

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 20 NOVEMBER 2019

Councillors Present: Jeremy Cottam, Gareth Hurley (Substitute) (In place of Peter Argyle), Alan Law (Chairman), Tony Linden (Substitute) (In place of Andrew Williamson), Royce Longton (Vice-Chairman), Ross Mackinnon (Substitute) (In place of Graham Pask), Alan Macro, Geoff Mayes and Joanne Stewart

Also Present: Sharon Armour (Solicitor), Jessica Bailiss (Policy Officer (Executive Support)), Michael Butler (Principal Planning Officer), Stephen Chard (Principal Policy Officer), Gareth Dowding (Acting Principal Engineer (Traffic and Road Safety)) and Bob Dray (Development Control Team Leader)

Apologies for inability to attend the meeting: Councillor Peter Argyle, Councillor Graham Pask and Councillor Andrew Williamson

PART I

26. Minutes

The Minutes of the meeting held on 30 October 2019 were approved as a true and correct record and signed by the Chairman.

27. Declarations of Interest

Councillor Gareth Hurley declared an interest in Agenda Item 4(1), but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillors Tony Linden, Alan Macro and Jo Stewart 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.

It was noted that all Members had received communication from Bellway Homes Limited in relation to Agenda Item 4(2). This was new information received within the past five working days and was therefore disregarded.

28. Schedule of Planning Applications

(1) Application No. & Parish: 18/01221/FULD - Land Adjoining 32 The Moors, Pangbourne

(Councillor Gareth Hurley declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was in attendance at the Pangbourne Parish Council meeting when this application was discussed. However, he confirmed that he would be considering the matter afresh at this meeting. 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(1)) concerning Planning Application 18/01221/FULD in respect of the construction of a new dwelling with associated parking and landscaping.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

Mr Bob Dray, Development Control Team Leader, introduced the report and highlighted the following points:

- Essentially, Planning Officers were recommending refusal of the item on three grounds highlighted below.
 - In principle, the site was positioned outside of the settlement boundary.
 - Regarding flooding, although the Environment Agency had removed its technical objection to the scheme, a policy objection remained as the proposed development failed the sequential test.
 - The proposed development would have an adverse impact on the street scene and the current green space to the end of the characterful road.
- The update report included an additional consultation response from the Lead Local Flood Authority however, this did not affect the policy flooding objection.
- In conclusion, it was felt that any benefit from the scheme was outweighed by the highlighted conflicts and harm and therefore the application was recommended for refusal.

In accordance with the Council's Constitution, Mr John Higgs, Parish Council representative, Ms Sara Dutfield, agent and Councillor Gareth Hurley, Ward Member addressed the Committee on this application.

Parish Council Representation:

Mr Higgs in addressing the Committee raised the following points:

- Pangbourne Parish Council was concerned that the scheme was outside of the settlement boundary.
- The distance between the closest building on Greenway and the proposal was only 11 metres and in the Parish Council's view this should be no less than 21 metres.
- It was not felt that Appendix 1, which included the Design Statement for the application, accurately showed the building line for the site.

Member Questions to the Parish Council:

Councillor Alan Law noted in the Officer's report that no objection had been raised by the Parish Council and therefore asked Mr Higgs to clarify the position of the Parish Council. Mr Higgs stated that the Parish Council's decision about the application had been split for and against. Concerns had been raised about the scheme being outside of the settlement boundary and regarding the distance to the building opposite.

Agent's Representation:

Ms Dutfield in addressing the Committee raised the following points:

- Concerns had been raised about three areas including the principle of development, flooding and impact on the character of the area.
- There was no dispute that the site was positioned outside of the settlement boundary however, the nature of the surrounding land also needed to be taken into account, which included a Thames Water Plant.
- The site was not in open countryside and was within walking distance of the facilities available at the centre of Pangbourne.
- Given the location it was felt that the principle of development was acceptable.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- Regarding flooding, Ms Dutfield stated that there had been a delay in receiving information from the Environment Agency and some information provided had been inaccurate. The Environment Agency were now satisfied with the scheme and had no objection to the application being approved. Any issues raised by the Environment Agency should be included in conditions.
- It was confirmed that the proposed building was within a Flood Zone 1, which was very low flood risk. The land had not flooded in the last 12 years and the river had not broken its banks in that area, even during times of severe weather. Therefore it was considered that the scheme would not increase the flood risk, or increase the risk of flooding elsewhere in the area.
- The design of the property was modern, this was however not a reason to refuse the application.
- The siting and design would not have a detrimental impact on the area. The proposal would not increase flooding in the area and was in keeping with the character of the area. For these reasons it was not felt that the scheme would set a precedent.

Ward Member Representation:

Councillor Hurley in addressing the Committee raised the following points:

- He had attended the site visit and was familiar with the area.
- He did not see how the Committee could agree with a scheme that was outside of the settlement boundary without setting a precedent.
- Based on the information provided by Planning Officers, the negative impacts caused by the scheme would outweigh any benefits.
- He did not believe that there were any conditions included regarding the building phase of the application. Residents had raised concerns about this matter and therefore if the scheme was approved this would need to be included.

Member Questions to Officers:

Councillor Alan Macro asked Officers to highlight on the plans where the Thames Water Pumping Station was and Mr Dray confirmed the location to Members of the Committee.

Councillor Macro asked for clarification that the site was surrounded by built forms. Mr Dray confirmed that the Pumping Station was close by. The building had been noted from the footpath on the site visit. Councillor Macro noted that there were buildings on all four sides of the site. Councillor Law commented that the main issue was that the site was outside of the settlement boundary.

Councillor Royce Longton queried the distances between properties highlighted by the Parish Council. It had been stated that the distance was only 11 metres when it should be 21 metres. Mr Dray stated that 21 metres was the minimum recommended back to back distance at the rear of properties. The front to front distance could be as little as 9 metres if a sensitive design approach was taken. Therefore Officers were comfortable with the distance of 11 metres.

Councillor Jo Stewart was concerned about the flooding risk and was interested in the amount of times flooding had been an issue in the area. Councillor Stewart asked Officers to clarify the issues around flooding. Mr Dray stated that land was classified as being in either Flood Zone 1, 2 or 3. Flood Zone 1 had the lowest risk of fluvial (river/coastal) flooding. Areas rated as Flood Zone 3 included functional floodplains, where flooding was expected. The applicant had consulted with the Environment Agency,

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

which was satisfied that the site could technically be made safe, without increasing the flood risk elsewhere in the area. However, the National Planning Policy Framework (NPPF) and local policies included a flood risk sequential test that essentially sought to ensure permission was only granted on flood risk areas if there was not enough land that could be used for development elsewhere. As enough alternative land was available for housing in the district outside of areas of flood risk, the proposal would fail the sequential test.

Debate:

Councillor Law summarised that Planning Officers had two clear policy objections to the scheme. Firstly it was outside of the settlement boundary and secondly regarding the sequential test. He advised that if Members wished to approve the application they needed to clearly state exceptions as there was risk of a precedent being set elsewhere in the district if the scheme was approved.

Councillor Jeremy Cottam was of the view that settlement boundaries needed to be protected. He did not see how the scheme would benefit the community.

Councillor Macro was concerned about the elevation facade that would be plain brick and in his view would be dominant on the street scene.

Councillor Cottam proposed that Members refuse the application, including an addition to the third refusal reason, raised by Councillor Macro, regarding the appearance of the development, particularly the front elevation. This was seconded by Councillor Tony Linden. The Chairman invited Members to vote on the proposal by Councillor Cottam, seconded by Councillor Linden. At the vote the motion was carried.

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

1. Location of new housing

The application site is located outside of any defined settlement boundary, within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). According to Policy ADPP1, only appropriate limited development in the countryside will be allowed. Recognising the sensitivity of the area, landscape protection is the priority in terms of housing provision, Policy ADPP5 states that, beyond housing site allocations there will be further opportunities for infill development and for development on previously developed land. Policy CS1 states that new homes will be located in accordance with the settlement hierarchy outlined in the spatial strategy and area delivery plan policies, and that new homes will be primarily developed on suitable land within settlement boundaries. In this context, Policy C1 provides a presumption against new residential development outside of the settlement boundaries, subject to a number of exceptions, none of which are apply to this proposal. As such, a new dwelling on this site, which is outside the settlement boundary, does not comply with the aforementioned policies. The application is contrary to the National Planning Policy Framework, Policies ADPP1, ADPP5 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policy C1 of the Housing Site Allocations DPD 2006-2026.

2. Flood risk sequential test

The site includes land within Flood Zones 1, 2 and 3, and consequently the flood risk sequential test of the NPPF is applicable. No sequential test has been undertaken by the applicant, but in any event it is

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

considered that the sequential test would fail because sufficient land for housing can be permitted in West Berkshire without developing land in Flood Zones 2 or 3. Consequently, although these may be a technical solution to the flood risk on the site (through the measures proposed in the Flood Risk Assessment and associated documents), there remains a flood risk policy objection. The application is contrary to the National Planning Policy Framework, the Planning Practice Guidance, and Policy CS16 of the West Berkshire Core Strategy 2006-2026.

3. Character and appearance

The application site is located adjacent to the rural settlement within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The site comprises an existing open green space adjacent to the settlement boundary that provides a positive contribution to the street scene in terms of providing a soft edge to the settlement. The proposed building would result in the loss of this open space to the detriment of local character, and the building and hardstanding would be prominent additions to the street scene due to their position within the site. The appearance of the dwelling, particularly the bland front elevation comprising an expanse of brick with little visual articulation, would not respect the character and appearance of the area. The application therefore fails to respect the character and appearance of the area, contrary to the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006- 2026, and the Quality Design SPD.

(2) Application No. & Parish: 19/01544/FULEXT - Land to the West of Dorking Way, Calcot, Reading

(Councillor Tony Linden declared a personal interest in Agenda Item 4(2) by virtue of the fact that he lived in Knollmead, Calcot. However, he considered that this was not close enough geographically to the application site to influence his views on the matter. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Alan Macro declared a personal interest in Agenda Item 4(2) by virtue of the fact that he knew the parish representative and the objector. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Jo Stewart declared a personal interest in Agenda Item 4(2) by virtue of the fact that she previously sat on the Holybrook Parish Council Planning Committee. However, she confirmed that she would consider the matter afresh. 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.)

(All Members had received communication from Bellway Homes Limited in relation to Agenda Item 4(2). This was new information received within the past five working days and was therefore disregarded.)

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 19/01544/FULEXT in respect of a full planning application for the erection of 199 dwellings (including affordable housing) with public open space, hard and soft landscaping, and vehicular access from Dorking Way.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

Prior to the Planning Officer's introduction to the report, Councillor Alan Law highlighted the fact that the principle of development had already been established for this site, as an application for between 150 and 200 dwellings had been allocated within the Housing Site Allocations Development Plan Document (HSA DPD) Policy HSA12.

Michael Butler, Principal Planning Officer, introduced the report and highlighted the following points:

- He made a correction to paragraph 1.2 of the report. This should state the proposed housing mix as 30 no. 1 beds, **54** no. 2 beds, **85** no. 3 beds, and 30 no. 4 beds.
- Mr Butler considered that the principle objection was the impact on infrastructure and on local traffic movements. However, the Highways Officer was recommending conditional permission.
- Detailed traffic modelling had been undertaken and this concluded that there would be an overall increase of less than 1% on the highway network on average in the morning peak period. The National Planning Policy Framework (NPPF) stated that a development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- Housing Officers were supportive with 40% (80 units) affordable.
- Paragraph 6.12 of the report noted that no nationally designated landscape would be directly affected by the scheme since the North Wessex Downs Area of Outstanding Natural Beauty (AONB) lay some distance to the north of the application site. However, Mr Butler felt that the setting of the AONB could be affected.
- The Environmental Health consultation response concluded that an acoustic fence was not needed, subject to appropriate other conditions and mitigation measures.
- If planning permission was granted, the developer would seek permission from Natural England to close the existing badger setts and to create artificial setts at a suitable nearby location. Based on this proposed action for the badger setts and the full ecological mitigation plan, the Council's Ecologist recommended that conditional permission be granted.
- The update sheet responded to points of clarification raised during the site visit. This covered:
 - The applicant's intention to seek adoption of all roads capable of adoption.
 - That plot 17 (a flat) had no adjoining amenity space. However, there would be considerable open space in the locality and the purchaser of the plot would be aware of this point.
- No objections had been received from the Ministry of Housing, Communities and Local Government's (MHCLG's) National Planning Casework Unit. Reference to this would therefore be removed from the recommendation.
- Mr Butler concluded by stating that while there was a planning balance in reaching a conclusion on this application, in this view the benefits brought by the application would demonstrably outweigh the adverse effects and the application was therefore strongly recommended for approval subject to the completion of a Section 106 Agreement. The Heads of Terms for the Agreement covered requirements for affordable housing, public open space, a travel plan and a traffic regulation order.

In accordance with the Council's Constitution, Mrs Mary Bedwell, Parish Council representative, Mr Simon Collard, objector, and Ms Julia Mountford, Mr Des Hobson, Ms

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

Carmelle Textor and Mr Ed Clarke, applicant/agent, addressed the Committee on this application.

Parish Council Representation:

Mrs Bedwell in addressing the Committee raised the following points:

- Holybrook Parish Council accepted the site was allocated in the HSA DPD for between 150 and 200 homes, however were frustrated that the proposal was only one short of the maximum provision at 199 homes.
- This development would not enhance the area. Improvements could be made to areas including access, noise and pollution if a lower density proposal came forward. A lower density scheme would be more in keeping with the local area.
- There was a risk of flooding in the local area and this would need to be managed if the application was approved.
- The parking provision was not considered sufficient in some areas. Emergency vehicle access was also of concern.
- Traffic levels increased in the area year on year. However, there was very little infrastructure improvement. Infrastructure had not kept pace with developments.
- Heavy traffic was a problem for residents on a daily basis and Mrs Bedwell felt that the traffic analysis did not meet with the reality of the situation. She questioned the increased number of vehicles referenced in paragraph 6.38 of the report during the morning peak period. She did not consider that an increase in 9 eastbound vehicles and 27 westbound vehicles on the A4 between the M4 and Dorking Way was realistic when considering this was a development for 199 dwellings.
- Noise pollution was a concern. Residents in attendance at the site visit reported that the traffic noise was at times deafening.
- An up to date air quality survey needed to be completed for the site, this would be in accordance with the requirements of the HSA DPD.
- The Parish questioned whether health/Clinical Commissioning Groups (CCGs) were consulted on the proposal. Residents from this application, if approved, would need to attend Theale Surgery but this was already overburdened.
- Holybrook Parish Council requested that the application, in its current form, be refused. This was the agreed position of all adjoining parishes.

Member questions to the Parish Council:

Councillor Law queried if data was held on the housing density of this application and that of the surrounding area to aid comparisons. Mrs Bedwell did not have data on this point, however she reiterated that a smaller number of homes could make for a more acceptable scheme.

Objector Representation:

Mr Collard in addressing the Committee raised the following points:

- He lived in Dorking Way and represented the 40 objectors to this application. The number of objectors outweighed the number of supporters by ten to one.
- Around 85% of the objections concerned traffic congestion. Tailbacks of 400 metres at peak times was not sustainable. He questioned how Highways considered this to be acceptable.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- Traffic congestion created pollution.
- The parking allocation was inadequate for residents and visitors.
- Local schools and GP surgeries were at bursting point.
- Noise pollution was a factor.
- The development would impact negatively on the level of green space in the area. Bellway Homes had suggested that an area of green space could be offered to West Berkshire Council or Holybrook Parish Council but this was on a flood plain. Flooding was a concern.
- Natural wildlife habitat would be destroyed.
- The high density of this application was of concern. A preference would be for a housing number nearer to 150. The cumulative impact of significant development in the area had to be taken into account.
- Cycle lane improvements would be needed, if the application was approved.

Member questions to the objector:

Councillor Jo Stewart asked Mr Collard to describe his experience of traffic congestion as a local resident. Mr Collard explained that during the morning peak period (7.15am – 8.45am) traffic queued between Charrington Road and the A4. Queues were well in excess of the 16 metres indicated in the report. Mr Collard did not accept that the development would only generate a 1% increase in vehicles movements during the morning peak. He pointed out that originally, an increase in 26% was indicated. Mr Collard felt sorry for potential new residents due to the traffic difficulties they would face.

Councillor Ross Mackinnon queried patient numbers at local GP surgeries. Mr Collard explained that approximately 11,000 patients were listed for Theale Surgery. The national GP to patient ratio was 1,300 patients per GP. Two GPs at Theale Surgery already had in excess of 2,500 patients. This development had the potential to add a further 1,000 patients.

Applicant/Agent Representation:

Ms Mountford in addressing the Committee raised the following points:

- The application accorded with the HSA DPD and would be developed in line with its requirements. The principle of development was accepted in the HSA DPD.
- Pre-application discussions had been held with Planning Officers and relevant stakeholders. The application took account of points raised during this process.
- A well balanced report had been produced by the Planning Officer. There were no material considerations which outweighed the benefits of the application.
- Vehicle access from Dorking Way would align with the HSA DPD. An independent road safety audit had been conducted.
- Pedestrian and cycle links would be established.
- The parking provision was in accordance with West Berkshire Council's parking standards.
- Bellway had produced its own traffic modelling. This had been verified by the Council's Highways Officer and an independent Transport Consultant. This showed an acceptable increase on the highways network.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- The acoustic design statement had been taken into account, with appropriate mitigation measures to be put in place. West Berkshire Council's Environmental Health Officers had found this to be acceptable.
- A comprehensive approach had been taken for landscaping. There would be a significant level of tree planting and the landscaping would enhance how the site would link with Holybrook Linear Park. There would be many ecological benefits and the proposal would achieve bio-diversity net gains.
- As explained by the Planning Officer, a licence would be sought from Natural England to close the existing badger setts and to create artificial setts at a suitable nearby location. Subject to approval, this would be undertaken in line with legislative requirements.
- The application would provide many benefits, some of which had already been mentioned. Ms Mountford particularly highlighted an increase in the housing stock (40% of which would be affordable), new pedestrian and cycle links, and provision of public open space.
- Ms Mountford concluded by repeating the point that there were no adverse impacts from the development that would outweigh its benefits.

Member questions to the Applicant/Agent:

Councillor Mackinnon queried if consent had been granted by Natural England for the works relating to the badger setts. Mr Hobson, Ecology Consultant for Bellway, explained that if planning permission was granted then the application would be made to Natural England. The application could not be made until the permission was in place.

Councillor Linden noted reference in the report to the potential for contaminated land and he queried if this had been tested. Ms Textor clarified that the relevant surveys had been undertaken and there was no contamination on the site.

In response to Councillor Linden's subsequent query, Ms Textor confirmed that there would be capacity on the site to charge electric vehicles.

Councillor Stewart referred to condition seven – noise mitigation and queried the noise mitigation measures that would be implemented when an acoustic fence was not to be erected. Mr Clarke explained that it was not possible to erect the acoustic fence due to the topography of the site adjacent to the A4. However, mitigation measures to be put in place would include the built form of the development being designed to help screen noise from the amenity space, sound proof glazing and standard fencing.

Councillor Law queried the density of the site. Ms Mountford confirmed that this was 46 dwellings per hectare which was in accordance with Policy CS4 of the West Berkshire Core Strategy.

Councillor Law followed this by querying how this proposed density compared with the surrounding area, in particular Dorking Way. Ms Mountford did not have this information to hand.

Member questions to the Officers:

In response to a number of Member questions on traffic congestion, Gareth Dowding (Acting Principal Engineer) advised that:

- The morning peak period, which on average recorded 1,574 vehicles travelling eastbound and 2,225 vehicles travelling westbound on the A4 between the M4 and Dorking Way, covered 7.30am – 9.00am.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- Dorking Way onto the A4 was a left turn only. 60% of motorists leaving Dorking Way would want to turn right and it was possible to join the A4 at a point further east from either Charrington Road or Pollards Way. Mr Dowding clarified the point that this development would increase the eastbound and westbound traffic by a combined 36-48 vehicles during the morning peak period for those turning left out of Dorking Way.
- Traffic queues were often caused by incidents occurring on the M4. A small incident on the M4 could have a significant impact on the A4. It was hoped that the M4 becoming a smart motorway could help to alleviate this in time. Mr Dowding added that this development would not impact significantly on traffic volumes, traffic congestion on the A4 was primarily caused by issues on the M4.
- In response to a specific question on why the 2023 model, in some cases, showed that traffic queues would be lower with this proposal included than without, Mr Dowding explained that the model distributed traffic across the entire network. This was undertaken via live modelling which was input into the model. The modelling considered a wide range of factors. He added that the issue of traffic congestion was ever evolving. Peak traffic times had moved over the years to earlier times and later times.
- The traffic calming in place would remain.
- To calculate the expected traffic generation for the proposal, the nationally used Trip Rate Information Computer System (TRICS) database had been used. This identified, on average, 0.6 vehicles per household leaving their homes in the morning peak period. Not all residents would leave at the same time and travel in the same direction. This 0.6 amounted to approximately 120 vehicles and, based on the 60:40 east/west split, would amount to 72 vehicles travelling to the east (an increase of 2.2%) and 48 travelling to the west (an increase of 4.6%). These were low increases in real terms and there was not an objection on highways grounds.
- A vehicle saturation level was not available for the A4.

Councillor Law commented that this had been a thoroughly researched and modelled exercise which had been developed over time. While different perceptions had been discussed, he felt it was necessary to rely on the specialist advice provided and the outcomes of the specialist modelling. He did however query the level of confidence in the accuracy of the 'overall increase of less than 1%' on the A4 between the M4 and Dorking Way during a typical weekday morning peak. Mr Dowding explained that he was as comfortable as it was possible to be. This percentage had been identified by the modelling. He added that the modelling had been independently verified by an external consultant who had been employed by West Berkshire Council.

Councillor Jeremy Cottam referred to the consultation response of the Lead Local Flood Authority who, on the original plans, stated that they were disappointed that only a detention basin was planned rather than a multiple landscaped sustainable drainage scheme. Mr Butler clarified that this was based on the original plans. Amended plans contained additional sustainable drainage features and the Lead Local Flood Authority were recommending conditional permission based on amended plans.

In response to a question from Councillor Geoff Mayes, Mr Butler explained that the acoustics report took account of the extra lane on the M4 and its development to a smart motorway. The additional landscaping proposed would help to reduce the noise level on the development area to an extent. Mr Dowding added that the background noise from the M4 should reduce with a variable speed limit imposed. Currently, noise levels were higher as traffic sped up to reach the maximum speed limit. This would reduce with a

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

variable speed limit. In addition, Highways England were looking to use noise reducing road materials to reduce the rolling traffic noise from the motorway.

Councillor Law returned to his question on the density of this development compared to the density of existing development in the local area, i.e. Dorking Way. Mr Butler did not have the specific density figures for surrounding residential areas, but gave an estimate that this was 30-35 dwellings per hectare. While this was lower than the density in the proposal, it was not substantially different.

In response to a question from Councillor Gareth Hurley, Mr Dowding confirmed that the traffic modelling took account of the introduction of the smart motorway and pending developments in the area.

Councillor Hurley then queried whether a demographic projection had been undertaken, for example to assess educational need arising from the development. Bob Dray (Development Control Team Leader) explained that the Education Service modelled pupil yield based on the housing mix and this took account of housing developments. Community Infrastructure Levy (CIL) funding was eligible to fund educational improvements to offset an incremental rise in pupil numbers. Section 106 obligations could only be provided if there were site specific reasons to do so.

Mr Dray added that the CCG (NHS) had been consulted on the impacts to health services from the proposed development, but they had not responded. However, as with Education, CIL funding could be used to offset an incremental rise in patient numbers. It would then be for the CCG to manage the potential impact of the development, i.e. on the Theale GP Surgery, at a strategic level.

Councillor Law agreed that the impact would be for the CCG to manage. Only strategic sites, such as Sandford, would include the provision of a GP surgery.

Debate

Councillor Macro confirmed that it was very difficult to get an appointment at the Theale Medical Centre. He acknowledged that the principle of development and the housing numbers had been accepted, but he remained concerned in relation to access to and from the site.

Councillor Cottam felt that the A4 had reached saturation in terms of its traffic flow and he was concerned that additional vehicles on the road network would exacerbate that situation.

Councillor Cottam stated that he would welcome the development, in particular the much needed affordable housing, but he was unconvinced by the traffic numbers. He particularly questioned the figures given for the morning peak period of 72 additional vehicles travelling to the east.

Councillor Hurley pointed out that the Highways Officer had been questioned on the traffic numbers and it had been confirmed that the modelling had been independently verified. Councillor Hurley continued by stating that the traffic problems already existed in the area and the additional traffic caused by this development would not worsen the situation significantly. The site was allocated within the HSA DPD and the proposed density was within the approved range for housing numbers. He questioned if a development of closer to 150 dwellings would do much to change the impact.

Councillor Linden stated that improvements had been made to the A4. He was concerned that if the application was refused, then the Council would be liable for costs at an appeal.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

Councillor Hurley proposed acceptance of the Officer recommendation to grant planning permission subject to the completion of a Section 106 Legal Agreement. This was seconded by Councillor Mackinnon.

Prior to the vote, Mr Butler reiterated that the application site was allocated within the HSA DPD and the proposed number of dwellings was within the number of units allocated to the site. The number of dwellings per hectare accorded with policy requirements. This was in a sustainable location.

If this was not approved and an application for a reduced number of dwellings came forward, then it would be necessary to identify more housing elsewhere. The number of affordable homes would also reduce.

If the application was refused, on a HSA DPD site, the Council would likely lose at appeal and be liable for costs.

The Officer recommendation was strongly for approval.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions and the completion of a Section 106 Legal Agreement by 31 January 2020 (or such longer period that may be authorised by the Head of Development and Planning, in consultation with the Chairman or Vice-Chairman of the Eastern Area Planning Committee).

Heads of Terms for Section 106 Agreement

1. Affordable housing

- 40% (80 units) affordable housing
- 70% of affordable housing units to be social rented tenure
- 30% of affordable housing units to be shared ownership tenure

2. Public open space

- Provision and transfer of public open space
- Commuted sum of £64,640.57 for the future maintenance

3. Travel plan

- £3000 towards future monitoring of approved travel plan

4. Traffic regulation order

- £1500 towards a traffic regulation order for the junction of the site with Dorking Way

OR, if the Section 106 Legal Agreement is not completed, to refuse planning permission for the following reason:

Section 106 planning obligation

The application fails to provide a Section 106 Planning Obligation to deliver necessary infrastructure and mitigation measures, including:

- a) Affordable housing, without which the proposal would be contrary to the National Planning Policy Framework, Policy CS6 of the West Berkshire Core Strategy (2006-2026), and the Planning Obligations SPD.
- b) Public open space (provision and governance), without which the proposal would be contrary to the National Planning Policy Framework, Policy CS18, Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Planning Obligations SPD.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- c) A monitoring fee for the Travel Plan, without which the proposal would be contrary to the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policies GS1 and P1 of the Housing Site Allocations DPD 2006-2026.
- d) A contribution towards the a Traffic Regulation Order for Dorking Way, without which safe access will not be provided in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

Conditions

1. Commencement of development

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 drawings listed in the Amended Drawing Register dated 11/11/2019, reference 014807-BEL-TV.

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

3. Minerals

No development shall take place until the following has been submitted to and approved in writing by the Local Planning Authority and thereafter all works shall be carried out in accordance with the methods agreed throughout the construction period:

- a) A method for ensuring that minerals that can be viably recovered during the development are recovered and put to beneficial use;
- b) A method to record the quantity of recovered mineral (for re-use on site or off-site) and the reporting of this quantity to the Local Planning Authority.

Reason: To ensure no mineral resources are sterilised in accordance with the NPPF and Policy 2A of the Replacement Minerals Local Plan for Berkshire (Incorporating the Alterations adopted in December 1997 and May 2001). A pre-condition is required because the recovery of minerals must take place concurrent with construction activities.

4. Archaeological works

No development (including any site clearance) shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains are found and adequately recorded. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the programme must be adhered to before and during construction so as to avoid loss of any historical interest before appropriate recording.

5. Thames Water

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

No construction activities shall take place within 5m of the strategic water main, unless otherwise approved in writing by the Local Planning Authority in consultation with Thames Water. Should a building or structure be proposed within 5 metres of the water main, information detailing how the developer intends to divert the asset and/or align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved details. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. In accordance with the NPPF and policy CS5 in the West Berkshire Core Strategy 2006-2026.

6. Piling

No piling shall take place within 15m of the water main crossing the application site, until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. In accordance with the NPPF and policy CS5 in the West Berkshire Core Strategy 2006-2026.

7. Noise mitigation

No dwelling shall be first occupied until the noise mitigation measures as set out in the Clarke Saunders report (reference AS9765.190214.ADS Revision B, dated 23/10/19) have been provided in full. The noise mitigation measures shall be retained and maintained thereafter.

Reason. To protect future residents from road noise. In accordance with the NPPF, Policy CS14 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8. Electric vehicle charging points

The construction of the dwellings beyond slab level shall not take place until an electric vehicle charging strategy for the development has been submitted to and approved in writing by the Local Planning Authority. This strategy should include details relating to on-site infrastructure, installation of charging points and future proofing of the site. Thereafter, the development shall be implemented in accordance with the approved strategy and no dwelling shall be first occupied until any associated charging points have been provided.

Reason: To ensure that electric vehicle charging facilities are provided so as to encourage the use of sustainable modes of travel. In accord with Policies GS1 and P1 of the Housing Site Allocations DPD 2006-2026.

9. Unexpected contamination

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

If any previously unidentified contaminated land is found during demolition and/or construction activities, it shall be reported immediately in writing to the Local Planning Authority (LPA). Appropriate investigation shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. These submissions shall be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation). Thereafter, any remediation measures shall be carried out in accordance with the approved details. Unless otherwise agreed in writing by the LPA, no dwelling shall be first occupied until any approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.

Reason: To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to human health or the environment. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

10. Construction method statement (CMS)

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

- (a) 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) Erection and maintenance of security hoarding including any decorative displays and facilities for public viewing;
- (e) Temporary access arrangements to the site, and any temporary hard-standing;
- (f) Wheel washing facilities;
- (g) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (h) Hours of construction and demolition work;
- (i) Hours of deliveries and preferred haulage routes.

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

11. Hours of work (construction/demolition)

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

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

8:30am to 1:00pm Saturdays;

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

No work shall be carried out at any time on Sundays or Bank Holidays.

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

12. Sustainable drainage

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 following approved documents:
 - Letter sent from MJA Consulting to West Berkshire Council, dated 3rd October 2019, signed by Chris Pendle;
 - Pluvial Study Report produced by Odyssey, dated October 2019 (ref. 19-014) appended to the aforementioned letter;
 - Flood Risk Assessment, Ref. SS/19/0356/5699-Rev F, June 2019 prepared by MJA Consulting (unless specific information superseded by the Pluvial Study Report produced by Odyssey, referenced above)
 - Drawings;
 - o 5699:P03-Rev J – Overall Drainage Layout
 - o 5699-P04-Rev C – Levels Layout Sheet 1
 - o 5699-P05-Rev B – Levels Layout Sheet 2
 - o 5699:P06-Rev C – Overall Levels Layout
 - o 5699:P07-Rev E – Overall Exceedance Plan
 - o 5699:P10-Rev B – Longitudinal Sections Sheet 1
 - o 5699:P11-Rev D – Indicative Swale Layout
 - o 5699:P12-Rev A – Longitudinal Sections Sheet 2
 - o 5699:P70-Rev C – Basin Cross Sections
- b) Include hydraulic drainage calculations demonstrating connectivity between positive drainage and SUDS features with a final discharge rate of no greater than 13 l/s for all critical storm duration of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year storm +40% for climate change;
- c) Include a catchment plan detailed the areas to be positively drained into the proposed surface water drainage network;
- d) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development, where appropriate;
- e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site and outfalls into the ordinary watercourse;
- f) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body, statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme; throughout its lifetime; and

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- g) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse; and
- h) Include a timescale for the completion of all sustainable drainage measures.

The development shall be carried out in accordance with the approved details. The sustainable drainage measures shall be maintained in the approved condition thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and the Sustainable Drainage Systems SPD.

13. Layout and design standards

The detailed layout of the site shall comply with the Highway Authority's standards in respect of road and footpath design and vehicle parking and turning provision and the Developer to enter into a S278/S38 Agreement for the adoption of the site. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic. This condition is applied in accordance with the National Planning Policy Framework (March 2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

14. Travel Plan

The development shall be carried out and maintained in accordance with the revised Travel Plan (reference JDW/IN/SN/ITB13292-OO4B, dated 7 November 2019).

Reason: To reduce future reliance on travel by the private car. This condition is applied in accordance with Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policies GS1, HSA12 and P1 of the Housing Site Allocations DPD 2006-2026.

15. Off-site highway works

The 50th dwelling shall not be first occupied until the following works have been completed (under Section 278 of the Highways Act 1980, or other appropriate mechanism) in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority:

- a) A 3.0 metre wide shared footway / cycleway adjacent to the proposed access road which will connect with proposed improvements along the Dorking Way site frontage;
- b) Improvements to the existing footway along Dorking Way to provide a 3.0 metre wide shared footway / cycleway, which provides a link to the A4 Bath Road; and
- c) Any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

16. Traffic Regulation Order

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

No dwelling shall be first occupied until a Traffic Regulation Order to provide a prohibition of right turning onto Dorking Way for larger vehicles is in place, and all appropriate signage has been provided in accordance drawings that have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of road safety and to ensure that the existing prohibition of large vehicles passing through Dorking Way is retained. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

17. Visibility splays

No development shall take place until visibility splays of 2.4 metres by 43.0 metres have been provided at onto Dorking Way. The visibility splays shall, thereafter (during construction and following occupation of the development), 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 applied in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

18. Vehicle parking

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

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

19. Cycle parking

No dwelling shall be first occupied until cycle parking/storage has been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The cycle parking/storage shall thereafter be kept available for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

20. Landscaping

No development shall take place until a detailed scheme of landscaping for the site has been 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.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- 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. A pre-commencement condition is required because the detailed landscaping scheme will be site-wide and so needs to be considered at the outset.

21. Tree protection

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan Tree Protection Plan ref: 1149-KC-XX-YTREE-TPP01 Rev D dated 18th September 2019. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

22. Arboricultural site supervision

No development (including any ground clearance, tree works, demolition or construction) shall take place until details of all tree protection monitoring, and site supervision by a suitably qualified tree specialist shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

23. Tree retention

The measured identified in the Tree Survey and Impact Assessment (ref: 1149-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevC dated September 2019) shall be implemented in full and works carried out in accordance with the Assessment. No changes shall be made to the works unless amendments have been submitted to and approved in writing by the Local Planning Authority and shall include details of any changes to the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

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

24. Permitted development restriction for extensions

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extensions, alterations, or other

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

development which would otherwise be permitted by Schedule 2, Part 1, Class A of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site in the interests of respecting the character and appearance of the surrounding area, and to ensure adequate separation distances are maintained between dwellings within the development. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD (June 2006).

25. Ecological mitigation

The ecological mitigation measures identified in the report by EPR dated the 19th November 2019 (version 1) shall be fully implemented concurrent with the development of the site.

Reason: To ensure protected species are conserved, in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026, and the NPPF.

26. Construction Environmental Management Plan

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not take place without the full implementation of the CEMP, and the incorporating of all measures prescribed therein. As a minimum the CEMP shall include:

- (a) Risk assessment of potentially damaging construction activities;
- (b) Identification of biodiversity protection zones;
- (c) Practical measures to avoid and reduce impacts during construction;
- (d) The location and timing of sensitive works to avoid harm to biodiversity features;
- (e) The times during construction when professional ecologist supervision is required;
- (f) Responsible persons and lines of communication;
- (g) The role and responsibilities of the ecological clerk of works or similarly competent person;
- (h) Use of protective fences, exclusion barriers and warning signs

Reason: To conserve and enhance local biodiversity. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because the CEMP must be adhered to throughout the construction phase.

27. Landscape and Ecological Management Plan

No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not take place without the full implementation of the LEMP, and the incorporating of all measures prescribed therein. As a minimum, the LEMP shall include:

- (a) Measures required in connection with the approved badger and ecological enhancement plan, together with associated landscaping;
- (b) Landscaping of approved buffer zones and sustainable drainage features;
- (c) Landscaping of the public open spaces within the site;

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

(d) Maintenance arrangements for all areas of landscaping.

Reason: To ensure the conservation and enhancement of local landscape and biodiversity assets affected by the proposed development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because the LEMP must be adhered to throughout the construction phase.

(3) Application No. & Parish: 19/01658/FUL - The Rectory, Englefield Road, Theale, Reading

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 19/01658/FUL in respect of the erection of single storey building to be used as an office for the Oxford Diocese. The proposal included parking, landscaping and facilities for the Parochial Church Council and the Rector of the Holy Trinity Church.

Mr Bob Dray, Development Control Team Leader, introduced the report and highlighted the following points:

- The site was accessed from Englefield Road in Theale.
- Councillor Macro had called the site in if approval was recommended as the Parish Council had raised concerns about the impact on the Grade One Listed Church and Grade Two Listed Old Rectory.
- The site was located within the settlement boundary.
- The key consideration fundamentally was the impact on the conservation area and the setting of the surrounding historic buildings.
- Regarding the view of the front of the site, the proposed building would be able to be seen just behind the garage of the Rectory.
- Visibility splays and access had been discussed at the site visit and the Highways Officer was satisfied with this aspect of the application.
- Historic England had been consulted and they concluded that there would be a minor degree of harm caused if the application was approved.
- Public views of the proposed building would be limited.
- It was a statutory duty to give special regard to the desirability of conserving the setting of listed buildings.
- In the view of Planning Officers, the benefits of the scheme outweighed the limited harm to the setting of the surrounding heritage assets that would be caused and therefore approval of the application was recommended.

In accordance with the Council's Constitution, Mr David Mitchell, agent and Councillor Alan Macro, Ward Member addressed the Committee on this application.

Agent Representation:

Mr Mitchell in addressing the Committee, raised the following points:

- He had provided the surveyor services for the Diocese for 13 years.
- The proposed scheme had changed several times to help it fit in with its surroundings.
- Historic England had been consulted and raised no objection to the scheme.

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- The proposed building had been sensitively designed, including the position of the car park and landscaping.
- The car park had been considered very carefully and the access road was safe. As part of the scheme the access road would be widened.
- Plants along the existing boundary would be retained as part of the proposed landscaping and would be enhanced.
- Mr Mitchell had attended the Parish Council meeting regarding the scheme, to address any concerns.
- The Parish Council had been concerned that the scheme was not in keeping with the residential area. Mr Mitchell stated that the site was surrounded by non-residential buildings.
- The Parish Council had raised concern about the design of the proposed building. Mr Mitchell stated that the scheme had been sensitively designed and was only single storey. The view of the building would be very limited.
- The Parish Council had been concerned that the scheme would be overbearing. Mr Mitchell commented that Planning Officers' viewed the scheme to be of high quality design. Alternative locations had been explored over the past five years however, unfortunately no alternative could be found.
- It was clear at the Parish Council meeting that even if changes were made to the scheme, it would not be supported by the Parish Council.
- Regarding traffic accessing the site, the access from Englefield Road would be widened as part of the scheme.
- Regarding impact on the heritage assets, a lot of work had taken place to keep any harm to a minimum.
- The scheme would provide benefits to the public, was of high quality design and would have no impact on local amenity.

Member Questions to the Agent:

Councillor Geoff Mayes noted the six car parking places that would be included as part of the scheme and asked if those using the church could use these spaces. Mr Mitchell confirmed that the church had its own parking facilities and therefore the six car parking spaces would not be used by those visiting the church.

Councillor Alan Macro asked if facilities provided by the scheme would be available for use by people visiting the church. Mr Mitchell stated that those visiting the church would have access to a meeting room, toilet and kitchen facilities.

Councillor Alan Law noted that other office accommodation had been considered but none had been available. He asked Mr Mitchell to elaborate on this. Mr Mitchell confirmed that the Diocese would not lease office accommodation. Councillor Law noted therefore that they were only looking for office accommodation or land to purchase. Mr Mitchell confirmed that this was correct. He commented that two years previously, two alternative sites had been located but had subsequently fallen through.

Ward Member Representation:

Councillor Macro in addressing the Committee, raised the following points:

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- Councillor Macro was disappointed that the Parish Council was not in attendance to address the Committee.
- He agreed with some of the concerns raised by the Parish Council, particularly regarding the proximity of the scheme to listed buildings. The design and proximity to the church was a concern.
- He stated that he would be asking Officers later in the proceedings how far the proposed building would be from the church if approved. He was concerned that the building would not compliment the church and would spoil the view. It did not seem to fit into the setting.

Member Questions to Officers:

Councillor Alan Macro asked Officers what the distance was from the church to where the proposed building would be positioned. Mr Dray measured the plans and confirmed that it was about 10 metres to the boundary and 18 metres approximately between the two buildings.

Mr Dray concluded that the principle of the development and the location was deemed acceptable in the view of Officers.

Debate:

Councillor Macro felt that there were other locations that could have been chosen. There were at least 20 office units available to rent in the area and he was aware that some of the existing school building would soon become redundant and could be made available to the church.

Councillor Jeremy Cottam sympathised regarding the concerns that had been raised however, felt that the facilities that would be provided to the Grade One Listed Church would be extremely beneficial to the community. He therefore proposed that Members accept the Officers recommendation and approve planning permission. Councillor Jo Stewart concurred with Councillor Cottam's views and felt that the facilities proposed as part of the scheme would be of real benefit to the community. Councillor Stewart therefore seconded the proposal by Councillor Cottam. The Chairman asked the Committee to vote on the proposal by Councillor Cottam, seconded by Councillor Stewart. At the vote the motion was carried.

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

Conditions

1. Commencement of development

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 approved plans and documents listed below:

- Drawing title "Proposed Site Plan". Drawing number 18/589/514/003". Date received 7th August 2019
- Drawing title "Site Location Plan". Drawing number 18/589/514/001". Date received 7th August 2019

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

- Drawing title "Proposed Elevations". Drawing number 18/589/514/005". Date received 18th July 2019
- Drawing title "Proposed Floor Plan". Drawing 18/589/514/004. Date received 18th July 2019
- Drawing title "Tree Protection Plan". Drawing number HTS-TPP-01A. Date received 18th July 2019.

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

3. **Materials**

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

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

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 any decorative displays and facilities for public viewing;
- (e) Temporary access arrangements to the site, and any temporary hard-standing;
- (f) Wheel washing facilities;
- (g) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (h) A site set-up plan.

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

5. Visibility splays before development

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 applied in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is necessary because the access will be used by construction traffic and as such should be provided before development begins.

6. Parking and turning

The building hereby permitted shall not be first occupied until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces 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 applied in accordance with the National Planning Policy Framework (2019), 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. Cycle storage

The building hereby permitted shall not be first occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking 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 applied in accordance with the National Planning Policy Framework (2019), 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. Soft landscaping

No development shall take place (including site clearance and any other preparatory works) until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, is necessary to ensure the development achieves a high standard of design, and to conserve the setting of the adjacent grade I listed church. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

9. Tree protection

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan HTS-TPP-01A rev: A 04/04/19. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

10. BREEAM

The building hereby permitted shall achieve Excellent under BREEAM (or any such equivalent measure of sustainable building construction first agreed in writing with the Local Planning Authority). The building shall not be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent measure) rating of Excellent has been achieved for the development, has been issued and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

11. Sustainable drainage

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

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018.

- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels.
- c) 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, demonstrating hydraulic connectivity between the various drainage features.
- d) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- e) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- f) Include a timetable for implementation.

Thereafter, the sustainable drainage measures shall be implemented in accordance with the approved details and timetable. The sustainable drainage measures shall be maintained in the approved condition thereafter.

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

12 Hard landscaping

The building hereby permitted shall not be first occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West

EASTERN AREA PLANNING COMMITTEE - 20 NOVEMBER 2019 - MINUTES

Berkshire Core Strategy (2006-2026), and Quality Design SPD.

13. Permitted development restriction

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions or alterations to the building which would otherwise be permitted by Schedule 2, Part 7, Class F of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and in the interests of conserving the setting of the surrounding designated heritage assets. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

14. Use Class restriction

The premises shall be used solely as offices (Use Class B1A) and for no other purpose of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or an order revoking and re-enacting that Order, with or without modification).

Reason: Careful consideration has been given to this application for planning permission and any other use may not be acceptable on the site. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policies, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.

29. Appeal Decisions relating to Eastern Area Planning

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

30. Site Visits

A date of 27 November 2019 at 9.30am was agreed for site visits if necessary. This was in advance of the next Eastern Area Planning Committee scheduled for 4 December 2019.

(The meeting commenced at 6.30pm and closed at 9.00pm)

CHAIRMAN

Date of Signature