

Notice of Meeting



Scan here to access the public documents for this meeting

Western Area Planning Committee Wednesday 27 November 2019 at 6.30pm

in the Council Chamber Council Offices
Market Street Newbury

Members Interests

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

Further information for members of the public

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded. **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 Council Chamber, Market Street, Newbury between 5.30pm and 6.30pm on the day of the meeting.

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

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148
Email: planapps@westberks.gov.uk

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

Any queries relating to the Committee should be directed to Rachel Craggs on (01635) 519441 Email: rachel.craggs@westberks.gov.uk

Date of despatch of Agenda: Tuesday, 19 November 2019



Agenda - Western Area Planning Committee to be held on Wednesday, 27 November 2019 (continued)

To: Councillors Adrian Abbs, Phil Barnett, Jeff Cant, Hilary Cole, Carolyn Culver, Clive Hooker (Chairman), Claire Rowles, Tony Vickers (Vice-Chairman) and Howard Woollaston

Substitutes: Councillors Jeff Beck, James Cole, David Marsh, Steve Masters, Andy Moore, Erik Pattenden, Garth Simpson and Martha Vickers

Agenda

Part I

Page No.

1. **Apologies**

To receive apologies for inability to attend the meeting (if any).

2. **Minutes**

To approve as a correct record the Minutes of the meeting of this Committee held on 6 November 2019.

7 - 68

3. **Declarations of Interest**

To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

4. **Schedule of Planning Applications**

(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).

(1) **Application No. and Parish: 19/01406/RESMAJ - Hungerford Town Council**

69 - 92

Proposal:	Approval of reserved matters application following outline permission for up to 100 dwellings, public open space and landscaping, with all matters reserved except for the access to the A338. Matters to be considered: Appearance, Landscaping, Layout and Scale.
Location:	Land South Of Priory Road, Hungerford, Berkshire
Applicant:	Bewley Homes Plc and Wates Developments Ltd
Recommendation:	To DELEGATE to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to conditions

Agenda - Western Area Planning Committee to be held on Wednesday, 27 November 2019 (continued)

(2) Application No. and Parish: 19/02092/FULD - Chieveley Parish Council

Proposal:	Conversion of agricultural barn into 1.no four-bedroom dwelling with associated parking, turning, landscaping, private amenity space and access arrangements.
Location:	Snelsmore Farm Barn, Snelsmore, Newbury, Berkshire
Applicant:	Mr and Mrs C Percy
Recommendation:	To DELEGATE to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to conditions

Items for Information

5. **Appeal Decisions relating to Western Area Planning Committee** 105 - 112
Purpose: To inform Members of the results of recent appeal decisions relating to the Western 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.

Sarah Clarke
Head of Legal and Strategic Support

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



This page is intentionally left blank

DRAFT

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 6 NOVEMBER 2019

Councillors Present: Phil Barnett, Hilary Cole, James Cole (Substitute) (In place of Claire Rowles), Carolyn Culver, Clive Hooker (Chairman), Tony Vickers (Vice-Chairman) and Howard Woollaston

Also Present: Sharon Armour (Solicitor), Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control), Debra Inston (Principal Conservation & Design Officer), Jeffrey Ng (Planning Officer), Masie Masiwa (Planning Officer) and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Claire Rowles

Councillor Absent: Councillor Jeff Cant

PART I

28. Minutes

The Minutes of the meeting held on 25 September 2019 were approved as a true and correct record and signed by the Chairman.

29. Declarations of Interest

Councillor Howard Woollaston declared an interest in Agenda Items 4 (1) and (2) 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 Adrian Abbs, Phil Barnett, James Cole and Tony Vickers declared an interest in Agenda Item 4 (4) 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.

Councillors Adrian Abbs, Hilary Cole, Carolyn Culver and Clive Hooker declared they had been lobbied regarding item 4(2). Councillors Adrian Abbs and Phil Barnett had also been lobbied on item 4 (4).

30. Schedule of Planning Applications

(1) Application No. and Parish: 17/02092/OUTMAJ - Land off Lambourn Road, Speen, Newbury

(Councillor Howard Woollaston declared a personal interest in Agenda Item 4 (1) by virtue of the fact that the applicant was a donor to a children's charity for which he was chairman. 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.)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/02092/OUTMAJ in respect of a hybrid planning application comprising an outline planning application for up to 93 dwellings and associated

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

- works – all matters reserved; a change of use of land from agricultural to public open space; a change of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.
2. The Planning Officer, in introducing the report, confirmed that the presentation was in relation to the two applications although the access points to the two sites would be different. One was off the A4 Bath Road (17/02092) and the other was off the Lambourn Road (17/02093). It was noted that a number of footpaths ran across the site and it was proposed that a further 3.75m wide emergency access with shared cycle and footpath was proposed to run between the site and Station Road through the existing allotments. The proposal also included an upgrade of the existing Public Right of Way Speen 7/1 which led to Lambourn Road to facilitate improved pedestrian and cycle access.
 3. The Planning Officer stated that Speen Parish Council had raised concerns over the proposed access onto the A4 Bath Road and a large number of concerns had also been raised by local residents which were set out on pages 25 and 26 of the agenda. The application site formed part of a wider land parcel with a developable area of 4.8ha that had been allocated for approximately 100 dwellings under Policy HSA2 of Housing Site Allocations DPD (2006-2026) subject to meeting the environmental parameters of the policy. The site was essential for the five year land supply.
 4. To promote sustainable travel, financial contributions would be sought towards a community bus service (£9,240 per annum for five years) to retain the Community bus service.
 5. According to Core Strategy Policy CS14, new development had to demonstrate high quality and sustainable design that respected and enhanced the character and appearance of the area. Policy ADDP5 sought to ensure that development proposals conserved the scenic beauty and distinctive character of the AONB. The NPPF gave the highest status of protection for the landscape and scenic beauty of AONBs and stated that their conservation should be given great weight in planning decisions. Policy HSA2 indicated that the wider housing land allocation would be developed in accordance with the Landscape Capacity Assessment (2015) which would ensure development conserved and enhanced the landscape edge to Speen and that the existing character of Speen and West Newbury was maintained.
 6. The applicant had indicated that the scheme would include affordable housing at 40% of the total number of units (104) having regard to the requirements of policy CS6 which equated to up to a total of 41 affordable housing units. A tenure split of 70:30 social rented to intermediate affordable housing units was stipulated by Policy CS6 in light of evidence on local need.
 7. The Council's Archaeological Officer had reviewed the application and had checked the proposed development against the information the Council currently held regarding the heritage assets and historic land uses in the area. This evidence suggested that there would be no major impact on any features of archaeological significance on the majority of the site.
 8. It was noted that the site was located in Flood Zone 1 according to Environment Agency Flood Mapping and where the existing flood risk posed to the proposed development from all flooding sources was assessed to range from negligible to low.

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

9. The application was supported by ecological surveys that had been carefully considered by the Council's Ecology Team who had raised no objections subject to conditions controlling external lighting, provision of bat boxes, dormouse, nesting birds, hedgerow and reptile protection measures amongst other mitigation measures.
10. The report set out a number of planning obligations that would be necessary to make the development acceptable in planning terms which included a sum of £100,000 towards upgrading the Public Right of Way Speen 7/1 to adoptable standard for use by pedestrians and cyclists.
11. The Highways Officer noted that a number of concerns had been raised in relation to the access to the site from the A4 Bath Road. The proposed access design had been carefully considered by the Council's Highways Team who advised that there was concern that traffic leaving the A4 Bath Road/A34 slip road travelled faster than 30mph as it left the roundabout to travel towards Newbury. A traffic speed survey was therefore commissioned that concluded that traffic westbound had an 85th percentile of 27mph with traffic eastbound recorded at 32mph. This was above the 30mph level that the proposed access from Bath Road had been designed at, but only marginally so. Therefore, the access design, including visibility splays of 2.4m x 43m was considered to be acceptable. The Highways Officer therefore stated that the access was slightly substandard but was insufficient to warrant refusal of the application. A pedestrian refuge crossing would be provided together with a turn right lane onto the site. The footway fronting the site would be widened to 1.8 metres. A new emergency access would be provided onto Station Road.
12. It was noted that the impact of the traffic movements had been considered on nearby junctions taking into account any committed development and it was concluded that there would be little impact. Financial contributions would be provided towards the community bus service, highways works, bus stops and linkages. The Highways Officer therefore concluded that the proposal would not have an adverse impact on highway safety and the free flow of traffic within the local highways infrastructure.
13. In accordance with the Council's Constitution, Mr John Harrington Hawes, objector, and Mr Steven Smallman and Mr David Dixon, agents, addressed the Committee on this application.
14. Mr Hawes in addressing the Committee raised the following points:
 - Mr Hawes confirmed that he was a resident who lived in the local area;
 - Traffic along the A4 Bath Road was busy at all times of the day;
 - The site was split by the footpath which was a former railway line and therefore 9/10ths of the site would be accessed via the A4 and the remaining 1/10th of the site would be accessed via the Lambourn Road;
 - The exit onto the A4 would be constrained by a pretty narrow turning bay and he felt that there was insufficient space. The access to the site was his main concern;
 - The majority of traffic would most likely turn right from the site to access the A34/M4 and traffic in the area was particularly heavy in the morning/evening and it travelled at some speed. Turning right would therefore be difficult and when looking to the left towards the Hare and Hounds there was a blind bend. He asked why the access to and from the site could not be taken further west

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

so that it came out on the roundabout to the A34 as this would be a safer option;

- Mr Hawes was familiar with the traffic situation along the Bath Road and he felt that an additional access would be high risk.
15. Councillor Phil Barnett asked Mr Hawes whether there were any other concerns or issues in relation to the application apart from the access. Mr Hawes responded that the only other concern was that it was a lopsided development although it was recognised that it was necessary to identify sites for development.
16. Mr Smallman and Mr Dixon in addressing the Committee raised the following points:
- Mr Smallman confirmed that the Benham Estate had submitted the application on this outlying parcel of land which was difficult to farm. They had put forward the site through the call for sites and had worked with the Council to bring forward a high quality proposal;
 - The Estate had also sought to engage with the local community and respond to the concerns which had been raised. A public consultation exercise had taken place in 2013 and the application had been revised as a result of that;
 - A site assessment had been undertaken in respect of landscape impact, pedestrian and cycle access, the historic environment, trees and hedgerows etc. The final proposal complied with the Housing Development DPD and of the 104 houses proposed on the site 41 would be affordable housing;
 - The only statutory consultees who had objected to the proposed development was the Parish Council;
 - The access accorded with policy HSA2 and the various safety audits and no objections had been raised by the Highways Officer. There were no other options for the access as it could not be accessed via the Lambourn Road or the A34 slip road.
17. Councillor Tony Vickers noted the concerns around the access to the development site and he queried why another arm on the A34 roundabout would not be feasible. He also asked if it was not for the ransom strip would the applicants prefer something better than a 90:10 split between the two sites. Councillor Vickers also referred to the Lambourn Valley Way and stressed the need to preserve the rural character. Mr Dixon replied that the roundabout was not large enough for another road as there was a minimal gap between the two arms and therefore a significant upgrade would be required to accommodate that option. He confirmed that the split of the site was a preferred option as opening up the Lambourn Road as an access would mean more traffic along Station Road. Discussions were still ongoing in relation to the public rights of way on the site.
18. Councillor Adrian Abbs referred to the access opposite Speen Lane and why that had not been considered. Mr Dixon responded that that public right of way did not offer the width or space required for the movement of vehicles.
19. Councillor Clive Hooker noted that a new emergency access would be provided via Station Road and he asked why that could not be used for vehicular access if some of the allotments were taken away. Mr. Dixon stated that Station Road was not suitable for additional vehicular movements.
20. Councillor Adrian Abbs asked why the access on the A4 Bath Road could not be moved further east which would give more space for a right turn for Speen Lane

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

and the development site. Mr Dixon said that people turned right out of Station Road already but that a smaller proportion of people made a right turn than a left turn as most would turn left towards Newbury.

21. Councillor Tony Vickers was concerned about the access to the site and would like to see an alternative option on the A34 slip road. The Highways Officer stated that that option would not be acceptable to the Highways Agency.
22. It was noted that neither the Parish Council or the Ward Members were in attendance to speak on the application.
23. Councillor Hilary Cole queried where the pedestrian crossing would be located. The Highways Officer pointed out the location of the crossing which would be an island and would not be signalised. Councillor Cole felt that this would potentially slow traffic down. The Highways Officer agreed and confirmed that there would also be hatch markings which would also have the potential to slow down traffic.
24. Councillor Carlyne Culver referred to the right turn and asked if there would be any measures put in place to assist with a right turn out of the site. The Highways Officer responded that people already turned right out of Station Road and whilst he recognised that this could be busy at times on the whole vehicles would be able to turn right to access the A34. It was queried whether it would be possible to move the speed camera. The Highways Officer stated that this was something that had not been considered and he would have to look into that separately.
25. Councillor Adrian Abbs asked the Highways Officer to comment on the splays and the distance of visibility as in some cases this was obscured by hedges and trees. The Highways Officer confirmed that hedges and trees would be scaled back and the sight line would be 43m.
26. Councillor Tony Vickers asked whether it would be possible to install a priority controlled junction as a T-junction meant that the major route had priority. He also referred to the Lambourn Valley Way and queried what was meant by it being brought up to an 'adoptable standard'. The Highways Officer advised that the footpaths would be properly surfaced and lit for use by pedestrians and cyclists. Councillor Vickers hoped that the footway would not be urbanised and the Highways Officer confirmed that it would be improved in a manner that would enhance the area. Councillor Vickers referred to the conditions and the fact that works on the emergency and cycleway access onto Station Road would not take place until the 50th dwelling had been occupied and he asked if that could be brought forward. The Planning Officer confirmed that this was something that could be considered and discussed with the developer.
27. Councillor James Cole made reference to the right turn from the site, the pedestrian crossing and the possible move of the speed camera. He stated that vehicles could come off the A34 slip road at speed and he asked what could be done to reduce the risk to pedestrians. The Highways Officer stated that there would be sufficient visibility for vehicles to see the pedestrian crossing and he confirmed that there had been a safety audit undertaken on the scheme which was found to be acceptable.
28. Councillor Phil Barnett noted that there seemed to be problems accessing the A4 from various routes and he asked if there was any proposal to install traffic lights in the area. This would not necessarily need to be at the new junction but even if it was further down the road this would assist with access onto the highway. The Highways Officer stated that this was something that had not been considered as nearby junctions would still operate within capacity including the proposed junction. Also all too often signalled junctions could make the traffic situation worse.

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

29. Councillor Hilary Cole asked if consideration could be given to vehicle activated signs to slow down the traffic. The Highways Officer said that he would need to consult with colleagues in Highways on that issue.
30. Councillor Adrian Abbs said that if the ransom strip had not been there then the development might have looked different. The Highways Officer agreed and the Housing Site Allocation DPD suggested the provision of a link. However, it became apparent later on that the applicants had not owned the section of lands that linked the two sites. The £100k contribution would be used to seek to buy the ransom strip. It was owned by NK Homes. He confirmed that lessons had been learnt for the next phase of the Local Plan in terms of site accesses and linkages and if they could not be provided, then future allocated sites would not be supported by the Highway Authority.
31. Councillor Carlyne Culver referred to paragraph 6.109 which referred to an extended phase 1 habitat survey and she asked if this had taken place. The Planning Officer confirmed that it had not been completed yet but that it was guaranteed by condition. She also referred to paragraph 6.110 which mentioned the provision of bat boxes and this was something that had not been included in the conditions. The Planning Officer confirmed that he would ensure that that was included in Condition 30.
32. Councillor Carlyne Culver referred to the sum of money for the community bus service which related to both applications. The Planning Officer confirmed that this was over and above CIL and was in addition to any CIL contributions. Councillor Phil Barnett asked what route the bus would take and the frequency of the bus service. The Planning Officer advised that this was not a formal scheduled bus service but was used by individual requests for transport to doctor's appointments etc.

Debate:

33. Councillor Adrian Abbs had concerns about traffic coming off the A34 into a pedestrian crossing and the fact that the Council was being forced to accept something which was substandard due to the ransom strip. Councillor James Cole said that he was comfortable with that provided use was made of warning signs for traffic to reduce speed.
34. Councillor Tony Vickers felt that this was a balanced recommendation, however, he had crossed this road on foot and it was hard to do so. He was inclined to refuse the application on grounds of highway safety and the risky manoeuvres which would need to be made by vehicles coming out of the site. He felt that more needed to be done in relation to highway safety. The Planning Officer responded that experts had looked at this and could find no reason to object and therefore it might be difficult to defend at appeal.
35. Councillor Hilary Cole stated that applications to Committee were always difficult. However, Members of the Committee were amateurs. It was important for Members to make their own minds up but they should be guided by Officers who were professionals in their field. The Highways Officer reiterated that the access was substandard but was acceptable. He confirmed that Highways Officers would be willing to work with the agents and the applicant to improve the access. Councillor James Cole said that what slowed traffic down when coming from Hungerford was the speed camera and he was of the opinion that serious consideration needed to be given to moving the camera. The Highways Officer confirmed that he would seek advice and give consideration to the request.

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

36. Councillor Phil Barnett felt that the application was a difficult one. The main issue was around the access but this might be mitigated slightly if it was possible to move the speed camera. There would be an increase in traffic at peak times which was why he had suggested that vehicles could be restricted on other parts of the A4. However, he was more comfortable with the access issue if other ways of slowing traffic down could be considered.
37. Councillor Clive Hooker asked where vegetation would be cleared from and it was confirmed that all vegetation within the red line would be cut back.
38. Councillor Howard Woollaston felt that the pedestrian crossing and the hatched lines would assist in slowing traffic. He asked if the applicants could have a further go at obtaining the ransom strip.
39. Councillor Adrian Abbs noted that the local authority only had control of a few metres and he was therefore not sure how the 43m of visibility could be achieved.
40. Councillor Tony Vickers proposed refusal of the application on grounds of highway safety and this was seconded by Councillor Adrian Abbs. However, this was lost on the vote. Councillor Hilary Cole put forward a counter proposal to accept the Officer Recommendation of approval. This was seconded by Councillor Howard Woollaston. The Legal Officer clarified that it would be delegated to Officers to look at including the provision of bat boxes in the conditions, bringing forward the community bus contributions and working with the applicant to improve the access onto the A4.
41. The proposal to accept the Officer recommendation was put to the vote and carried. Councillor Tony Vickers abstained from voting.

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

Conditions

The proposed planning conditions are structured into 3 main sections.

- Section 1 ‘Site Wide Planning Conditions’ - relate to relate to the **WHOLE** application site as shown on the Site Location Plan (Ref: SLP BR-01 rev B).
- Section 2 ‘Outline Planning Permission’ - relate to conditions that apply to the **OUTLINE & CHANGE OF USE** part of the application site only as shown on the Hybrid Parameters Plan (Ref:1361 P1 04); and
- Section 3 ‘Full Planning Permission’ - relate to conditions that apply to the **FULL** component of the application site only as shown on the Hybrid Parameters Plan (Ref:1361 P1 04).

1. SITE WIDE PLANNING CONDITIONS

1.	<p>Conditions</p> <p>The following Planning Conditions numbers 2-38 relate to the entire application site as shown on the approved Site Location Plan (Ref: SLP BR-01 rev B).</p> <p>Planning Conditions 39-45 relate to the part of the hybrid application site that was submitted in outline (all matters reserved) and change of use</p>
----	--

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>only as shown on the approved Hybrid Parameters Plan (Ref.1361 P1 04).</p> <p>Planning Conditions 46-56 relate to the part of the hybrid application site that was submitted in full as shown on the Hybrid Parameters Plan (Ref.1361 P1 04)</p> <p>Reason: For the avoidance of doubt.</p>
<p>2.</p>	<p>Total Number of Units</p> <p>The number of dwellings hereby permitted shall not exceed 104 in total.</p> <p>Reason: For the avoidance of doubt and to ensure the satisfactory development of the site.</p>
<p>3.</p>	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p> <ul style="list-style-type: none"> • Site location plan - SLP BR-01 rev B • Land use plan – 1361 P1 01 rev A • Building heights – 1361 P1 02 rev B • Access parameters – 1361 P1 03 • Hybrid parameters – 1361 P1 04 <p>Reason: The parameters shown on this drawing are necessary to ensure the development achieves an acceptable standard of design, which complies with the National Planning Policy Framework, Policies ADPP1, ADPP2, ADDP5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
<p>4.</p>	<p>Tenure Plan</p> <p>Prior to the above foundation level works commencing, a schedule of the overall housing units (housing mix) and a Tenure Plan shall have first been submitted to and approved in writing by the Local Planning Authority. The Tenure Plan shall show the tenure of the eventual dwelling on each plot social/affordable rent and shared ownership. Thereafter the development shall not be carried out except in accordance with the approved details.</p> <p>Reason: Because insufficient information has been submitted to ascertain the tenure of development. This information is required at this stage because it may affect considerations of the site layout and because it has site wide implications that need to be determined at the outset of detailed design (e.g. affordable housing distribution) in accordance with the provisions of the National Planning Policy Framework, Policies CS4, CS6 and CS19 of the West Berkshire Core</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>Strategy 2006-2026, Policy HSA2 of the Housing Site Allocations DPD 2006-2026, the West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
<p>5.</p>	<p>Levels</p> <p>No development on any dwelling hereby permitted shall take place until details of the finished floor levels of that dwelling in relation to existing and proposed ground levels of adjoining dwellings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: This information is required to ensure satisfactory relationships with neighbouring properties in order to safeguard residential amenity, to ensure the levels/heights respect the character and appearance of the area including the AONB, and the setting of the heritage assets. This information is needed at this stage because of the site-wide implications of levels of the layout of the development in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, the West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
<p>6.</p>	<p>CONS1 - Construction method statement</p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority.</p> <p>The development shall be carried out in accordance with the approved Construction Method Statement. The Construction Method Statement shall provide for:</p> <ul style="list-style-type: none"> (a) Construction site accesses (b) The parking of vehicles of site operatives and visitors (c) Loading and unloading of plant and materials (d) Storage of plant and materials used in constructing the development (e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (f) Wheel washing facilities (g) Measures to control the emission of dust and dirt during construction (h) A scheme for recycling/disposing of waste resulting from demolition and construction works (i) Agreed routes and timing restrictions for construction vehicles, deliveries and staff (j) Provide for mitigation measures in accordance with BS:5228, Code of practice for noise and vibration control on construction and open sites; (k) Temporary access arrangements to the site, and any temporary

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>hard-standing;</p> <p>(l) Phasing/projected timetable of construction works;</p> <p>(m) Control of surface water run off during construction;</p> <p>(n) Proposed method of any piling for foundations/other ground works;</p> <p>(o) Details of types of piling rigs and earth moving machinery to be used;</p> <p>(p) Details of temporary external lighting/flood lighting;</p> <p>(q) provide for a Waste Minimisation Statement setting out a scheme for recycling/disposing of waste resulting from construction works;</p> <p>The development shall be carried out in accordance with the approved plan.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. The approval of this information is required at this stage because insufficient information has been submitted with the application. A pre-condition is required because insufficient information accompanies the outline application and the CMS must be in place before construction works commence. This condition is applied in accordance with the National Planning Policy Framework (2019), 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).</p>
<p>7.</p>	<p>Hours of Construction Works</p> <p>No demolition or construction works shall take place outside the following hours:</p> <p>0730 hours to 1800 hours Mondays to Fridays;</p> <p>0830 hours to 1300 hours Saturdays; and</p> <p>No work shall be carried out at any time on Sundays or Bank Holidays</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework (2019), Policy CS13 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).</p>
<p>8.</p>	<p>Layout and Design Standards</p> <p>Notwithstanding the information provided within the application documentation, the detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision and the applicant shall enter into a S278/S38 Agreement for the adoption of the sites road and footpaths where required by the Highways Authority.</p> <p>Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed 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</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
9.	<p>Electric Charging Points</p> <p>No dwelling hereby permitted shall be occupied until an electric vehicle charging point strategy has been submitted to and approved in writing by the Local Planning Authority. The approved dwellings shall not be occupied until the electric vehicle charging point(s) have been provided in accordance with the approved drawings. The charging point(s) shall thereafter be retained and kept available for use.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
10.	<p>Travel Plan</p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented from the point at which any dwelling hereby permitted is first occupied. From the date of implementation, the approved travel plan shall be reviewed and updated within the first 6 months. After that, the Travel Plan shall be annually reviewed and updated and all reasonable practicable steps taken to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.</p> <p>Reason: To ensure the development reduces reliance on private motor vehicles and provides an appropriate level of vehicle parking. This condition is imposed 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).</p>
11.	<p>Spoil</p> <p>No development hereby permitted shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <ul style="list-style-type: none"> • Show where any spoil to remain on the site will be deposited; • Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels); • Include measures to remove all spoil from the site (that is not to be deposited); • Include timescales for the depositing/removal of spoil.

	<p>All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.</p> <p>Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. A pre-condition is required because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and the Speen Village Design Statement (2002).</p>
<p>12.</p>	<p>Sustainable Drainage</p> <p>No development hereby permitted 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 (in consultation with Natural England). These details shall: 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, particularly the WBC SuDS Supplementary Planning Document December 2018;</p> <ul style="list-style-type: none"> a) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels; f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site; g) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change; i) Include flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes; 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 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

	<p>scheme throughout its lifetime;</p> <p>v) Attenuation storage measures must have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;</p> <p>w) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development.</p> <p>The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwelling(s) hereby permitted are occupied in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>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.</p>
<p>13.</p>	<p>Integrated water supply and drainage strategy</p> <p>No development hereby permitted shall take place until an integrated water supply and drainage strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved strategy. The strategy shall provide details of any on and/or off site drainage works, and impact studies on the existing water supply infrastructure to determine the magnitude of any new additional capacity required in the system and a suitable connection point. The development shall be carried out in accordance with the approved integrated water supply and drainage strategy. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>Reason: To ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site. A pre-condition is required because this policy-requirement is not addressed within the current application, and will depend on the final layout of the development. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 and CS16 of the West Berkshire Core Strategy (2006-2026), and Policy GS1 of the</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>Housing Site Allocations DPD 2006-2026. A pre-condition is necessary to make the development acceptable, as this information is not included within the application submission.</p>
<p>14.</p>	<p>Refuse Storage</p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of storage for refuse and recycling materials for the dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The approved dwellings shall not be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall thereafter be retained for this purpose.</p> <p>Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>
<p>15.</p>	<p>Protection from External Noise</p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of a scheme of works to protect the future occupiers of the approved dwellings from externally generated noise shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, each individual dwelling shall not be occupied until the approved mitigation scheme relevant to that individual dwelling has been fully implemented in accordance with the approved details.</p> <p>Reason: In order to protect the amenities of future occupiers of the development in accordance with The National Planning Policy Framework (2019), Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
<p>16.</p>	<p>Travel information packs</p> <p>No dwelling hereby permitted shall be first occupied until a scheme for the provision of travel information packs for new residents has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To provide a scheme that seeks to deliver sustainable transport objectives, such as encouraging the use of local public transport and other non-car modes of transport. The provision of travel information packs to new residents is a scheme that is proportionate to the size of the development. This condition is applied in accordance with the National Planning Policy Framework (2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and P1 of the Housing Site Allocations DPD (2006-2026).</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

<p>17.</p>	<p>Broadband</p> <p>Prior to above foundation level works commencing details of a Superfast Broadband Strategy Statement shall have been submitted and approved in writing by the Local Planning Authority. Such a statement shall set out how superfast broadband is to be provided to the development, including a schedule for connection. Thereafter no part of the development hereby permitted shall be occupied until superfast broadband infrastructure has been provided in accordance with the approved details.</p> <p>Reason: To ensure that the site is provided with high speed communications infrastructure in the interests of the amenity of the occupants of the site in accordance with the requirements of the National Planning Policy Framework (2019), Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
<p>18.</p>	<p>Emergency Water Supplies</p> <p>No dwelling hereby permitted shall be first occupied until either:</p> <p>Private fire hydrant(s), or other suitable emergency water supplies, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (in consultation with Royal Berkshire Fire and Rescue Service); or Royal Berkshire Fire and Rescue Service confirm that such provision is not required (for example, because the main water supply for the development is sufficient) and confirmation of the same has been given in writing by the Local Planning Authority pursuant to this condition.</p> <p>Reason: At present there are no available public mains in this area to provide suitable water supply in order to effectively fight a fire. Suitable private fire hydrant(s), or other suitable emergency water supplies, are therefore required to meeting Royal Berkshire Fire and Rescue Service requirements, in the interests of public safety. This condition is applied in accordance with the requirements of the National Planning Policy Framework (2019), Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
<p>19.</p>	<p>Boundary Treatment</p> <p>Prior to the first occupation of any dwellings hereby permitted, details (indicating the position, design, materials and type) of all boundary treatment shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before any dwelling hereby permitted is first occupied. The approved boundary treatments shall thereafter be retained as such.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with the NPPF and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

<p>20.</p>	<p>Tree Protection – Construction Precautions</p> <p>No development or other operations hereby permitted shall commence on site until measures providing for the protection of the root zones of trees to be retained from the proposed access, hard surfacing, drainage and services have been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
<p>21.</p>	<p>Arboricultural Programme of Works</p> <p>No development or other operations hereby permitted shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
<p>22.</p>	<p>Arboricultural Method Statement</p> <p>No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for the details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
<p>23.</p>	<p>Arboricultural Supervision Condition</p> <p>No development hereby permitted shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
<p>24.</p>	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development hereby permitted shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following;</p> <ul style="list-style-type: none"> (a) a risk assessment of potentially damaging construction activities (b) Identification of biodiversity protection zones (c) Practical measures to avoid and reduce impacts during construction with special consideration on the protection of SSSI/SACs within the locality. (d) The location and timing of sensitive works to avoid harm to biodiversity features (e) The times during construction when specialist ecologists need to be present on site to oversee works (f) Responsible persons and lines of communication (g) The role and responsibilities of the ecological clerk of works or similarly competent person (i) Any temporary lighting that will be used during construction (k) measures to ensure no altered hydrogeology will occur within the site or locality during construction (l) External lighting (m) The implementation of these measures prior to the commencement of development.

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>The development shall not be constructed otherwise than in accordance with the approved CEMP.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework (2019), and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
25.	<p>CLP Oil Pipeline</p> <p>Prior to any development hereby permitted commencing on land within 6m of existing CLP (Oil) Pipeline located beyond the southern redline boundary of the site, the broad location of which being indicated in the consultation response with attached plan dated 7 August 2017 from CLP Pipeline System Ltd, details of such works shall have been submitted to and approved in writing by the local planning authority (in consultation with CLP Pipeline System Ltd). The development shall thereafter be carried out strictly in accordance with the approved details.</p> <p>Reason: In the interests of public safety. This condition is applied in accordance with the requirements of the National Planning Policy Framework (2019), Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
26.	<p>Public Rights of Way</p> <p>Notwithstanding information provided with the supporting application documentation, prior to any works commencing on, or affecting, any Public Rights of Way (PROW) with the site, details of such works shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: In the interest of highway safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists using the local PROW network. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
27.	<p>External Lighting</p> <p>Prior to above foundation level works commencing, details of a lighting strategy for the approved dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The strategy shall:</p> <ul style="list-style-type: none"> • Identify those areas on the site that are particularly sensitive for bats; • Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory; • Include and isolux diagram of the proposed lighting;

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<ul style="list-style-type: none"> • Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers; • Details of lighting positioning to avoid excessive light pollution to boundary trees, hedgerows or vegetation; • Light levels to below 1lux; • Details of light hoods or equivalent features to reduce light spillage; • Provide details of timed/motion sensor security lighting. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy and no additional external/street lighting shall be erected on the site.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework (2019), and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
28.	<p>Biodiversity enhancements</p> <p>The development shall not be first occupied until details of a biodiversity enhancement plan have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The enhancements plan shall follow the principles set out within the supporting ecological report prepared by PV Ecology and shall include (but not be limited to) the installation of a minimum of 4 additional bat roosting boxes such as Schwegler 2FN Bat Box or Schwegler 1FF Bat Box within Hedgerow 4 Appendix Q Phase 2 Ecological Report by PV Ecology as updated in April 2019 (including Appendix A and B). Thereafter, the biodiversity enhancement measures shall be maintained in their approved condition for the lifetime of the development.</p> <p>Reason: To achieve net gains in biodiversity, and to mitigate the impact on bat species. A pre-condition is required because insufficient details accompany the application. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
29.	<p>Restrictions during bird breeding season</p> <p>No demolition, or site/vegetation clearance shall take place during the bird breeding season (March to August inclusive) unless carried out under the supervision of an experienced ecologist, who will check the habitat to be affected for the presence/absence of any birds' nests. If any active nests are found then works with the potential to impact on the nest must temporarily stop, and an appropriate buffer zone shall be established, until the young birds have fledged and the nest is no longer in use.</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>Reason: To prevent harm to nesting birds from demolition and vegetation clearance. This condition is applied in accordance with the statutory provisions relating to nesting birds, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
<p>30.</p>	<p>Landscape and Habitat Management Plan</p> <p>No development hereby permitted shall take place until a Landscape and Habitat Management Plan for the site for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure. The plan shall include long term design objectives, management responsibilities and maintenance schedules. The plan shall include any areas of existing landscaping including woodlands and also include any areas of proposed landscaping other than areas of private domestic gardens. No dwelling hereby permitted shall be first occupied until the approved plan has been implemented and thereafter adhered to for the lifetime of the plan.</p> <p>Reason: To ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure post-development including the long term management of existing and proposed landscaping in accordance with the recommendations of the submitted ecological report. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework (2019) and Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026</p>
<p>31.</p>	<p>Public Open Space</p> <p>Prior to above foundation level works commencing, details of on-site Public Open Space including LEAP and LAPs have been submitted to and approved by the Local Planning Authority. The approved Public Open Space shall be provided prior to the occupation of the 25th dwelling and shall be retained permanently thereafter.</p> <p>Reason: In order to provide adequate on site public open space to comply with Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and in terms of the strategic objective to enhance green infrastructure in line with Core Strategy Policy CS18. The National Planning Policy Framework also supports the provision of such green infrastructure and community facilities.</p>
<p>32.</p>	<p>Allotments</p> <p>Notwithstanding details shown on the supporting plans, prior to above foundation level works commencing, details of new allotment provision</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>(including details of servicing and maintenance) and timetable for delivery shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: In order to compensate for any loss of allotment provision resulting from the proposed emergency access from Station Road and to ensure timely delivery to meet the needs of future occupiers in accordance with Policy HSA2 of the Housing Site Allocations DPD 2006-2026, the Speen Village Design Statement (2002) and The National Planning Policy Framework,</p>
<p>33.</p>	<p>Reptile Mitigation Strategy</p> <p>The development hereby permitted shall be carried out in accordance with the Reptile Mitigation Strategy set out with in Ecological Report by PV Ecology 2016 as updated in April 2019 with specific reference, amongst other elements, to a) the erection of reptile fencing prior to and during construction as per the yellow areas as shown in Appendix S and in accordance with the design shown in Appendix T, and b) the creation of two hibernacula with the purple area shown in Appendix S and to the standard as shown in Appendix U.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats, and in order to avoid contravention of the Wildlife and Countryside Act 1981. This condition is applied in accordance with the National Planning Policy Framework (2019), and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
<p>34.</p>	<p>Cycle Storage</p> <p>Each dwelling hereby permitted shall not be occupied until details of cycle storage to serve that dwelling has been submitted to and approved in writing by the Local Planning Authority. The approved dwelling shall not occupied until the approved cycle storage has been provided in accordance with the approved details and the approved areas shall thereafter be kept available for the parking of cycles at all times.</p> <p>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 (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).</p> <p>Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed 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).</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

<p>35.</p>	<p>Contamination Risks (Environment Agency)</p> <p>Prior to each phase of development approved by this planning permission, no development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:</p> <ol style="list-style-type: none"> 1) A site investigation scheme, based on the submitted risk assessment (Land At Speen, Preliminary Geo-Environmental Risk Assessment, REPORT NO 50400733, February 2016, WSP/Parsons Brinckerhoff) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved. <p>Reason: Potential sources of contamination have been noted on this site. In particular an abandoned underground oil pipe line and a former railway is highlighted. This is located above the chalk principal aquifer. Small watercourses and a possible swallow hole are also shown. The site is also in a Source Protection Zone 2 for a public water supply abstraction. These are controlled water receptors which could be impacted by any contamination present on this site. Further investigation would be required to determine the extent of any contamination present and to what extent it poses a risk to controlled waters. Any risk identified would need to be adequately resolved to ensure that this does not impact on controlled water receptors. This may include remedial works to resolve contamination issues.</p> <p>This condition is imposed in accordance with the National Planning Policy Framework (2019), 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. A pre-condition is necessary because insufficient detailed information accompanies the application to ensure the proposal would not have an adverse impact on contamination within the site and so it is necessary to approve these details before any development takes place</p>
<p>36.</p>	<p>Verification Report</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.</p> <p>Reason: To ensure that contamination at the site is remediated such that the site does not pose a threat to controlled waters. This condition is imposed in accordance with the National Planning Policy Framework (2019), 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.</p>
<p>37.</p>	<p>Unforeseen Contamination</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.</p> <p>Reason: To ensure that any unexpected contamination encountered during the developments is suitable assessed and dealt with, such that it does not pose an unacceptable risk to ground or surface water. This condition is imposed in accordance with the National Planning Policy Framework (2019), 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</p>
<p>38.</p>	<p>Strategic Landscaping Plan</p> <p>A strategic landscape plan for the whole site shall be submitted as part of the first reserved matters application and shall include the following details:</p> <ul style="list-style-type: none"> • Key retained existing vegetation features on the site and its boundaries • Proposed Structural Planting, including Buffer Planting to site boundaries <p>The development shall thereafter be carried out in accordance with the approved plan.</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>Reason: To protect the character and appearance of the area. The condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP2, ADDP5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
--	--

2. OUTLINE PLANNING PERMISSION

39.	<p>Reserved Matters Submission</p> <p>No development hereby permitted shall take place until details of the access, appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) of development have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
40.	<p>3 years Submission Limit for Approval of Reserved Matters</p> <p>Application for approval of all the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
41.	<p>Time Limit for Commencement</p> <p>The development hereby permitted shall commence before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the approved matters, whichever is the later.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
42.	<p>Phasing Plan</p> <p>A phasing Plan shall be submitted to and approved in writing by the local planning authority on or before submission of the first reserved matters application which shall show the phases in which development is to be carried out, including details on the broad number of dwellings (including affordable units) to be provided at each phase(s). The development shall</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>thereafter only be carried out in accordance with the approved Phasing Plan.</p> <p>Reason: To ensure the comprehensive masterplan led development of the site in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP2, ADDP5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
<p>43.</p>	<p>Parking and Turning Areas</p> <p>No dwelling hereby permitted shall be occupied until the associated vehicle parking and/or turning space has been surfaced, marked out and provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The parking and/or turning space shall thereafter be provided in accordance with the approved details and kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>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 (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).</p>
<p>44.</p>	<p>Station Road Access</p> <p>Upon occupation of the 50th dwelling hereby approved, the Station Road emergency access and cycle route shall be constructed and made available for use in accordance with the approved drawing 07733/SK/009 rev A or as otherwise agreed by the LPA.</p> <p>Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
<p>45.</p>	<p>Off - site highway works</p> <p>No dwelling hereby permitted shall be occupied until a Section 278 Agreement has been signed and provided to procure the following works:</p> <p>By occupation of the 50th dwelling:</p> <ul style="list-style-type: none"> • Emergency and cycleway access onto Station Road <p style="padding-left: 40px;"><u>Public Transport Infrastructure</u></p> <ul style="list-style-type: none"> • Provision of raised Kassel kerb, 21 metre time-restricted bus stop clearway marking to enable the bus to safety line and timed clearway sign plate at “The Sydings” bus stop northbound in Station Road

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<ul style="list-style-type: none"> • Provision of raised Kassel kerb at arrival end and safety line at “The Sydings” bus stop southbound towards A4 in Station Road <p style="text-align: center;"><u>Dropped kerbing and tactile paving at the following locations:</u></p> <ul style="list-style-type: none"> • Across Station Road at the junction with the A4 • Across Lambourn Road west of the junction with Station Road with decrease in kern radii on western side of Station Road to enable this crossing • Across The Sydings at the junction with Station Road • Across Station Road at the southbound bus stop <p>Reason: To encourage sustainable travel, in the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
--	--

3. FULL PLANNING PERMISSION

46.	<p>Time Limit</p> <p>The development hereby permitted shall commence before the expiration of five years from the date of this permission.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
47.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans listed below:</p> <ul style="list-style-type: none"> • Site location plan - SLP BR-01 rev B • Proposed Bath Road access – 07733/SK/002 rev E • Site layout – SL01 rev C • Car port - CP.01 rev B • Triple car port – CP.02 rev B • Plot 1 elevations – P1e rev A • Plot 1 floor plans – P1p rev A • Plot 2-3 elevations – P2-3e rev A • Plot 2-3 floor plans – P2-3p rev B • Plot 4-5 elevations – P4-5e rev A • Plot 4-5 floor plans – P4-5p rev B • Plot 6-7 elevations – P6-7e rev B • Plot 6-7 floor plans – P6-7p rev B • Plot 8-10 elevations – P8-10e rev B • Plot 8-10 floor plans – P8-10p1 rev B • Plot 8-10 floor plans – P8-10p2 rev B

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<ul style="list-style-type: none"> • Plot 11 elevations – P11e rev B • Plot 11 floor plans – P11p rev B • Plot 7 Carport – CP.03 <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
48.	<p>Archaeological Scheme of Building Recording</p> <p>No demolition or development hereby permitted shall take place within the waterworks complex/underground reservoir until the applicant has secured the implementation of a programme of building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure that an adequate record is made of these buildings of architectural, historical or archaeological interest. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS19 of the West Berkshire Core Strategy (2006-2026). A pre-condition is necessary as insufficient information is provided at this stage.</p>
49.	<p>Visibility Splays Before Development</p> <p>No development hereby permitted (other than works to implement the visibility splays hereby described) shall take place until visibility splays of 2.4 metres by 43.0 metres have been provided at the A4 Bath Road access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.</p> <p>Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
50.	<p>Bath Road Access</p> <p>No dwelling hereby permitted shall be occupied until the A4 Bath Road access has been constructed in accordance with the approved drawing reference 07733/SK/002 rev E.</p> <p>Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
51.	<p>Off - Site Highway Works</p> <p>No dwelling hereby permitted shall be occupied until a Section 278 Agreement has been signed and provided to procure the following works:</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<ul style="list-style-type: none"> • Vehicular and footway access onto A4 Bath Road with turn right lane and pedestrian refuge crossing and footway widened to 1.8 metres fronting the site. <p>Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
52.	<p>Parking and Turning Areas</p> <p>No dwelling hereby permitted shall be occupied until the associated vehicle parking and/or turning space has 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.</p> <p>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 (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).</p>
53.	<p>Permitted Development Rights Removed</p> <p>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, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and E of that Order shall be carried out without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006) and The Speen Village Design Statement (2002).</p>
54.	<p>External Materials</p> <p>Prior to above foundation level works commencing, details of external facing materials shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with approved details.</p> <p>Reason: To ensure the satisfactory appearance of the development and</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>in order to protect the character and amenity of the area. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and Speen Village Design Statement (2002).</p>
55.	<p>Obscure Glazing</p> <p>The first floor windows in the first floor south facing elevations of the dwellings identified as Plot 11 and plot 5 hereby permitted shall be of a top hung design and be fitted with obscure glazing before this dwelling is first occupied. The obscure glazing shall be permanently retained in that condition thereafter.</p> <p>Reason: In the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework (2019), Policy CS14 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD (2006) and House Extensions SPG (July 2004).</p>
56.	<p>Landscaping (including hard surfaces)</p> <p>No development hereby permitted shall take place (including site clearance and any other preparatory works) until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing and materials to be used, a 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:</p> <ul style="list-style-type: none"> (a) completion of the approved landscaping within the first planting season following the completion of the development; and (b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species. <p>Thereafter the approved scheme shall be implemented in full.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the National Planning Policy Framework 2019 and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy July 2006-2026.</p>

Heads of Terms for Section 106 Agreement

1.	<p>Affordable housing</p> <p>Obligations to secure:</p>
----	--

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<ul style="list-style-type: none"> • 41 affordable housing units on-site comprising social rented units and an intermediate form of affordable housing.
2.	<p>Public Open Space, Allotments, Landscape Buffers/Green Infrastructure and SUDS/Drainage</p> <p>Obligations to secure:</p> <ul style="list-style-type: none"> • The provision of public open space (including LEAP/LAP), landscape buffers/green infrastructure and SUDS/drainage measures in accordance with details agreed at reserved matters stage and pursuant to conditions. • The provision of Allotments in accordance with details agreed pursuant to conditions. • The long term governance and maintenance of the public open space (including LEAP/LAP), allotments, landscape buffers/green infrastructure, ecological enhancement areas and SUDS/drainage measures (e.g. a management company or transferred to the Council). • In the event that the public open space, landscape buffers/green infrastructure and/or SUDS/drainage measures are transferred to the Council, the provision of a commuted sum for maintenance (calculated in accordance with the Planning Obligations SPD).
3.	<p>Highways</p> <p>Obligations to secure:</p> <ul style="list-style-type: none"> • £9,240* per annum for 5 years towards to Community bus service (Total £46,200); • £100,000* towards upgrading the Public Right of Way Speen 7/1 to adoptable standard for use by pedestrians and cyclists. <p>(*unless paid first as part of planning application reference 17/02093/FULD by the same applicant on the adjacent development site).</p>

(2) **Application No. and Parish: 17/02093/OUTMAJ - Land off Lambourn Road, Speen, Newbury**

(Councillor Howard Woollaston declared a personal interest in Agenda Item 4 (2) by virtue of the fact that the applicant was a donor to a children's charity for which he was chairman. 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.)

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/02093/OUTMAJ in respect of outline planning application for up to 14 dwellings and associated works – all matters reserved except access.
2. The application site formed part of a wider parcel of land that was allocated for approximately 100 dwellings. The remainder of the parcel of the land was subject to a separate hybrid planning application under 17/02092/OUTMAJ for outline permission for 93 dwellings, new public open space, extension to existing allotments and a

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

detailed application of 11 new dwellings, new access to the Bath Road and associated works. The applicant had requested that both applications should be determined in parallel to ensure a comprehensive and cohesive approach to the overall housing site allocation.

3. The access details comprised a new vehicular access onto Lambourn Road to the east of the A34 overbridge. The Highways Officer confirmed that no objections had been made in relation to this application in terms of highways safety and there would also be a traffic calming gateway along the Lambourn Road.
4. In accordance with the Council's Constitution, Steven Smallman and David Dixon, agents, addressed the Committee on this application.
5. Mr Smallman and Mr Dixon in addressing the Committee raised the following points:
 - Mr Smallman confirmed that in relation to the ecology surveys which had been raised in the previous application all Phase 1 surveys had been completed which had led to some Phase 2 surveys taking place for both sites and these had also been completed.
6. Councillor Tony Vickers noted that the vehicular access and the footpath did not follow the same route and he asked for assurance that the rural character of the Lambourn Valley Way would be maintained. Mr Smallman confirmed that that would be the case.
7. Councillor Hilary Cole stated that extensive discussion had taken place on the previous application and therefore proposed that the Officer recommendation be agreed. This was seconded by Councillor Tony Vickers and agreed by the Committee with one abstention (Councillor Adrian Abbs).

RESOLVED that provided a Section 106 Agreement had been completed by 7 March 2020 (or such longer period that might be authorised by the Head of Development and Planning, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee), to delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below and subject to the following amended s106 Heads of Terms:

'1. Affordable Housing

Obligations to secure 6 affordable housing units on-site comprising 4 social rented units and 2 units of an intermediate form of housing.'

OR, if a Section 106 Agreement was not completed, to REFUSE PLANNING PERMISSION for the reasons set out below.

Conditions:

1.	Reserved Matters Submission No development hereby permitted shall take place until details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") of development have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details. Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and
----	--

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	Compulsory Purchase Act 2004).
2.	<p>3 years Submission Limit For Approval of Reserved Matters</p> <p>Application for approval of all the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
3.	<p>Time Limit</p> <p>The development hereby permitted shall commence before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the approved matters, whichever is the later.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
4.	<p>Total Number of Units</p> <p>The number of dwellings hereby permitted shall not exceed 14 in total.</p> <p>Reason: For the avoidance of doubt and to ensure the satisfactory development of the site.</p>
5.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans listed below:</p> <ul style="list-style-type: none"> • Site location plan - SUTT150715 SLP LR-01 • Lambourn Road access – 0733 SK 007 rev A <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
6,	<p>Approved Development Parameters</p> <p>The reserved matters submitted pursuant to condition 1 shall be in accordance with the following Development Parameter Plans:</p> <ul style="list-style-type: none"> • Land use plan – 1361 P1 01 rev A • Building heights – 1361 P1 02 rev B • Access parameters – 1361 P1 03 • Hybrid parameters – 1361 P1 04

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>Reason: The parameters shown on this drawing are necessary to ensure the development achieves an acceptable standard of design, which complies with the National Planning Policy Framework, Policies ADPP1, ADPP2, ADDP5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
<p>7.</p>	<p>Housing Mix and Tenure Plan</p> <p>Prior to the above foundation level works commencing, a schedule of the housing units (housing mix) and a Tenure Plan shall have first been submitted to and approved in writing by the Local Planning Authority. The Tenure Plan shall show the tenure of the eventual dwelling on each plot social/affordable rent and shared ownership. Thereafter the development shall not be carried out except in accordance with the approved details.</p> <p>Reason: Because insufficient information has been submitted to ascertain the tenure of development. This information is required at this stage because it may affect considerations of the site layout and because it has site wide implications that need to be determined at the outset of detailed design (e.g. affordable housing distribution) in accordance with the provisions of the National Planning Policy Framework, Policies CS4, CS6 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy HSA2 of the Housing Site Allocations DPD 2006-2026, the West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
<p>8</p>	<p>Levels</p> <p>No development on any dwelling hereby permitted shall take place until details of the finished floor levels of that dwelling in relation to existing and proposed ground levels of adjoining dwellings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: Insufficient information on levels has been provided as part of the application. This information is required to ensure satisfactory relationships with neighbouring properties in order to safeguard residential amenity, to ensure the levels/heights respect the character and appearance of the area including the AONB, and the setting of the heritage assets. This information is needed at this stage because of the site-wide implications of levels of the layout of the development in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, the West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

9.	<p>Visibility Splays Before Development</p> <p>No development hereby permitted (other than works to implement the visibility splays hereby described) shall take place until visibility splays of 2.4 metres by 43.0 metres have been provided at the approved access into the site from Lambourn Road. The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres above the carriageway level.</p> <p>Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
10.	<p>Lambourn Road Access</p> <p>No dwelling hereby permitted shall be occupied until the Lambourn Road access has been constructed in accordance with approved drawing reference 0733 SK 007 rev A.</p> <p>Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
11.	<p>Off - Site Highway Works</p> <p>No dwelling hereby permitted shall be occupied until a Section 278 Agreement has been signed and provided to procure the following works:</p> <p>As a first operation:</p> <ul style="list-style-type: none"> • Vehicular and footway access onto Lambourn Road with 30mph signs and gateway feature. <p>Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
12.	<p>CONS1 - Construction method statement</p> <p>No development hereby permitted shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority.</p> <p>The development shall be carried out in accordance with the approved Construction Method Statement. The Construction Method Statement shall provide for:</p> <ol style="list-style-type: none"> (a) Construction site accesses (b) The parking of vehicles of site operatives and visitors

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<ul style="list-style-type: none"> (c) Loading and unloading of plant and materials (d) Storage of plant and materials used in constructing the development (e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (f) Wheel washing facilities (g) Measures to control the emission of dust and dirt during construction (h) A scheme for recycling/disposing of waste resulting from demolition and construction works (i) Agreed routes and timing restrictions for construction vehicles, deliveries and staff (j) Provide for mitigation measures in accordance with BS:5228, Code of practice for noise and vibration control on construction and open sites; (k) Temporary access arrangements to the site, and any temporary hard-standing; (l) Phasing/projected timetable of construction works; (m) Control of surface water run off during construction; (n) Proposed method of any piling for foundations/other ground works; (o) Details of types of piling rigs and earth moving machinery to be used; (p) Details of temporary external lighting/flood lighting; <p>provide for a Waste Minimisation Statement setting out a scheme for recycling/disposing of waste resulting from construction works;</p> <p>The development shall be carried out in accordance with the approved plan.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. The approval of this information is required at this stage because insufficient information has been submitted with the application. A pre-condition is required because insufficient information accompanies the outline application and the CMS must be in place before construction works commence. This condition is applied in accordance with the National Planning Policy Framework (2019), 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).</p>
<p>13.</p>	<p>Hours of Construction Works</p> <p>No demolition or construction works shall take place outside the following hours:</p> <p>0730 hours to 1800 hours Mondays to Fridays; 0830 hours to 1300 hours Saturdays; and No work shall be carried out at any time on Sundays or Bank Holidays</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>Reason: To safeguard the amenity of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework (2019), Policy CS13 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).</p>
<p>14.</p>	<p>Layout and Design Standards</p> <p>Notwithstanding the information provided within the application documentation, the detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision and the applicant shall enter into a S278/S38 Agreement for the adoption of the sites road and footpaths where required by the Highways Authority.</p> <p>Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed 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).</p>
<p>15.</p>	<p>Parking and Turning Areas</p> <p>No dwelling hereby permitted shall be occupied until the associated vehicle parking and/or turning space has been surfaced, marked out and provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The parking and/or turning space shall thereafter be provided in accordance with the approved details and kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>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 (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).</p>
<p>16.</p>	<p>Electric Charging Points</p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of electric vehicle charging points shall have been submitted to and approved in writing by the Local Planning Authority. The dwellings hereby permitted shall not be occupied until the electric vehicle charging points have been provided in accordance with the approved drawings. The charging points shall thereafter be retained and kept available for use by electric vehicles.</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
<p>17.</p>	<p>Cycle Storage</p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of the cycle parking and storage space shall have been submitted to and approved in writing by the Local Planning Authority. Each dwelling shall not be occupied until the cycle parking and storage space has been provided for that dwelling in accordance with the approved details and retained for this purpose at all times.</p> <p>Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed 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).</p>
<p>18.</p>	<p>Travel Plan</p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented from the point at which any dwelling hereby permitted is first occupied. From the date of implementation, the approved travel plan shall be reviewed and updated within the first 6 months. After that, the Travel Plan shall be annually reviewed and updated and all reasonable practicable steps taken to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.</p> <p>Reason: To ensure the development reduces reliance on private motor vehicles and provides an appropriate level of vehicle parking. This condition is imposed 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).</p>
<p>19.</p>	<p>Spoil</p> <p>No development hereby permitted shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <ul style="list-style-type: none"> • Show where any spoil to remain on the site will be deposited;

	<ul style="list-style-type: none"> • Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels); • Include measures to remove all spoil from the site (that is not to be deposited); • Include timescales for the depositing/removal of spoil. <p>All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.</p> <p>Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. A pre-condition is required because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and the Speen Village Design Statement (2002).</p>
20.	<p>Sustainable Drainage</p> <p>No development hereby permitted shall take place until details of sustainable drainage measures to manage surface water within the site has been submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England). These details shall:</p> <ol style="list-style-type: none"> 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, 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; f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site; g) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change; i) Include flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes; 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;

	<p>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;</p> <p>n) 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;</p> <p>v) Attenuation storage measures must have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;</p> <p>w) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development.</p> <p>The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwelling(s) hereby permitted are occupied/in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>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.</p>
<p>21.</p>	<p>Integrated water supply and drainage strategy</p> <p>No development hereby permitted shall take place until an integrated water supply and drainage strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved strategy. The strategy shall provide details of any on and/or off site drainage works, and impact studies on the existing water supply infrastructure to determine the magnitude of any new additional capacity required in the system and a suitable connection point. The development shall be carried out in accordance with the approved integrated water supply and drainage strategy. No discharge of foul</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>Reason: To ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site. A pre-condition is required because this policy-requirement is not addressed within the current application, and will depend on the final layout of the development. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 and CS16 of the West Berkshire Core Strategy (2006-2026), and Policy GS1 of the Housing Site Allocations DPD 2006-2026. A pre-condition is necessary to make the development acceptable, as this information is not included within the application submission.</p>
22.	<p>Refuse Storage</p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of storage for refuse and recycling materials for the dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The approved dwellings shall not be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall thereafter be retained for this purpose.</p> <p>Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>
23.	<p>Protection from External Noise</p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of a scheme of works to protect the future occupiers of the approved dwellings from externally generated noise shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, each individual dwelling shall not be occupied until the approved mitigation scheme relevant to that individual dwelling has been fully implemented in accordance with the approved details.</p> <p>Reason: In order to protect the amenities of future occupiers of the development in accordance with The National Planning Policy Framework (2019), Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
24.	<p>Contaminated Land</p> <p>Unless otherwise agreed by the local planning authority,</p>

development other than that required to be carried out as part of an approved scheme of remediation must not commence until sub-conditions A to C below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until sub-condition D has been complied with in relation to that contamination.

A. 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
- (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'*.

B. 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.

C. Implementation of approved remediation scheme

The approved remediation scheme must be carried out in

	<p>accordance with its terms prior to the commencement of development (other than that required to carry out remediation). The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.</p> <p>Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing by the local planning authority.</p> <p>D. Reporting of unexpected contamination</p> <p>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 sub-condition A above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of sub-condition B above, which is subject to the approval in writing of the Local Planning Authority.</p> <p>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 sub-condition C above.</p> <p>E. Long term monitoring and maintenance</p> <p>In the event contamination is found at the site, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with the local planning authority, and the provision of reports on the same must be prepared, both of which must be submitted and approved in writing by the local planning authority.</p> <p>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.</p> <p>Reason: To ensure the creation of a safe living environment for future occupiers, to avoid the risk of pollution and to ensure that any unexpected contamination encountered during the developments is suitable assessed and dealt with, such that it does not pose a unacceptable risk to ground or surface water in accordance with the National Planning Policy Framework (2019), 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. A pre-condition is necessary because insufficient detailed information accompanies the application to ensure the proposal would not have an adverse impact on contamination within the site and so it is necessary to approve these details before any development takes place</p>
25.	Travel information packs

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>No dwelling hereby permitted shall be first occupied until a scheme for the provision of travel information packs for new residents has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To provide a scheme that seeks to deliver sustainable transport objectives, such as encouraging the use of local public transport and other non-car modes of transport. The provision of travel information packs to new residents is a scheme that is proportionate to the size of the development. This condition is applied in accordance with the National Planning Policy Framework (2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and P1 of the Housing Site Allocations DPD (2006-2026).</p>
26	<p>Broadband</p> <p>Prior to above foundation level works commencing details of a Superfast Broadband Strategy Statement shall have been submitted and approved in writing by the Local Planning Authority. Such a statement shall set out how superfast broadband is to be provided to the development, including a schedule for connection. Thereafter no part of the development hereby permitted shall be occupied until superfast broadband infrastructure has been provided in accordance with the approved details.</p> <p>Reason: To ensure that the site is provided with high speed communications infrastructure in the interests of the amenity of the occupants of the site in accordance with the requirements of the National Planning Policy Framework (2019), Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
27	<p>Emergency Water Supplies</p> <p>No dwelling hereby permitted shall be first occupied until either:</p> <p>Private fire hydrant(s), or other suitable emergency water supplies, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (in consultation with Royal Berkshire Fire and Rescue Service); or Royal Berkshire Fire and Rescue Service confirm that such provision is not required (for example, because the main water supply for the development is sufficient) and confirmation of the same has been given in writing by the Local Planning Authority pursuant to this condition.</p> <p>Reason: At present there are no available public mains in this area to provide suitable water supply in order to effectively fight a fire. Suitable private fire hydrant(s), or other suitable emergency water supplies, are therefore required to meeting Royal Berkshire Fire and Rescue Service requirements, in the interests of public safety. This</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>condition is applied in accordance with the requirements of the National Planning Policy Framework (2019), Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
<p>28.</p>	<p>Boundary Treatment</p> <p>Prior to the first occupation of any dwellings hereby permitted, details (indicating the position, design, materials and type) of all boundary treatment shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before any dwelling hereby permitted is first occupied. The approved boundary treatments shall thereafter be retained as such.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with the NPPF and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
<p>29.</p>	<p>Tree Protection – Construction Precautions</p> <p>No development or other operations hereby permitted shall commence on site until measures providing for the protection of the root zones of trees to be retained from the proposed access, hard surfacing, drainage and services have been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
<p>30.</p>	<p>Arboricultural Programme of Works</p> <p>No development or other operations hereby permitted shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
30	<p>Arboricultural Method Statement</p> <p>No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for the details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
31	<p>Arboricultural Supervision Condition</p> <p>No development hereby permitted shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
32.	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development hereby permitted shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>include the following;</p> <ul style="list-style-type: none"> (a) a risk assessment of potentially damaging construction activities (b) Identification of biodiversity protection zones (c) Practical measures to avoid and reduce impacts during construction with special consideration on the protection of SSSI/SACs within the locality. (d) The location and timing of sensitive works to avoid harm to biodiversity features (e) The times during construction when specialist ecologists need to be present on site to oversee works (f) Responsible persons and lines of communication (g) The role and responsibilities of the ecological clerk of works or similarly competent person (i) Any temporary lighting that will be used during construction (k) Measures to ensure no altered hydrogeology will occur within the site or locality during construction (l) External lighting (m) The implementation of these measures prior to the commencement of development. <p>The development shall not be constructed otherwise than in accordance with the approved CEMP.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework (2019), and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
33.	<p>CLP Oil Pipeline</p> <p>Prior to any development hereby permitted commencing on land within 6m of existing CLP (Oil) Pipeline located beyond the southern boundary of the site, the broad location of which being indicated in the consultation response with attached plan dated 7 August 2017 from CLP Pipeline System Ltd, details of such works shall have been submitted to and approved in writing by the local planning authority (in consultation with CLP Pipeline System Ltd). The development shall thereafter be carried out strictly in accordance with the approved details.</p> <p>Reason: In the interests of public safety. This condition is applied in accordance with the requirements of the National Planning Policy Framework (2019), Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
34.	<p>Public Rights of Way</p> <p>Notwithstanding information provided with the supporting application documentation, prior to any works commencing on, or affecting, the</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>Public Right of Way (PROW) 'Speen 7/1', details of such works shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: In the interest of highway safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists using the local PROW network. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
35.	<p>External Lighting</p> <p>Prior to above foundation level works commencing, details of a lighting strategy for the approved dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The strategy shall:</p> <ul style="list-style-type: none"> • Identify those areas on the site that are particularly sensitive for bats; • Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory; • Include and isolux diagram of the proposed lighting; • Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers; • Details of lighting positioning to avoid excessive light pollution to boundary trees, hedgerows or vegetation; • Light levels to below 1lux; • Details of light hoods or equivalent features to reduce light spillage; • Provide details of timed/motion sensor security lighting; <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy and no additional external/street lighting shall be erected on the site.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework (2019), and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
36.	<p>Biodiversity enhancements</p> <p>The development shall not be first occupied until details of a biodiversity enhancement plan have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The enhancements plan shall follow</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>the principles set out within the supporting ecological report prepared by PV Ecology and shall include (but not be limited to) the installation of a minimum of 4 additional bat roosting boxes such as Schwegler 2FN Bat Box or Schwegler 1FF Bat Box within Hedgerow 4 Appendix Q Phase 2 Ecological Report by PV Ecology as updated in April 2019 (including Appendix A and B). Thereafter, the biodiversity enhancement measures shall be maintained in their approved condition for the lifetime of the development.</p> <p>Reason: To achieve net gains in biodiversity, and to mitigate the impact on bat species. A pre-condition is required because insufficient details accompany the application. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
<p>37.</p>	<p>Restrictions during bird breeding season</p> <p>No demolition, or site/vegetation clearance shall take place during the bird breeding season (March to August inclusive) unless carried out under the supervision of an experienced ecologist, who will check the habitat to be affected for the presence/absence of any birds' nests. If any active nests are found then works with the potential to impact on the nest must temporarily stop, and an appropriate buffer zone shall be established, until the young birds have fledged and the nest is no longer in use.</p> <p>Reason: To prevent harm to nesting birds from demolition and vegetation clearance. This condition is applied in accordance with the statutory provisions relating to nesting birds, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
<p>38.</p>	<p>Habitat Management Plan</p> <p>No development hereby permitted shall take place until a Habitat Management Plan for the site for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The Plan shall ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure. No dwelling shall be first occupied until the approved plan has been implemented, and thereafter adhered to for the lifetime of the plan.</p> <p>Reason: To ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure post-development, in accordance with the recommendations of the submitted ecological report. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework (2019) and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

39.	<p>Public Open Space</p> <p>Prior to above foundation level works commencing, details of on-site Public Open Space have been submitted to and approved by the Local Planning Authority. The approved Public Open Space shall be provided prior to the occupation of the 10th dwelling and shall be retained permanently thereafter.</p> <p>Reason: In order to provide adequate on site public open space to comply with Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and in terms of the strategic objective to enhance green infrastructure in line with Core Strategy Policy CS18. The National Planning Policy Framework also supports the provision of such green infrastructure and community facilities.</p>
40.	<p>Reptile Mitigation Strategy</p> <p>The development hereby permitted shall be carried out in accordance with the Reptile Mitigation Strategy set out with in Ecological Report by PV Ecology 2016 as updated in April 2019 (including Appendix A and B) with specific reference, amongst other elements, to a) the erection of reptile fencing prior to and during construction as per the yellow areas as shown in Appendix S and in accordance with the design shown in Appendix T, and b) the creation of two hibernacula with the purple area shown in Appendix S and to the standard as shown in Appendix U.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats, and in order to avoid contravention of the Wildlife and Countryside Act 1981. This condition is applied in accordance with the National Planning Policy Framework (2019), and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>

Heads of Terms for Section 106 Agreement

1.	<p>Affordable housing</p> <p>Obligations to secure:</p> <ul style="list-style-type: none"> • 8 affordable housing units on-site comprising 4 social rented units and 2 units of an intermediate form of affordable housing.
2.	<p>Public Open Space, Landscape Buffers/Green Infrastructure and SUDS/Drainage</p> <p>Obligations to secure:</p> <ul style="list-style-type: none"> • The provision of public open space, landscape buffers/green infrastructure and SUDS/drainage measures in accordance with details agreed at reserved matters stage and pursuant to conditions. • The long term governance and maintenance of the public open space,

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>landscape buffers/green infrastructure and SUDS/drainage measures (e.g. a management company or transferred to the Council).</p> <ul style="list-style-type: none">• In the event that the public open space, landscape buffers/green infrastructure and/or SUDS/drainage measures are transferred to the Council, the provision of a commuted sum for maintenance (calculated in accordance with the Planning Obligations SPD).
3.	<p>Highways</p> <p>Obligations to secure:</p> <ul style="list-style-type: none">• £9,240* per annum for 5 years towards to Community bus service (Total £46,200);• £100,000* towards upgrading the Public Right of Way Speen 7/1 to adoptable standard for use by pedestrians and cyclists. <p>(*unless paid first as part of planning application reference 17/02092/FULD by the same applicant on the adjacent development site).</p>

Refusal Reasons

1.	<p>Lack of S106</p> <p>The application fails to provide a Section 106 Planning Obligation to deliver necessary infrastructure and mitigation measures, including:</p> <p>(a) Affordable housing, without which the proposal would be contrary to the NPPF, Policy CS6 of the West Berkshire Core Strategy 2006-2026, and the Planning Obligations SPD.</p> <p>(b) Public open space and sustainable drainage measures (provision and governance), without which the proposal would be contrary to the NPPF, Policies CS16 and CS18 of the West Berkshire Core Strategy 2006-2026, 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.</p> <p>(c) Highways mitigation measures, without which the proposal would be contrary to the NPPF and Policy CS13 and the Planning Obligations SPD.</p>
----	--

Informative Notes

1.	<p>Working Proactively with the Applicant</p> <p>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. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental</p>
----	---

	<p>conditions of the area.</p>
<p>2.</p>	<p>CLP Pipe Line</p> <p>The applicants is advised to contact CLH Pipeline System who advise that their client's apparatus, the CLH Pipeline System – Energy Act 2013 (CLH PS), may be affected by the proposal. In order to verify the accurate location of the pipeline in conjunction with the development proposals to arrange a site visit, please contact:</p> <p>Central Services email: anne.swallow@clhps.uk Ashdon Road Tel: 01799 564101 Saffron Walden Essex, CB10 2NF</p> <p>When contacting Central Services, please quote the File Ref ATC/WB/WB/0950/172161.</p> <p>You should note that the interests of the CLH Pipeline System are conserved by means of the Energy Act 2013, in particular Part IV of the Act, and other legislation such as the Pipeline Safety Regulations 1996. It is, however, the Energy Act 2013 that prohibits any development and most intrusive activities within the Easement Strip without specific consent from CLH Pipeline System. CLH Pipeline System Easement Strips are 6 metres wide and can incorporate other associated CLH Pipeline System facilities.</p> <p>Central Services will be able to provide guidance on the required procedures for entering into a Works Consent and provide confirmation on permitted development and intrusive activities. The whole process of obtaining Works Consent can take between four and six weeks depending on circumstances at the time of application.</p> <p>To reiterate, you should not undertake any work or activity without first contacting the CLH Pipeline System Operator for advice and, if required, Works Consent. For your additional information please visit: http://www.linerearchbeforeudig.co.uk/index.php/useful-info, which set out the standard requirements for working/crossing the CLH Pipeline System – Energy Act 2013.</p> <p>You should also be aware that landowners and third parties have a duty of care not to carry out any works that have the potential to damage CLH Pipeline System apparatus. This duty of care applies even if the works themselves are situated more than 3 metres from the pipeline. Examples of such works are mineral extraction, mining, explosives, piling and windfarms.</p> <p>Please note that implementation of any unapproved work that affects a CLH Pipeline System Easement Strip may result in serious consequences in terms of health and safety, expense and other attendant liabilities. In such cases it is the perpetrator of the act, together with any other promoting organisation, that shall be held fully accountable for any resulting damage.</p> <p>Should you require any further assistance please contact Central Services</p>

using the details provided above.

(3) Application No. and Parish: 19/02072/REM - Garden Land at 5 Normay Rise, Newbury

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 19/02072/REM in respect of a reserved matters application for a new dwelling with integral garage of appeal reference APP/W0340/W/17/3191372 (17/01808/OUTD). Matters to be considered: Appearance, Landscaping, Layout and Scale at Garden Land at 5 Normay Rise, Newbury
2. In accordance with the Council's Constitution, Mr Kevan Williams, objector, addressed the Committee on this application.
3. Jeffrey Ng introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers clearly recommended the Committee grant planning permission.
4. Paul Goddard confirmed that the application complied with the Council's parking standards.
5. Mr Williams (Objector) in addressing the Committee made the following points:
 - This application had minor dimensional changes compared to the previous application refused by the Committee and had the same appearance.
 - He questioned why the application was being heard by the Committee before the determination of the appeal on the previous application.
 - The style of the property should be compared to other properties on Willowmead Close, not Normay Rise.
 - The house would be closer to the fence than recommended dimensions and there would be overlooking.
 - The proposed condition for obscured glass for all windows to the rear of the property would be unenforceable.
 - There was not suitable mitigation against the flood risk.
 - Should the Committee be minded to approve the application there should be limitations on contractor's parking during construction to reduce the impact on neighbours.
 - The Committee should refuse the application pending the appeal.
6. Councillor Tony Vickers asked whether this application had addressed any of the concerns expressed regarding the previous application on the same site. Mr Williams stated he thought it was worse.
7. The Ward Members declined to address the Committee and stated they would raise their points during the debate.
8. Councillor Hilary Cole expressed the view that it was premature to determine the application while the appeal decision on the similar scheme was still outstanding. It was confirmed that should the Committee approve this application there could be development on the site even if the Planning Inspector refused the previous application.

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

9. The Chairman invited the Committee to vote on the proposal of Councillor Hilary Cole, as seconded by Councillor Phil Barnett, to defer the decision to after the appeal outcome is known. At the vote the motion was carried.

RESOLVED that the decision be deferred.

(The meeting was adjourned between 8.30pm and 8.40pm)

(4) Application No. and Parish: 19/02126/FULD - Park House, West Woodhay, Newbury

(Councillor James Cole declared a personal interest in Agenda Item 4 (4) by virtue of the fact that he had been acquainted with the applicant for a long time, he had been lobbied and was the Ward Member. Councillor Adrian Abbs had also been lobbied. As their interests were personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

1. The Committee considered a report (Agenda Item 4(4)) concerning Planning Application 19/02126/FULD in respect of the demolition and replacement of the existing dwelling to provide a five bedroom family home within the estate at Park House, West Woodhay, Newbury.
2. In accordance with the Council's Constitution, Robert McDonald, Parish Meeting representative and Duncan Hartley, agent, addressed the Committee on this application.
3. Masie Masiwa introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was unsatisfactory and a conditional approval was not justifiable. Officers recommended the Committee refuse planning permission.
4. Paul Goddard apologised that there was no comment from the Highways Authority in the report. He confirmed that he had visited the property and concluded that there were acceptable sight lines so there was no objection subject to the comment in the update report.
5. Debra Inston stated that the importance of Park House came from its attachment to West Woodhay House. Park House was at least 200 years old and while the original building had been altered there was surviving elements such as the chequered brickwork which was of interest. The extensions were sympathetic and many of the original features remained. The house contained evidential value regarding methods of construction and historical value through its connection to West Woodhay House. Consideration had been given to applying a condition to reuse the bricks however the proposed dwelling was not modest in comparison to the current property and there was enough heritage value to resist demolition.
6. Mr Robert MacDonald in addressing the Committee raised the following points:
 - The house was not a museum; it was a mishmash of extensions and had lost the character of its former association with West Woodhay House.
 - The new house would be an attractive design and be a positive step towards enhancing the character of the area.
 - The new house would be larger and suitable for modern living. Although the footprint would increase by 80% the outbuildings would be consolidated.
 - The Committee had recently approved applications in respect of Haywards Green Farm which was out of keeping and a massive increase in footprint compared to the previous property on the site.

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

- The house would be eco-friendly and reuse the bricks of the current house. The current house did not have suitable rooflines for solar panels.
7. Councillor Tony Vickers questioned whether there really was no reason a young family would wish to live in the property. Mr Macdonald advised that the new property would be warm, reduce the carbon impact, address damp issues and have a layout suitable for modern living.
8. Councillor James Cole requested confirmation that the current house could not accommodate solar panels. Mr Macdonald advised that more information was in the application.
9. Councillor Hilary Cole remarked that the carbon efficiency argument could equally be applied to West Woodhay House and questioned why the Parish Meeting supported this application when they had objected so vociferously to the Haywards Green Farm application. Mr Macdonald responded that West Woodhay House was a Grade 1 listed property. Haywards Green Farm was out of keeping with the area due to its size, materials and the impact on the AONB.
10. Councillor Abbs questioned the point regarding solar panels as he would have thought the south west and south east facing slopes of the current property would be ideal. Mr Macdonald advised that the proposed south facing roof of the new property would produce more energy.
11. Mr Hartley in addressing the Committee made the following points:
- There were no technical objections to the proposed development and the Parish Meeting supported the application.
 - The design submitted was only marginally different to a scheme submitted for pre-application advice from the case officer. Feedback on that scheme was that it was satisfactory because it was well designed and a footprint increase of up to 100% was acceptable. The volume increase of the property would be 110%. A letter had been circulated to the Committee to provide further explanation.
 - The judgement regarding the heritage impact was subjective. A heritage assessment had been submitted with the application which concluded that Park House had low significance as a non-designated heritage asset. The Conservation Officer concurred with much of the analysis in the assessment apart from the weight afforded to the house's importance as a non-designated heritage asset.
 - The property's green credentials would extend above and beyond existing building regulations.
 - There would be a minimal impact on the AONB because there would be no change to the curtilage of the property and the trees would be retained.
 - The loss of a non-designated heritage asset should be weighed against the quality of the replacement property and in this case the property would be of a high quality.
 - The applicant had considered the Local Planning Authority's suggestion to extend the existing dwelling and after discussions with their architects had concluded that this option was not feasible.
12. Councillor Clive Hooker asked officers whether they were allowed to consider the point regarding pre-application advice suggesting one conclusion when

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

the recommendation was to refuse planning permission. Derek Carnegie advised that pre-application advice came heavily caveated and was an informal process. Sharon Armour advised that Members of the Committee who had seen the letter should disregard it as it was submitted within five days of the meeting

13. Councillor Adrian Abbs noted that the average three bedroom home was 85m² and asked what the property would be. Mr Hartley advised that he did not have that information to hand and the property volume would increase by 110%.
14. Councillor Hilary Cole sought an explanation for the use of percentage increases to the property's footprint when the Council's policy was now to assess how the property would look in the plot. Mr Hartley advised that the case law cited in the committee report referred to percentage increases.
15. Councillor Hilary Cole asked why it was not proposed to extend the property. Mr Hartley advised that it was not possible to create spaces suitable for modern living because of the mishmash internal layout.
16. Councillor James Cole in addressing the Committee as Ward Member raised the following points:
 - He was the Council's Heritage Champion and did not want to save all properties.
 - The Committee Chairman had not been keen to see inside the property.
 - The property was damp and a poor quality. Many of the roof tiles were concrete and grey cement was interspersed with much of the brickwork. The only part of the property worth saving was the garage.
 - The Conservation Officer had argued that the property was distinct as a heritage asset; he questioned whether it was distinct in the way the Committee would like.
 - The property would sit better in the AONB, whose management board submitted no objections.
 - No one in the village had submitted objections.
 - He did not see how the new property would damage the area, especially if the materials were reused.
 - He did not usually like to see large replacement properties for houses in the countryside, but that was the trend. The property would not be too big and would support the Council's carbon neutral aspirations.
17. Councillor Abbs raised that the current property was 200 m² and questioned whether there was not scope in insulate the property internally in order to improve its environmental impact. Councillor James Coles advised that the current property had a strange internal layout with small rooms and corridors so this would not be possible.
18. Councillor Hooker confirmed that he had seen the ground floor of the property. He questioned whether it was possible the property had been subjected to deliberate poor maintenance for some time. Councillor James Cole replied that some of the responsibility would fall to his family as the house had been part of the estate when it was acquired in 1880.
19. Turning to questions to officers, Councillor Hilary sought clarification regarding the use of percentages to describe size increases. Derek Carnegie

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

advised that the policy did not include guidance on percentage increases but they were a useful tool to gather a picture of whether an application would be acceptable.

- 20. Councillor Abbs asked when Park House ceased to be in the ownership of Councillor James Cole’s family. Councillor James Cole advised that the estate was sold to the current owners in 1921.
- 21. In commencing the debate, Councillor Tony Vickers stated he was persuaded by the Ward Member’s presentation and was concerned that the house could degrade further if action was not taken. The property was already empty. The design would be in sympathy with the area. Councillor Vickers reported that he had not attended the site visit but was familiar with the property as a frequent user of the District’s footpaths.
- 22. Councillor Hilary Cole expressed the view that the considerations were finely balanced but the height would be excessive. She referred to policy CS14 and expressed the view that the proposed design was a pastiche of West Woodhay House; she would prefer a more innovative design. Although the environmentally friendly aspects had been emphasised during the Committee, she would expect any application to meet the Code for Sustainable Homes. Overall she did not like the application.
- 23. Councillor Abbs expressed the view that in a finely balanced situation, the Committee who why not experts should be led by the professionals. He proposed that the Committee refuse planning permission.
- 24. Councillor Howard Woollaston reported that he did not often disagree with Councillor Hilary Cole but on this occasion he felt the design was of high quality and sat well in the plot.
- 25. Councillor Carlyne Culver expressed the view that the property would have a visual impact. While she commended the sustainability aspects, she felt that the building could be smaller and still an eco-home.
- 26. Councillor Hilary Cole seconded the proposal to refuse planning permission.
- 27. The Chairman invited the Committee to vote on the proposal of Councillor Abbs as seconded by Councillor Hilary Cole. At the vote the motion was carried using the Chairman’s casting vote.

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

Refusal Reasons

1.	<p>Loss of a non-designated heritage asset</p> <p>Reason</p> <p>Park House makes a positive contribution to the history, character of the area and the setting of West Woodhay House through its scale, form, position, and use of materials. The proposal would fail to reflect the modest scale and form of the existing dwelling, which is appropriate to its location, and historical and functional association with West Woodhay House.</p> <p>The demolition of Park House would result in the loss of a local heritage asset which makes a positive contribution to the character of West Woodhay estate, and to local distinctiveness. The proposal would therefore result in the loss of a non-designated heritage asset, which would harm local</p>
-----------	--

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

	<p>distinctiveness and destroy a historic link to the past, contrary to guidance contained within the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
2.	<p>Disproportionate and overly large replacement dwelling.</p> <p>Reason</p> <p>The proposed replacement dwelling would be located on a very prominent site within the AONB countryside. The existing dwelling on the site is modest in size and scale. The new two storey replacement dwelling will significantly increase the built form on the site. The replacement dwelling is disproportionate, overly large and by virtue of its design, size, scale, bulk and massing would dominate the area and local views. The replacement dwelling would result in a large, visually prominent, incongruous and bulky residential development within the open AONB countryside and would fail to respect the original dwelling's modest design, size, scale, massing, character and its setting within the site and the wider historic and AONB landscape.</p> <p>As such, the proposal fails to conserve and enhance the character of the AONB Landscape and also fails to demonstrate a high standard of design contrary to the requirements for high quality design within the NPPF, and the provisions of Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy. The proposal is also contrary to the guidance contained in West Berkshire Supplementary Planning Document- Quality Design 'Residential Development'. The proposal is further contrary to Policies C3 and C7 of the Housing Site Allocations Development Plan Document (HSADPD) and the North Wessex Downs AONB Management Plan 2014-2019.</p>

Informatives

1.	<p>Proactive</p> <p>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.</p>
2.	<p>CIL</p> <p>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</p>

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

(5) **Application No. and Parish: 19/02150/HOUSE - The Old Coach House, Bath Road, Speen**

1. The Committee considered a report (Agenda Item 4(5)) concerning Planning Application 19/02150/HOUSE in respect of an application for an annexe to the Old Coach House, Bath Road, Speen.
2. In accordance with the Council's Constitution, Mr Richard Purton, applicant's brother, and Mr Antony Staig, agent, addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was unsatisfactory and a conditional approval was not justifiable. Officers on balance recommended the Committee refuse planning permission.
4. Mr Purton and Mr Staig in addressing the Committee raised the following points:
 - The applicant's opinion differed to the case officer in respect of the effect on the rural character of the area, effect on the host property and the potential for the accommodation to be self-contained.
 - There was no intention to make the annexe self-contained; it would be linked to the house and garden and be used by the applicant's family or carers. The applicant was willing to sign a legal agreement to provide assurance to the Council regarding the occupancy.
 - The annexe would be subservient to and match the main house.
 - The annexe would infill between existing buildings and would not be visible from the highway.
 - No objections had been submitted.
 - Mr Purton explained that the applicant was his sister. She was terminally ill and the annexe would offer accommodation to him and his family so they could move in to help care for her.
5. Councillor Hilary Cole asked how access to the garages would be maintained as the construction of the annexe would make the corner even tighter. Mr Staig advised that some shrubbery would be removed. Councillor Hilary Cole noted that Members could not consider the applicant's need in the planning determination.
6. Councillor James Cole asked whether the prospect of a legal agreement had been discussed with officers. Mr Staig reported that he had been advised the matter might be irrelevant in planning terms.
7. Mr Purton responded to a query from Councillor Carlyne Culver regarding the location of bedrooms on the plans.
8. It was noted that neither of the Ward Members were present to address the Committee. Councillor Culver reported the Councillor Steve Masters have called in the application due to the difference in opinion between the applicant and case officer but was agnostic regarding the outcome.
9. Councillor Clive Hooker asked whether there would be any implications caused by multiple occupancy. Derek Carnegie advised the Committee that the Old Coach House was already a large property with four bedrooms and the annexe would provide two more. This had the effect of creating accommodation which would be

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

capable of forming a community and there was unease about what this could lead to, however the case officer's judgement was finely balanced.

10. Councillor Adrian Abbs asked whether Members could be sure there would be no overlooking once foliage was removed to allow access to the garages. Derek Carnegie expressed the view that there may be no need to remove foliage and that this matter was not a determining factor on the overall recommendation. Councillor Abbs sought to clarify that the recommendation was borderline. Derek Carnegie confirmed that this was not a clear cut case.
11. Councillor James Cole enquired whether there was any value in pursuing a legal agreement. Derek Carnegie confirmed that a planning condition could be applied to the permission but this would not offer long term restrictions. This was also not a determining factor. Sharon Armour advised that the Local Planning Authority were not permitted to pursue a Section 106 agreement or a restriction on the property's title when a planning condition was achievable and more proportionate.
12. Councillor Culver asked why the Local Planning Authority should care whether the two dwellings were separated. Derek Carnegie advised that the case officer believed the property's best use was as a single unit.
13. It was noted that the annexe included a kitchen.
14. Councillor Abbs asked whether a problem could be forthcoming if applications were submitted to convert the garages outside the red line of the application. Derek Carnegie advised that the Local Planning Authority could not speculate and must consider the application as submitted.
15. Councillor Hilary Cole quoted the Council's Policy CS14. She stated that in her opinion the proposed design would create a linear structure which would detract from the architecture of the original building and would not enhance the area. Councillor James Cole disagreed with this view and stated that he thought the design was suitable.
16. Councillor Tony Vickers reported that he had not attended the site visit but had read the report and listened to the presentations carefully. He questioned whether any harm would be caused should the annexe be made available for separate occupancy but accepted that this caused some concern to others. Councillor Vickers proposed that planning permission be granted, contrary to the officer's recommendation, subject to the inclusion of a single occupancy condition. Councillor Abbs in seconding the proposal made the point that he could find no hard reason to refuse the application but would like a condition to restrict further development.
17. The Chairman invited the Committee to vote on the proposal of Councillor Vickers as seconded by Councillor Abbs. At the vote the motion was carried.

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

Conditions

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

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 should it not be started within a reasonable time.

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

2. The development hereby approved shall be carried out in accordance with the Design Statement and drawing Pur 019/102A received on 18 September 2019 and drawings Pur 019/111, 120 and 131 received on 22 August 2019.

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

3. The materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respond to local character. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

4. The annexe extension hereby approved shall only be used solely as an integral part of the existing dwelling known as The Old Coach House, and for residential purposes incidental to the enjoyment of the occupiers of that dwelling. It shall not be let, sold, occupied or disposed of separately from the main single unit of residential accommodation on the site.

Reason: The creation of a separate unit of accommodation is inappropriate for the site, and would be detrimental to the amenities of the area contrary to policy CS 14 of the West Berkshire Core Strategy 2006-2026. The decision to grant Planning Permission has been taken having regard to the policies and proposals in the National Planning Policy Framework, South East Plan 2006-2026, West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991- 2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, Supplementary Planning Document; and in particular guidance notes and policies:

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

1 The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.

2 The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.

3 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

WESTERN AREA PLANNING COMMITTEE - 6 NOVEMBER 2019 - MINUTES

development which improves the economic, social and environmental conditions of the area.

4 - To ensure that the trees which are to be retained are protected from damage, ensure that all works occur in a direction away from the trees.

- In addition that no materials are stored within close proximity i.e. underneath the canopy of trees to be retained.

- Ensure that all mixing of materials that could be harmful to tree roots is done well away from trees (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil.

(The meeting commenced at 6.30 pm and closed at 10.10 pm)

CHAIRMAN

Date of Signature

This page is intentionally left blank

Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	19/01406/RESMAJ Hungerford	17 September 2019 ¹	Approval of reserved matters application following outline permission for up to 100 dwellings, public open space and landscaping, with all matters reserved except for the access to the A338. Matters to be considered: Appearance, Landscaping, Layout and Scale. Land South Of Priory Road Hungerford Berkshire Bewley Homes Plc and Wates Developments Ltd

²¹ Extension of time agreed with applicant until 29 November 2019

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/01406/RESMAJ>

Recommendation Summary:	To DELEGATE to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to conditions
Ward Member(s):	Councillor Benneyworth; Councillor Cole; Councillor Rowles
Reason for Committee Determination:	More than 10 letters of objection received.
Committee Site Visit:	21 November 2019

Contact Officer Details

Name:	Simon Till
Job Title:	Principal Planning Officer
Tel No:	01635 519111
Email:	Simon.till@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for matters reserved, including appearance, landscaping, layout and scale, following approval of outline planning permission 16/03061/OUTMAJ (granted permission 30 November 2017). The proposed development is for up to 100 dwellings.
- 1.2 The application site consists of two fields located to the south of Kennedy Meadow and Priory Road, and to the east of Salisbury Road. Access to the site, which was approved at the outline stage and in subsequent discharge of conditions, is taken from Salisbury Road, via a new roundabout which is to be constructed under a Section 278 Legal Agreement to highways standards. John O’Gaunt School is located alongside the east of the site. The site has a gentle gradient downwards towards the south, with the field boundary delineated by a dense line of mature trees to the south, separated from the site boundary by arable land. A further belt of dense mature trees separates the site from houses on De Montfort Grove and Priory Road to the north-east, but the site directly abuts the rear boundaries of several dwellings along Kennedy Meadows to the north-west. The site is divided by an existing line of mature hedging which runs alongside public right of way Hungerford 31/2, which traverses the site north to south. The site was allocated for development of up to 100 dwellings under Policy HSA18 of the West Berkshire Housing Site Allocations DPD (2017).
- 1.3 The application proposes to develop 100 houses across the entire site, and includes proposals for landscaping, including enhancing the landscape buffer to the north-west alongside Kennedy Meadow, and providing additional new landscaping to the south alongside the open arable land on the retained part of the two fields, as well as landscaping alongside the public right of way and open space throughout.
- 1.4 During the consideration of this application, following discussions with the Council’s planning officers and feedback from the Council’s landscape consultant revised drawings were submitted including a comprehensive reconfiguration of the proposed layout to distribute housing across the entire site area, alterations to the landscaping proposals alongside the access and to the north-west of the site, alterations to the proposed elevations and floorplans and re-instatement of the emergency service access to the north west. As these alterations were consistent with the outline approval and have been fully re-consulted on a new application was not required.

2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
16/03061/OUTMAJ	Outline planning application for up to 100 dwellings, public open space and landscaping, with all matters reserved except for the access to the A338.	Approved 30 November 2017

3. Procedural Matters

- 3.1 Outline application 16/03061/OUTMAJ was screened against the EIA Regulations and a screening opinion was issued stating that the proposed development was not EIA

development and that therefore an Environmental Statement was not required. This screening opinion was given in specific relation to the EIA Regulations and without prejudice to any environmental considerations that might be material to consideration of a planning application for development on the site.

- 3.2 A site notice was displayed on the 28th June 2019 with an expiry date of 1st July 2019 in two locations, alongside the access to the public right of way on Priory Road, and alongside the site access on Silchester Road. An advertisement was published in the local press on the 4th July 2019.
- 3.3 The proposed works would attract payment of the CIL. This matter is to be addressed under separate correspondence with the developer.
- 3.4 A number of queries have been raised regarding the validity of the original submission, prior to its amendment due to the significant reduction in developed area of the site. Your officer notes that while permission 16/03061/OUTMAJ approved the access to the site it did not approve the layout or scale of development, as both of these were matters reserved. Therefore as this application was submitted for up to 100 dwellings, and addressed the reserved matters of permission 16/03061/OUTMAJ, irrespective of the proposed layout, your officer's view is that the application was have been submitted in a valid form whereby it can be determined in accordance with the relevant material planning considerations, including compliance with local and national policy.

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Parish Council:	<p>Object:</p> <ul style="list-style-type: none"> • Over development or overcrowding of the site as the proposal is out of character with the area; • Negative/adverse visual impact of the development particularly on the landscape and or locality; • Detrimental effect of proposed development on the character of the local area (in the AONB); • The proposed development by reason of its size, depth, width, height and massing would have an unacceptably adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area by reason of overlooking, loss of privacy and visually overbearing impact; • With a note that the reserved matters should signify a variation of the outline planning. <p>(Case officer's note: Comments made on original submission and prior to receipt of amended layout.)</p>
WBC	I am satisfied with the responses given. Aspects such as the preference for a footway along the shared surface streets cannot be

<p>Highways:</p>	<p>insisted upon and so these are accepted.</p> <p>Swept paths have submitted detailing the Council's refuse/recycling vehicles can manoeuvre within the site have now been provided.</p> <p>An amended car parking layout has been submitted. 236 driveway spaces are now proposed.</p> <p>Cycle storage details are conditioned.</p> <p>Given these amendments, the highway recommendation is for conditional approval.</p> <p>Conditions recommended in respect of electric vehicle charging points, construction method statement, access construction, layout and design standards, provision of visibility splays, parking and turning and cycle storage provision.</p>
<p>Landscape consultant:</p>	<p>The purpose of this landscape consultation was to assess the proposal against the reserved matters of appearance, landscaping, layout and scale and also assess the Landscape and Visual Impact Review.</p> <p>The original LVIA was based on the proposals as submitted within the outline planning application for up to 118 houses, with a landscape masterplan showing an area proposed for development which extended across to the school boundary within the east. The new proposal is for 100 houses in a reduced area only occupying the western area of the site (about 60-65% of the allocated site). As only 60-65% of the site is being developed the allocated housing number should be around 60-65 and not 100. The site is set within the North Wessex Downs AONB. As stated within ADPP5, new development will need to conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness. Development will need to respond positively to the local context and respect identified landscape features and components of natural beauty. Due to the higher housing density, the development has not been able to comply with these objectives resulting in a generic urban style development which fails to enhance local character, distinctiveness in this semi-rural location within the AONB.</p> <p>Policy HSA18 details a list of guidelines and parameters for this allocated housing site. The proposed Planning Layout drawing has not been developed in accordance with these, leading to a style of development which includes landscaping, layout and scale which also are not in line with the objectives or guidance for this area of the North Wessex Downs AONB. The LVIA was originally undertaken for the whole site, for reasons stated under section H5, the revised LVIA Review also fails to provide accurate information.</p> <p>Policy CS14 considers design principles, stating that... new development must demonstrate high quality and sustainable design that respects and enhances the character of the area. Additionally, the policy states that... Development shall contribute positively to local distinctiveness and sense of place. Policy CS19 also considers the conservation and enhancement of the local Landscape</p>

	<p>Character Areas of West Berks. The proposals include a development of a generic quality and of a higher density which has not met the designs standards which would respect and enhance the character of North Wessex Downs AONB. As the development has failed to provide a suitable entrance, woodland buffer along the southern edge or mitigate the PRow successfully, there will also be a greater visual intrusion on the adjacent undeveloped AONB than at present.</p> <p>The proposal is therefore contrary to the NPPF. It is also contrary to local plan policies CS14, CS18, CS19 and ADPP5 as stated above.</p> <p>(Case officer's note: Comments on original submission and prior to receipt of amended layout. Full comments available to view on the Council's website.)</p>
<p>Planning Policy:</p>	<p>The site is included as an allocation for approximately 100 dwellings within the HSADPD, so the principle of development is acceptable in policy terms. Nevertheless, specific proposals for the site must still comply with the development plan and the requirements for the development of the site are set out in policy HSA18 and policy GS1 of the HSADPD.</p> <p>You specifically requested comments on the proposed layout and density of the proposals.</p> <p>The development plan is absolutely clear that as the site lies within the AONB, development should be genuinely landscape led, respond positively to its local context and conserve and enhance the AONB. The developable area of the site allocated in the HSADPD has therefore been informed by the recommendations of the 2011 Landscape Sensitivity Assessment (LSA) and Policy GS1 makes clear that the final capacity, development design and layout of the site will be further informed by a more detailed LVIA. In any reserved matters application the recommendations of the 2011 LSA should therefore inform the more detailed LVIA submitted. The decision taker would need to satisfy themselves that any submitted LVIA meets the requirements of policy GS1 in this respect. It is noted that a review of the LVIA accompanying application 16/03061/OUTMAJ has been submitted as part of this pre app. In my view this review does not meet the requirements of policy GS1 and a full detailed LVIA of the current proposals should therefore be submitted as part of any reserved matters application.</p> <p>Policy HSA18 states that the site will make provision for approximately 100 dwellings with a mix of dwelling types and sizes. This equates to a density of approximately 20dph. Core Strategy policies CS14, CS19 as well as HSA18 and GS1 are relevant here and regard also has to be had to Part 2 (Residential Development) of the Council's Quality Design Supplementary Planning Document (SPD). Section 1.4 of the SPD considers the relationship of new housing to the open countryside and landscape setting. Paragraph 1.4.1 comments that new development on sites close to the edge of a settlement will need to demonstrate how the inter-relationship</p>

	<p>between open countryside and development form is respected. It goes on to state that particular care and attention should be taken to protect and enhance the AONB. In addition, paragraph 1.4.3 of Part 2 of the SPD states that there should be a reduction in density on the outer edge of development. The development pattern should visually recede and soften at the edge and provide a harmonious transition using strong structural landscaping. In my view, by condensing development into a smaller area of the site, effectively increasing the density in this particular area, the submitted plans fail to respect this inter-relationship. The current proposals do not conserve and enhance the AONB and therefore would need to be reconsidered as part of any reserved matters application.</p> <p>As far as both density and layout are concerned, I also have concerns over the relationship of the submitted plans with the existing settlement. The current plans propose development covering only part of the allocated site with the eastern area currently 'reserved for farmland'. Regard needs to be had to the relationship of this area with the existing settlement to the north and school to the east. As part of an allocated site this area now lies within the settlement boundary of Hungerford and so the principle of development in this area 'reserved for farmland' is acceptable in policy terms. The long term role of this area therefore needs to be much more clearly set out as part of any reserved matters application. I would draw your attention to Policy GS1 which makes clear that 'each allocated site will be master planned and delivered as a whole to achieve a comprehensive development that ensures the timely and coordinated provision of infrastructure, services, open space and facilities. A single planning application will be submitted for each allocated site, either an outline or full application, to ensure this comprehensive approach to development is achieved'.</p> <p>(Case officer's note: Comments on original submission and prior to receipt of amended layout.</p>		
Environmental Health:	I have reviewed the above planning application and have no comments to make.		
Housing:	<p>Thank you for your memo regarding the above proposed development, and please find my response on a without prejudice basis.</p> <p>The National Planning Policy Framework strongly supports the delivery of affordable housing that meets a recognised housing need in the District. The Council's policy for affordable housing provision is set out in CS6 of the West Berkshire Local Plan 2006-2026. It enables the authority to seek affordable housing either on site or as a financial contribution in lieu of on-site provision on sites of 5 units or more. The contribution levels for affordable housing are as follows:</p> <table border="1" data-bbox="502 2004 1289 2049"> <tr> <td data-bbox="502 2004 826 2049">5 to 9 dwellings</td> <td data-bbox="826 2004 1289 2049">20% affordable housing</td> </tr> </table>	5 to 9 dwellings	20% affordable housing
5 to 9 dwellings	20% affordable housing		

10 to 14 dwellings	30% affordable housing
15 or more units or 0.5 ha or more	30% affordable housing on brownfield sites or 40% on greenfield

This contribution is rounded up or down to the nearest whole unit.

The Planning Obligations Supplementary Planning Document (SPD) was formally adopted by the Council on the 11th December 2014. This provides guidance to landowners, developers and West Berkshire residents about the use of developer contributions after the implementation of the Community Infrastructure Levy (CIL). It sets out the Council's policy to securing affordable housing contributions and it states that affordable housing should be provided on site unless there are exceptional circumstances, or where alternatives, such as replacement provision on a separate site would better meet the Council's strategic objectives. The Planning Obligations SPD applies to planning applications or appeals determined on or after 1st April 2015.

Any request for a diversion from this policy should be accompanied by an open book viability assessment.

In accordance with the CIL Regulations 2010 (as amended), the element of any development which is deemed affordable (in accordance with the West Berkshire Core Strategy) will be eligible for relief from paying CIL, together with a proportional element of any communal areas forming the development.

The Government currently states that the provision of affordable housing will remain within the Section 106 regime. Requirements to deliver affordable housing will be determined during the planning application process and secured through a Section 106 legal agreement, to be completed prior to determination of the planning process. The full cost of providing affordable housing on site (in accordance with our policy) was taken into account of when setting our level of CIL.

Further details can be found within paragraphs 49 to 54 of the CIL Regulations 2010 (as amended).

The developers are proposing 100 dwellings on this site, and as this is greenfield land, 40% of all dwellings on site are required for affordable housing provision, which equates to 40 units. The Design Compliance Statement indicates an intention to deliver in line with this policy and that 40 units will be delivered, however the proposed mix differs from our identified need in West Berkshire, as summarised in the table below:

Bedroom size	100 new homes					
	WB Housing Need				Bewley Proposed	
	SHMA %	Units required	Social Rent	Shared ownership	Social Rent	Shared ownership
1 bed	30-35%	12-14	8-10	4	4	0
2 bed	30-35%	12-14	8-10	4	12	6
3 bed	25-	10-12	7-8	3-4	12	6

	30%					
4+ bed	5-10%	2-4	1-3	1	0	0
totals		40	28	12	28	12

Due to changes in Government policy, which dictates we must now provide smaller properties for affordable housing, predominantly 1 and 2 bed, due to the number of applicants on the Common Housing Register and SHMA data requirements.

The SPD states the affordable housing should consist of 70% social rent and 30% intermediate housing options such as shared ownership. We therefore require 28 units for social rent, and 12 units for shared ownership, and the developers are proposing to deliver in line with this.

It is an expectation that the affordable housing units should be pepper-potted in blocks of no more than 5. In order to keep service charges to a minimum, it is preferable to have any affordable housing flats situated in a separate block, or where this is not possible, to be located in a part of the block with its own core and entrance.

The Council will assess all affordable housing development proposals against the Nationally Described Space Standards (updated March 2015), as tabled below:

Number of Bedrooms (b)	Number of bed spaces (persons)	1 storey dwelling (m²)	2 storey dwelling (m²)	3 storey dwelling (m²)
1b	2p	50	58	
2b	4p	70	79	
3b	6p	95	102	108
4b	8p	117	124	130

To ensure the dwellings are suitable for future occupants, all two bedroom dwellings should provide a minimum of 4 bed spaces, 3 beds should provide a minimum of 6 bed spaces, and 4 should provide a minimum of 8 bed spaces.

The Council recommend that all affordable housing dwellings should be developed to Lifetime Home Standards and conform to the latest Design and Quality Standards published by Homes England, to ensure that they are readily adaptable for those with additional needs.

The Council also encourages developers to consider sustainable features and methods of construction to reduce energy consumption and conserve resources.

Please note that the SPD requires all affordable housing on planning gain sites to be delivered with nil pub subsidy. Developers are expected to make full provision for nil grant affordable housing on all qualifying planning gain sites and pay due consideration when

	negotiating the land value of a site.
Waste Management:	No comments received by date of writing.
Ecologist:	No comments received by date of writing.
Public Rights of Way:	No comments received by date of writing.
Rambler's Association:	<p>The Ramblers Association wish to make the following comments regarding the amended plans within the above Planning Application.</p> <p>The applicant acknowledges that the public Right of way has to be retained throughout the site (Hungerford footpath31). It does not however state whether the path is to be retained as a grassy path or become tarmacked.</p> <p>Nor does it explain how traffic calming measures will be undertaken to ensure the walking public can cross the shared surface street 3 safely.</p> <p>To the East of plots 65, 66, and 67 there appears to be a "dog leg" in the route and therefore is different to the definitive line this would require a diversion order and recorded onto the definitive map and statement.</p> <p>According to the Amended Planning statement in the section headed Access/Highways, paragraph 3.13 it states that "Further pedestrian access will be available on the Northern boundary leading to Priory close" This requires an explanation as Priory Close is not near the site.</p> <p>The Ramblers Association ask the developer to answer the above problems.</p>
SuDS:	<p>We have reviewed the information submitted for the above application and note that there is no information with regards to the drainage system. We understand that the application was granted Outline Approval within application 16/03061/OUTMAJ with Condition 8 relating to SuDS and drainage issues.</p> <p>We therefore have no comment to make on the current application and await the submission of information pertaining to Condition 8 of the Outline Application.</p>
Crime Prevention Adviser:	<p>Thank you for consulting me on the above planning application. I have reviewed the submitted plans and documentation and analysed the crime statistics.</p> <p>Unfortunately there are aspects of the design that could be problematic in terms of crime and anti-social behaviour, therefore at this time I am unable to support the application. However these concerns could be addressed with suitable amendments to the</p>

submitted plans.

I make the following comments.

- The far corner of the amenity land neighbouring plot 20 is vulnerable to crime and ASB. There is limited surveillance into this area due to the positioning of the garage for plot 20, reliant on visibility from plot 18. The angle of the rear fence for plot 45 potentially provides a recessed area.

I ask that the rear boundary line of Plot 45 to be amended as above and that plans submitted and approved prior to planning permission being granted.

- **Rear Courtyard Parking**
A rear courtyard is present in the middle of the development lacking surveillance whilst having a high level of permeability. Rear courtyards are problematic in terms of anti-social behaviour providing an area of questionable ownership with no active surveillance present to deter those intent on criminal activities and generally become unkempt areas. They provide easy access to the vulnerable rear elevations (in this case 13 plots) the point of entry for the majority of burglary offences. The risk of crime and ASB is exacerbated by the splayed fence line which produces recesses within the courtyard out of sight of passing casual surveillance. The close proximity of the public footpath through the centre of the site provides easy access and a high level of anonymity both of which would further assist an offender.

Ref. Secured By Design New Homes – Section 16.3 – 16.4

Plots 65 and 67 are particularly vulnerable with three elevations easily accessible due to the pathway located along the rear boundary treatment providing an additional route into the courtyard.

I ask that amendments are made to the submitted plans and that these are approved prior to planning permission being granted.

- **Footpaths**
There are two footpaths that provide access to the eastern side of the development. These are in close proximity of one another and could produce a high level of anonymity. Whilst it is appreciated that this will allow occupants to connect with the neighbouring school and fields they provide a high level of permeability to the site which could assist those intent on crime and anti-social behaviour.

Plots 97 – 95 are particularly vulnerable. The footpaths are located either side of these plots potentially undermining the defensive space for these dwellings. The occupants are unlikely to provide guardianship or surveillance due to the level of activity and anonymity undermining their confidence and ability to identify suspicious persons or activity.

	<p>The footpath located between plots 97 and 98 is narrow, with limited surveillance and located between high side boundary treatments. During school opening and closing times it is likely to have sufficient legitimate usage to safeguard this area however at other times this has the potential to attract crime and ASB.</p> <p>Amalgamating the two footpaths could ensure a higher level of legitimate usage throughout the day with a mix of activities capable of safeguarding the route from crime and anti-social behaviour. Positioning a single wider route would help to reduce the fear of crime, ensure appropriate surveillance is present providing a safer connected route that would not undermine the defensive space of the neighbourhood.</p> <p>I ask that plans are amended and approved prior to planning permission being granted.</p>
--	--

Public representations

- 4.2 Representations have been received from 18 contributors, 1 of which supports, and 18 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised in objection:
- Concerns regarding condensing the approved development of 100 houses onto only a part of the allocated site and the level of deviation from the indicative drawings that accompanied the outline permission;
 - Impact on the character of the surrounding landscape and the setting of the AONB;
 - The potential for future applications for additional development if part of the site is left undeveloped;
 - Concerns regarding the density of housing proposed;
 - Lack of landscape screening, particularly for existing development to the north-west;
 - Increase in traffic;
 - Overlooking of dwellings to the north-west;
 - Impact on the outlook of existing dwellings to the north-west;
 - Lack of an accompanying environmental study (case officer's note: Please see 3.1 above);
 - Lack of sufficient parking provision;
 - Lack of sustainable energy technology - e.g. solar panels, electric car charging points;
 - Concerns regarding the validity of the application due to an effective reduction in the developed area of the site;
 - Fails to meet the criteria of Policy HSA18;
 - Contrary to the NPPF which states that major development in the countryside should only be allowed in exceptional cases;
 - Application should be accompanied by a full landscape and visual impact assessment;
 - Lack of access to agricultural land to the west of the site;

- Impact of 100 houses on local services and amenities;
- Lack of views through the development;
- Concerns the decision to grant outline planning permission for development of 100 dwellings on the site;
- Requests that a fresh full planning application is submitted;
- Concerns regarding the impact on existing services and amenities in Hungerford.

4.4 The following issues/points have been raised in support:

- The amended layout is accordant with the details approved under the outline permission;
- The amended proposed works are a comprehensive development of the whole site;
- The amended density of the development is appropriate to the rural edge location in the AONB;
- The amended proposals are for a more informal layout which is appropriate for the edge of settlement location.

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS1, CS5, CS6, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies GS1, HSA18, C1 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS5, OVS6, TRANS1, RL1 and RL2 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- The Hungerford Town Plan (Refresh 2013)

5.3 Other matters: Hungerford has been designated as a Neighbourhood Plan Area. At present the Hungerford 36 Neighbourhood Plan is at an early stage of preparation and as such carries limited weight at the time of consideration of this application, although the weight attributed to this plan may increase in future as the plan progresses through the stages of preparation and adoption.

6. Appraisal

6.1 The main issues for consideration in this application are:

- The principle of development;
- Impact on the character and appearance of the AONB and surrounding landscape;
- Design, scale and landscaping;
- Housing mix;
- Impact on neighbouring amenity and the amenity of future occupants;
- Highway safety and parking provision;
- Ecological impacts.

Principle of development

6.2 The application site lies within the defined settlement boundary and is situated in the North Wessex Downs Area of outstanding Natural Beauty. The proposed works are for 100 new dwellings on the site, which constitutes a major development type. The NPPF identifies the AONB as a protected landscape and states that major development shall only be allowed in the AONB where exceptional circumstances exist to justify it. In this case the principle of development of up to 100 houses on the site was established when the site was allocated under Policy HSA18 of the Site Allocations DPD which followed on from a review of housing need in West Berkshire by allocating sites to meet that exceptional need for new housing. As such the proposed works are accordant with the established principle of development. Outline planning permission reference 16/03061/OUTMAJ (*the outline permission*) granted permission for development of up to 100 dwellings. Under that permission and subsequent discharge of conditions access to the site was approved, while layout, design, scale and landscaping for the site were to be considered under a subsequent reserved matters application.

6.3 Policy HSA18 requires that the development of the site meets with certain criteria. As noted by both the policy officer and landscape consultant in their respective consultation responses, the initial submission, which sought approval for a layout that condensed all 100 houses subject of the allocation onto the western two-thirds of the site, was not considered to meet with the majority of these criteria, and particularly in terms of landscape impact in light of the rural fringe location of the site and density of housing proposed. This matter has been raised in a number of objections to the proposal and by the Town Council in its consultation response. Following discussions with officers and feedback from the policy officer and landscape consultant a revised set of proposals re-distributing housing across the entire site has been submitted. These proposals have been reviewed by officers and are considered to meet the detailed criteria set out in Policy HSA18 and are discussed in greater detail in the sections on landscape impact and design below. In light of these considerations the amended scheme is considered to meet with the requirements of policy in terms of the principle of development.

Impact on the character and appearance of the AONB and surrounding landscape

6.4 The indicative layout submitted with the outline permission shows development distributed across the site in a loose and less formalised layout. The initially submitted layout condensed this development of 100 houses onto a smaller developed part of the site utilising a formalised “village green” style layout. The landscape consultant assessed this layout and considered that it would result in an urbanising impact on the character of the landscape in this part of the AONB, which is a rural fringe location, and as such would detract from landscape quality and the setting of the AONB, contrary to both the NPPF and local policies, specifically Policies CS14, CS19 and HSA18. Furthermore it was considered that this proposed layout would fail to comply with the specific criteria set out under Policy HSA18 in that it failed to create an adequate buffer to define the edge of the settlement, the design would not enhance the gateway approach into Hungerford or respect the site’s semi-rural location, that due to the

pattern, linearity and density of the layout it would fail to retain views through the site to the wider landscape, and that the proposed layout had not been sufficiently informed by the findings of the previous Landscape Visual Impact Assessment (LVIA).

- 6.5 Following discussions with officers the applicants submitted a revised layout that distributes the proposed 100 houses across the entire length of the site area in more of a sparse, informal pattern. Blocks of dwellings are reduced and more integrated open space is introduced to break up the impression of built form, allowing views through the development, and in particular reducing the intrusion of building lines alongside the public right of way, the key public viewpoint and pedestrian transition through the site from north to south. Roads are configured around a meandering central road design serving cul-de-sacs throughout the development and similarly to the indicative outline layout allowing the development to adopt a less formal and lower density pattern that responds to its semi-rural location.
- 6.6 In considering this revised layout your officer has taken account of both the criteria of Policy HSA18 and the comments from the landscape consultant, and is of the view that the proposed layout will respond appropriately to the transitional character of the landscape between the suburban edge to the north and the wider rural landscape to the south. Such views as are available from outside the site will be softened by the new landscaping and will be broken up by the gaps in building lines that permeate the blocks of the proposed development. As such you officer is satisfied that the proposed works have taken sufficient account of the pattern of development and the character of the surrounding rural landscape so as not to result in a detrimental impact on the character and setting of the AONB or the quality of the local landscape.

Design, scale and landscaping

- 6.7 As the road layout has been altered to provide a more natural and less regimented form it will provide an attractive transition through the development, allowing the retention of a generous setback from Salisbury Road and softening of views into the development by the vegetation and green space to the west. The layout effectively divides the development into a pattern of six smaller blocks of development within the site delineated by the pattern of roads and open space/landscaping, with a high level of pedestrian permeability facilitated by footpath connections to the existing public right of way and along the south of the site, as well as providing a link through to the John O'Gaunt school site for potential future connection to the school grounds as required by Policy HSA18.
- 6.8 Strong structural landscaping is proposed to delineate the site's boundaries, and additional landscaping is proposed to the north west of the development in order to break up the built form between the site and the existing recent development of Kennedy Meadows. The revised layout has been designed with reference to feedback from officers and in particular the advice of the landscape consultant, and the previous LVIA for the outline permission. Open space throughout the site will contribute to the semi-rural qualities of the development and visual continuity throughout. The retention of existing woodland to the west alongside the access, along with new planting alongside the road frontage will provide a green gateway into the development, with dwellings set back to the north of the new access and addressing the new access road to the south. The development then follows the pattern of the access road with secondary roads limiting and defining the size of the housing blocks, which narrow to the east of the site, incorporating more open space alongside the northern boundary, thereby allowing more open views from the public right of way and the intervention of less built form within those views.
- 6.9 In terms of scale, the predominant character of the development is one of conventional two storey dwellings rather than incorporating larger blocks of apartment dwellings.

While some terraces have been included in the design the density has been kept to the same level as shown in the indicative layout submitted at the outline application stage, less than 30 dwellings per hectare, although the larger plots are mainly situated to the east where higher landscape sensitivity due to the gateway views from Salisbury Road indicates that a more generous spacing between plots is required. Your officers consider that the scale of the proposed dwellings, with roof heights of between approximately 8.3 and 9.3 metres is appropriate in responding to the pattern of nearby development on the suburban fringe of Hungerford.

- 6.10 In terms of design the proposed works incorporate a variety of house design types that borrow from styles within the surrounding vernacular. These utilise features such as half hipped roofs, mixtures of render and brick, timber framed gables, hung tiles with pattern brickwork, bay windows and external porches to add interest to the street scene. The palette of materials is of both a traditional appearance and good quality with a mixture of brick and tile types and sympathetically chosen materials that reflect traditional house building and high quality design. The proposed dwellings are not of a size or character to appear intrusive in their surroundings and are considered by officers to reflect a sympathetic design ethos within the sensitive landscape of the AONB.
- 6.11 Your officer notes that objections to this application raise concerns in respect of sustainable construction and energy efficiency with a view towards climate change considerations. Such matters are certainly an important concern in terms of modern house building and in light of the Council's declaration of a Climate Change Emergency. The Hungerford Town Plan refers to requiring compliance with best practice for energy and resource efficiency and compliance with Code for Sustainable Homes level 6, which is also a requirement of Policy CS15 of the Core Strategy. However, officers note that since the Government discontinued the Code for Sustainable Homes in 2015, setting out that the requirements for compliance with the Code under Policy CS15 could no longer be imposed on new developments the Council has not had a policy requirement for the integration of a formalised scheme of sustainable construction and sustainable energy technology in new development, or guidance on the requirements for such measures to be implemented into new housing. Furthermore, many of the construction requirements previously specified under the Code, such as insulation methodology, roofing and fenestration and provision of energy efficient technology and appliances, have been incorporated into the Building Regulations that house builders have to comply with, thus improving the sustainability of construction quality and establishing a threshold of "best practice" as was the Government's intent when integrating these requirements. Both the policies of the statutory development plan and the recommendations of the Hungerford Town Plan are silent on other measures by which to test either the energy efficiency or constructional characteristics of new housing development. It is, however, notable that Policy P1 of the HSADPD requires the provision of electric vehicle charging points, which is set to be an important issue in future-proofing new development and transitioning to more sustainable modes of power and fuel in the short term. A condition of the outline permission requires that electric vehicle charging points are provided. In respect of other constructional matters your officer's view is that without a policy or guidance to clarify what sustainable construction measures are to be integrated within new housing developments, and with the building regulations already addressing this matter, such concerns should not constitute a reason for the refusal of this application.
- 6.12 The Rambler's Association have raised queries in respect of the surfacing and crossing points of the section of the Public Right of Way that crosses the site. Your officer notes that the drawings indicate hard surfacing throughout the length of the right of way within the site, with tactile paving at the crossing point over the main street. Comments in respect of the diversion of the approved route of the PROW are also noted. The rights of way officer has not commented on this application, but legislation related to public

rights of way and diversion orders is not a planning matter and therefore is not a consideration in this application.

- 6.13 The crime prevention adviser has noted concerns in respect of some spaces within the site, and in particular the footpath to the east which is a requirement of Policy HSA18, linking the site to John O'Gaunt School. Therefore a condition is recommended to require that this footpath remains stopped up until such a time as a footpath link to the east has been agreed between the landowners. The response also refers to some minor matters in terms of plot layout which have been referred to the agent for alteration and will be addressed in the update to the Committee. However, in respect of concerns raised in respect of a parking court to the rear of plots 56 to 71 this matter has previously been raised with the agent, but is retained in the drawings. Unfortunately your officer notes that in order to achieve a sufficiently loose layout of development, some concessions do have to be made, and it is hard to envision how this amount of parking could be provided in another manner without resulting in larger amounts of parking predominating and urbanising the southern street scene. Therefore on balance your officer is satisfied that the benefits of the proposed layout in terms of achieving the objectives of Policy HSA18 and preventing an adverse and urbanising impact on the surrounding rural landscape are sufficient to outweigh security concerns associated with parking courts.
- 6.14 In light of the above considerations the proposed works are considered to meet with the requirements of Policy HSA18 in respect of design, layout, scale and landscaping, and to comply with the guidance of the NPPF and Policies CS14 and CS19.

Housing Mix

- 6.15 The housing officer has identified some concern with the proposed mix of affordable housing on the site, and in particular the levels of provision of 1 bedroom dwellings (under-provision) and 3 bedroom dwellings (over-provision). While it is understood that the Council's SMAA has identified a need for more 1 bedroom units in this area, the requirements of Policy HSA18 are for a very low density of development, and it is your officer's view that seeking to significantly alter the proposed mix of affordable housing would result in the need to alter the layout in such a manner as would ultimately be likely to lead to an increase in housing density on some parts of the site, resulting in an urbanising impact that would detract from the qualities of spaciousness and generous plots that are beneficial to the location of the site within this part of the AONB. It is noted that the tenure split of 28% social rent and 12% shared ownership is agreed through the Section 106 agreement associated with the outline permission, and as such has not altered. Consequently on balance your officer is satisfied that the proposed mix of affordable housing would not result in a reason for refusal in this case, and that the proposed affordable housing will contribute towards addressing the high level of affordable housing need in the District.

Impacts on neighbouring amenity and amenity of future occupants

- 6.16 Concerns have been raised in respect of the impact on neighbouring amenity. The majority of these related to the originally submitted layout and particularly along the north-western boundary, where a number of the dwellings were orientated with a back to back relationship with dwellings along Kennedy Meadows. During discussions regarding the amended plans officers were able to raise these concerns, and in re-distributing dwellings across the site the applicant also sought to reduce the amount of development proposed on the northern boundary, provide an increase in landscaping in this location and re-orientate the dwellings so that those along the north-western boundary have a side on relationship with dwellings to the north.

- 6.17 Concerns have also been raised in terms of the impact on views from dwellings to the north of the site. While it is acknowledged that in allocating the site for the development of up to 100 houses, and in subsequently granting outline planning permission for these works a certain amount of impact on neighbouring views was accepted it is also acknowledged that the outlook of dwellings along the northern boundary of the site will be altered. Nevertheless, officers have reviewed the drawings and are satisfied that none of the relationships between existing and proposed dwellings will entail significant overshadowing or overbearing impacts such as would result in a detrimental impact on neighbouring amenity. Furthermore, the spacing of dwellings on the site will allow some views through the site to open countryside to be retained, both within the development and from the first floor windows of neighbouring properties. Nevertheless, it accepted that the outlook of existing dwellings will be altered, and your officer's view is that this alteration to outlook will not result in sufficient impacts on the amenity of neighbouring occupants as to have been unforeseen at the aforementioned phases of allocation and consideration of the outline permission or to result in a significant and detrimental impact on the amenity of neighbouring occupants.
- 6.18 In terms of amenity standards for the future occupants of the development, officers have examined the submitted details and note that while a few of the proposed dwellings fall slightly short of the recommendations of the Quality Design SPD in terms of garden size, gardens are laid out in such a manner as to provide a usable and functional space for family activities. The site provides generous areas of open space and a scheme of high quality landscaping as well as linking into the recreational public rights of way network. Concerns have been raised in respect of the provision and maintenance of open space and landscaping on the site. In regard to these matters conditions are recommended requiring the provision of a timetable and details of open spaces including play equipment and details of open space management, to ensure that open space is provided and maintained for the benefit of residents. Conditions recommended by the tree officer secure the provision and maintenance of all specified landscaping for a period of fifteen years, which is considered appropriate in order to allow the landscaping to establish itself. In light of these considerations the proposed works are considered to provide for the amenity of both existing and future occupants in accordance with the requirements of the NPPF and Policy CS14 of the Core Strategy.

Highway safety and parking provision

- 6.19 The principle of the access from Salisbury Road onto the site was established under the outline permission and its delivery is secured under the provisions of both that planning permission and a Section 278 highways legal agreement. As such the highways officer is satisfied with these works. In respect of parking provision an amended parking strategy was provided and the highways officer has confirmed that this provides a level of parking compliant with the requirements of Policy P1, and as such is acceptable. Therefore no objections are raised in respect of matters of highway safety or parking provision.

Ecological impacts

- 6.20 Your officer notes that the ecological survey accompanying the outline permission made reference to the value of existing trees surrounding the site in terms of biodiversity, and recommended the retention of as much of this existing vegetation as possible. The proposed works concentrate development away from the edges of the site, providing good buffers that would retain the majority of the existing vegetation. Details of arboricultural methodology, tree retention and reinforcements to the landscaping have been submitted as part of this application and are recommended to be secured by way of condition. Subject to the recommended conditions your officer considers that the proposed works will provide a net gain to biodiversity in securing, reinforcing and

enhancing the quality of the existing vegetation. The tree officer is satisfied with the landscaping and tree protection measures set out in the amended scheme and has recommended conditions accordingly.

- 6.21 While the Council's ecology officer has not commented on the submitted ecology information your officer notes the content of the preliminary ecological appraisal that accompanies the application, and its recommendations that Phase 2 surveys are submitted in respect of breeding birds, dormice and reptiles. However, the phase 1 survey does not raise any concerns in respect of the accomplishment of suitable mitigation being provided through the works. Therefore your officer is satisfied that subject to a condition requiring the submission of the Phase 2 surveys recommended along the northern boundary, and an accompanying scheme and timetable of works for providing mitigation the proposed works would not result in an undue impact on ecology or biodiversity.

Other matters

- 6.22 It is noted that correspondence received in respect of this application requests that an Environmental Statement is submitted in order to examine the sustainability of the development. Your officer notes that this application was screened against the Environmental Impact Regulations at the outline stage and that it was determined that it was not EIA development requiring an Environmental Statement. Furthermore, your officer notes that this is not the function or purpose of the EIA Regulations, which are directed towards examining the strategically significant environmental impacts of EIA development as set out under the schedules of the regulations, rather than whether a non-EIA development uses sustainable technologies in its construction. The Town and Country Planning Act 1990 and the NPPF are both clear in requiring that a planning application is considered against the relevant environmental impacts and other material concerns, and that the starting point for considering a planning application is the policies of the local development plan.
- 6.23 Objections to this application have raised concerns in terms of the impact on local services and amenities. Infrastructure provision is addressed through the CIL and has been assessed when allocating the site for housing development.
- 6.24 Matters relating to provision of the access, controls on hours of work, construction management, archaeology, drainage, internal road and footpath layout, fire hydrant provision, SuDS, water supply infrastructure, storage of refuse and recycling, cycle storage, electric vehicle charging and provision of a travel plan for the site are controlled by way of conditions on the outline planning permission.

7. Planning Balance and Conclusion

- 7.1 The proposed works are considered to accord with the requirements of the National Planning Policy Framework, Policy HSA18 of the HSADPD and other relevant policy considerations. While it is acknowledged that the works will have a localised impact on the outlook of dwellings to the south of Hungerford, and will be visible in some wider views from within the AONB the proposed layout of housing is considered to be such as to relate well to its semi-rural setting on the edge of Hungerford, and not to be of such a high level of impact as to detrimentally effect the outlook or amenity of existing occupants. The proposed works preserve such aspects of the site as permeability and high levels of vegetation while providing benefits in terms of providing housing in what is considered to be a sustainable location close to the services and amenities of a Rural Service Centre (Hungerford) and addressing the need for affordable housing. In light of these considerations your officer's recommendation is approval subject to the conditions listed in part 8 of this report.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

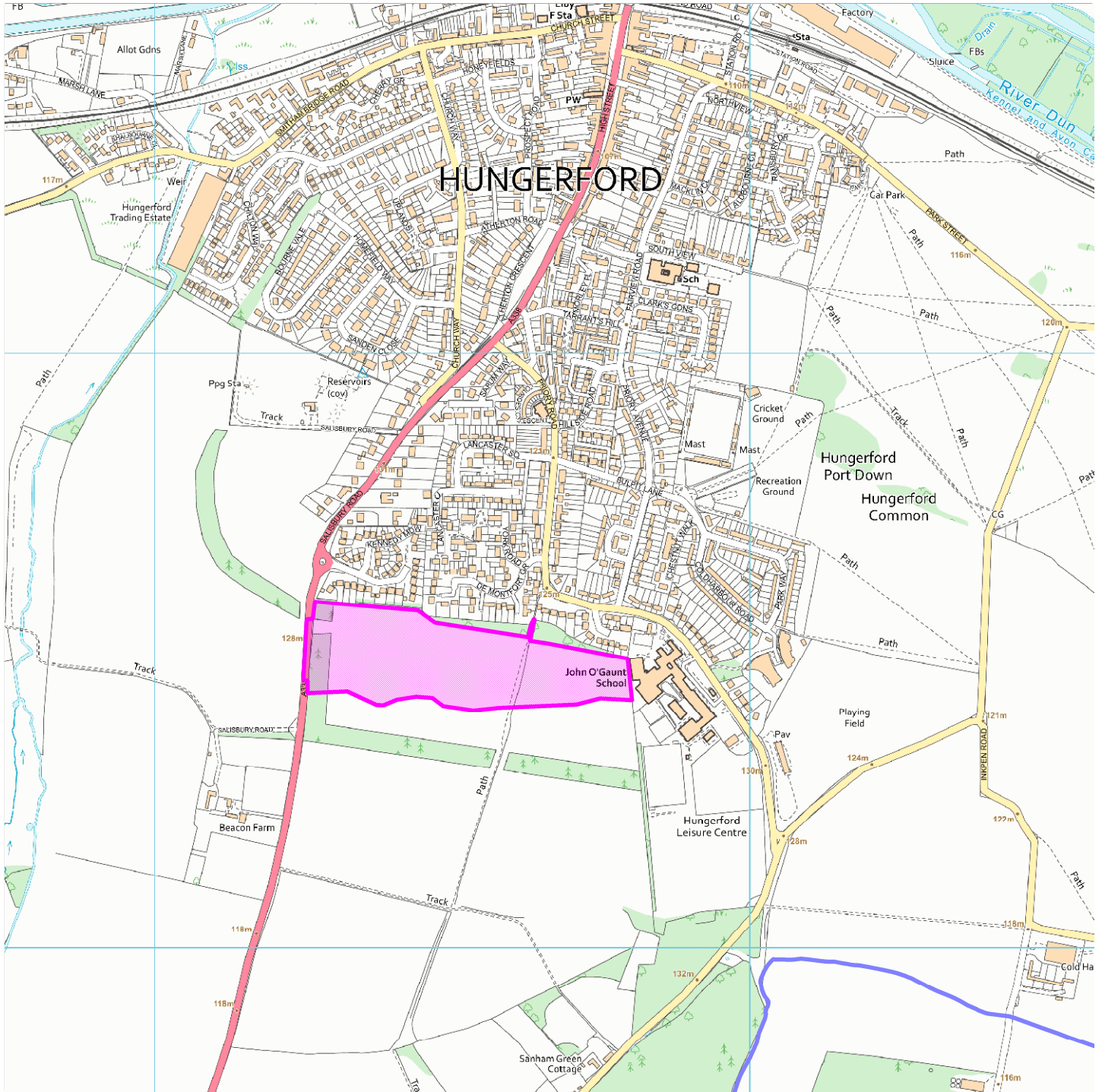
1.	<p>Link to outline permission This permission relates solely to the reserved matters referred to in Condition 2 of the Outline Planning Permission granted on 30 November 2017 under application reference 16/03061/OUTMAJ. Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that outline planning permission.</p> <p>Reason: The reserved matters cannot be considered separately from the permission to which they relate and the conditions imposed on that outline permission are still applicable.</p>
2.	<p>Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>[To be confirmed on Update Report]</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials The external materials used in the development of the approved dwellings shall be in accordance with the details shown on the approved drawings.</p> <p>Reason: In the interests of visual amenity in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.</p>
4	<p>Parking No dwelling shall be occupied until the vehicle parking and turning spaces for that dwelling 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 at all times.</p> <p>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, 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).</p>
5	<p>Ecology surveys No development, or other operations, shall take place within 5m of the northern boundary until Phase II surveys have been submitted for breeding birds, dormice and reptiles. Such surveys shall include recommendations for mitigation and improvement measures to address the impacts of development on these protected species, and a timetable for the implementation of those measures. Thereafter the development shall be carried out in accordance with the recommendations of the surveys and the approved timetable of mitigation and improvement measures.</p> <p>Reason: In the interests of the protection and enhancement of biodiversity in accordance with the requirements of the National Planning Policy Framework and Policy CS17 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.</p>

6	<p>Footpath provision Upon the provision of an access from the John O'Gaunt school site the footpath between plots 97 and 98 shall be provided in accordance with a plan to be submitted and approved in writing by the Council.</p> <p>Reason: In the interests of high quality design and pedestrian permeability in accordance with the requirements of National Planning Policy Framework, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy HSA18 of the West Berkshire Site Allocations DPD (2017).</p>
7	<p>Open space provision and management No dwelling on the site shall be occupied until details of the provision and maintenance of all open space on the site has been submitted and approved in writing under a formal discharge of conditions application. Thereafter the open space on the site shall be provided and maintained in accordance with the approved details.</p> <p>Reason: In order to ensure that the open space on the site is provided and maintained in the interests of visual amenity and the amenity of the residents of the development in accordance with the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy (2012) and Policies RL1 and RL2 of the West Berkshire Local Plan Saved Policies (2007).</p>
8	<p>No separate disposal of open space No parts of the public open space and landscaped areas within the site shown on the approved drawings shall be taken into private gardens, or shall be sold or disposed of separately from any other part of the public open space on the site.</p> <p>Reason: In order to ensure that the public open space and landscaped areas are retained, in order to mitigate the impact of the development on views from the surrounding landscape and the neighbouring public right of way, and in the interests of securing biodiversity and environmental gain in accordance with the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policies RL1 and RL2 of the West Berkshire Local Plan Saved Policies (2007).</p>
9	<p>Landscaping (scheme submitted) All landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including drawing numbers dwg no.1386 101-1-6 rev C. Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy July 2006-2026.</p>
10	<p>Landscaping implementation The approved landscaping plan dwg no.1386 101-1-6 rev.C shall be implemented within the first planting season following completion of development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority. Any trees, shrubs or plants that die or become seriously damaged within Fifteen years of this development shall be replaced in the following</p>

	<p>year by plants of the same size and species.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
11	<p>Tree Protection (scheme submitted)</p> <p>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 BEW22432-03B (Sheet 1&2) rev B dated 21/10/19. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>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.</p>
12	<p>Arboricultural method statement</p> <p>No development other than the access shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> <p>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.</p>
13	<p>Arboricultural Supervision</p> <p>No development other than the access shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> <p>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.</p>

Informatives

1.	<p>Approach of the LPA</p> <p>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.</p>
2.	<p>CIL</p> <p>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</p>
3.	<p>Access construction</p> <p>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.</p>
4	<p>Damage to verges, etc.</p> <p>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.</p>
5	<p>Section 106</p> <p>This decision to grant reserved matters planning permission is to be read in conjunction with the Section 106 Legal Agreement associated with outline planning permission 16/03061/OUTMAJ dated 30 November 2019.</p>



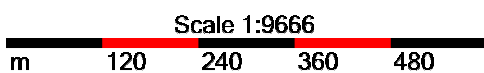
Map Centre Coordinates :

Scale : 1:9666

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2003.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings .

Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	14 November 2019
SLA Number	0100024151



This page is intentionally left blank

Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	19/02092/FULD Chieveley Parish Council	7 October 2019 ¹	Conversion of agricultural barn into 1.no four-bedroom dwelling with associated parking, turning, landscaping, private amenity space and access arrangements. Snelsmore Farm Barn, Snelsmore, Newbury, Berkshire Mr and Mrs C Percy

¹ Extension of time agreed with applicant until 29 November 2019

The application can be viewed on the Council's website at the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/02092/FULD>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to conditions

Ward Member(s): Councillor Hilary Cole and Councillor Garth Simpson

Reason for Committee Determination: The application has been called in by the local member.

Committee Site Visit: 21st November 2019

Contact Officer Details

Name: Janine Wright
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Janine.wright1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the conversion of an agricultural barn into a four bedroom dwelling with associated parking, turning, landscaping, private amenity space and access.
- 1.2 The application site is located in Snelsmore, to the north of Newbury and south of Chieveley. It is outside the defined settlement boundary and within the North Wessex Area of Outstanding Natural Beauty (ANOB). The application site is approximately 0.14 ha and forms part of the Snelsmore Farm holding. The site is accessed off an unnamed road running from Snelsmore Farm to Kites Abbey. Snelsmore Barns is located to the north east of the site.
- 1.3 The building subject to this application comprises of a metal clad barn which measures approximately 18.5 m x 9.2m and has a total footprint of 166 sq m. The barn is currently vacant and has previously been used for agricultural purposes.
- 1.4 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
17/03534/COMIND	Demolition of existing barn, and erection of replacement stock building and store; with associated parking, turning and landscaping. Use of land for the purposes of dog agility training, and creation of associated grass/all-weather arena; with associated parking, turning, and landscaping.	Approved

2. Procedural Matters

- 2.1 The application has been publicised in accordance with the Town and Country Planning (Development Management Procedure) Order 2015 with the display of a site notice for 21 days. The site notice was displayed on 3rd September and expired on 24 September 2019.
- 2.2 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations new dwellings are liable for CIL.

3. Consultation

Statutory and non-statutory consultation

- 3.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Chieveley Parish Council:	No objection
WBC Highways:	No objections
WBC Environmental Health	No objection
WBC SUDs	No comments received
WBC Waste Management	No comments received
North Wessex Downs ANOB	No comments received
Thames Water	No comments received
SUDS	No comments received

Public representations

- 3.2 Five letters of representation have been received all of which are in support of the application.
- 3.3 The full responses may be viewed with the application documents on the Council's website. In summary, the following issues/points have been raised:
- Visual improvement and added social benefits
 - Modest dwelling
 - Positive addition to the local area
 - In keeping with the scale and appearance of similar developments
 - More rational use of building

4. Planning Policy

- 4.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.
- West Berkshire Core Strategy 2006-2026 (WBCS): Policies ADPP1, ADPP5, CS1, CS4, CS13, CS14, CS18, CS19,
 - Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD): Policies C1, C3, C4 and P1
 - West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

4.2 The following material considerations are relevant to the consideration of this application:-

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)

5. Appraisal

5.1 The main issues for consideration in this application are:

- The principle of development
- Impact on Design, character and appearance of the AONB area
- Impact on neighbouring amenity
- Parking and highway

Principle of development

5.2 The application site lies outside the settlement boundary within open countryside. The site is also within the North Wessex Downs Area of Outstanding Natural Beauty. According to policy C1 of the HSA DPD there is a presumption against new residential development outside the settlement boundaries. However, policy C4 considers conversion of existing redundant buildings in the countryside to residential use. There is a presumption in favour of proposals which meet the criteria set out in policy C4.

5.3 The proposal barn is considered to be structurally sound and capable of being converted. A full structural survey has been submitted during the application process and this document demonstrates that the building is structurally viable to convert.

5.4 The building has most recently been used for agricultural purposes and now stands vacant. The applicants have stated that the building is no longer required for agricultural purposes as planning permission has recently been granted for a stock and storage building within the wider site (Snelsmore Farm). The applicants have stated that the new buildings granted under planning application reference 17/03534/COMIND would provide sufficient storage and livestock facilities for their business enterprise. As such the existing metal barn would continue to be vacant.

5.5 The proposal is located within close proximity to existing residential development, including a small development of 6 properties known as Snelsmore Barns. The barn would retain the traditional character and would be converted using materials such as timber cladding.

5.6 It is considered that the conversion of the barn to residential would not detract from the character and appearances of the landscape, particularly in this sensitive location, and

additional hedgerows and planting would be undertaken within the proposed residential curtilage to encourage biodiversity opportunities.

- 5.7 There are seven criteria set out in policy C4 of the HSA DPD and the proposal is considered to comply with the criteria listed within the policy.

Impact on Design, character and appearance of the AONB area

- 5.8 The Government attaches great importance to the design of the built environment and securing high quality design is one of the core planning principles of the NPPF. Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 5.9 Policy CS14 of the Core Strategy states that development shall contribute positively to local distinctiveness and sense of place. Policy CS19 seeks to conserve and enhance the functional components of the landscape character and environment. Particular regard will be given to the sensitivity of the area, ensuring that new development is appropriate in terms of location, scale and design.
- 5.10 The proposed would involve the conversion of the building into a residential property. The height and massing of the building would remain unchanged and the conversion would include re-cladding of the elevations and the erection of a canopy in order to make it habitable. A small garden curtilage is proposed providing a good size amenity area for future occupiers. Overall the building would continue to reflect the existing rural character.
- 5.11 Area Delivery Plan Policy 5 (ADPP5) sets out the policy for development within the AONB and states that it must conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness and tranquillity. The NPPF gives the highest status of protection for the landscape and scenic beauty of AONBs, and states their conservation should be given great weight in planning decisions.
- 5.12 The application site is located within the AONB and as such the proposal has been considered in terms of its impact and harm on the character and visual attractiveness of the AONB area. The existing barn comprises of a metal structure with corrugated roof sheeting. It is set back off the unnamed road and there are limited views of the barn from the roadside. The materials to be used in the conversion would be sympathetic to the surrounding landscape and would be characteristic of the rural location.

- 5.13 Two public footpaths are located north-east and north-west of the application site within a short distance from the site. The proposal would not be visible from these public footpaths. In addition, the proposal would only be visible from within the site or through partial views along the highway. The existing vegetation and landscaping would be retained with additional planting recommended around the perimeter of the building.
- 5.14 The proposal is capable of respecting the character and appearance of the area and would conserve the AONB. To ensure that the natural tranquillity of the AONB is preserved it is recommended that permitted development rights be restricted in order to safeguard the local amenity and to protect the scenic beauty of the area.

Neighbouring properties amenities

- 5.15 The nearest residential properties (Snelsmore Barn Complex) are located north east of the application site. The separation distance between the proposal and these nearby residential properties would not result in a loss of privacy for the neighbouring occupiers.

Parking and Highway Safety

- 5.16 Policy CS13 and P1 sets out the requirements for development which will have an impact on the highway network. The highway officer is satisfied with the parking and turning provisions and has raised no objections to the proposal subject to suitable conditions. No electric vehicle charging points have been included within the proposal and as such it would be necessary to secure this via a planning condition. Subject to the inclusion of a suitable planning condition the proposal would accord with planning policies CS13 and P1.

6. Planning Balance and Conclusion

- 6.1 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.
- 6.2 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is acceptable. The proposal accords with the NPPF, Policy ADDP1, ADDP5, CS1, CS4, CS13, CS14, CS18, CS19, Policy C1, C3, C4 and P1 of the Housing Site Allocations Development Plan Document 2006-2026.

7. Full Recommendation

- 7.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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).</p>
2.	<p>The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below:</p> <p>(i) Location Plan drawing number 190329-01 received on 2 August 2019; (ii) Design Scheme drawing number 190329-102 received on 2 August 2019 (iii) Site Plan 190329-103 received on 2 August 2019. (iv) Design and Access Statement received 12 August 2019 (v) Inspection Report of Barn prepared by JCP Consulting dated 1 October 2019.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Details of the materials to be used in the construction of the external surfaces of the dwelling and hard surfaced areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. 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.</p> <p>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 (February 2019), Policies CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006).</p>
4	<p>The dwelling hereby approved shall not be occupied 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.</p> <p>These details shall:</p> <p>I. 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;</p> <p>II. Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;</p> <p>III. 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:-</p> <p>IV. Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;</p> <p>V. Include details of how the SuDS measures will be maintained and</p>

	<p>managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;</p> <p>The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>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).</p>
5	<p>The dwelling shall not be occupied until an electric vehicle charging point (7kw minimum) has been provided. A detailed plan and specifications of the vehicle charging point shall be submitted and approved in writing by the Local Planning Authority and thereafter shall be retained and kept available for use by electric vehicles.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD.</p>
6	<p>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, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>

Informatives

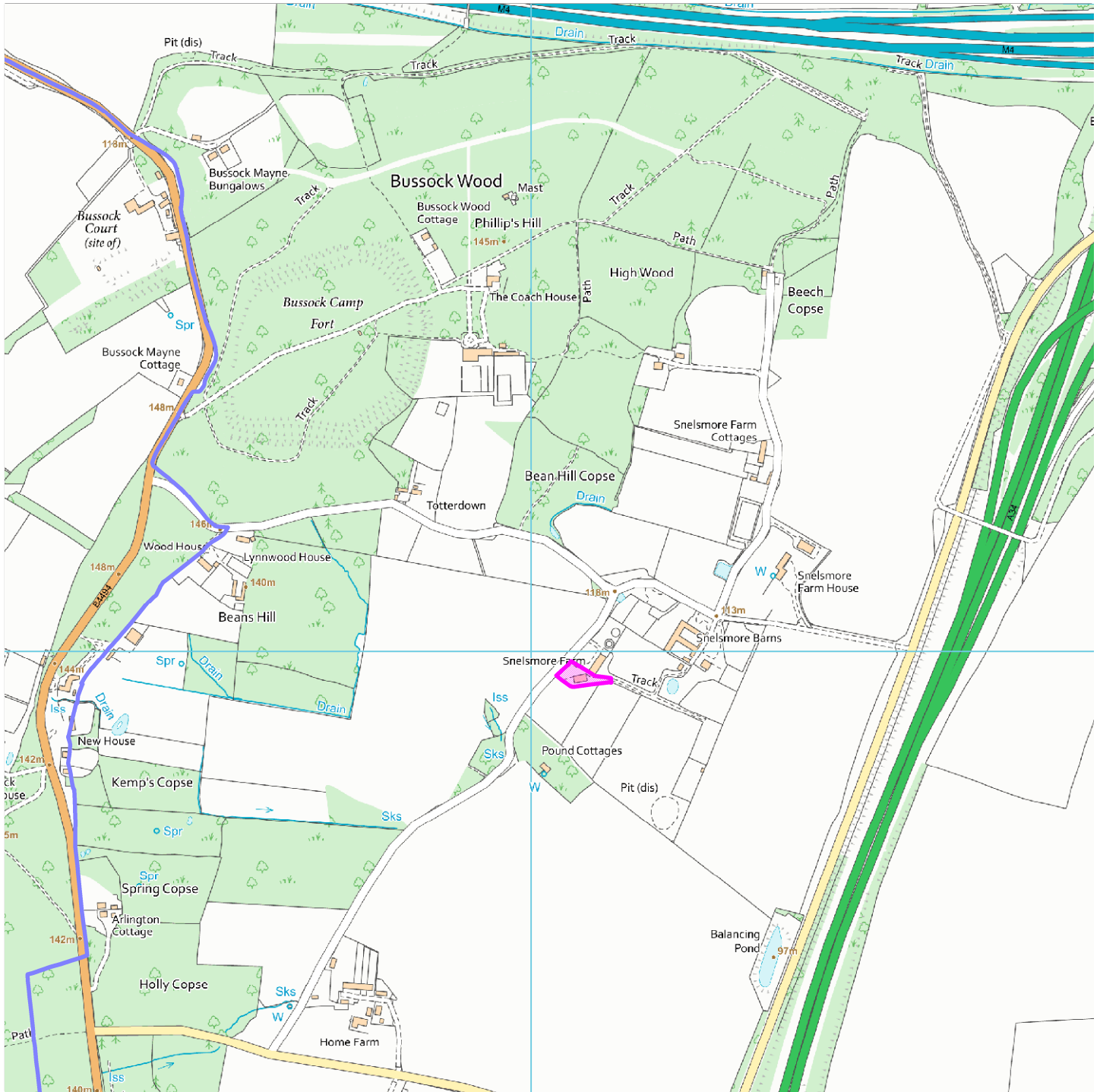
1.	<p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, 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.</p>
2.	<p>This development may results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. You are advised to submit a Notice of Chargeable Development at your earliest opportunity. A Liability Notice setting out further details, and including the amount of CIL payable will then be sent to you. 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</p>

	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

DC

This page is intentionally left blank

Snelsmore Farm, Snelsmore, Newbury RG14 3BU

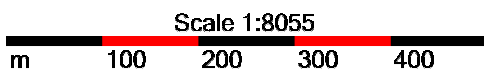


Map Centre Coordinates :

Scale : 1:8055

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2003.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings .



Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	14 November 2019
SLA Number	0100024151

This page is intentionally left blank

Agenda Item 5.

NEWBURY 19/00020/FULD Pins ref: 3231442	Land Rear Of 378 London Road Benham Hill Thatcham Berkshire	Three 1 bedroom flats.	Dele. Refusal	Dismissed 07.11.2019
--	---	---------------------------	------------------	-------------------------

Main Issues

The main issues are the effect of the development on the character and appearance of the locality, the living conditions of future occupiers and those of neighbouring occupiers.

Reasons

Character and appearance

The appeal site is an undeveloped area of land which is open on two sides and which comprises the former rear garden of No. 378 London Road, a large detached building. The site fronts onto Fir Tree Lane with the generous garden of No. 380 London Road running behind the site and it is bordered to one side by the playing fields of a neighbouring school.

This area of Fir Tree Lane around the appeal site has a spacious, leafy character due to the established planting on areas of the boundaries of the appeal site and surrounding nearby dwellings, the views through into the playing fields and the trees which border the playing area. Furthermore, on the opposite side of the appeal site on Fir Tree Lane are several detached two storey dwellings which are set back from the road with mostly open frontages, with gaps in-between the dwellings to give views behind to their generous, leafy plots. Further along the road there are three storey dwellings with flat roofs.

The proposed two and a half storey building would be arranged over three floors of living accommodation with an expanse of glazing including balconies on each level of accommodation, albeit under the sloping roof. This level of glazing would serve to draw attention to the building's height, which would uncharacteristically extend above neighbouring properties opposite, and with its steeper roof pitch, would appear incongruous when seen together with the smaller scale shallower roof pitches of the two storey dwellings opposite. In my view, this would have a resultant negative effect on the character and appearance of the immediate area, despite the appellants considering it to be sensitive and creative.

The proposed width and depth of the building would appear disproportionate to the size of the plot and would be in close proximity to its boundaries, uncharacteristically filling the appeal site and leaving little room for usable garden space. The building would appear cramped in relation to its plot and out of character with the surrounding pattern of development, and the more sparsely considered dwellings nearby which are set within generous plots. This width and depth when combined with the proposed height would introduce a dominating and visually incongruous building in this open location.

The appellants contend that the proposed development would reflect the scale and footprint of the immediate adjoining properties. However, regardless of whether or not the footprints are comparable, the Inspector found that, due to the combination of overall scale, form and massing, as well as the extent and design of the glazed elements, the proposal would have a harmful visual impact on the character and appearance of the area.

Despite the proposed use of traditional building materials, which is consistent with the guidance set out within the West Berkshire Supplementary Planning Document: Quality Design: Part Two Residential Development 2006 (SPD), it is the large areas of glazing and balconies, which whilst providing surveillance from habitable rooms and sufficient daylight for inside, would appear incongruous within the street scene, despite their orientation, and at odds

with the smaller scale traditionally proportioned window openings in the immediate area. Additionally, whilst using roof forms referred to within the SPD, such as pitched roofs and gable ends, it is the proposed combination of roof forms at a steeper pitch which would appear at odds with the simpler shallower pitched roofs opposite the appeal site. As such the development would have a harmful impact on the character and appearance of the area.

The appellant has stated that the dwellings on the opposite side of Fir Tree Lane are 'out of character with the traditional forms and materials of the district and locality'. It was also presented to the Inspector that the dwellings have shallower pitched roofs than more traditional dwellings in the locality and that if these dwellings had steeper pitched roofs then the proposed development would be comparable in its ridge height, and that this would also follow the guidance of paragraph 1.11.2 of the SPD on traditional roof forms. This states that traditional roof forms tend to have steeper pitches (in excess of 30 degrees), and a traditional approach should be applied to new development unless there are overriding reasons to create alternative forms. The Inspector noted that the proposed roof pitch is in excess of 30 degree and is therefore in compliance with this part of the SPD on traditional roof pitches. However, he considered that the proposed development would be immediately viewed in context with those dwellings opposite with shallow roof pitches, rather than any others in the locality, and therefore the proposed steeper roof pitch when combined with the building's height would appear incongruous in this case.

The appellant contends that the houses along London Road are comparable in their form and scale to the proposed development. Also, that the height of the apex of No. 378 would be similar to the proposed development. However, he considered that the appeal site is more directly viewed from public viewpoints in relation to the lower dwellings along Fir Tree Lane, given its closer positioning and orientation.

The Inspector noted the example of the 'contemporary interpretation of traditional form' in Oxford put forward by the appellant as a successful comparable example. However, that existing development appears to be a greater overall scale and he did not have all the full details before him of the scheme or its context in order to fully assess any comparisons. Therefore, he gave it little weight and in any case he had to assess the scheme before him primarily on its own merits.

For these reasons the Inspector found that the development would have a harmful effect on the character and appearance of the area and would conflict with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 adopted 2012 (CS). Whilst these policies do not require new development to slavishly copy their surroundings they do collectively seek, amongst other things, that new development is of high quality, sustainable design which makes a positive contribution to the area and is appropriate in its location, scale and design within the existing settlement form, pattern and character. It would also conflict with the National Planning Policy Framework 2019 (the Framework), which places an emphasis on good design.

Living conditions of future occupiers

The Council and the appellant disagree over the calculations of the area of amenity space provided. The Council believe that the area is short of the guidance of 75m² set out in the SPD, although they recognise only slightly at its calculation of 69m². The appellant calculates that the area provided would be 80m², including communal garden space of lawns and borders, and that there would also be outdoor space onto balconies of around 7m², which is encouraged by the SPD which states 'where appropriate, gardens and other outdoor private spaces (patios, decked areas, balconies, roof gardens) can be provided without compromising on density'. The Inspector did not have the detailed calculations but recognised that the quantity is close to the requirement. However, it is the quality of outdoor space that matters the most.

The garden areas are restricted to an overly narrow strip running along the boundary of the playing field, a narrowing area which runs alongside the rear boundary, and a small area in-between the proposed building and car parking area. These communal garden areas would not result in any meaningful outdoor garden space, for residents to accommodate domestic features and would not allow for opportunities for sitting outside in comfort in-line with the guidance within the SPD. In addition to the lack of usable area much of that which would be provided would be over-shadowed by the existing mature evergreen conifer trees.

Consequently, the Inspector found that the proposed development would have a harmful effect on the living conditions of future occupiers and would be contrary to Policy CS14 of the CS, which seeks, among other things, to ensure that new development has high quality, sustainable design which respects, enhances and makes a positive contribution to the quality of life of the area. There would also be conflict with the principles set out in the accompanying SPD and with the Framework which seeks a high standard of amenity for future users.

Living conditions of neighbouring occupiers

The proposed development would be two and a half storeys in height with living accommodation arranged over three floors and with windows on all sides.

The distance between the building frontage of the proposed development is above 21 metres to No. 378, and those dwellings along Fir Tree Lane, and is subsequently consistent with the guidance set out in the SPD which is intended to safeguard privacy. However, the SPD also indicates that greater distances may be necessary to achieve greater levels of privacy 'where the character of the area is of large houses with large mature gardens'.

However, the extent of the full height glazing at first and second floors on the west elevation, would result in almost half of the gable projection being glazed. This combination of height and extent of glazing would appear intrusive on the occupiers opposite leading to a sense of overlooking. This would be significantly harmful to their living conditions, because despite this being an open frontage in public view, the introduction of formal windows at such a position and height would lead to an increased perception of elevated overlooking. Although these windows would serve the lobby and stairs, with direct views likely from the landings, and not habitable rooms they would still be frequently used by the inhabitants on a daily basis. Whilst the balconies on the northern elevation would be visible in part from the road due to the angle of the development it would be the full height glazing which would have the greatest impact on the living conditions of the occupiers of Fir Tree Lane opposite the site.

A previous Inspector placed importance on the living conditions of the rear gardens for the occupiers of London Road due to the busy traffic along the street. The proposed extent and height of the glazing on the southern elevation, which includes Juliet balconies at first and second floor where occupiers of the development could stand fully in the opening, would have an intrusive impact on the occupiers of No. 378 when within the garden, and would harmfully reduce their level enjoyment and privacy by creating an increased awareness of being overlooked. This would be exacerbated by the size of the openings which would increase the perception of overlooking. Although there are trees along the boundary to No. 378 which do provide some screening, this is not sufficient to prevent a harmful level of overlooking and in addition these are not permanent features.

The eastern elevation would be orientated over the rear garden of No. 380. The windows at first and second floor serve the kitchen. The submitted plans show that on the first floor the sink would be directly underneath the window and on the second floor the kitchen worktop would be underneath. These windows would therefore be well used by the future occupiers. The use of these windows when combined with their positioning at first and second floor would result in a harmful loss of privacy and enjoyment to the neighbouring occupiers by creating an

increased awareness of being overlooked, this is despite the trees along the boundary which provide some screening. However, this is not enough to prevent a harmful level of overlooking and additionally these are not permanent features.

The fenestration treatment to the northern elevation on the first and second floors includes double doors leading onto open plan balconies. These balconies would directly overlook the adjacent playing fields. However, the playing fields have a communal function and there would be a similar relationship to those houses positioned opposite the road, which also look into the playing field. Therefore, there would not be harm in this respect.

The Inspector found that the proposed development would have a harmful effect on the living conditions of neighbouring occupiers and would be contrary to Policy CS14 of the CS, which seeks, among other things, to ensure that new development has high quality, sustainable design which respects, enhances and makes a positive contribution to the quality of life of the area. There would also be conflict with the Framework which seeks a high standard of amenity for existing users.

Other Matters

The appellant has identified that the Framework supports development of land which is under-utilised and 'derelict'. The Inspector was also aware that the development could contribute to a balanced housing stock as a windfall site and contribute to the delivery of a mix of dwelling types and sizes. However, given the harm that he had found in relation to character and appearance and living conditions, and having regard to the Framework's clear emphasis on good design, he did not consider the development accords with the Framework taken as a whole.

There has been no objection from the Highway Authority subject to amongst other conditions to secure sufficient visibility display. The land within the visibility splay is partially under separate ownership with a third party representation received stating that the land will not be provided to support the scheme. The appellant sets out that this has been in long standing use and they have legal advice leading to having rights over it. The Inspector did not have all the information before him and given that he was dismissing the appeal for other reasons it had not been necessary for him to investigate this further. However, even if he did accept that it was deliverable, his overall conclusion on the acceptability of the development would remain unchanged.

It is acknowledged that the site has been vacant for some time and some may consider it to be unsightly. The appellant states that the new development with its landscaping will vastly improve the amenity value of the site and act as a catalyst for improvements to the rear of its immediate neighbours. However, the Inspector did not consider that this is sufficient justification to outweigh the harm that he had identified.

Conclusion

For the reasons given above, the Inspector concluded that the appeal should be dismissed.

DC

BEEDON 18/03251/FUL Pins ref: 3234643	Barn at Old Street Farm Beedon Common Newbury Berkshire RG20 8TU	S73 Application for removal of Condition 1 personal permission of approved application 03/00577/FUL - Erection of agricultural barn for storage of hay, straw, feedstuffs and machinery	Dele. Refusal	Dismissed 11.11.2019
--	---	---	------------------	-------------------------

Appeal Ref: APP/W0340/W/19/3234643

Old Street Farm, Old Street, Beedon Common, Newbury RG20 8SU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Russell Kilvington against the decision of West Berkshire Council.
- The application Ref 18/03251/FUL, dated 21 November 2018, was refused by notice dated 6 February 2019.
- The application sought planning permission for the erection of agricultural barn for storage of hay, straw, feedstuffs and machinery without complying with a condition attached to planning permission Ref 03/00577/FUL, dated 22 September 2004.
- The condition in dispute is No 1 which states that: *'The barn hereby permitted shall be used only by Mr Russell Kilvington for the purposes of his tenancy agreement on the adjacent land marked blue. When the building ceases to be occupied by Mr Russell Kilvington for such purposes, the building hereby permitted (and all materials and equipment brought onto the premises in connection with the use) shall be removed, within 2 months of the cessation of such occupation'*.
- The reason given for the condition is: *'Regard has been shown to the extenuating circumstances of the applicant in this instance in accordance with Berkshire Structure Plan 1991-2006 Policies OS1, C2 and LD3 and West Berkshire District Local Plan Policies OVS2, ENV17 and ENV18'*.

Decision

The appeal is allowed and planning permission is granted for the erection of agricultural barn for storage of hay, straw, feedstuffs and machinery at Old Street Farm, Old Street, Beedon Common, Newbury RG20 8SU in accordance with application Ref 18/03251/FUL without compliance with Condition No. 1 previously imposed on planning permission Ref 03/00577/FUL dated 22 September 2004, but subject to the following condition:-

1) Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent revision, no further development can occur unless permission has been granted by the Local Planning Authority on an application made for the purpose.

Background and Main Issue

Planning permission was granted for the erection of an agricultural building at the site in 2004. The permission was issued with a condition that tied the use of the building to the appellant

for the purpose of his tenancy agreement on the adjacent land. The condition requires the building to be removed in the event that it is no longer occupied by the appellant for the purposes associated with the tenancy agreement. In its reason for the condition the Council referred to the extenuating circumstances of the applicant. The appeal seeks the removal or variation of this condition.

Accordingly, the main issue is whether the condition is reasonable and necessary having regard to the building's use and location in the countryside.

Reasons

The appeal site is located in an area of open countryside, to the west of the small settlement of World's End, within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). As well as the large barn subject of this appeal the appeal site includes a number of other buildings. Evidence before the Inspector, including that presented as part of a recent appeal at the site for the siting of a mobile home, suggests that the appellant intends to re-introduce the previous use of the site as a pig farm.

In terms of whether the condition is necessary, relevant to planning or to the development, the 2004 planning permission was for the erection of an agricultural barn. The omission of the condition would not allow the building to be put to other uses without the grant of planning permission. The Inspector who considered the recent appeal at the site clarified that even without the condition the barn would retain its agricultural use. Although the condition could be considered to make the use of the building clear, the Inspector was not satisfied that its removal would allow the building to be put to other uses.

In this regard, matters have been raised relating to the use of the building for other purposes, including the servicing of motorhomes. However, this is a matter for the Council to consider by exercising its enforcement function and has no bearing on the merits of the appeal before the Inspector. In any case, the appellant is not suggesting that the condition should be lifted so that he can put the building to a non-agricultural use.

The condition also seeks to limit the benefits of the planning permission to the appellant. The Planning Practice Guidance advises that it is rarely appropriate to impose such a condition. Although there may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds. Examples given include residential accommodation for agricultural workers.

The Council refers to the extenuating circumstances of the appellant. It suggests that it is clear that the purpose of the condition is to ensure that if the appellant vacates the site or ceases to engage in agriculture on the adjacent land then the building should be removed. If the Council only found the erection of the building to be acceptable on the basis of extenuating circumstances, then it would be reasonable to assume that the Council consider that the development would otherwise be inappropriate if those circumstances did not exist. However, the extenuating circumstances of the appellant were not explained in the submissions before the Inspector. Furthermore, the Council does not explain in any detail what harm would occur or why the development would not normally be permitted in the absence of such circumstances. In its refusal reason the Council states that the removal of the barn would comply with the National Planning Policy Framework (the Framework) and Policy ADPP5 of the West Berkshire Core Strategy (2206 – 2026) Development Plan Document adopted 2012 (DPD). This Policy seeks to ensure that development proposals conserve and enhance the special landscape qualities of the AONB.

The statutory purpose of AONBs is to conserve and enhance the natural beauty of the area. The Framework states that great weight should be given to conserving and enhancing the landscape and scenic beauty of AONBs, which carries the highest status of protection. Despite

referring to this Policy the Council makes no case for landscape harm. At his visit to the site, the Inspector viewed the building from nearby footpaths to the north of the site on higher ground. The building was visible from the footpath, however he found it to be visually anchored against the edge of the field and its substantial hedge boundary, which rises to a similar height to the building. Furthermore, its muted finishes ensure that it is not overly prominent. From the lane immediately alongside the site the building is almost entirely hidden from view owing to the substantial hedge boundaries which are interspersed with mature trees.

Planning permission was granted recently for a similar sized agricultural building on the parcel of land on the opposite side of the lane from the appeal site. Although on the other side of the lane, the Inspector saw that this building would have a similar relationship to the open rural landscape of the AONB. In its officer report, the Council states that this type of agricultural building is considered to sit within the expected buildings in the AONB. In this case the Council did not impose a condition to control the use of the building or to limit the benefits of the permission to an individual. Taking these matters into account, the Inspector found that the retention and continued use of the building subject of this appeal for agricultural purposes for a person or persons other than the appellant would not cause harm to the character or appearance of the AONB.

Policy ADDP1 of the DPD sets out the Council's spatial strategy and is referred to in the Council's refusal reason. In areas of open countryside such as the appeal site only appropriate limited development will be allowed. Beyond the refusal reason the Council do not refer to this Policy, but it is reasonable to assume that an agricultural building that serves an associated area of agricultural land would constitute an allowable form of limited development in the open countryside.

The Council also refers to Policy CS13 in its refusal reason, which relates to transport impact. The Inspector had no reason to believe that the removal of the condition would result in an increase in vehicle movements associated with the site and note that this is not a case that the Council has made.

The Council refers to the uncertainty regarding the sustainability of the agricultural enterprise associated with the appeal site. However, the Inspector noted that the Inspector who determined the recent appeal at the site found the farming operation to have the potential to realise a modest profit which would sustain the employment of a stockman. He also noted that a number of other permissions have been granted at the site associated with its agricultural use since the barn was originally permitted in 2004. There was no evidence before the Inspector to suggest that these were all issued on a temporary basis or with conditions that limit the benefits of the permissions to the appellant only. In any case, there was nothing before him to suggest that the building would not continue to serve a useful purpose associated with agricultural activities at the site in the event of a change in ownership.

No other adverse impacts that would occur without the disputed condition had been put to him, and none became apparent following his visit to the site. In summary, having regard to the building's use and location in the countryside the condition is not necessary, relevant to planning or to the development permitted, in accordance with Policies ADPP1, ADPP5, CS13, CS14, CS18 and CS19 of the DPD and the Framework, which together seek to limit countryside development, conserve and enhance local character including the special landscape qualities of the AONB and reduce the need to travel.

The Council referred to Policy CS18 in its refusal reason. The appeal site does not meet the criteria for green infrastructure as set out in paragraph 5.124 associated with the Policy. Therefore this Policy has not been determinative as it is not relevant to the appeal proposal.

Other Matters

The Council suggests that the condition could be modified rather than removed, although advises that this was not possible as this is not what the appellant applied for. However, under Section 73 of the Town and Country Planning Act 1990 a Council may amend or remove conditions. Although an amended condition could be an outcome of the appeal, for the reasons above the Inspector was not satisfied that it is necessary to retain the condition in any form.

Conclusion and Conditions

For the reasons above, the appeal should be allowed. The Inspector granted a new planning permission without the disputed condition but retain any non-disputed conditions from the previous permission that appear still to be relevant. The Council has provided comment in relation to the relevance of the other conditions that were imposed on the original 2004 permission, and the appellant has had opportunity to respond to those comments. The Council confirms that pre-commencement conditions were discharged.

The Inspector did not consider a condition relating to the approved plans to be necessary. The building appears to be complete and no further work is proposed. As the building is complete conditions referring to materials, floor levels and disposal of spoil are not necessary. In terms of the landscaping condition, more than five years has passed since the building was constructed so this condition is no longer necessary. He re-imposed a condition referring to the general permitted development order. This condition is necessary to ensure that the Council has the opportunity to consider the effect of further development at the site, with regard to its location within the AONB.

DC