

# **EASTERN AREA PLANNING COMMITTEE**

## **MINUTES OF THE MEETING HELD ON WEDNESDAY, 21 APRIL 2021**

**Councillors Present:** Alan Law (Chairman), Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro (Vice-Chairman), Geoff Mayes, Graham Pask, Jo Stewart and Keith Woodhams

**Also Present:** Sharon Armour (Solicitor), Jessica Bailiss (Policy Officer (Executive Support)), Stephen Chard (Principal Policy Officer), Bob Dray (Development Control Team Leader) and Donna Toms (Planning Officer)

### **PART I**

#### **40. Minutes**

The Minutes of the meeting held on 10<sup>th</sup> March 2021 were approved as a true and correct record and signed by the Chairman.

#### **41. Declarations of Interest**

There were no declarations of interest received.

#### **42. Schedule of Planning Applications**

##### **(1) Application No. & Parish: 21/00236/HOUSE - Feathers Farm, Blandys Lane, Upper Basildon**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 21/00236/HOUSE in respect of a single storey rear extension.

Ms Donna Toms introduced the report and highlighted the key points. There had been over ten letters of objection to the proposal and Officers were recommending approval of the application.

##### **Removal of Speaking Rights**

As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights were removed for virtual Council meetings. This right was replaced with the ability to make written submissions. This decision was made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.

The above changes to speaking rights were subsequently amended at the Council meeting on 10 September 2020. It was agreed that parties making written submissions in relation to a planning application would be invited to attend the Remote Meeting of the Planning Committee to answer any questions that Members of the Committee might wish to ask in order to seek clarification on any part of their statement.

In accordance with the Extraordinary Council resolution, a written submission relating to this application was received from Mr Anthony Cogan, Agent.

##### **Agent Representation**

The written submission of Mr Anthony Cogan was read out by the Clerk to the Committee as follows:

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- Your Officer's report comprehensively sets out the planning considerations and associated planning balance. This proposal is supported by Officers with an unequivocal recommendation to approve this application.
- The site is located within the settlement boundary of Upper Basildon, a location washed over by the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Your Officer's report confirms that the proposal complies with the relevant Development Plan policies and thus the principle of developing the site is acceptable.
- Neighbour and Parish Council representations are noted. The thrust of objectors comments relate to the alleged impact on the amenity of immediate neighbours.
- Considering the scheme design, land uses and separation distances I submit that this proposal will not result in neighbouring properties been overlooked or overshadowed. The proposed extension is a single storey extension located adjacent to the boundary wall with the neighbouring property.
- Windows serving the proposed extension face into the private garden of the application site. The proposed development is a single storey extension within the existing rear garden, which, due to the slope of the original land, is set down well below the neighbour fence lines. The garden is bounded by high walls, fences and soft landscaping, all of which effectively screens the site from all neighbouring properties. There are no views out of the site due to the height of the boundary enclosures surrounding the existing garden.
- It is also noteworthy that the neighbouring property of 3 Bethesda Street has a similar single storey extension projecting along the common boundary between the application site and 3 Bethesda Street. This existing neighbouring extension affords additional screening and amenity protection for the neighbouring occupier.
- With regard to the size of the proposed built form your Officer's report confirms that the overall footprint will not represent overdevelopment of the site.
- The ratio of building to garden curtilage is consistent with the urban grain of properties in this area and the proposal is entirely compliant with the policy aims and objectives of the adopted Local Plan.
- There are other concerns that the neighbours have raised in relation to this application, in terms of drains, party walls and retaining walls. These matters are all beyond the remit of the planning process and should not influence the decision of the Committee.
- It is hoped that Councillors will support their Officer's recommendation and approve this application.

### **Ward Member Representation:**

Councillor Alan Law in addressing the Committee raised the following points:

- The site had a chequered history and had caused consternation amongst neighbours because an approved extension from 2015 had been built that was not according to the approved plans. It had eventually gained consent through a certificate of lawfulness in 2020. Some of the issues that had been raised regarding drainage had been included in comments from objectors. Councillor Law reminded Members however, that they needed to consider the planning application before them rather than the history.
- The Parish Council had unfortunately missed the deadline for a submissions however, it was clear from their comments that they objected to the application in terms of overdevelopment of the site.

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- Comments from objectors had also been raised stating that the proposed extension would not be subservient to the new dwelling and Councillor Law expressed sympathy for this point. Councillor Law stated that this was the reason why he had asked for the drawing showing the elevation to be re-shown during the Planning Officer's presentation.
- Other comments stated that the proposal did not respect the character of the existing building and Councillor Law expressed his sympathy for this view point. He felt that a site visit would have been particularly helpful for Members in this instance as it would have provided a full perspective on neighbouring amenity and setting of the proposed extension.
- Councillor Law was interested in the fact that two outbuildings, a utility room and a plant room, would be incorporated inside the flat roof extension but their pitched roofs would protrude outside of it. When looking at plans it could be seen that the access from the plant room, which contained equipment such as lawn mowers, would no longer be accessed via the garden but via a sitting room area. Councillor Law felt that the application contained a peculiar set of proposals and this, along with the history of the site, was the cause of concern for neighbours.
- As Ward Member, Councillor Law stated that he was leaning towards the view that the extension was not subordinate or sympathetic to the character of the main building however, he wished to remain open minded and wanted to hear from other Members of the Committee on the application before he finalised his opinion.

### **Member Questions to the Ward Member:**

Councillor Graham Pask noted that Councillor Law referred to a plant room and queried if this was actually a boiler room. Councillor Law stated that he would ask Planning Officer's to clarify this point.

Councillor Ross Mackinnon noted that Councillor Law had alluded to the previous extension not being built in accordance with the plans and he queried if this was the same property. Councillor Law confirmed that it was.

### **Member Questions to Officers:**

Councillor Keith Woodhams asked Officers to comment on the matters raised by Councillor Law. Councillor Law confirmed that this had included concerns of the building not being subordinate to the main building or in keeping in terms of character. Planning Officer, Mr Bob Dray, commented that in terms of subservience and overdevelopment there were no rules in relation to percentage increases and it was a matter of judgement. Normally Officers would take into account the size, height, footprint, massing and materials of a proposal and these were all relevant considerations. Mr Dray stated that with a single storey extension there could often be quite a large footprint and because of the low height it did not compete with the host dwelling. It was recognised that the proposal included a large footprint but the height was low with a flat roof. The wall between the proposed extension and the neighbouring property, number three Bethesda Street, helped the proposal adapt to the courtyard arrangement. Taking into account the relevant considerations such as height and scale, the judgement from Officers was that the proposal was adequately subservient. Regarding materials, Mr Dray stated that using contrasting materials could be a way of emphasising the subservience of a proposal.

Councillor Pask referred to his query about the plant room being a boiler room and asked the Officer to clarify this point. Mr Dray believed that the room referred to was a boiler room. Ms Toms agreed that from looking at the plans there was no reason to believe that the room would have any other use than as a plant room, which accommodated a boiler.

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There were other areas for housing plants, lawn mowers and equipment, which was away from the house.

Councillor Pask referred to the red line shown on the first page of the plans and queried if the front garden was the garden to the other side of the house. He asked if Officers were satisfied with the size of the garden to the back if the proposal was to be approved, as it would be significantly dominated by the extension. Ms Toms confirmed that part of the front garden was on the red line and there were also parking spaces in this area. Regarding the garden at the back, it was felt that there would still be a significant amount of space for the normal garden paraphernalia and space for playing if the extension was approved.

Mr Dray referred back to Councillor Pask's query about the plant room and stated that the plans did not need to be labelled regarding what each room would be used for as this was internal rather than development. There had been no concerns raised through the floor plans with regards to annexes or something similar and Mr Dray advised that this was not something that Members needed to be concerned about in terms of the decision.

Councillor Law stated that he had been concerned when he had looked at the plans and seen that the proposal was for a flat roof, when the utility and plant rooms had pitched roofs. He queried how usual this was. Mr Dray expected that this could be to do with cost and it was not entirely uncommon. Members had to consider the proposal before them.

Councillor Geoff Mayes referred to the boundary between the new proposed property and the swimming pool within the adjacent property and asked Officers to clarify the distance as it seemed very close. Secondly he queried what details would be followed regarding the drainage for the roof of the swimming pool building and asked Officers to clarify this point. Ms Toms confirmed that the distance from the new extension to the neighbour's pool room outbuilding was approximately 0.4 metres. On the rear extension there would be guttering between properties and as it was a flat roof there would be little run off. Councillor Mayes did not agree with this point and stated that a flat roof would run off to a gutter. Ms Toms confirmed that there did appear to be guttering on the plans. Councillor Mayes noted that there was a down pipe between the two buildings. Councillor Law stated that there was also a down pipe from the plant room roof. Councillor Mayes expressed concern about the two adjacent walls and that there would only be a distance of 0.4 metres.

Mr Dray referred to concerns raised about drainage and rainwater and stated that this was an area for building regulations.

Councillor Jo Stewart noted that there were a number of objections raised regarding shared sewerage arrangements and access. Councillor Stewart was of the understanding that this was not a material planning consideration and queried if this was correct. Mr Dray confirmed that in certain contexts drainage and sewerage could be planning considerations; however, regarding the issues raised in the representations, there was nothing that would have a bearing in planning terms on this particular application.

Councillor Stewart agreed with Councillor Law that the design seemed unusual however, this was presumably also not a planning consideration or a reason to refuse the application. Councillor Law was in agreement with this however, it had to be considered to what extent the design was subordinate or not in keeping with the main dwelling. Therefore the design could impact on these two issues.

Mr Dray stated that the application had to be considered in line with policies and design was a key issue in planning. Key policies in the Core Strategy included CS14 regarding proposals needing to have a high quality and sustainable design and CS19, which stated

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that a proposal had to be appropriate to its location. Government guidance was cautious that personal tastes were not applied when considering an application as a design was subjective, but that design was an important consideration.

Councillor Alan Macro queried how visible the extension would be from the surrounding properties. Ms Toms stated that she had viewed the plans and photographs and had spoken to an objector from a property opposite to the north of the site who had stated that they would not be able to see the proposed extension from their house. There would be limited views from the properties to the west of the site and the neighbouring property would be able to view it from their top bedroom window. Generally there would be limited views of the proposal if it was approved. Councillor Law concurred with this and stated that some of the houses in Bethesda Street might look down slightly on the roof of the proposed extension.

### **Debate:**

Councillor Law stated that he had listened to his colleagues on the Committee and had come to the view that he was uncomfortable with the proposal however, this was likely a subjective view. He disliked the design however, this was not a planning reason on which to refuse the application.

Councillor Pask stated that having tried to view the property earlier in the day he could confirm that views of the proposal would be very limited. He understood Councillor Law's views as the Ward Member and he was also not over enamoured with the proposal or the submission by the agent, who, in his view, had used an unusual term when stating that the garden curtilage was consistent with the urban grain of properties. Councillor Pask stated that the application site was located within a very rural area bounded by country lanes without footpaths and he struggled to see how the word 'urban' could be used. Councillor Pask concluded that he shared the concerns raised by Councillor Law and the views expressed by objectors however, many of the points did not relate to planning. On balance he therefore stated that he would struggle to find a good planning reason on which to refuse the application.

Councillor Tony Linden concurred with Councillor Pask with regards to planning grounds. He also noted that the neighbouring property had an extension. He would therefore be supporting Officer recommendation and formally proposed this. Councillor Linden's proposal was seconded by Councillor Woodhams.

Councillor Stewart did not feel that the design of the proposal was in keeping with the surrounding area. From looking at photos and drawings it could be seen that the proposal was of a very modern design including a flat roof. No other buildings, including the extension at the neighbouring property, had a flat roof, as it was pitched and a more traditional appearance. The proposed extension had a contemporary design and therefore was not in-keeping and on this basis Councillor Stewart was minded to support refusal of the application.

Councillor Mayes referred to the drainage issues raised and that it was a combined drainage system, which meant that the sewage from another dwelling passed under or near to the application site. This was of great concern in Councillor Mayes' view with regard to maintenance and repair. Councillor Law stated that this would be a matter for building control. Councillor Mayes felt that this needed to be taken into account.

Councillor Law invited Members to vote on the proposal by Council Linden, seconded by Councillor Woodhams. At the vote the motion was carried.

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

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### **1. Commencement of development**

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

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

### **2. Approved plans**

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

- 2087/PL/01 received on 3 February 2021
- 2087/PL/02 received on 3 February 2021
- 2087/PL/05 Rev. A received on 3 February 2021
- 2087/PL/06 Rev. A received on 3 February 2021
- 2087/PL/07 Rev. A received on 3 February 2021
- 2087/PL/08 Rev. A received on 22 February 2021

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

### **3. Materials (as specified / to match)**

The materials to be used in the development hereby permitted shall be as specified on the plans, the application form and as detailed by email from Mark Campbell dated 1 April 2021. 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 respect the character and appearance of the 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), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).

### **4. Hours of work (construction/demolition)**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

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

8:30am to 1:00pm Saturdays;

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

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

## **Informatives**

### **1. Proactive statement**

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

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considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

### **2. Compliance with conditions**

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

### **3. Compliance with approved drawings**

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

### **4. Party Wall Act**

You are reminded of your duties under the Party Wall Act 1996. You are legally required to tell your neighbour if you want to: (1) build on or at the boundary of your two properties, (2) work on an existing party wall or party structure, or (3) dig below and near to the foundation level of their property. Your neighbours can't stop you from making changes to your property that are within the law, but they can affect how and when your works are carried out. Procedures under this Act are separate from the need for planning permission and for building regulations approval. Further guidance is available at: <https://www.gov.uk/party-walls-building-works/work-tell-your-neighbour-about>

### **5. Health and safety**

The responsibility and any liability for the safe development of the site rests with the developer and/or landowner. Although the Council has used its best endeavours to determine this application on the basis of the information available to it, this does not mean that the land or adjoining land will necessarily remain free from instability. The Council's consideration has been only on the basis of the development proposed, and these considerations may be different in relation to any other development. The question of stability of adjacent land has been a material planning consideration, and the resolution of this issue for the purposes of granting planning permission does not necessarily imply that the requirements of any other controlling authority would be satisfied and, in particular, the granting of planning permission does not give any warranty for support or stability or against damage of adjoining or nearby properties.

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### **(2) Application No. & Parish: 20/02849/FUL - Land Adjacent to Thatchers, Chapel Row, Reading**

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/02849/FUL in respect of the proposed replacement storage shed for use to store tools and equipment to maintaining land.

Mr Bob Dray introduced the report and highlighted the key points. There had been ten letters of objection to the application and Planning Officers were recommending approval.

Mr Dray referred to some of the concerns raised by objectors regarding the use of the proposal and clarified that there was no change of use proposed and the proposed shed would be used for ancillary storage only. If a change of use was to occur then this would be a matter for Planning Enforcement.

The update sheet provided an update to paragraph 6.13 (Character and Appearance) of the Planning Officer's report as well as an updated recommendation, which was subject to the amendment of condition five regarding the demolition of existing outbuildings on the land.

#### **Removal of Speaking Rights**

As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights were removed for virtual Council meetings. This right was replaced with the ability to make written submissions. This decision was made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.

The above changes to speaking rights were subsequently amended at the Council meeting on 10 September 2020. It was agreed that parties making written submissions in relation to a planning application would be invited to attend the Remote Meeting of the Planning Committee to answer any questions that Members of the Committee might wish to ask in order to seek clarification on any part of their statement.

There were no written submissions received for the application.

Councillor Graham Pask as Ward Member addressed the Committee on the application.

#### **Ward Member Representation**

Councillor Graham Pask in addressing the Committee raised the following points:

- The application was for a shed and therefore the question needed to be asked as to why there were ten letters of objection. Councillor Pask noted from the Planning Officer's presentation that other uses of the land would be subject to enforcement and he stated that Enforcement Officers knew the site very well.
- Going back a number of years there had been a (now removed) chalet style building, where it was alleged the applicant's mother lived. Councillor Pask stated that he had been told by the residents of a neighbouring property that there were coming and goings from the site at all times of day and night, including mini diggers at the north end of the site after 10pm at night. This was why there were concerns about the application.
- Councillor Pask stated that other law enforcement agencies had been required to have an interest in the site up until very recently. None of issues mentioned were however, planning matters.
- Councillor Pask reiterated that it was an application for a shed however, it was particularly large in size and there was uncertainty as to why such a large shed



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was required to store a ride on mower, push along mower, a scaffolding tower, a few hand tools and a bench. Because of the history of the site it was causing people to question if the use would really be as a shed. Councillor Pask however, acknowledged that the application had to be judged on its merits.

- Councillor Pask stated that a neighbour had asked him to highlight that the existing shed did not have planning permission. This point was well covered in the report and current proposal would be judged as a new application.

There were no Member questions for the Ward Member.

### **Member Questions to Officers**

Councillor Keith Woodhams referred to the public representations on page 38 of the Planning Officer's report where the disposal of waste was referred to and he queried what type of waste this was and whether it was linked to servicing lawn mowers and the disposing of oil. Councillor Woodhams queried if there was a request regarding the disposal of waste or a condition. Mr Dray confirmed that the application was purely for the storage building rather than any use of the land. Mr Dray did not believe that waste was a relevant planning consideration for the application and it would be the applicant's responsibility to lawfully dispose of any waste.

Councillor Pask referred to Councillor Woodhams' question and clarified that it was not waste generated from the site but it was the alleged bringing in of waste at various times such as electrical cabling. This was what had caused concern amongst local residents. Allegedly this was not related to the proposal for a shed.

Councillor Tony Linden referred to the picture at the bottom of page 55 of the agenda, which showed a scaffolding tower and he queried if this was for pruning and if it would fit into the proposed shed. My Dray confirmed that this was what Officers had been told as part of the justification by the applicant. Councillor Law expected that the tower could be compressed for storage.

Councillor Alan Macro asked if he was right in understanding that the proposed shed would not be visible from the public realm or surrounding properties. My Dray confirmed that it would be very difficult to see the proposal if approved due to the intervening land. There would only be a glimpsed view from the access. There might be potential glimpse views from the upper storey windows of surrounding properties however, this would be filtered by trees.

Councillor Jo Stewart referred to the public representations and one which stated that the shed would be used to obtain planning permission for a new residential dwelling and Councillor Stewart asked if this was possible and Mr Dray confirmed that it was not. Councillor Law stated that there had been cases where sheds had been converted to residential dwellings over the years and therefore there was some fear around this. There was no proposal for residential use as part of the application.

### **Debate:**

Councillor Macro noted that the shed would be minimally visible. He understood the concerns of residents following the explanation from Councillor Pask however, a decision could not be taken based on suspicions. Councillor Macro proposed that the proposal be approved and this was seconded by Councillor Stewart. At the vote the motion was approved.

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

## **EASTERN AREA PLANNING COMMITTEE - 21 APRIL 2021 - MINUTES**

### **1. Commencement of development**

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

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

### **2. Approved plans**

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

- Drawing 2020-170-001 (Location Plan) received on 11.12.2020;
- Drawing 2020-170-002 (Proposed Site Plan) received on 11.12.2020;
- Drawing 2020-170-002 (Proposed Plans and Elevations) received on 11.12.2020.

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

### **3. Materials as specified**

The materials to be used in the development hereby permitted shall be as specified on the plans and the application form. 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 respect the character and appearance of the 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), Supplementary Planning Document Quality Design (June 2006) and Bucklebury Village Design Statement.

### **4. Construction hours of work**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

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

8:30am to 1:00pm Saturdays;

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

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

### **5. Demolition of existing outbuildings on land**

The existing shed in the south-west corner of the land identified in red on Drawing 2020-170-001 received on 11.12.2020 shall be demolished and the land cleared of spoil and debris before the replacement storage shed hereby permitted is brought into use.

Reason: The demolition of the existing shed forms part of the justification for the approval of this development. Without the demolition this would have a harmful impact on the NWD AONB character. This condition is imposed in accordance with policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Supplementary Planning Document Quality Design (2006).

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### 6. **Prior approval for external lighting**

No external lighting shall be installed on the hereby approved storage shed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed hereby approved storage shed except in accordance with the above strategy.

Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

### 7. **Restriction on use of building**

The storage building hereby permitted shall not be used for any other purposes than the storage of tools, equipment and machinery associated with the maintenance of the land identified in the red and blue lines on Drawing 2020-170-001 received on 11.12.2020.

Reason: The use of the shed was considered to meet an identified need. Another use could be in conflict with the strategy for the location of new development, and be unacceptable in terms of ensuring a sustainable pattern of development. It is also considered necessary in the interests of amenity for the adjoining land users. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

Informatives

#### 1. **Proactive statement**

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

#### 2. **Tree protection precaution**

The following precautions are recommended to ensure that the trees which are to be retained during the development are protected from damage:

- (a) Ensure that all works occur in a direction away from the trees.
- (b) Ensure that no materials are stored within close proximity i.e. underneath the canopy of trees to be retained.
- (c) 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.
- (d) To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil.
- (e) If this is not possible due to working room / access requirements The

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ground under the trees' canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp sand, and covered with plywood sheets / scaffold boards to prevent compaction of the soil and roots. This could be underlain by a non-permeable membrane to prevent lime based products / chemicals entering the soil.

- (f) If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back using a sharp knife.
- (g) If lime based products are to be used for strip foundations then any roots found should be protected by a non-permeable membrane prior to the laying of concrete.

**3. Compliance with conditions**

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

**4. Compliance with approved drawings**

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

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

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

*(The meeting commenced at 6.30 pm and closed at 7.46 pm)*

**CHAIRMAN** .....

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