be harmful. No pressure washers were currently operated on the site.
- The temporary marquee structure referred to alongside the building on the site had been erected while the new flooring was being installed and would be removed shortly.
- In conclusion Mr Joyce asked Members to support the scheme of minor alterations applied for.

Councillor Alan Macro asked where it was anticipated the pressure washers would be situated. Mr Joyce apologised that he was not best placed to answer this question however, monitoring would be carried out from the location of the pressure washer.

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Councillor Richard Crumly noted that Mr Fenton had said that MOTs were carried out on vehicles not in the ownership of Anchor Vans. Mr Joyce confirmed that Mr Fenton actually worked on one of the other sites, which was based at Padworth. Mr Fenton might visit the application site however was not based there. MOTs were carried out on the site in question on vehicles that were sold. MOTs were not proposed to be carried out on external vehicles from the Sabre House site.

Councillor Richard Crumly noted that MOTs were not carried out on Anchor Van's own vehicles. Mr Joyce confirmed that Mr Fenton actually worked on one of the other sites, which was based at Padworth. Mr Fenton might visit the application site however was not based there. MOTs were carried out on the site in question on vehicles that were sold. MOTs were not carried out on external vehicles.

Councillor Bridgman referred to plans and noted that there were a number of locations highlighted as suitable for a pressure washer. Mr Joyce responded that pressure washer systems were not particularly portable so a location was required where all vehicles could be pressure washed.

The Chairman drew attention to Condition 1 regarding the precise location of external pressure washing and Councillor Bridgman felt that an informative would need to be added to this if the application was approved.

Councillor Bridgman moved on to question the hours of operation. He queried why if the business only operated until 20:00 lighting was required on the site until 21:00. Mr Joyce stated that staff might be leaving the site up until 21:00.

Councillor Bridgman noted that the application was seeking to operate pressure washers from 08:00 to 18:00 Monday to Friday however, on a Saturday this time increased from 08:00 to 20:00, which seemed strange. Mr Joyce was unable to explain the request for an increase in hours on Saturdays.

The Chairman drew attention to Condition 11 (operating hours restriction – external pressure washing), which differed to the information contained within the table as stated that hours to be 08:00 to 18:00 Monday to Friday and then 08:00 to 13:00 on Saturdays.

Councillor Tim Metcalfe asked if the pump for the pressure washer could be located within the building. Mr Joyce stated that a static pump system was used however he was unsure if the pump could be placed in the building. He was aware that the sound reports had not identified any real noise issues and had concluded that pressure washers were acceptable for the site.

Councillor Chopping noted that it was proposed that the hours of external lighting on the site be increased from 16:00 on a Sunday until 21:00. Mr Joyce confirmed that most operations would cease at 16:00 on a Sunday and only external lighting would continue until 21:00.

Councillor Chopping asked for clarification on whether the pressure washer used for Mr Russell's recording had belonged to Anchor Vans and also asked what the banging noise had been. Mr Joyce confirmed that the pressure washer used had not belonged to the site and he was unaware of what had caused the banging noise. However, he believed it to be a one off event. There were over 20 vehicle technicians working on the site at a time and it was not possible to report the actions of each one. There was a very robust management policy in place to help ensure such events did not happen.

Councillor Pamela Bale noted that the proximity of the site to residents was obviously a problem and asked if the applicant had ever met with residents to try and remedy any concerns. Mr Joyce stated that originally meetings had been set up with residents however, the relationship had broken down very quickly.

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Councillor Quentin Webb asked for clarification on whether Mr Joyce was happy with the timings set out in Condition 12 with regarding to timings for pressure washing on a Saturday being from 08:00 to 13:00 rather than until 20:00. Mr Joyce stated that he could not personally comment on this however, as far as he was aware Mr Joyce was not happy with the changes to conditions.

The Chairman asked if Members had any new questions for Officers. Councillor Chopping referred to condition 10 regarding the precise location of pressure washers. He understood the location would need to be approved by the Local Authority, but nothing specified what would be classed as a suitable location. It was felt that further precise wording was required for this condition. David Pearson stated that this was something Members were being asked to approve and trust Officers to implement in the appropriate manner. A location proposal would be provided to Environmental Health and then a noise assessment would be carried out. Councillor Chopping queried if the Parish Council should be involved in this decision and David Pearson stated that West Berkshire Council was the Local Planning Authority and therefore it should make the decision in liaison with Environmental Health.

Paul Anstey reported that he was not the Officer from Environmental Health that had conducted the assessment on the application, but the reason for Environmental Health being consulted on this application was to protect residents. The point of a 4142 assessment being carried out was that it assessed the likelihood of complaints. The area of the site considered to cause the least disturbance would be chosen and this would need to be agreed before work could commence.

Councillor Macro referred to comments from the Environmental Health Officer on page 57 and asked for an explanation of negative decibels. Paul Anstey explained that the context of the survey was about the assessment of noise and if complaints were likely. Different noises would be identified e.g. machinery and then it would be assessed on whether it would cause complaints and adversely impact upon amenity. He was unable to comment on the decibels in detail however was confident that all the information required was included within the report.

Councillor Metcalfe felt that the location of the pressure washer recorded by Mr Russell was not clear. Councillor Bridgman stated that he had questioned specifically where the pressure washer in Mr Russell's recording had been located and had been told it was on the other side of the fence in a neighbours garden.

Councillor Tony Linden noted that many comments had been made in relation to noise levels and queried how much weight should be given to this in planning terms. David Pearson stated that he had a lot of confidence in his colleagues in Environmental Health and that the evidence provided could be relied upon. There were many reasons not to give too much weight to the recordings presented by Mr Russell they were subjective rather than being verifiable as a true reflection of noise from the site.

Paul Anstey commented that a thorough assessment of noise had been conducted and surveys undertaken. Assessments anticipated what life would really be like for local residents if the application was approved and whether it would generate complaints. The evidence provided by Mr Russell had added to the debate however, could not be viewed as a true reflection of what noise generated would be like for those experiencing it. The Environmental Health Act enforced that the Local Authority had to assess planning applications that might entail a detrimental noise impact on residents. Measurements within the noise survey were based on the noise generated at other sites and provided estimates and a professional interpretation. Locations of noise sources could dramatically change how those living nearby experienced a noise and there was a condition included that ensured this could be tested in real terms in relation the pressure washing. If

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complaints were generated then there would be a definitive location for Officers to refer to.

Councillor Bridgman asked if there was any indication on whether glazing would be single double or even triple glazing. David Pearson was not aware of stipulations regarding glazing.

Councillor Bridgman referred to previous applications where conditions had specified that the site was only suitable for noise generated by hand washing. He queried what had changed. David Pearson reported that a new noise survey had been assessed by Environmental Health. Paul Anstey reported that the information provided was based on an assessment of activity that would be conducted. He stated that if different information had been provided previously then a different conclusion would have been reached.

Regarding hours of operations Councillor Bridgman stated that Members were being asked to approve changes to timings. For example vehicle servicing, MOT, repairs and washing had been originally from 08:30 on a Saturday until 13:00 in the interest of amenity and Councillor Bridgman what had changed to justify this alteration. David Pearson stated that it was a new application and Members needed to be mindful of Government guidelines on what was considered reasonable.

Councillor Bridgman queried the extension of the hours of lighting as he felt they should be turned off outside the hours of operation. David Pearson referred to the proposed new showroom and stated that the facility would be used to showcase vehicles and this could be why extended lighting was being requested. Councillor Bridgman stated that he was referring to external lighting only. David Pearson commented that if Members had an issue with the extended hours of external lighting then they could look to vary this.

Councillor Alan Macro reported that he was not satisfied regarding the pressure washer issue. In his opinion it seemed like the survey was carried out in the most unlikely place. There were also numerous types of pressure washers. He understood that Officers would be determining the most acceptable place but he felt he would be voting against the application.

Councillor Bridgman concurred in that there were a large variety of pressure washers and a big difference between a household brand and the professional pressure washers proposed for the site. Councillor Bridgman however felt that with the appropriate informatives, restrictions on hours and the correct noise limits in place, with officer agreement the application could be acceptable.

Councillor Bridgman highlighted his main concerns as follows:

- He was concerned about the hours of operation and the extension to the hours of operation;
- He felt that vehicles works should be brought forward to 18:00 and external lighting should be in line with the approved operating hours of the site.
- Finally he was concerned that there was no reference to glazing and insisted that double glazing should be installed throughout the site.

David Pearson stated that conditions regarding the glazing could be applied. He then referred to the noise management plan mentioned by Paul Anstey and felt that the noise level could be clarified in the management plan.

Paul Anstey stated that in some circumstances a different approach had been used to standardise procedures whereby opinions from different parties had been obtained in order to agree requirements of a noise management plan. Standards were then set on what both parties agreed on.

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Councillor Chopping felt that some of the expectations outlined by Mr Russel seemed unreasonable, including:

- No activities to take place outside;
- No use of pressure washers.

Councillor Chopping felt that pressure washers were a useful tool if operated correctly. However Councillor Chopping agreed with Councillor Bridgman regarding the increase to working hours and did not feel that this should be extended from 16:00 on a Sunday. He also felt that vehicle servicing should cease at 13:00 on a Saturday in the interest of the adjoining property. Councillor Chopping commented that he found the principle of the proposal acceptable.

Paul Anstey noted that the table on page 63 stated that pressure washing would continue until 20:00 on a Saturday however Condition 11 stated 13:00. David Pearson acknowledged that the errors with the table were confusing however, the conditions had been verified with the applicant who had accepted that pressure washing would only continue until 13:00 on a Saturday.

Councillor Quentin Webb stated that his question to Mr Joyce had been if he was happy with the 13:00 end time for pressure washing on a Saturday and as far as he was aware Mr Joyce had replied that he was not. David Pearson stated that as far as he was aware the applicant was happy with the conditions. The Chairman concurred that his interpretation had been that the applicant was happy with the conditions. David Pearson confirmed that condition 11 with an end time of 13:00 would be enforced if the application was approved.

Councillor Webb stated that he concurred with all the comments made by Councillor Bridgman. He was not happy about the additional five hours on a Saturday. If any operations were to take place on the site after 13:00 on a Saturday then it should be carried out inside the building. He did not want to see any increase in external operations particularly on a Sunday.

Councillor Bridgman proposed that Members approve the Officer recommendation to grant planning permission. However, he referred to Condition 12 (floodlighting and external lighting restriction) and suggested that the last sentence be removed and the following be added:

- The approved lighting shall only be in operation from 08:00 to 20:00 Monday to Saturday and from 08:00 to 16:00 on Sundays and Bank Holidays.

Sharon Armour suggested that other hours were also clarified particularly in relation to Saturdays.

Councillor Bridgman suggested that the Condition 8 (operating hours) be changed from the end time of 18:00 on a Saturday to 13:00.

Councillor Bridgman also suggested that an informative be added to ensure windows were at least double glazed.

David Pearson stated that he felt an additional condition was required to cover double glazing and also a noise management plan.

Councillor Chopping seconded the proposal by Councillor Bridgman and at the vote the motion was carried.

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

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### Conditions

#### 1. Full planning permission time limit

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

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

#### 2. Approved plans

The development hereby permitted shall be carried out in accordance with the following approved drawings and documentation:

Plans:

- 14/052/02 Rev A - Location plan and visibility splays
- 17/033/02 - Proposed Floor Plans
- 17/033/04 - Proposed Elevations
- 16/784\_005F - Proposed Site Layout Rev A (with the exception of the indicated 'cold water external pressure' washing areas which are not approved)

Documentation:

- Report 02434 - Sound Survey and Impact Assessment

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

#### 3. Use of building

The use of the building on site hereby permitted shall be limited to vehicle washing, vehicle MOT and servicing, and ancillary office accommodation. Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, the building shall not be used for any other purpose unless permission has been granted by the Local Planning Authority in respect of a planning application.

Reason: In order to prevent a change of use of the building that might result in disruption to the amenity of neighbouring occupants in accordance with the NPPF and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

#### 4. Use of hard-standing

Other than details permitted under planning condition no.10 below relating to the precise location of external pressure washing of vehicles within the site, the hard-standing on the site shall be used only for the purposes of parking and turning, sui generis vehicle sales and B8 storage and distribution ancillary to the use of the site for vehicle sales. Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, the hard-standing shall not be used for any other purpose unless permission has been granted by the Local Planning Authority in respect of a planning application.

Reason: In order to prevent a change of use of the hard-standing that might result in disruption to the amenity of neighbouring occupants or a detrimental impact on highway safety in accordance with the NPPF and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

## **EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES**

### **5. No recovery trucks**

The site shall not be used for purposes of vehicle recovery, and no recovery truck shall be kept on the site.

Reason: In order to prevent a use of the site that may have an undue and detrimental impact on neighbouring amenity, and in the interests of highway safety in accordance with the NPPF and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

### **6. Parking and turning**

The development hereby permitted shall not commence until vehicle parking and turning areas have been provided in accordance with the approved drawing 'proposed site layout rev A - 16/784\_005 F'. The parking and turning spaces shall thereafter be kept available for the parking and turning of private motor cars and light goods vehicles in accordance with the approved details at all times.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **7. HGV transporter access**

The development hereby permitted shall be carried out in accordance with approved drawing 'proposed site layout rev A - 16/784\_005 F' which details the approved HGV vehicle transporter entry path, unloading/reloading area, turning area and exit path parking and turning areas. The approved HGV entry path, unloading / reloading area, turning area and exit path parking and turning areas shall be kept available for the access, parking, turning and egress of the transporter in accordance with the approved details at all times.

Reason: To ensure the development is provided with adequate delivery facilities in order to reduce the likelihood of deliveries taking place on the roadside which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **8. Operating hours restriction – servicing, etc**

The use of the site for vehicle servicing, MOT, repairs and washing hereby permitted shall be restricted to the hours of 0800 to 1800 Monday to Friday, and 0830 to 1300 Saturday. No operations shall be undertaken at any time on Sundays and Bank Holidays.

Reason: In the interests of the amenities of people living nearby in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007

### **9. Operating hours restriction – sales etc.**

The use of the site for purposes of sales and the use of the ancillary office

## **EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES**

accommodation hereby permitted shall be restricted to the hours of 0800 to 2000 Monday to Saturday, and 0800 to 1600 on Sundays and Bank Holidays.

Reason: In the interests of the amenities of people living nearby in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **10. Precise location of external pressure washing**

Notwithstanding the information provided on drawing no. 'proposed site layout rev A dated 19 Feb 2018', prior to any external pressure washing hereby permitted being undertaken in association with external vehicle cleaning (outside of the existing workshop building within the site), details of the precise location for such activity shall be submitted to and approved in writing by the Local Planning Authority. The external pressure washing shall thereafter be undertaken strictly in accordance with the approved details.

Reason: In the interests of the amenities of people living nearby, and taking into account the supporting sound survey only assessed the external use of the power/pressure washer being undertaken in the north-western part of the site, in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007

### **11. Operating hours restriction – external pressure washing.**

The use of the site for external pressure washing hereby permitted shall be restricted to the hours of 08:00 to 18:00 Monday to Friday, and 08:00 to 13:00 Saturday. No operations shall be undertaken at any time on Sundays and Bank Holidays.

Reason: In the interests of the amenities of people living nearby in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **12. Floodlighting / external lighting restriction**

No floodlighting or other form of external lighting scheme shall be installed on the site except in accordance with the lighting report registered by the Local Planning Authority on 22 April 2016 under application reference 16/01016/FUL.

The use of the permitted external lighting shall be restricted to between the hours of 08:00 to 20:00 Monday to Saturday, and 08:00 to 16:00 on Sundays and Bank Holidays

Reason: In the interests of the visual amenity of the area and in the interests of the amenities of people living nearby in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **13. Solvent-based products restriction**

No use or storage of solvent-based products shall be carried out on the site.

Reason: To ensure that neighbouring properties are not unreasonably affected by odours in accordance with the requirements of the NPPF, Policy CS14 of the



## **EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES**

West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **14. Amplified sound restriction**

No sound reproduction or amplification equipment (including public address systems, tannoys, loudspeakers, etc) which is audible outside the site boundary shall be installed or operated within the site.

Reason: In the interests of the amenity of neighbouring occupants in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **15. Ancillary servicing of vehicles only**

The use of the building on the site for the carrying out of vehicle MOT, servicing, repair and washing and valeting hereby permitted shall be restricted to the carrying out of MOT, servicing, repairs and washing and valeting to vehicles in the ownership of the business operating from the site. The site shall not be used for purposes of carrying out vehicle servicing, repairs, washing and valeting on any other vehicles.

Reason: In order to prevent an intensification of these uses that would result in a detrimental impact on neighbouring amenity and highway safety. This condition is imposed in accordance with the NPPF, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan Core Strategy (1991-2006) Saved Policies 2007.

### **16. Obscure glazed windows**

The windows on the southern elevation of the workshop building shall remain obscure glazed and of a top-hung design in perpetuity.

Reason: In order to prevent an increase in the overlooking of neighbouring properties associated with the intensification of the use of the building for the uses hereby approved. This condition is imposed in accordance with the requirements of the NPPF and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

### **17. No additional openings on southern boundary under permitted development**

Notwithstanding the provisions of the Town and Country (General Permitted Development Order) (England) 2015 or any subsequent version thereof, no additional windows or openings shall be inserted in the southern elevation of the workshop building other than those hereby granted planning permission under this application without permission first being granted in respect of a planning application made for such development.

Reason: In order to prevent an increase in the overlooking of neighbouring properties associated with the intensification of the use of the building for the uses hereby approved. This condition is imposed in accordance with the requirements of the NPPF and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

### **18. No change of use under permitted development**

Notwithstanding the provisions of the Town and Country (General Permitted

## **EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES**

Development Order) (England) 2015 or any subsequent version thereof, the site shall not be used for any purpose other than those hereby granted planning permission under this application without permission first being granted in respect of a planning application made for this purpose.

Reason: In order to prevent a change of use that would result in a detrimental impact on neighbouring residential occupants, highway safety or harm to visual amenity in accordance with the provisions of the NPPF, Policies CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **19. Delivering management plan**

The use hereby permitted shall be carried out in accordance with the approved Delivery Management Plan set out drawing 'proposed site layout rev A - 16/784\_005 F'. The approved Delivery Management Plan shall be adhered to at all times.

Reason: To provide safe and suitable access for all and reduce the potential impact on the public highway 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).

### **20. Front boundary fence**

A two metre high fence shall be maintained along the northern boundary of the site between the access to the north east and the boundary with Orchard Cottage to the north-west as shown on approved drawing numbers 16 784 005 Revision F and 16 784 012 (approved by application reference 16/03402/COND1 on 27 April 2017).

Reason: In the interests of visual amenity in order to ensure that views across the hardstanding used for vehicle sales, parking and ancillary B8 storage of vehicles do not have a detrimental impact on the character and appearance of the surrounding rural area in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **21. Activities restricted to inside the building**

Other than details permitted under planning condition no.10 above relating to the location of external pressure washing of vehicles within the site, all MOT testing, vehicle servicing, repair, refurbishment and valeting on the site shall only be undertaken inside the building on the site when all openings to the eastern, western and southern elevations to the workshop building including the roller/sliding doors and windows are shut.

Reason: In the interests of the amenities of people living nearby in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007

### **22. Window glazing details**

The MOT use hereby permitted shall not commence until details of the glazing to be used in the approved new windows and glazed areas have been submitted to and approved in writing by the Local Planning Authority. The windows shall be double glazed (or of similar acoustic specification). The MOT use hereby

## **EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES**

permitted shall not commence until the windows and glazing have been installed accordance with the approved details and the glazing of the approved design shall be retained as such thereafter.

Reason: To ensure the workshop building is provided with a satisfactory level of sound proofing to prevent undue levels of noise and disturbance to the occupiers of neighbouring residential properties in accordance with the requirements of the NPPF which considers amenity of existing and future occupants of land and buildings, and the requirement in Policy CS14 of the West Berkshire Core Strategy (2006-2026) to secure a high quality and sustainable design that preserves and enhances the quality of life in West Berkshire, and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007

### **23. Noise Management Plan**

The vehicle servicing, repair, MOT and external pressure washing uses permitted under this planning permission shall not commence until a Noise Management Plan for the application site has been submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall include measures to ensure compliance with the planning conditions that form part of this planning permission and measures to ensure all existing and new equipment/machinery within the site is operated in accordance with the planning conditions that form part of this planning permission (e.g. periodic staff training, guidance for new employee's, posters/notices erected within the workshop building/site setting out, how, where and for what duration permitted activities can be undertaken within the site).

The uses permitted under this planning permission shall operate in accordance with the provisions of the approved noise management plan.

Reason: To ensure the on-going management of noise from the permitted activities within the site do not result in undue levels of noise and disturbance to the occupiers of neighbouring residential properties in accordance with the requirements of the NPPF which considers amenity of existing and future occupants of land and buildings, and the requirement in Policy CS14 of the West Berkshire Core Strategy (2006-2026) to secure a high quality and sustainable design that preserves and enhances the quality of life in West Berkshire, and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007

## **INFORMATIVES**

### **Proactive actions of the LPA**

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 secured and accepted what is considered to be a development which is acceptable in terms of the economic, social and environmental conditions of the area.

**11. Application No. & Parish: 18/00386/HOUSE - Norton Cottage, Tutts Clump, Reading**

*(Councillor Marigold Jaques declared a personal interest in Agenda Item 4(2) by virtue of the fact that she had once lived in the area and had known some of the residents. As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)*

*(Councillor Graham Pask declared a personal interest in Agenda Item 4(2) by virtue of the fact that his children had played at one of the properties on the list many years ago. 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.)*

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/00386/HOUSE in respect of the demolition of existing detached garage and construction of ground and first floor side extension, rear single storey extension.

In accordance with the Council's Constitution, Mrs Janetta Kennedy and Mr Roderick Grafton, objectors and Ms Waveney Thomson, applicant/agent, addressed the Committee on this application.

Simon Till introduced the report to Members, which was recommended for approval and ran through the key points. He drew attention to an amendment to Condition 2 on the update sheet.

Mrs Kennedy and Mr Grafton in addressing the Committee raised the following points:

- Mrs Kennedy introduced her husband Dick Kennedy. Their objection was to the rear single storey extension proposed.
- They had welcomed the new owners to Norton Cottage after the death of the previous owner. The property had been left to become derelict.
- Mrs Kennedy and her husband had lived at Rose Cottage for over 40 years. The cottages had originally been erected to house farm workers.
- When they had bought the middle cottage, it had already had a second storey extension for the bathroom. They had then joined two single storey extensions together to increase the kitchen size. Next they had built a second storey extension above the bathroom in order of moving the bathroom upstairs. Later on they had removed the flat roof.
- Mrs Kennedy reported that apart from the porch area they had not increased the footprint to the front of the property.
- Mrs Kennedy was against the single storey rear extension because there would always be the fear that it could be developed into a second storey extension in the future, which would infringe greatly on her property.
- Mr Roderick lived at number one Mead Cottage. He felt that the proposal would cause overdevelopment of the site as the plot was only designed for three small dwellings.
- The porch of the proposed extension would be 70% closer to the boundary.
- The two storey extension would intrude on the privacy of his home, which would be very close to one of his children's bedrooms. He had noted that obscured glass could be used in the side elevation and he stressed that this should be enforced if the application was approved.

## EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES

- He did not accept the conclusions of the officer's report and felt that the extension would cause a loss of light to his property.

Councillor Richard Crumly noted that the flat roof could only just be seen from Mrs Kennedy's property and the extension itself was only just visible. Mrs Kennedy was concerned about privacy. The extension rose a foot above the hedge at present and she was mainly concerned that the extension could become a two storey extension future.

Councillor Keith Chopping noted that Mr Grafton had stated that the extension would be directly opposite his child's bedroom. Councillor Chopping noted that there were already three windows that faced Mr Grafton's property and this would change to two windows and a bathroom window if the proposal was approved. Mr Grafton stated that he could only recall two windows presently. Mr Grafton stated that if the proposal was approved he would like to see obscured glass imposed.

Ms Waveney Thompson in addressing the Committee raised the following points:

- She was the applicant and owner of Norton Cottage.
- She had worked very closely with Planning Officers to ensure any issues were resolved and to reach the plan that was in front of Members that evening.
- Regarding parking, by removing the existing garage and setting the side extension back, it had opened the property up and allowed parking for two vehicles.
- A pitched roof had been chosen to accord with the street scene and define the extension from the existing property.
- The rear extension had been reduced but would still allow the bathroom to be moved to the first floor.
- There had been a double pitched roof to replicate that of Rose Cottage but this had needed to be removed and replaced with a flat roof due to cost.
- The window subject of Mr Grafton's concerns would be 2.5 metres closer to his child's bedroom and obscured glass was being proposed.
- Design had needed to be particularly sympathetic due to the property being in an Area of Outstanding Natural Beauty (AONB).
- Ms Waveney Thompson requested that the Committee support her application and approve the recommendation.

Councillor Graham Bridgman referred to the obscured glass. He noted that one of the two windows already had obscured glass and asked if the intention was for both windows to be obscured. Ms Waveney Thompson confirmed that there would be one bedroom window and one bathroom window and both would have obscured glass.

Councillor Crumly queried the layout of the property and it was confirmed by Ms Waveney Thompson that there were three bedroom upstairs and then a bathroom downstairs. It was confirmed that the plans for the site had been scaled back.

Councillor Marigold Jaques asked if the property currently had any heating and if not whether gas or oil would be installed. Ms Waveney Thompson confirmed that there was no heating in the property and the plan was to have oil central heating installed. Councillor Jaques further queried where the oil tank would be located and Ms Waveney Thompson stated that she was happy to locate the tank in line with building regulations.

Councillor Metcalfe noted that the window to the right would be obscured. Ms Waveney Thompson confirmed that the window to the right was a bedroom and stated that if she was going to have to obscure it then she was tempted to have it removed.

## EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES

Councillor Quentin Webb as Ward Member stated that in his opinion by increasing the size of the property it was allowing for modern day living. He did not feel it would have a negative impact on the street scene. The applicant had worked closely with the Planning Officer to fulfil the requirements of design policy. He did not think that the properties to the sides of the dwelling would be negatively impacted upon. In his opinion, with the amendments that had been discussed, he felt that he would be minded to support the application.

Councillor Graham Bridgman referred to Permitted Development Rights. He was concerned about subsequent owners and queried what could and could not be carried out without a planning application.

Simon Till confirmed that because the property was within the AONB permitted development rights would be quite limited. Any two storey proposal would require planning permission. Permitted development rights for any windows in the side elevation at first floor or above would also require those windows to be obscure glazed.

Councillor Bridgman asked what the applicant or future applicant could do without planning permission if the application was granted. Councillor Webb felt that the conditions already covered this. Councillor Bridgman stated that only the side elevation first floor windows were covered.

Councillor Bridgman asked if Permitted Development Rights could be removed within reason to allay fears of further development without planning permission.

David Pearson confirmed that it seemed reasonable for any extension above single storey to require planning permission and removal of Permitted Development Rights for extensions.

Councillor Tim Metcalfe referred to the obscured glass and felt that this was an unusual requirement for a bedroom window. David Pearson stated that it was unusual however, the applicant was satisfied.

The Chairman asked if the applicant would have to seek planning permission to remove the window at first floor level in the side elevation and David Pearson stated that removal of the window would be unlikely to require a new planning application as it was not likely to materially impact on amenity.

Councillor Chopping stated that he had a number of issues. He felt that obscured glass in a bedroom window was unfair on the applicant as the window had only moved about two metres from its existing location. Regarding Mrs Kennedy's point about the boundary wall, Councillor Chopping felt that this could be overcome through the planting of greenery.

Councillor Chopping could not see any major issue with the application and felt it was an imaginative scheme and therefore proposed that the application be granted planning permission. This proposal was seconded by Councillor Linden.

Councillor Bridgman agreed with the proposal however was minded to include a condition removing Permitted Development Rights for 2 storey extensions. David Pearson stated that Permitted Development Rights could be removed on any proposals that were over two storey. Councillor Chopping felt that anything 2 storey level should require planning permission so a condition restricting permitted development rights should be applied.

The Chairman invited Members to vote on the proposal by Councillor Chopping, seconded by Councillor Linden and at the vote the motion was carried.

## EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES

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

- Conditions

### 1. Full planning permission time limit

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

### 2. Standard approved plans

The development hereby permitted shall be carried out in accordance with the approved drawings; Location Plan received on 23 January 2018, Block Plan, Existing and Proposed Elevations received on 6<sup>th</sup> June 2018.

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

### 3. Materials to match

The materials to be used in the development shall match those on the existing development to the satisfaction of the Local Planning Authority, and those materials shall remain at all times thereafter as the unaltered external finish to the development hereby permitted.

Reason: To ensure that the materials are appropriate to the existing development, the site and its surroundings. This condition is imposed to comply with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

### 4. Hours of work (construction)

No demolition or construction works shall take place outside the following hours:

- 8:00am to 6:00pm Mondays to Fridays;
- 8:30am to 1:00pm Saturdays;
- nor at any time on Sundays or Bank Holidays.

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

### 5. Windows PD removal

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

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

## EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES

### 6. **Obscure glazing before use**

The windows at first floor level in the north side elevation shall be fitted with obscure glass and top hung opening only before the extension hereby permitted is first brought into use. The obscure glazing shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring properties and to prevent the overlooking of 1 Mead Cottages in the interests of neighbouring amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

### 7. **Surfacing of access (YHA15)**

No development shall take place until details of the surfacing arrangements for the vehicular access to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access for a distance of 1 metre measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest 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).

### 8. **Parking in accord with plans (YHA24)**

The development shall not be brought into use until the vehicle parking has been surfaced, and provided in accordance with the approved plan. The parking shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### 9. **PD restriction – extensions**

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent revision to or version thereof no additions or extensions shall be constructed to the side or rear elevation of the dwelling on the site, known as Norton Cottage, unless planning permission has been granted in respect of a planning application made for such a purpose.

Reason: The dwelling is semi detached and lies in a narrow, constrained plot in close proximity to neighbouring properties and this condition is necessary in order to prevent the overdevelopment of the site and an accumulation of extensions that might otherwise result in a detrimental impact on neighbouring amenity and visual amenity in the North Wessex Downs Area of Outstanding Natural Beauty, in accordance with the NPPF (2012), Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy C6 of the West Berkshire



**EASTERN AREA PLANNING COMMITTEE - 13 JUNE 2018 - MINUTES**

Housing Site Allocations DPD (2006-2026) 2017.

**Informatives:**

**1 Approval - Need for revision - representations received**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

**2 Damage to footways, cycleways and verges**

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

**3 Damage to the carriageway**

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

**4 Consent to enter adjoining land**

You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order construct, externally finish, decorate, or in any other way carry out any works in connection with this development, or to obtain any support from adjoining property. This permission granted by the Council in no way authorises you to take such action without first obtaining this consent.

**12. Appeal Decisions relating to Eastern Area Planning**

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

*(The meeting commenced at 6.30pm and closed at 8.45pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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# Agenda Item 4.(1)

Item No	Application and Parish	No.	8/13 week date	Proposal, Location and Applicant
(1)	18/00628/FULD Thatcham		05 July 2018	Section 73: Variation of Condition 9 -Treatment Plant and removal of Condition 12 - Minimise the effects of dust, of planning permission reference 17/00883/FULD (To erect 2 no. detached 4-bed houses and one pair of semi-detached 3-bed houses).  Midgham Cottage, Station Road Woolhampton, Reading, Berkshire RG7 5SE.  Michael Bundy  (Woolhampton Design Centre Ltd)

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00628/FULD>

**Recommendation Summary:** To **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION**

**Ward Member(s):** Councillor Dominic Boeck

**Reason for Committee determination:** Call in by Councillor Boeck:

To allow Members to familiarise themselves with the local characteristics that affect the flood risk in the village. Woolhampton Parish Council are concerned that the variation of condition 9 as requested will increase the flood risk to unacceptable levels.

**Committee Site Visit:** Not required as the application is concerned with varying and removing conditions.

## Contact Officer Details

**Name:** Masie Masiwa  
**Job Title:** Planning Officer  
**Tel No:** (01635) 519111  
**Email:** Masie.Masiwa@westberks.gov.uk

## 1. PLANNING HISTORY

Below is a summary of the relevant and recent planning history of the application site.

Approved application: 16/00628/FULD	Erection of 4 No. detached 4 bed houses and 3 No. garages, following demolition of Midgham Cottage.
Refused application: 17/00111/FULD	Erect 2 No. detached 4-bed houses and 4 No. semi-detached 3-bed houses following demolition of Midgham Cottage
Approved application: 17/00883/FULD	To erect 2 no. detached 4-bed houses and one pair of semi-detached 3-bed houses
Application pending consideration: 18/00549/COND1	Approval of details reserved by conditions: 3: Schedule of Materials, 4: Construction Method Statement, 7: Landscaping scheme, 8: Sustainable drainage, 9: Treatment Plant, 10: Noise insulation, 11: Contamination, 12: Dust mitigation, 13: Spoil removal, 15: Boundary treatment, 17: Hard surfacing materials, of planning permission 17/00883/FULD.

## 2. PUBLICITY

2.1 A site notice was displayed on 15th March 2018 and expired on 05 April 2018. Neighbour notification letters have been sent to 10 (ten) local recipients.

2.2 The authority has therefore discharged and exceeded the statutory requirement to publicise applications in accordance with the DMPO.

## 3. CONSULTATIONS AND REPRESENTATIONS

### 3.1 Consultations

**Parish Council:** Objection:

The Parish Council strongly objects to the variation of condition 9 (Treatment Plant) until the applicant can demonstrate to the residents of Woolhampton, West Berkshire Council and Thames Water that the addition of the proposed additional housing from this application will have no adverse impact on the capacity of the Woolhampton Pumping Station. Any breach in capacity will result in residents of the Station Road again experiencing foul sewage issues.

The Parish Council has no objection to the removal of condition 12.

**Drainage Team:**

No objection following the consultation response from Thames Water:

Referring to the stipulations imposed by Thames Water regarding acceptance of the foul sewer proposals, the applicant does not intend to discharge any surface water into the foul system so Thames Water's requirement is met. Similarly, the Lead Local Flood Authority (LLFA) would not sanction discharge into the foul system either.

The applicant proposes instead a self-contained SuDS system to deal with surface water run-off using storage and a certain amount of infiltration within the site boundary which generally meets LLFA requirements. The Drainage Officer noted that the current proposals no longer include the voided floors which were part of the initial application but as long as the finished floor levels are set as per the layout drawing and the flood bund is in place this will be acceptable and that condition (part h) can be disregarded.

The Drainage Officer indicated that they were happy that the SuDS Conditions can be discharged based on the information submitted.

The Drainage Officer also highlighted a final point to emphasise that in accordance with part m) of the conditions, the Drainage Officer strongly suggest that the applicant informs future purchasers of each property that it is imperative that the ponds/swales are retained and maintained throughout the lifetime of the properties as part of the flood protection measures for the properties and are not filled in or altered by anyone wishing to re-landscape gardens or on the grounds improving safety for children and pets.

(The drainage conditions will be discharged as part of application 18/00549/COND1)

**Environmental Health:**

No objection with regard the removal of Condition 12.

**Thames Water:**

No objection:

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided. The application indicates that surface waters will not be discharged to the public network and as such

Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then Thames Water would consider this to be a material change to the proposal, which would require an amendment to the application at which point Thames Water would need to review their position.

### **Supplementary Comments**

Thames Water would advise that with regard to the foul water sewage network, Thames Water would not have any concerns with this development (17/00883/FULD) of 4 dwellings, discharging foul water to the public foul sewer. The comments are based on the assumption that foul flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer.

**Archaeology:** No objection

**Network Rail:** No objection

Providing additional or increased flows of surface water are not discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, soakaways/attenuation ponds/septic tanks are not to be constructed within 20 metres of Network Rail's boundary. Surface / foul water is to be discharged into the public sewer. Any surface water run-off from the site must drain away from the railway boundary and must not drain in the direction of the railway as this could import a risk of flooding and / or pollution onto Network Rail land. The Land Drainage Act is to be complied with.

Network Rail has concerns over the potential for dust affecting the railway signal sighting. Therefore, adequate measures for preventing dust blowing onto Network Rail property are to be in operation.

### **3.2 Representations**

Total: 0      Object: 0      Support: 0

No letters of representation objecting or supporting the proposal have been received.

## **4. PLANNING POLICY**

4.1 The statutory Development Plan includes the West Berkshire Core Strategy (2006-2026) (WBCS), the saved policies in the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP), and the Housing Site Allocations DPD (2006-2026).

4.2 The West Berkshire Core Strategy was adopted on 16 July 2012. The following policies from the WBCS are relevant to this application:

- NPPF Policy
- ADPP1: Spatial Strategy
- ADPP 6: The East Kennet Valley
- Policy CS1: Delivering New Homes and Retaining the Housing Stock
- Policy CS4: Housing Type and Mix
- Policy CS5: Infrastructure Requirements and Delivery
- Policy CS13: Transport
- Policy CS14: Design Principles
- Policy CS15: Sustainable Construction and Energy Efficiency
- Policy CS16: Flooding
- Policy CS 17 Biodiversity and Geodiversity
- Policy CS19: Historic Environment and Landscape Character

4.3 The Housing Site Allocations Development Plan Document (HSA DPD) is the second DPD of the new West Berkshire Local Plan. It allocates non-strategic housing sites and sites for gypsies, travellers and travelling show people, and provides updated residential parking standards and a set of policies to guide housing in the countryside. The following policies from the HSA DPD are relevant to this development:

- P1: Residential parking for new development

4.4 The WBCS and HSA DPD 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 are relevant to this development:

- OVS 5: Environmental Nuisance and Pollution Control
- OVS 7: Hazardous Substances
- TRANS 1 : Meeting the Transport Needs for New Development

## **5. OTHER MATERIAL CONSIDERATIONS**

5.1 In addition, the following government legislation, locally and regionally adopted policy documents and guidance are material considerations relevant to this application:

- The National Planning Policy Framework (March 2012) (NPPF).

- West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (adopted June 2006)
- West Berkshire Supplementary Planning Document: Part 1; Achieving Quality Design
- West Berkshire Supplementary Planning Document: Quality Design: Part 2: Residential Development
- West Berkshire Supplementary Planning Document: Quality Design: Part 4: Sustainable Design Techniques
- West Berkshire Supplementary Planning Document Planning Obligations
- National Planning Practice Guidance (Use of Planning Conditions reference ID: 21a)
- The Ministerial Statement Planning for Growth (23 March 2011)
- Manual for Streets (DCLG/DfT)

5.2 No Neighbourhood Plan is being prepared within the area.

## **6. DESCRIPTION OF DEVELOPMENT**

6.1 The application seeks permission for the varying of condition 9 -Treatment Plant and removal of condition 12 - Minimise the effects of dust, of planning permission reference 17/00883/FULD (To erect 2 no. detached 4-bed houses and one pair of semi-detached 3-bed houses).

## **7. APPRAISAL**

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

7.1 Principle of the development

7.2 The Impact upon foul water infrastructure, flooding and drainage (Condition 9)

7.3 The impact upon neighbouring amenity in terms of construction dust (Condition 12).

7.4 Other Matters

- Community Infrastructure Levy
- The assessment of sustainable development

### **7.1 Principle of the development**

7.1.1 The principle of the proposed development has already been established by the approved planning permission under reference 16/00628/FULD and the subsequent application under reference 17/00883/FULD.

7.1.2 The site is located within the defined settlement boundary of Midgham, therefore there is a presumption in favour of new residential development on this site.

### **7.2 The Impact upon Flooding and Drainage (Condition 9)**

#### **7.2.1 Varying condition 9 -Treatment Plant**



- 7.2.2 This application seeks to amend the requirement for a package sewage treatment plant to service the development. Condition 9 of application reference: **17/00883/FULD** is outlined below:

*Development of the approved dwellings shall not commence until details of a package treatment plant to service the development have been submitted and approved under a formal discharge of conditions application. No dwelling shall be occupied until the approved package treatment plant has been installed on the site in accordance with the approved details.*

*Reason: In order to ensure that the site is provided with sufficient sewage infrastructure to deal with sewage on site in order to address local concerns regarding surface water infiltration into the sewage system in accordance with the NPPF (2012) and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.*

- 7.2.3 By way of history on this issue, an application was submitted on 02<sup>nd</sup> March 2016 under reference **16/00628/FULD** (Erection of 4 No. detached 4 bed houses and 3 No. garages, following demolition of Midgham Cottage.). Concerns were raised by the Parish Council and local residents with regard to the increase in the foul water load to the then pumped foul water network provided by Thames Water. It was indicated that blockages affected the foul water pump on a regular basis resulting in foul water flooding which in turn affected the local foul water sewage network for the properties along Station Road. Separately, Thames Water agreed to meet with the Parish Council to discuss proposals to increase the capacity on the foul water sewage network to serve the site allocated for residential development beyond Orchard Close, to the north of the A4 Bath Road (**16/01760/OUTMAJ**: Land Adjacent to Telephone Exchange, Bath Road, Woolhampton).
- 7.2.4 Thames Water stated under application 16/00628/FULD that they had no capacity objections with regard to foul water drainage. However due to the concerns raised at the time by the Parish Council and local residents, the applicant indicated they were prepared to install a package sewage treatment plant to serve the proposed development at Midgham Cottage, it was then that condition 9 was first attached to the planning permission **16/00628/FULD**.
- 7.2.5 The condition was repeated under application **17/00883/FULD**, which granted planning permission for a revised scheme.
- 7.2.6 Thames Water have confirmed that since the granting of the above permissions, a developer funded Impact Study from Thames Water was conducted and repair work had been undertaken to the existing network in the area that was creating a lot of infiltration into the system and that no further survey work was required.
- 7.2.7 As part of this current application, the applicant outlines that the sewer has been repaired to significantly reduce the ingress of surface water. As

such the applicant proposes to now connect foul water discharge into the existing sewer network.

7.2.8 Planning Officers consulted Thames Water on this current application on 14 March 2018 and we received consultation comments on 14 May 2018. Thames water have advised that with regard to the foul water sewage network infrastructure capacity, they would not have any objection to the current planning application and the varying of condition 9, based on the information provided. In addition Thames Water outline that they would advise that with regard to the foul water sewage network, Thames Water would not have any concerns with the current development (17/00883/FULD) of 4 dwellings, discharging foul water to the public foul sewer and that their comments are based on the assumption that foul water flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer. The LLFA Drainage Officer has stated that the applicant does not intend to discharge any surface water run-off into the foul system so Thames Water's requirements are met. Similarly, LLFA would not sanction surface water run-off discharge into the foul system either.

7.2.9 The applicant proposes instead a self-contained SuDS system to deal with surface water run-off using storage and a certain amount of infiltration within the site boundary which generally meets the LLFA's requirements. The drainage conditions will be discharged as part of application 18/00549/COND1

7.2.10 Officers consider that condition 9 can be varied to stipulate that foul water flows will be connected to the public sewer by gravity only and not pumped into the existing foul water system. In addition condition 9 will be varied to stipulate that foul water shall not be pumped into the public sewer and that no surface water run-off flows shall be discharged to the public sewer. Officers consider that in its current form condition 9 is no longer necessary and is considered unreasonable, specifically following the no objection comments from Thames Water. Officers consider that condition 9 can be varied and the recommended amended condition is listed at Section 9 of this report.

### **7.3 The impact upon neighbouring amenity in terms of construction dust (condition 12).**

#### **7.3.1 Removal of Condition 12 - Minimise the effects of dust**

7.3.2 This application also seeks to remove condition 12 from the permission. Condition 12 is no longer relevant to the permission as under application **17/00883/FULD**. Midgham Cottage will be retained and only a concrete sectional shed shall be dismantled and re-positioned in plot 2 to serve as a garden / cycle store, as opposed to being demolished. Environmental Health have stated they have no objection to the removal of condition 12. The Parish Council have also not objected to the removal of condition 12. Officers have removed condition 12 from the conditions listed at Section 9 of this report.

## 7.4 Other matters

7.4.1 No other objections have been received.

### **Community Infrastructure Levy**

7.4.2 Core Strategy Policy CS5 (Infrastructure) states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery.

7.4.3 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations, residential development of 100m<sup>2</sup> or more will be liable to pay the Community Infrastructure Levy.

7.4.4 Under application **17/00883/FULD** the proposal's new gross internal floor space area (GIA) was 380.1 square metres (total proposed gross internal floor space area).

7.4.5 As such the proposed development remains CIL Liable and the Community Infrastructure Levy liability notice detailing the chargeable amount will be sent under separate cover. Applicants may claim an exemption (subject to meeting the criteria) from the charge where the required forms for the Assumption of Liability, Exemption request and supporting documentation have been provided to the local authority.

### **Presumption in favour of sustainable development**

7.4.6 When considering development proposals the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

7.4.7 The NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal.

7.4.8 Economic Dimension: It is considered that the proposal makes no significant contribution to the wider economic dimension of sustainable development. There would be small benefits in terms of additional employment during the construction period and the addition of four dwellings to the housing stock.

7.4.9 Environmental dimension: With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding area has been assessed as part of this application. It is considered that the proposal sufficiently respects and preserves the existing natural and built environment and that the proposal protects and enhances the prevailing pattern of development in the local area and the site specifically. Environmental aspects have been considered in terms of drainage and any impacts on the existing foul water infrastructure system.

7.4.10 Social dimension: It is considered that the proposal makes no significant contribution to the wider social dimension of sustainable development, however social and neighbourliness considerations overlap those of environmental in terms of neighbouring amenity. These have been assessed in terms of the impact of foul water flooding within the area and these previous concerns are considered too be adequately addressed within this application.

7.4.11 For the above reasons, it is considered that the proposed development is supported by the presumption in favour of sustainable development.

## **8. CONCLUSION**

8.1 Having taken into account all the relevant policy considerations and the other material considerations as discussed in this report, there are sound reasons to justify approving the application to vary condition 9 and to remove condition 12. Your Officers consider that the grant of planning permission is justified.

## **9. FULL RECOMMENDATION**

**DELEGATE to the Head of Development & Planning to GRANT PLANNING PERMISSION subject to the schedule of conditions (Section 9.1).**

### **9.1 Schedule of conditions**

#### **1. Section 73 time limit**

The development hereby permitted shall be begun before the 7<sup>th</sup> June 2020, that being three years from the date of the planning permission granted in respect of application 17/00883/FULD.

Reason: To comply with Section 73 and 91 of the Town & Country Planning Act 1990 (as amended by Section 51 of the Planning & Compulsory Purchase Act 2004); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

## **2. Standard approved plans**

The dwellings hereby approved shall be constructed in accordance with the application form, the design and access statement and the approved drawings:

- a) Proposed site layout plan drawing No 13/031/05 REVISION C received on 17 March 2017.
- b) Plot 1 floor plans drawing No 13/031/11 received on 17 March 2017.
- c) Plot 1 elevations drawing No 13/031/10 received on 17 March 2017.
- d) Plot 2 floor layout plan drawing No 13/031/12 REVISION A received on 17 March 2017.
- e) Plot 2 elevations drawing No 13/031/09 received on 17 March 2017.
- f) Plots 3 and 4 floor layout plan drawing No 13/031/10 received on 17 March 2017.
- g) Plot 3 and 4 elevations drawing No 13/031/08 received on 17 March 2017.
- h) Proposed building cross sections drawing No 13/031/13 received on 17 March 2017.
- i) Access visibility plan drawing No 13/031/10 received on 17 March 2017.
- j) Network Rail proposed right of way plan drawing No 13/031/15 received on 12 May 2017.

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

## **3. Schedule of materials**

Development of the approved dwellings shall not commence until full details of the external materials to be used, including a schedule and samples of materials, have been submitted and approved under a formal discharge of conditions application. The development shall take place using only the approved materials thereafter.

Reason: In the interests of visual amenity in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

## **4. Construction Method Statement**

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

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

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the HSADPD.

## **5. Vehicle parking and turning space**

No dwelling shall be occupied until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the HSADPD.

## **6. Cycle storage**

No dwelling shall be occupied until the cycle storage has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the storage of cycles 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), Policy CS13 of the West Berkshire Core Strategy (2006-2026) , Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the HSADPD

## **7. Detailed scheme of landscaping**

No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

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

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

## **8. sustainable drainage measures**

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

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include details of how the existing flood plain will be sustained or mitigated (any measures for loss of flood plain shall not increase flood risk elsewhere);
- d) 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;
- e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- f) Include attenuation measures to retain rainfall run-off within the site, off site discharge will not be permitted;
- g) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- h) 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;
- i) Include elevated floors with voids underneath for flood storage to minimise the loss of flood storage capacity. Arches shall be fitted with grills to prevent access under the building by children or animals, or for storage of materials which would remove flood storage volume;
- j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- k) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- l) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- m) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- n) Include a Flood Risk Assessment (FRA) for developments located in areas at risk of flooding ( Flood Zone 2 and 3) or developments larger than 1 hectare;
- o) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);

- p) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)
  - aa) Site Level control shall be tied in to the same level datum as the WBC topographic survey used to produce the WBC Flood Study Report in order to ensure that critical site levels (for FFLs for example) are not compromised by use of different datums;
  - bb) The development shall include the construction of a flood bund in accordance with West Berkshire Council's specification

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

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

## **9. Foul water drainage**

The site's foul water drainage shall be constructed in accordance with the foul sewage to existing sewer drawing No 2017/010C received on 28 February 2018. The foul water flows shall be connected to the public sewage system by gravity only and the foul water shall not be pumped into the public sewage system. No surface water run-off flows shall be discharged into the public sewage system. The dwellings hereby approved shall not be occupied until the approved foul water drainage details have been installed on the site in accordance with the approved details. Thereafter the foul water drainage details shall be retained and maintained in accordance with the approved details.

Reason: In order to ensure that the site is provided with sufficient sewage flow system to deal with sewage produced on site in order to address local concerns regarding historic surface water infiltration into the sewage system in accordance with the NPPF (2012), Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

## **10. Noise assessment**

No development of the approved dwellings shall commence until a noise assessment conducted under the World Health Organisation Guidelines for Community Noise and the relevant guidance on sound insulation and noise



reduction for buildings has been submitted and approved under a formal discharge of conditions application. Such an assessment shall include detailed recommendations for the mitigation of noise disturbance on the site. The development shall not be occupied until those recommendations have been implemented in full. Thereafter the approved noise mitigation measures shall remain permanently in place.

Reason: In the interests of the amenity of future occupants of the site in accordance with the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

## **11. Scheme of remediation**

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 the requirements of sections 1 to 4 of this condition have been complied with under a formal discharge of conditions application. 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 section 4 has been complied with in relation to that contamination under a formal discharge of conditions application.

### **(1) Site Characterisation**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - 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 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 approved 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 section 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 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 section 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 of years (to be agreed with the Local Planning Authority), 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. This condition is imposed in accordance with the National Planning Policy Framework (2012) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

## **12. Spoil removal**

No works to develop the approved four dwellings shall be carried out until details of how spoil arising from the development is to be disposed of has been submitted and approved under a formal discharge of conditions application. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenity and residential amenity in accordance with Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

## **13. PD Removal - windows**

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof no additional windows shall be constructed at first floor level or in the roof of the northern elevation of the approved dwelling identified as Plot 4 on the approved drawings. Plot 4 shall not be occupied until the windows approved at first floor level in the northern elevation of Plot 4 have been obscure glazed and fixed shut unless the parts that can be opened are more than 1.7 metres above the finished floor level of the room that they serve. The windows shall remain obscured and fixed shut in accordance with the requirements of this condition at all times thereafter.

Reason: In the interests of neighbouring amenity in accordance with the National Planning Policy Framework (2012) and Policy CS14 of the West Berkshire Local Plan (2006-2026) 2012.

## **14. Boundary Treatment details**

Irrespective of the details given in the submitted drawings no development of the approved dwellings shall commence until full details of all boundary treatments of the site have been submitted and approved under a formal discharge of conditions application. The dwellings shall not be occupied until the boundary treatments have been constructed in accordance with the approved scheme.

Reason: In the interests of visual amenity in accordance with Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

## **15. PD Removal – extensions**

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof no extensions or outbuildings shall be constructed to serve the dwellings hereby approved without planning permission first having been granted on a planning application made for that purpose.

Reason: In order to prevent the overdevelopment of the site and to ensure that the dwellings are provided with sufficient amenity space and to ensure that the risk of flooding is satisfactorily addressed on the site in accordance with Policies CS14 and CS16 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

## **16. Hard surface materials**

Irrespective of the details given in the submitted drawings no development of the approved dwellings shall commence until full details of all materials to be used in the hard surfacing of the site have been submitted and approved under a formal discharge of conditions application. The dwellings shall not be occupied until the hard surfaces have been constructed in accordance with the approved scheme.

Reason: In the interests of visual amenity and to ensure that flood risk is addressed satisfactorily on the site in accordance with Policies CS14 and CS16 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

## **17. Hours of work**

The hours of work on site for all persons employed in the development of the dwellings hereby approved shall 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 accordance with the National Planning Policy Framework (2012) and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

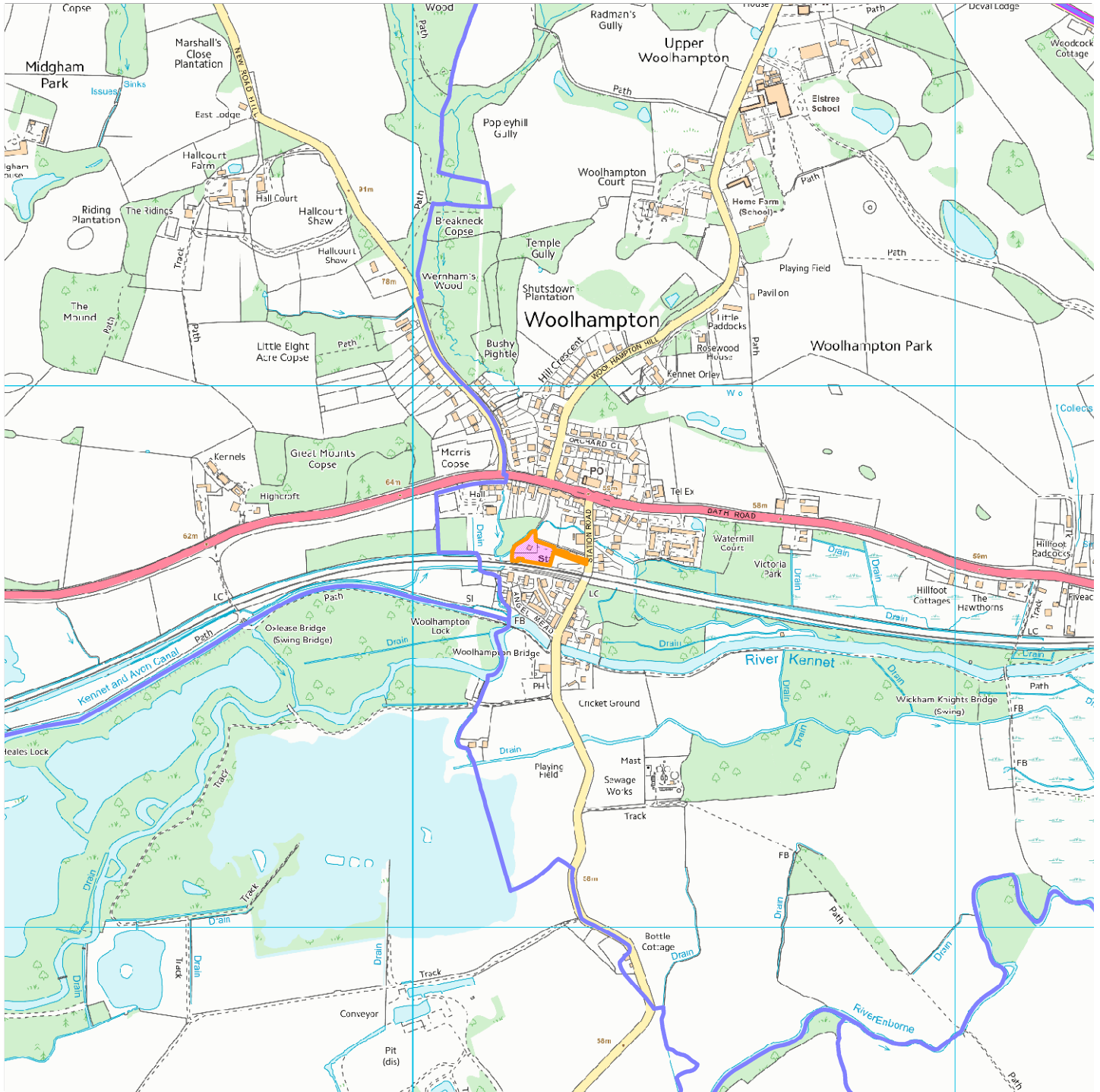
### **Informatives:**

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 secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.
2. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the

Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

3. The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
4. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
5. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Highways (Planning) Manager, West Berkshire Council, Highways and Transport, Council Offices, Market Street, Newbury, RG14 5LD, tel. no. 01635 519169, before any development is commenced.
6. The applicant is advised that this planning permission does not in any way allow the Public Right of Way to be obstructed at any time during the course of the development.
7. Nothing connected with either the development or its construction must adversely affect or encroach upon the Public Right of Way (PROW), which must remain available for public use at all times. Information on the width of the PROW can be obtained from the PROW Officer.
8. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
9. Before the canopy or structure is erected a licence must be obtained under Sections 177/178 of the Highways Act, 1980, with respect to any part of it which overhangs the highway. A licence may be obtained from the Highways (Planning) Manager, West Berkshire Council, Highways and Transport, Council Offices, Market Street, Newbury, RG14 5LD, tel. no. 01635 519169.
10. The applicant is advised that the Rights of Way Officer must be informed prior to the laying of any services beneath the Public Right of Way.
11. Where the ground levels adjacent to the path are to be raised above the existing ground levels, a suitable drainage system must be installed adjacent to the Public Right of Way, to a specification to be agreed with the Local Planning Authority prior to development commencing.

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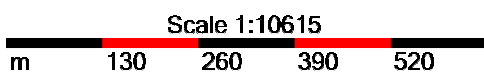
Map Centre Coordinates :

Scale : 1:10614

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	
<b>Date</b>	25 June 2018
<b>SLA Number</b>	0100024151



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# Agenda Item 4.(2)

Item No	Application No. and Parish	Proposal, Location and Applicant
(2)	18/00562/COMIND Purley-On-Thames	Re-alignment of the farm drive along with associated landscaping and use of part of the site for D2 (outdoor sports and recreation) use for up to 250 days per annum.  Home Farm Purley Village Purley On Thames Reading Berkshire RG8 8AX  TW & VR Metcalfe

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00562/COMIND>

**Recommendation Summary:** Subject to no adverse comments being received from the Lead Flood Authority and the Environment Agency, to **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION** subject to the conditions set out in section 8.1 of this report.

**Ward Members:** Councillor Tim Metcalfe  
Councillor Rick Jones

**Reason for Committee Determination:** Major planning application on behalf of a Ward Member and Member of the Eastern Area Planning Committee

**Committee Site Visit:** 16/05/2018

## Contact Officer Details

**Name:** Simon Till  
**Job Title:** Senior Planning Officer  
**Tel No:** (01635) 519111  
**E-mail Address:** simon.till@westberks.gov.uk

## 1. Relevant Site History

- No relevant history for this site.

## 2. Publicity of Application

Site Notice Expired: 17 April 2018

Neighbour Notification Expired: 06 April 2018

## 3. Consultations and Representations

### 3.1 Consultations

**Parish (Purley-On-Thames)** OBJECTION

While in principle we accept the reasoning behind this application we have serious concerns with it as proposed.

-Flooding

No Flood Risk Assessment has been submitted.  
As this land falls within the flood plain, the application needs to be considered by the Environment Agency.

-Realignment of farm drive

This part of Purley Village (road) is used by visitors to Mapledurham Lock and walkers of the Thames Path and local footpaths to park their cars. Parking in this area is already very restricted. The new position of the drive entrance/exit will further reduce the number of cars that can be parked in this area.

As the new drive will be used for large farm vehicles (combine harvesters and tractor with trailer) it may be necessary to also prevent parking either side of the drive to facilitate entrance and exit of these large vehicles, which would further reduce parking.

Therefore, there is a strong likelihood is that visitors will look to park their vehicles further down Purley Village (road), in Lister Close and in Farm Close. This would create major problem for local residents and the school which would be unacceptable. The proposal needs to show the impact of loss of parking and how this loss is going to be mitigated.

It is not clear from the application whether gates will be positioned at the end of the drive. If so, large vehicles will need to park in Purley Village while the gates are opened. This would totally block the road. If gates are to be fitted then they need to be well set back from the road leaving sufficient space for the large farm vehicles to pull in off the road before having to stop to

open the gates.

Additionally, information as to the type of road surface is required.

-Provision of Sports Field

The provision of the sports field is justified on the basis of need for the local school.

The existing sports field is a commercial arrangement between the applicant and the school and we assume that this new field will be on a similar basis.

While we are aware that some informal discussions have taken place between the local school and the applicant, we were not aware that any agreement with the school has been reached. A clear indication needs to be provided by the school that they fully support this application for a sports field before it is approved as is a major justification for the creation of the new sports field. The applicant has asked for change of use to D2. This allows the proposed sports field to be used for more than just a sports field for the local school i.e. musical events, marshalling area for other sporting events, private sporting activities, fetes, travelling circuses, etc., especially at weekends and during school holidays. This would undoubtedly attract a large number of vehicles to the site which would have to park in the local streets. This would be totally unacceptable as lack of parking in the area is already a major issue. Either the sports field needs to be restricted purely to use by the local school or off-road car parking needs to be provided for around 50 to 100 vehicles.

## **Highways**

No objections subject to conditions as follows:

- Restriction of the use of the playing field to Purley Church of England School;
- Construction method statement;
- Requirement for consultation on amendments to existing waiting restrictions;
- Provision of visibility splays;
- Set back of gates;
- Surfacing of access.

## **SuDS**

Initial comments

- Object due to application being within Flood Zones 2 and 3 and no Flood Risk Assessment being provided with the application
- No further comments received following receipt of FRA

## **Environment Agency**

Initial comments

- Object due to application being within Flood Zones 2 and 3 and no Flood Risk Assessment being provided with the application
- No further comments received following receipt of FRA

**Sports England** As the proposal does not have any impact on any existing sport facilities or playing fields, and does not generate significant demand for new indoor or outdoor sports facilities, Sport England has no comments to make.

**Environmental Health** I have reviewed the above application and my only comment would be that the use of the field should be restricted to use by the school only. This would prevent the possibility of noise disturbance from other permitted activities.

**Archaeologist** No objections.

**North Wessex Downs AONB** No comments received by date of writing.

### 3.2 Representations

Total: 0                      Object: 2                      Support: 1

#### Objections:

- Concerns regarding reduction in levels of on-street parking in Purley Village;
- Inadequacy of parking provision for proposed works;
- Concerns regarding number of days for use of site;
- Inadequate access roads;
- Detrimental impact on character and appearance of the area and adjacent AONB;
- Concerns that the application is for a commercial or industrial use;
- Potential future use of the site for unrestricted D2 activities;
- Noise and disruption resulting from activities on the land.

#### Support:

- Will improve access for to sports facilities for the school;
- Community benefit of providing this facility for use by children at the school

### 3.3 Community Infrastructure Levy

3.3.1 The proposed works would not be such as to attract payment of the CIL.

## 4 Planning Policy

4.1 The statutory development plan includes the West Berkshire Core Strategy 2006-2026 and those saved policies within the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP).

4.2 Other material considerations include government legislation and guidance, in particular:

- The National Planning Policy Framework (March 2012) (NPPF);

4.3 The policies within the West Berkshire Core Strategy (2006-2026) are relevant to this application:

- ADPP1: Spatial Strategy;
- ADPP4: Eastern Area
- ADPP5: North Wessex Downs AONB;
- CS10: Rural Economy
- CS13: Transport;
- CS14: Design Principles;
- CS16: Flooding;
- CS17: Biodiversity and Geodiversity
- CS18: Green Infrastructure
- CS19: Historic Environment and Landscape Character.

4.4 The following policies of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007 are relevant to this application:

- OVS5: Environmental Nuisance and Pollution Control;
- OVS6: Noise Pollution;
- TRANS1: Meeting the Transport Needs of New Development.

4.5 In addition, the following locally adopted West Berkshire Council policy documents and other guidance are relevant to this application:

- Supplementary Planning Document, Quality Design (June 2006);
- The West Berkshire Planning Obligations Supplementary Planning Document (2014)
- The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019

## **5. Description of Development**

5.1 The application site is located outside of the settlement boundary, in land defined as open countryside under Policy ADPP1 of the Core Strategy. The site is an existing agricultural field, bordered by existing hedges on its northern and eastern boundaries, an existing access track on its western boundary and the highway through Purley Village to the southern boundary. To the west of the site, on the opposite side of the access, is Ivy Cottage, a listed building, while to the north are Villageside and Farmside Cottages.

5.2 The proposed works are for the change of use of part of the land consisting the field to D2 use for use as a sports pitch for the nearby Purley Church of England Primary School. The application also proposes the creation of a new access track and new access to the highway to the east of the existing access. It is proposed to retain the existing field access for maintenance purposes, but to gate it at both ends.

## **6. Consideration of the Proposal**

### **6.1 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

6.1.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is not considered to be EIA development.

## **6.2 Appraisal**

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

- Principle of development;
- Flood risk;
- Highway safety;
- The impact on visual amenity and the adjacent North Wessex Downs AONB;
- The impact on the amenity of nearby residential occupants.

## **6.3 The principle of development**

6.3.1 The application site is located outside of the defined settlement boundary, where new development is more strictly controlled and Policy ADPP1 of the Core Strategy states that it shall be focussed on addressing identified need and supporting a strong rural economy. The application seeks planning permission for use of part of the site as a sports pitch for Purley Church of England School, which is located near to the site to the west, within Purley Village. The agent has confirmed that the need for provision of a sports pitch is justified as the school has insufficient facilities or access to alternative facilities nearby at present. In respect of the proposed new access track, the justification given in the application is to improve safety for children and teachers using the sports pitch by directing traffic associated with agricultural activities at Home Farm away from the access that would be used for the pitch. In light of these matters your officer considers that there is sufficient justification of need for the works and the principle of development is accepted in this case.

## **6.4 Flood risk**

6.4.1 The site is located entirely within Flood Zone 2, and is partially within Flood Zone 3. The Lead Local Flood Authority have identified that the main risk of flooding in this area is from the River Thames, which is located north of the site. The applicant has submitted a flood risk assessment to accompany the application which sets out the flood risk for the site, and makes recommendations on the basis of this risk, including a requirement for adoption of a SuDS strategy for dealing with surface water. While it is noted that at the time of writing the Environment Agency and Lead Local Flood Authority had yet to submit comments on the FRA, and their initial position was to object to the application on the lack of an FRA, your officer has reviewed the submitted FRA and is satisfied that, subject to no further objections being lodged by the EA or Lead Local Flood Authority, conditions can be recommended in respect of provision of a SuDS strategy as above. Therefore, subject to no further adverse comments being received from the EA or Lead Local Flood Authority the proposed works are not considered to result in a detrimental impact in terms of flood risk.

## **6.5 Impact on parking provision and highway safety**

- 6.5.1 Your officer notes that objections to this application raise concerns in respect of both the reduction in levels of on street parking that would result from imposition of the new access and an increase in demand for parking in the local area that might result from use of the site. Objections raise concerns regarding the impact that a general D2 use might have in terms of highway safety and parking provision. However, the proposed works seek permission for a D2 use of part of the land consisting the site by the school only, and a condition is recommended in respect of limiting this use to use by the school. It is therefore your officer's view that such works will not result in an increase in levels of demand for parking in the general vicinity of the site. Your officer further notes that the works would not result in the loss of a significant amount of on street parking in the area, and that alternative parking in the form of a formalised parking area for up to 15 cars is available on Lister Close, a short distance to the south of the site.
- 6.5.2 While it is noted that some events hosted by the school such as sports days might require additional parking for parents and coaches, permitted development would allow use of other land on Home Farm for a temporary period of up to 28 days for provision of temporary parking, and in such circumstances it is likely that this solution would be adopted. Your officer's view therefore is that, in light of the limitation on use to use by the school and the likely level of activity such use would generate, the proposed works would be unlikely to generate a significant requirement for extra parking in the area such as might impact detrimentally on highway safety.
- 6.5.3 The highways officer has requested a condition requiring a consultation on waiting (parking) restrictions in the local area that is to be carried out at the applicant's expense. Your officer has discussed this recommendation with the highways officer and has queried whether such a condition would be necessary in order to deliver improvements that would make the proposed works acceptable. The highways officer has confirmed that in her view the impact on parking provision in the local area is not such that without such a condition parking provision would fall below an acceptable level. Your officer's advice is therefore that a condition requiring a review of parking restrictions in the local area would not be necessary or reasonably related to the development proposed, and as such would not meet with the tests of planning conditions in this respect. As such this condition does not form part of your officer's recommendation.
- 6.5.4 The highways officer, in correspondence with the agent, initially requested that the existing access track to the farm was stopped up. However, in discussions with the agent it became apparent that the existing access track will need to be used both to allow the school entrance onto the land and for purposes of entering the land with machinery to maintain it. In light of these requirements by the school and applicant for continued use of the existing track, a condition is recommended requiring that the gates to the land are kept locked apart from when access through them is required for these purposes.
- 6.5.5 The proposed access has been located such as to have good visibility onto the highway, subject to provision and maintenance of visibility splays. The highways officer has raised no objections in terms of its location. Your officer also notes that the existing access on the site is used to serve the two agricultural worker's dwellings (Farmside and Villageside Cottages). However, this matter has been discussed with the agent who has confirmed that their rights of access would not be

affected by having to use the new vehicular access. The northern part of the access which serves Ivy Cottage would be retained as part of the proposals. Subject to the above recommended conditions, and a restriction on use of the playing field to use by the school, the highways officer has raised no objection to this application and the proposed works are not considered to result in a significant or detrimental impact on highway safety or parking provision in the area surrounding the site.

## **6.6 Impact on neighbouring amenity and amenity of future occupants**

6.6.1 Objections made in response to this application raise concerns with noise generated by activities on the site. While your officer notes that use of the land as a school playing field will result in some increase in noise from activities incidental to this use, it is also noted that the properties that stand to be affected by this noise are in close proximity to the school, so are already affected by similar noise at break times and lunchtimes. The environmental health officer has assessed this application and has raised no objections subject to a condition restricting the use of the site to the school. Your officer recommends a further condition restricting the hours that the school can use the site in order to ensure that noise in unsociable hours or at the weekends is controlled. Subject to these conditions the proposed works are not considered to entail a significant adverse impact on neighbouring amenity.

## **6.7 Impact on the character and amenity of the surrounding area and the adjacent North Wessex Downs AONB**

6.7.1 The proposed works entail the levelling of sufficient space to accommodate the proposed sports pitch and creation of a new access and drive on the site. While the levelling operation is to a substantial amount of land this would be set below existing levels and not such as to appear visually conspicuous in the surrounding landscape. In terms of the access track your officer notes that this would be 150 metres in length and 5.5 metres wide, surfaced with hardstanding. While this will impose 825 square metres of new hardstanding into surrounding views from Purley Village, and some more fleeting views from Mapledurham Drive, the track is well contained within the existing field structure, and would not be out of character with the agricultural nature of the land. In this location all of the works would be well screened from the adjacent AONB by the well-established boundaries of mature hedging to the north of the existing field. In light of these considerations your officer's view is that the impact of the proposed works would be acceptable in terms of visual amenity.

## **6.8 Impact on trees and ecology**

6.8.1 The proposed works would substantially be conducted on open agricultural land. They would not result in the loss of any significant trees or vegetation from the site, and no works to clear vegetation that could not already be conducted lawfully by the land owner separate from any planning permission. As the works to level land on the site and create an access road do not entail significant clearance of vegetation they are not considered to be such as to be likely to impact detrimentally on any habitats on or near to the site.

## **6.9 Other matters: Permitted temporary uses of land & restriction on number of days of use**



- 6.9.1 It is noted that at present the applicant can use land constituting the wider Home Farm site for temporary purposes for up to 28 days per year, and the agent has indicated that some temporary use of the land in line with these permitted development rights currently occurs, for village events and in connection with local community groups. Your officer has reviewed the proposed use in respect of these permitted development rights and is of the view that imposing a restriction on temporary uses of the land consisting the site would impose an unreasonable restriction on the applicant where the purpose of the conditions recommended on this application is to control the proposed activity, rather than any other activity that can be lawfully carried out on the land. Therefore your officer does not propose to recommend conditions restricting permitted development right for temporary uses of the site, but the use of the site for D2 purposes for use by the school is recommended to be secured by condition.
- 6.9.2 The application states a restriction on use of up to 250 days per year. However, the concern with the impact of use of the land on neighbouring amenity is considered to be addressed by conditions restricting the use to the school, which would primarily confine use of the land to terms times and week days, and restricting the hours of use, which would prevent use of the land at unsociable times. Therefore a condition is not recommended in respect of the number of days of use of the land for D2 purposes by the school.

## **6.10 The presumption in favour of sustainable development**

- 6.10.1 This application has been assessed in terms of the above matters and the principle roles of sustainable development identified in the NPPF, these being the economic role, social role and environmental role.

-In terms of the economic and social roles of sustainable development, the proposed works are considered to be neutral, neither contributing significantly to nor detracting from the surrounding economic environment;

-In terms of the social role, the proposed works are considered to have a significant associated community benefit by providing a valuable sports facility to the local school;

-In terms of the environmental role of sustainable development the proposed works are considered to have a slight disbenefit associated with the development of the new access track. However, as this disbenefit is minor, by comparison to the associated benefit to local schoolchildren and the wider community on balance the works are considered to constitute sustainable development in accordance with the definition set out in the NPPF

## **7. Conclusion**

- 7.1 The proposed works are considered not to engender an unacceptable level of impact on the character and appearance of the area, or local parking availability or highway safety, and subject to no adverse comments being received from either the Environment Agency or Lead Local Flood Authority are not considered to result in an adverse impact on flood risk. The works would provide a significant benefit to the local community in terms of providing a sports pitch for use by the school, and as such meet with your officer's recommendation of approval.

## **8. Recommendation**

Subject to no adverse comments being received from the Lead Flood Authority and the Environment Agency, to **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION** subject to the conditions set out in Section 8.1.

### **8.1.1 Conditions**

#### **1. Three years**

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

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

#### **2. Approved drawings**

The development of the sports pitch and access track hereby approved shall be carried out in accordance with drawing numbers 5905.LP.002 Rev B, 5905.006 Rev H and "Plan showing proposed area of D2 uses for up to 250 days per annum" registered 27 February 2018.

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

#### **3. Use restriction**

The use of the land for D2 purposes hereby approved shall be limited to the area of the land shown in green on the drawing entitled "Plan showing proposed area of D2 uses for up to 250 days per annum". The land shown in green on the drawing entitled "Plan showing proposed area of D2 uses for up to 250 days per annum" shall only be used for purposes of sports and games activities ancillary to Purley Church of England School. The requirements of this condition shall not affect the permitted development rights to use the land for temporary purposes granted under the provisions of Schedule 2, Part 4 Classes A and B of the Town and Country (General Permitted Development) Order 2015, or any subsequent version thereof.

Reason: In order to prevent an uncontrolled use of the land for general D2 (assembly and leisure) purposes such as might result in disruption to the amenity of nearby residential occupants due to detrimental levels of noise and activity on the site. Permitted development rights for temporary use of the land are retained on site at present and restriction of such rights would impose an unreasonable requirement on the applicant to limit the use of this part of the site for temporary purposes. This condition is imposed in accordance with the requirements of the NPPF (2012) Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

#### **4. Closure of gates**

The site shall not be taken into use for D2 purposes until gates have been erected across the existing access track as shown on the approved drawings. These gates

shall be retained on the existing access thereafter. The gates across the existing access shall be kept closed and locked at all times that the access is not in use. The existing access road shall only be used for purposes of maintenance of the land or use by Purley Church of England School.

Reason: To prevent the use of the access as a secondary access to the site which might otherwise result in a conflict with existing vehicle movements on the approved access track or within Purley Village. This condition is applied in the interests of highway safety in accordance with the requirements of the NPPF (2012), Policies CS13 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy TRANS1 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

## **6. Levels**

The levels on the site shall be constructed in accordance with the approved drawings and shall be retained in accordance with the approved drawings thereafter.

Reason: The site is located in a visually sensitive area in the countryside, on the edge of Purley Village and adjacent to the North Wessex Downs AONB, and an area within Flood Zones 2 and 3. This condition is imposed in the interests of visual amenity and to ensure that an alteration in levels that does not result in an increase in flood risk to the site and surrounding land does not occur in accordance with the NPPF (2012) and Policies CS14, CS16 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

## **7. Hours of operation**

The part of the land shown in green on the drawing entitled "Plan showing proposed area of D2 uses for up to 250 days per annum" shall only be used by Purley Church of England School for use class D2 purposes between the following hours:

9:00am to 6:30pm Mondays to Fridays;

09:00am to 1:00pm Saturdays.

With no use on Sundays or Bank Holidays

Reason: In the interests of the amenity of nearby residential occupants who might experience noise generated by use of the site for sports and games. This condition is imposed in accordance with the requirements of the NPPF (2012) Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

## **8. Construction Method Statement**

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

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials (must be off the public highway)

- (c) Storage of plant and materials used in constructing the development
- (d) Wheel washing facilities
- (e) Measures to control the emission of dust and dirt during construction
- (f) A scheme for recycling/disposing of waste resulting from demolition and construction works
- (g) No deliveries between 0830-0915 and 1445-1530 and delivery vehicles to be routed away from the school and bend to the west.

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

## **9. Visibility splays**

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

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

## **10. Surfacing of access**

No development shall take place until details of the surfacing arrangements for the vehicular access to the highway have been submitted to and approved under a formal discharge of conditions application. Such details shall ensure that bonded material is used across the entire width of the access for a distance of 5 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest 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).

## **11. SuDS**

Drainage condition to be recommended by Lead Local Flood Authority on Update Report.

### **8.1.2 Informatives**

#### **1. Approval of sustainable development where objections have been received and additional information submitted**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has

been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

## **2. Access Construction**

The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

## **2. Damage to footways, cycleways and verges**

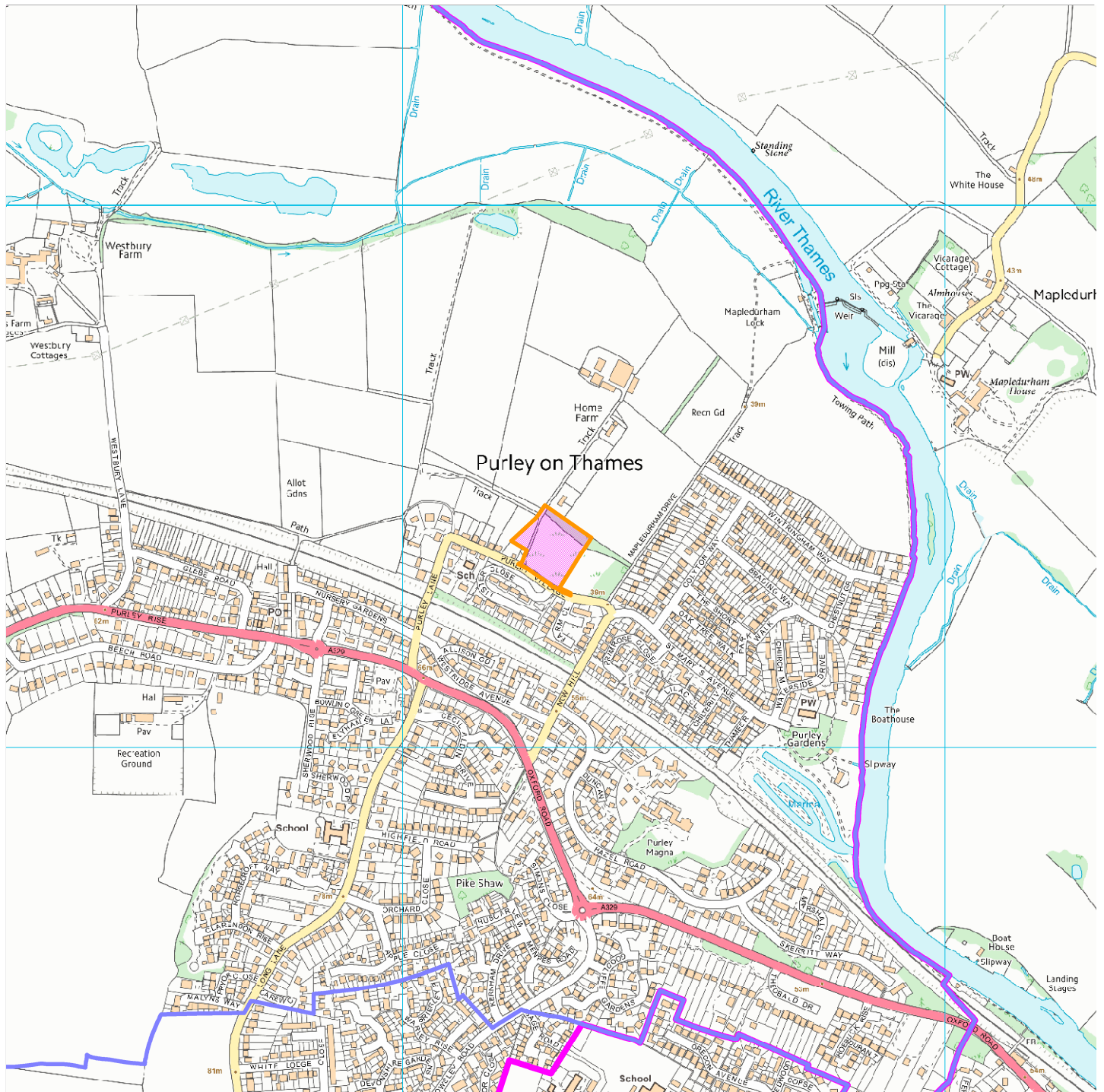
The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

## **3. Damage to the carriageway**

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

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

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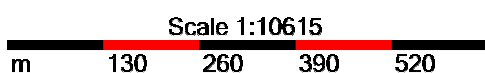
Map Centre Coordinates :

Scale : 1:10614

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	
<b>Date</b>	25 June 2018
<b>SLA Number</b>	0100024151



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# Agenda Item 5.

## APPEAL DECISIONS EASTERN AREA-COMMITTEE

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Recommendation	Decision
TILEHURST 17/00100/FULD  PINS Ref 3184832	Land To The Rear Of 77 – 79 Long Lane Tilehurst Mr Knight	Proposed two storey dwelling at the rear gardens of 77 and 79 Long Lane, Tilehurst.	Delegated Refusal	All.owed 5.6.18
BASILDON 17/03112/HOUSE  PINS Ref 3195742	14 Morrison Close Upper Basildon Rachel Duncan	Internal alterations and first floor extension. Convert existing garage into a kitchen. Two additional bedrooms to be created on the first floor over the existing garage and convert the smallest bedroom into a dressing room.	Delegated Refusal	Dismissed 6.6.18
BRIMPTON 17/00630/OUTD  PINS Ref 5812095	Land Adjacent To The Firs Hyde End Lane Brimpton Dr Barham and Mr Barham	Outline planning permission for a new self-build dwelling following demolition of existing building. Matters to be considered: Access and Layout.	Delegated Refusal	Dismissed 8.6.18
BEECH HILL 16/02712/FULD  PINS Ref 3178464	Land at Wood Lane Beech Hill Mr Carter	Change of use of building and land from agricultural use to residential use	Delegated Refusal	Allowed 20.11.17

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