

Notice of Meeting



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Western Area Planning Committee Wednesday 3 February 2021 at 6.30pm in the Virtual Zoom Meeting

This meeting will be held in a virtual format 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 Regulations”).

Please note: As resolved at the Council meeting held on 10 September 2020, public speaking rights are replaced with the ability to make written submissions. Written submissions are limited to no more than 500 words and must be submitted to the Planning Team by no later than midday on Monday 1 February 2021. Written submissions will be read aloud at the Planning Committee. Please e-mail your submission to planningcommittee@westberks.gov.uk.

Those members of the public who have provided a written submission may attend the Planning Committee to answer any questions that Members of the Committee may ask in relation to their submission. Members of the public who have provided a written submission need to notify the Planning Team (planningcommittee@westberks.gov.uk) by no later than 4.00pm on Tuesday 2 February 2021 if they wish to attend the remote Planning Committee to answer any questions from Members of the Committee.

The Council will be live streaming its meetings.

This meeting will be streamed live here: <https://www.westberks.gov.uk/westernareaplanninglive>

You can view all streamed Council meetings here:
<https://www.westberks.gov.uk/councilmeetingslive>

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.



Agenda - Western Area Planning Committee to be held on Wednesday, 3 February 2021
(continued)

Further information for members of the public

Plans and photographs relating to the Planning Applications to be considered at the meeting can be viewed by clicking on the link on the front page of the relevant report.

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: planningcommittee@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 Jenny Legge on (01635) 503043 Email: jenny.legge@westberks.gov.uk

Date of despatch of Agenda: Tuesday, 26 January 2021



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(continued)

- To:** Councillors Adrian Abbs, Phil Barnett, Dennis Benneyworth, Jeff Cant, Hilary Cole, Carlyne Culver, Clive Hooker (Chairman), 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
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Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
 2. **Minutes** 7 - 64
To approve as a correct record the Minutes of the meetings of this Committee held on 25 November 2020 and 16 December 2020.
 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: 20/01914/FUL, Tree Tops, Hampstead** 65 - 102
Norreys
- Proposal:** Two-storey front and side extension over basement to create granny annexe and carers room. Change of use of associated land to provide two additional ancillary parking spaces.
- Location:** Tree Tops, Hampstead Norreys, Thatcham, RG18 0TE
- Applicant:** Mrs & Mr Humphreys
- 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, 3 February 2021
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- (2) **Application No. and Parish: 20/02630/HOUSE, Gallants View, Lower Green, Inkpen** 103 -
Proposal: Revised proposals for replacement entrance porch, internal alterations and extension to accommodate relocated kitchen with dining area with additional bedroom and family bathroom 128
- Location:** Gallants View, Lower Green, Inkpen, RG17 9DW
- Applicant:** Mr E and Mrs R Bennett
- 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**
Purpose: To inform Members of the results of recent appeal decisions relating to the Western Area Planning Committee.

There are no appeals to be presented at this meeting.

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
Service Director (Strategy and Governance)

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



DRAFT

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 25 NOVEMBER 2020

Councillors Present: Adrian Abbs, Phil Barnett, Dennis Benneyworth, Jeff Cant, Hilary Cole, Carolyne Culver, Clive Hooker (Chairman), Tony Vickers (Vice-Chairman) and Howard Woollaston

Also Present: Sian Cutts (Senior Planning Officer), Paul Goddard (Team Leader - Highways Development Control), Jenny Legge (Principal Performance, Research and Consultation Officer), Kim Maher (Solicitor) and Simon Till (Team Leader - Western Area Planning)

PART I

37. Minutes

The Minutes of the meetings held on 4 and 11 November 2020 were delayed due to technical issues and will be presented at the next meeting of the Western Area Planning Committee.

38. Declarations of Interest

Councillors Adrian Abbs, Phil Barnett, Dennis Benneyworth, Jeff Cant, Carolyne Culver, Hilary Cole, Tony Vickers and Howard Woollaston declared an interest in Agenda Item 4(1), 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 Hilary Cole, declared an interest in Agenda Item 4(2), but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

Councillors Dennis Benneyworth, and Hilary Cole declared an interest in Agenda Item 4(3), 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.

39. Schedule of Planning Applications

(1) Application No. and Parish: 20/00604/FULEXT, Coley Farm, Stoney Lane, Ashmore Green, Cold Ash

(Councillor Phil Barnett also declared that he was a member of Newbury Town Council's Planning and Highways Committee 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.)

(Councillor Hilary Cole declared a personal interest in Agenda Item 4(1), as she was Ward Member for Chieveley and Cold Ash, however she was not a Member of Cold Ash Parish Council. As her interests were personal and not prejudicial, or a disclosable

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pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

(Councillor Tony Vickers declared a personal interest in Agenda Item 4(1) that he had commented on this site as a member of West Berkshire Spokes. As his interests were personal and not prejudicial, or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillors Adrian Abbs, Phil Barnett, Dennis Benneyworth, Jeff Cant, Hilary Cole, Carolyne Culver, Tony Vickers and Howard Woollaston declared that they had been lobbied Agenda Item 4(1).)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/00604/FULEXT in respect of Coley Farm, Stoney Lane, Ashmore Green. The applicant sought permission for the erection of 75 dwellings, with associated access, parking, internal roads, drainage, landscaping, children's play space and other associated infrastructure.
2. Mr Simon Till, (Team Leader - Western Area Planning), introduced the report to Members, which took account of all relevant policy considerations and other material planning considerations. In conclusion, the report detailed that the proposal was acceptable in planning terms, provided that a Section 106 Agreement could be completed by the required date. Officers recommended to approve the application subject to the conditions outlined in the report and update sheet.
3. The Chairman asked Mr Paul Goddard, Team Leader - Highways Development Control, if he had any observations relating to the application. Mr Goddard confirmed that this was an allocated site with outline consent, and that traffic matters had been considered as part of the previous application. He noted that a secondary access to the north of the site had been deleted. He confirmed that off-site highway works would still be provided, including the widening of Stoney Lane, extension of the 30 mph speed limit, and provision of a footway to the south of the site. He explained that members were being asked to consider layout and that Highway Officers were happy with all aspects of the layout, car parking, cycle storage and electric vehicle charging points.

Removal of Speaking Rights

4. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had been 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.
5. 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.
6. In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from Mr Bernard Clark, Cold Ash Parish Council, Mr Keith Benjamin, Ms Fiona Benjamin, Mr Anthony Berkeley, Ms Wendy Berkeley, Ms Jo Grew, Mr Laurence Grew, Mr Martin Hayward, Ms Debbie Hayward, Ms Val Korolev, Ms Veronika Korolev, Mr George Price, Ms Nicola Snelling, Ms Stephanie Snelling, Mr Jon Thompson, Mr Peter Wilmot, Ms Sarah

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Wilmot, Davis Wormald, Clare Wormald (joint submission), Ms Stephanie Bennett, Ms Nicola Silcock, Mr Alex Whitson and Ms Sally Whitson, objectors and Ms Kerry Pflieger, agent. Those able to attend the remote meeting were Mr Clark, Mr Benjamin, Mr Berkeley, and Ms Pflieger.

7. Individual written submissions were published online along with the agenda <http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=155&MId=5736&Ver=4>

Parish Council's Representation

8. The Clerk read out the representation. Mr Clark was invited to join the meeting and Members questioned the attendee as follows:
9. Councillor Tony Vickers noted that the previous application had shown a different route for pedestrians out of the site. He asked if route were reinstated, whether this would make the estate more accessible for pedestrians and cyclists.
10. Mr Clark suggested that this would make a small difference. He noted that residents going to the shops or bus stop would have to climb the hill before coming back down. The alternative route would be less up and down, but it was still a fair distance.
11. Councillor Vickers asked if the development were to go ahead, whether the Parish Council would like the route to be provided.
12. Mr Clark indicated that it would improve this flawed development.

Objectors' Representation

13. The Clerk read out the representation. Planning officers had summarised the multiple submissions, which was published as part of the Update Report, as follows:

The site is awkwardly placed between congested roads in the Thatcham and Newbury directions and the single track "quiet" lane to the north. There are significant gradients both within the site, this not apparent from the developer's submission. We also know from our own measurements that many of the developer's distances are underestimates. It will therefore be hard work to travel on foot or bicycle to and from local facilities. Car use will be the norm thereby adding to the local congestion.

The lane is used a great deal by walkers, cyclists and horse riders as a quiet route. This use will be disrupted, if not wiped out, by the urbanisation and increased traffic both during and after construction.

The gradient and impermeable clay of the site makes flooding of the vulnerable Manor Park area below it a real possibility. Unproven flood alleviation measures are in the proposal but who will maintain them? Similar provisions in Manor Park have never been maintained and are now choked with vegetation. The average rainfall in the area has increased sharply since 2017. 857.9mm of rain fell in Thatcham in the last 12 months vs 151.89mm in the same period in 2016/17.

The removal of about 180m of established hedge will destroy wildlife habitat and contribute to the urbanisation that this proposal presents. Queries are raised over what environmental studies have taken place, the site is used by wildlife creatures.

The development looks like a "city block" transported to the edge of Newbury and it even includes some 3-storey buildings that are completely out of character with the area.

The developer is being allowed to count the existing public open space as part of the development thus letting them off such provision inside the site. We object to the lack of

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consultation on this issue. As locals, we know that the existing public open space is extremely wet for much of the year which will make it unpleasant to use.

The increased pressure on local services, in particular schools and GPs has not been considered in the proposal and thus the impact on existing residents. Utilities have come under increasing pressure since 2017 and more home-working will intensify this pressure.

WBC has declared a climate emergency, yet there is nothing sustainable in this proposal other than a marginal improvement in insulation above the minimum requirement of the Building Regulations. It is not even “low carbon ready”, for example by using underfloor heating compatible with heat pumps. The design of the proposal scheme is 10 years out of date.

There is widespread alarm amongst existing residents concerning how they will be affected, the outline application received a petition of over 500 names. The development will turn Waller Drive into a “rat run”.

There are a number of empty buildings in Newbury and other brown field sites which can be used.

The site is valued recreational land for local residents. The proposal scheme will irreparably damage the character of the area. Green space should be protected.

14. Mr Benjamin and Mr Berkeley joined the meeting.
15. Councillor Vickers asked whether the objectors’ children would make use of the proposed playground next to the development.
16. Mr Benjamin agreed that if he had children of that age, they would probably use it. However, he noted that the field was wet and muddy for much of the year, and the proposed playground would not make up for the rest of the development.
17. Councillor Phil Barnett noted that the submission mentioned “rat-running” down Waller Drive and suggested that this was used to avoid traffic calming on Turnpike Road. He asked: whether the objectors were concerned about traffic volume or speed; if they would consider a 20 mph speed limit to be appropriate; and if they considered there was a need for further traffic calming. He also noted objectors’ concerns about water generated from the site and asked if the lower parts of Fleetwood Drive and Waller Drive had previously flooded.
18. Mr Benjamin confirmed that flooding had extended as far as Turnpike Road, affecting several properties in a low dip. He suggested that Manor Park and the streets below it would be affected if the flood alleviation was not right.
19. Mr Berkeley added that there had been flooding on Waller Drive within the last few weeks and suggested that the volume of water coming down the hill needed to be addressed, but that more hardstanding would only exacerbate the problem.
20. Mr Berkeley noted that Stoney Lane was a single track road for much of its length and suggested that the submitted plans did not accurately reflect the road width. He also noted that the aerial photograph showed portions of private properties being included within the road width. He suggested that the volume of traffic generated by the development could not be sustained by the roads, and highlighted numerous recent incidents with large lorries. He suggested that adding more traffic would only exacerbate these issues.
21. Councillor Adrian Abbs asked for examples of inaccuracies in distances and measurements submitted in the application. Mr Benjamin confirmed that from his measurements, it was not unusual to find inaccuracies of 10 per cent, which were

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all in the developer's favour. Mr Berkeley referred to objections to the original application where the inaccuracies had been discussed in detail.

22. Councillor Dennis Benneyworth asked the objectors to expand on their concerns about unproven flood alleviation measures. Mr Benjamin stated that he was not a flood engineer, but suggested that Sustainable Drainage Systems (SuDS) was a new area that had come to the fore since Thatcham was flooded 10 years ago. From what he had read on the subject, it was effectively "sticking a finger in the air" in terms of how well it would work in practice.
23. Councillor Carolyn Culver asked if hedgerows had been removed along the southern boundary of the site. Mr Benjamin was not aware of this. Mr Berkeley indicated that there had been some localised damage when a mobile phone mast was removed.

Agent's Representation

24. The Clerk read out the representation. Ms Pflieger joined the meeting and Members questioned the attendee as follows:
25. Councillor Vickers noted that the application talked about a "higher quality development", but he considered the current application to be worse than the former, in terms of pedestrian and cycle access. He asked if the previously proposed path across the open space could be reinstated, since this would reduce the climb by five metres. Ms Pflieger indicated that a path would be provided along Stoney Lane and through the existing public open space. She asked Councillor Vickers to provide further details about the path.
26. Councillor Vickers explained that the proposal required people to climb a 1:12 gradient, which was in excess of the recommendation in the Manual for Streets (MfS). He suggested that a path half-way up the southern boundary would reduce the climb. He noted that the current application only showed the path going to The Leap, and asked if it could serve the wider development as per the previous application. Ms Pflieger explained that this was something she would need to discuss with the applicant. She reiterated that there would be access via the path on Stoney Lane, and access onto the public open space from the development.
27. Councillor Culver asked about long-term maintenance of the attenuation pond. Ms Pflieger indicated that maintenance would be discussed with the council. She stated that it would either be adopted by the council or maintained by a private management company.
28. Councillor Abbs asked for more detail about the statement that indicated a reserve matters application had been prepared, which could be submitted if necessary. Ms Pflieger confirmed that the reserve matters application had been prepared, but suggested that the current application was a higher quality development, which was why the applicant had submitted a new full application. She noted that details of access and layout had been approved as part of the outline consent, but the new proposal had a better layout with improved levels, fewer retaining structures, single site access, improved drainage, and improved affordable housing provision, which was why a full application had been submitted. If this was refused then the reserve matters application would be submitted before the outline consent expired.
29. Councillor Abbs asked for confirmation that the developer would meet the minimum space standard. Ms Pflieger confirmed that the Affordable Housing Officer had agreed that the national and local minimum space standards would be achieved and bettered in the case of the four-bedroom properties. She confirmed that these were not currently requirements, but were encouraged.

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30. Councillor Benneyworth asked about the proposed reduction in emissions quoted in the Energy Statement. Ms Pflieger confirmed that there was a commitment to deliver a 10 per cent reduction over that required by building regulations. This was not proposed as a condition, but indicated that members could ask for such a condition.
31. Councillor Barnett noted that the majority of the affordable housing was to the east of the development which meant that access involved a significant rise in level, which would be a struggle for parents with young children and those without access to a vehicle. He asked if the affordable housing could be repositioned within the site. Ms Pflieger explained that as a result of discussions with the Affordable Housing Officer and the Planning Officer, the affordable housing had been 'pepper potted' around the site to a greater extent than the previous application. She stressed that a lot of consideration had been given to its location and the developer would be criticised if it was concentrated in one area.
32. Ms Pflieger indicated that she had been in touch with the applicant during the meeting and confirmed that they would be happy to provide the footpath sought by Councillor Vickers, which could be incorporated into the S106 Agreement.
33. Councillor Benneyworth sought assurances that the applicant would not seek to reduce the number of affordable homes at a later date if a viability study highlighted issues. Ms Pflieger confirmed such a reduction had not been discussed, and that the applicant was keen to implement the development as proposed, as far as she was aware, and if consented the applicant would not come back for revision.

Ward Member Representation

34. In addressing the Committee as Ward Member for Clay Hill, Councillor Jeff Beck made the following points:
 - Outline planning permission had already been granted, so houses would be built on the site at some point.
 - Plots 47, 48 and 50 were in close proximity to existing houses in Wansey Gardens and Laud Close, with distances of 17.5, 15.5 and 17.4 metres respectively, which were below the council's minimum standard of 21 metres and so the exact placement of these houses should be reviewed.
 - Section 6.40 of the report referred to a 'convent', while the heads of terms of the S106 Agreement refers to a 'covent', these should both refer to a 'covenant'.
 - Section 6.44 referred to the retention of two Tree Preservation Order or TPO'd trees, but ignored a previous reference under 6.12 which referred to two TPO'd trees and non-TPO'd trees to be retained.
 - Under 'consultation', Spokes had raised the issue of the developer potentially enabling a strip of land, two metres wide, south of the attenuation pond to be set aside from plots 48 – 51 to the corner adjacent to the boundary of the site. This would allow for a possible future link to Fleetwood Close, which he strongly supported.
 - Condition 7 stated that the Travel Plan should be annually reviewed and this should have also included an end date.
 - Condition 11 stated that the gradient of private drives should not exceed 1:8, unless buildings were likely to be occupied by the mobility impaired in which case the maximum gradient should be 1:12. How would the council know which units are likely to be occupied by the mobility impaired? He suggested all maximum gradients should be 1:8.

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- Condition 18 refers to the foul water pumping station, however it did not specify who would be responsible for operating it.
- Condition 31 'Landscape and Ecological Management' referred to provision of details of the organisation responsible for the implementation of the plan. He strongly recommended that West Berkshire Council should do this, funded by a lump-sum payment from the developer.
- The Energy Statement referred to a 10 per cent improvement in emissions relative to Building Regulations, he felt that a condition should be used to secure this.

Member's Questions to the Ward Member

35. Members did not have any questions for the Ward Member

Ward Member Representation

36. In addressing the Committee as Ward Member for Chieveley and Cold Ash, Councillor Hilary Cole made the following points:

- Although the site was within Cold Ash Parish, the developable area was within the Clay Hill ward.
- The site was identified in the Housing Site Allocation Development Plan Document (HSADPD), which was adopted in 2017, as suitable for 75 dwellings for which there was extant permission, and a reserved matters application had been prepared.
- The current application was for a variation to the extant permission, and was a much better scheme that took account of comments by residents, parish and town councils, members and officers. These related to drainage, addressing level constraints, public open space, visibility splays, and 'pepper potting' of affordable homes throughout the site.
- Although Cold Ash Parish Council's representation referred to West Berkshire Council's climate emergency declaration and Environment Strategy, these did not trump current planning policies.
- The application had to be determined in accordance with policies in the current Local Plan. While commitments to climate change and the environment were taken seriously, planning policies could and should not be ignored. This would be a route to appeal, and the council would lose credibility if it were to consistently refuse applications on approved sites set out in the Local Plan.
- She expressed her support for the application.

Member's Questions to the Ward Member

37. Councillor Abbs noted that the Policy relating to minimum distance between houses was breached by the application. Councillor Hilary Cole suggested that there was sufficient mitigation as explained in the report.

38. Councillor Barnett asked if Councillor Hilary Cole considered the site to be a sustainable development. Councillor Hilary Cole confirmed that she did.

Ward Member Representation

39. In addressing the Committee as Ward Member for Chieveley and Cold Ash, Councillor Garth Simpson made the following points:

- The site was too remote from shops and facilities.
- It was stranded up the escarpment, visually prominent, and had difficult terrain, with steep gradients in many directions.

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- It was set in a beautiful valley ringed by three historic copses and field patterns.
- There were technical difficulties with flooding and problems with run-off.
- Stoney Lane was a much-liked 'quiet lane'.
- In working towards reserve matters final design, it was found the new layout was required with improved SuDS, and better treatment of gradients.
- Community Infrastructure Levy (CIL) money had been extended to May 2021 on the original outline, and the developer had gained further time to delay the build until house prices increased in a post Covid-19 world.
- It would be built to 10 year old building regulations, which were ripe for renewal in the state of climate emergency.
- Working with residents, he had debunked the transport assessment.
- An audit of distances was made using a builder's wheel. Variances were found on 21 out of 27 destinations. There were many adverse understatements, particularly since they did not take account of differences by road and footpath.
- In the north-east and east-south-east of the proposed development, which was where much of the social housing was proposed, the additional distance was between 87 and 368 metres.
- The Manual for Streets (MfS) Guidance was not met.
- It failed to comply with HSDDPD policy, which was written when the council had a five year housing supply.
- Acceptance of 75 houses was a mistake, and officers should not have accepted the upper limit as a given.
- Green space policies had been compromised and it was a joke that this was considered acceptable in the round.
- The topography of the site was steep and difficult to work.
- Extensive flood retention ponds were needed due to its location.
- The proposed layout was a labyrinth, with amazing variants in extra estate distances.
- Much had changed since the outline application. There was now an eight year land supply, the HSADPD was losing weight and a climate emergency and recovery strategy were in operation.
- He supported Cold Ash Parish Council's statement and believed that it was time for the committee to be cognisant of what they were doing, and not just sign off developments that were no longer needed.
- A central part of the council's strategy was re-evaluating policies.
- He recommended that the application be refused.

Member's Questions to the Ward Member

40. Councillor Culver asked if the application met the requirements of the Village Design Statement (VDS). She also sought his views on the attenuation ponds and their management.
41. Councillor Simpson stated that the VDS was important and should be recognised. He wanted West Berkshire Council to manage the ponds due to Climate Change risks.
42. Councillor Vickers asked for evidence that Stoney Lane was a 'quiet lane' as claimed. Councillor Simpson stated that the Planning Policy Manager had indicated this. He noted that the carriageway width was only 3.3 metres in places.

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43. Councillor Vickers stated that 'quiet lanes' should have signs. Councillor Simpson had requested such signs. He highlighted problems with heavy goods vehicles causing damage. He had requested signs saying that the road was unsuitable for heavy goods vehicles both ends. Highways officers had agreed, but there were supply issues due to Covid-19.
44. Councillor Cant observed that his ward (Clay Hill) would be impacted by the development. He noted that there was extant outline permission, and asked if Councillor Simpson was suggesting that the committee take a position against the original consent, and what he would like to happen. Councillor Simpson indicated that he had shown the transport statement to be bad at the previous Western Area Planning meeting, but the decision was overturned by District Planning Committee. He confirmed that he regarded the development proposal as something to be stopped.
45. Councillor Cant asked if it should be stopped and let go to appeal. Councillor Simpson indicated that it was up to the Committee to decide.
46. Councillor Barnett asked if Councillor Simpson considered it a sustainable development and sought clarification about what was meant by "Greater Newbury". Councillor Simpson replied that "Greater Newbury" meant anything close to the existing settlement. On sustainability, he noted: the lack of HSA compliance; 75 homes was too many for the site; the significant walking distances to local facilities; the proposed bus frequency of only 30 minutes; the significant gradients within the site; and the fact that 2011 Census data showed commuting by car was higher in Manor Park than the rest of the parish. He suggested that the development was unsustainable and morally reprehensible, and was happy for it to go to appeal.
47. Councillor Clive Hooker asked if Councillor Simpson was a member when the HSADPD was approved, and if the vote had been unanimous.
48. Councillor Simpson could not recall.

Member Questions to Officers

49. Councillor Abbs asked if the committee was only allowed to consider appearance, landscaping and scale in this application
50. Mr Till explained that matters of access and layout were approved as part of the outline permission, but in order to address issues within the site, the applicant had elected to submit a full application under which all matters could be considered. However, he noted that the outline application would be the applicant's fall-back position.
51. Councillor Abbs wondered why it was important to have red brick on this site when nearby homes were in different materials. He also asked why the 21m distance between properties was being broken, and why three storey buildings were being considered.
52. Mr Till noted a mixture of high and low quality development and materials in the area. The officers' view was that red brick and traditional house designs were appropriate responses to the character of the surrounding area. He observed that scale, including three-storey homes, was reflected in the layout of the approved outline scheme, so there would be no difference in impact. Also, he stated that guidance on neighbouring amenity suggested that 21m separation distance should be sought, but sometimes this was not possible. He noted one instance with 15.5m between bedroom windows of existing and new properties, but stressed that in this case the officer had considered landscaping sufficient to provide screening between

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- the two dwellings. On balance it was felt that the relationship was not sufficiently poor to merit refusal.
53. Councillor Benneyworth asked about the unproven flood alleviation measures mentioned in the objectors' statement.
 54. Mr Till explained that the drainage scheme represented best practice, with betterment over green field run-off rates. The council's drainage engineer had reviewed the scheme and concluded that the proposed works would reduce flood risk for existing residents as well as residents of the proposed site.
 55. Councillor Cant noted the new emphasis on reducing emissions and recent discussions by central government about banning gas central heating for new homes in three years' time. He expressed concern that developers were rushing to beat the deadline to reduce their costs. He asked if a condition could be imposed to require the developer to meet a more sustainable construction standard. He also noted that levels of particulate emissions in Kiln Road and Shaw Road were amongst the highest in the district, but there was no reference to the impact of the development on air quality on this route, which was used by pupils to get to and from Trinity School. He asked if the impact on emissions and population health had been considered.
 56. Mr Till explained that the applicant had submitted an emissions statement that demonstrated the development would achieve a 10 per cent reduction in emissions, beyond that required by current building regulations. He noted that the council did not have a formal policy on reducing emissions. Under a plan-led system, the correct procedure outlined in the National Planning Policy Framework (NPPF) was for the local plan to set out policy to bring forward measures to address such matters, which would then be implemented by officers and members, but because the applicant had made the offer, a condition requiring them to deliver the measures set out in their emissions statement would be appropriate.
 57. Councillor Cant asked if this could be strengthened to acknowledge the likely changed to standards in the next few years and to require the developer to comply with all conditions that prevailed at the time of construction.
 58. Mr Till suggested that government would probably achieve this through changes to building regulations. He noted that the developer would need to comply with building regulations in place at the time of construction. He advised Members to avoid seeking to impose conditions that went beyond the remit of planning.
 59. Mr Goddard noted that the impact of traffic from the development on local air quality would have been considered at the outline stage. He offered to interrogate the information submitted as part of the previous application.
 60. Councillor Hooker indicated he would come back to Mr Goddard later.
 61. Councillor Hilary Cole asked about the status of the land. She considered it to be private land, rather than public open space or recreational land. Mr Till indicated that he did not know the ownership of the land, but as far as he was aware, it was not designated as public open space.
 62. Councillor Culver queried if hedging on the southern boundary should have been removed before the development had been approved. Mr Till was not aware if hedging had been removed, but noted that landowners were allowed to remove vegetation and clear land. If this was in contravention of the Hedgerow Regulations, then it would fall outside the remit of planning.

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63. Councillor Culver asked who would manage the attenuation ponds. Mr Till noted that the sustainable drainage condition required a management and maintenance plan for the lifetime of the development, to incorporate: arrangements and agreements for adoption by an appropriate public body/public undertaker; and management and maintenance by a residents' management company or other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. He indicated that the condition would not be discharged unless the council knew who would be managing the measures.
64. Councillor Culver asked if the council would automatically take on management duties if a private management company was not appointed. Mr Till explained that there was an option in the condition for a statutory undertaker to assume responsibility, which could be Thames Water or another specialist organisation.
65. Councillor Culver asked if notice should be taken of the Cold Ash Village Design Statement, which referred to the need for sympathetic infilling within the settlement boundary, and housing development in small groups. Mr Till suggested it would be inappropriate to use a design methodology for Cold Ash Village, which was remote from the site and that first and foremost, the development should be sympathetic to the surrounding area. In terms of clustering of buildings, he noted the Design Guide would not supersede the HSADPD. He advised that the previous assertion that the site was not suitable for a development of 75 homes, was contrary to the allocation in the HSADPD and council policy.
66. Councillor Vickers noted that the council's online map showed that the public open space on which The Leap would be placed was currently owned and maintained by West Berkshire Council. He asked for assurances that the proposed pedestrian link across the site to Waller Drive could be incorporated in the S106 agreement. He stated that his vote was dependent on the path being feasible, since without it, the current proposal was inferior to the previous application in highway terms.
67. Simon Till confirmed that the land to the south was in the council's ownership and was designated as public open space. He noted that the applicant had offered to provide the path and that if members voted to incorporate this within the S106 agreement then officers could enter into negotiations to do that. In the event that this could not be achieved, members could resolve that the application be brought back to committee for consideration again within the timescale agreed in the resolution.
68. Councillor Vickers noted that the modelled trip rate was lower for affordable housing. He asked if the model took into account the topography of the site, since it was impossible to construct pedestrian and cycle routes that complied with the MfS's standards. Mr Goddard confirmed that Trip Rate Information Computer System (TRICS) did not take account of topography, but took account of traffic generation from sites across the UK and Ireland.
69. Councillor Vickers asked if officers could modify the predictions to reflect real-world conditions. Mr Goddard did not consider that the gradient was so excessively steep as to have much of an impact.
70. Councillor Vickers noted that the MfS stipulated gradients of no more than three per cent or five per cent maximum over a distance of 100 metres or less for cycle routes. He suggested that Stoney Lane did not comply with this standard. Mr Goddard noted that MfS was not prescriptive and that ideally the maximum gradient for pedestrians should be 1:20, but sometimes topography dictated a higher gradient, such as 1:12 or 8%, which was what existed generally in this location. He

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confirmed that Highways Officers considered gradients above 1:12 (8 per cent) to be unacceptable, and that this had been achieved for this site. Responding to Councillor Beck's comments on Condition 11, he proposed it be amended to be 1:12 throughout, with reference to 1:8 struck out. Mr Till agreed.

71. The Chairman asked Mr Goddard to respond to Councillor Cant's previous query about traffic and emissions. Mr Goddard confirmed that Environmental Health officers had not raised concerns about air quality at the outline stage. He noted that surveys showed 1,187 vehicle movements on Kiln Road in the morning peak. The development would add 30 vehicle movements, which equated to a very small increase of 2.5 per cent.
72. Councillor Cant asked if the level of air pollution was considered acceptable against national standards. Mr Goddard indicated that he was not qualified to make an assessment of air quality, but reiterated that it was not an issue that Environmental Health officers had addressed at the time, so he assumed there were no concerns.
73. Councillor Cant wondered if there needed to be a better indication of the impact on air quality, rather than just traffic volumes.
74. Councillor Hilary Cole stated that there were two air quality management areas in West Berkshire, one in Thatcham on the A4, and the other at the Burger King on the A339 roundabout in Greenham. She noted that air quality was monitored on an ongoing basis.
75. Councillor Barnett asked for Mr Goddard's views on the objectors' comment that residents would be able to use Waller Drive to bypass traffic calming on Turnpike Road. Also, he asked if a 20 mph speed limit had been considered for Stoney Lane to reflect the fact that more people would be walking there. Mr Goddard confirmed that the traffic model had distributed traffic across the road network, based on travel to work data from the 2011 Census. This showed that 70 per cent of traffic would go via Kiln Road, with 30 per cent using Waller Drive and Turnpike Road and these would be small numbers. He stated that changes in speed limits were not usually imposed by development in the way suggested, since they were subject to a separate consultation process and there was no guarantee it would be supported. However, should there be concerns about traffic speeds post-development, the Parish Council could ask for this to be considered as part of a future speed limit review.
76. Councillor Culver highlighted that Conditions 32 and 33 were missing. Mr Till suggested that it was a typo. Councillor Culver noted that Condition 35 referred to these conditions.
77. Councillor Abbs stated that his vehicle had been hit by another vehicle on Stoney Lane and it was a known accident black spot. He asked how many vehicles the model showed as going north along Stoney Lane.
78. Mr Goddard confirmed that the transport assessment showed 3.8 per cent of traffic from the site would go north via Stoney Lane, which represented an increase of two cars in the peak periods. He indicated that the transport assessment would have reviewed the accident records to look for patterns. He stated that there was no pattern of concern to warrant refusal of the development.
79. Mr Till suggested that conditions 32 and 33 were within the Ecology Officer's response and related to securing the recommendations within the report. He suggested that members ask for the requirements of the Ecology Officer to be reinstated into the decision and delivered.

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80. Councillor Hooker asked if the conditions were missing, could that leave the Council open to an objection. Kim Mayer responded that it did, but it depended on whether they were missing, or if the numbering was incorrect. The meeting was adjourned while Mr Till investigated the missing conditions.
81. Mr Till confirmed that there was a typo in the report. Condition 32 referred to in the report actually referred to Condition 31 (Landscape & Ecological Management Plan), while Condition 33 actually referred to Condition 34 (Construction Environmental Management Plan). Condition 3 detailed the requirements of the preliminary bat roost assessment, the dusk emergence and sawn re-entry bat surveys, Phase 1 & 2 environmental and geotechnical investigation, the preliminary ecological appraisal, the reptile mitigation strategy, the reptile survey, the site waste management plan, the preliminary arboricultural assessments, and the landscape management and maintenance plan. These all tied into the requirements for ecological management that were set out in Condition 35. The mis-numbering error referred to Conditions 3, 31 and 34 as set out in the agenda.
82. Councillor Culver noted that the Condition relating to bats referred to things that had already happened, rather than things in future that needed to happen before construction began. Simon Till noted that the surveys contained recommendations about how matters should be addressed as well as the survey results. The condition was to ensure that the recommendations from the ecological surveys were delivered.

Debate

83. Councillor Abbs opened the debate. He noted that members were being asked to make decisions based on incorrect information. He indicated that this made the application difficult to determine. However, even if the correct information were provided, some policies would still be breached. He indicated that he would ask for additional conditions on appearance, layout and scale to be imposed if the committee were minded to approve the application.
84. Councillor Howard Woollaston advocated a pragmatic approach given the extant planning consent. He noted that the fall-back position would result in an inferior proposal coming forward. He suggested that if the committee were to refuse the application, then they would lose at appeal. He proposed to support the officer's recommendation.
85. Councillor Vickers stated that he could not support the application unless the footpath was provided across the public open space. Without this, the development was inferior to the previous proposal. He proposed an addition, as per Mr Till's wording, in the S106 agreement, such that in the event that this could not be secured through negotiation with the developer, Members could resolve that the application be brought back to committee for consideration again within the timescale agreed in the resolution. He also referred to the plan showing the play area layout and suggested that the entrance be moved to better serve residents from the Manor Park estate, since the facility was for the community as a whole. He indicated that with these changes, he would support the proposal, although he noted that it was the worst site within the HSADPD. He referred to Councillor Hilary Cole previously using her casting vote to pass the previous application.
86. Councillor Hooker noted that the Chairman's casting vote was part of the democratic process. He asked Councillor Vickers not to single out individual members of the committee for their previous decisions.

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87. Councillor Cant acknowledged that there was an extant consent. He indicated that although there were inaccuracies, members had made sensible suggestions for changes to conditions and so he would be happy to support the proposal.
88. Councillor Culver asked if there should be specific conditions about bats. She indicated that without detailed information, it was difficult to make an assessment about whether the proposed conditions were sufficient. She sought conditions relating to: the 10 per cent reduction in emissions compared to current building regulations requirements; and distances between houses meeting the council's standard of 21 metres. She indicated that the council would be open to criticism if they went against adopted policy.
89. Mr Till agreed that officers could develop an appropriate condition to seek to secure the 10 per cent reduction in emissions as proposed in the Energy Strategy. With regards to the distances between houses, this would require substantial change to the layout, possibly involving the removal of houses.
90. Councillor Abbs noted that he had not seen the extant permission and could not comment on that, but the committee would consider the reserve matters application on its merits if it were to come forward. He suggested there were clear reasons to reject this proposal including, the appearance was not in keeping with nearby houses; there were issues with the layout; and in terms of scale, he did not consider three storey buildings to be appropriate. He noted that sites did not have to be built out to their maximum level and cited Sandleford as an example. He reiterated the point that there were significant discrepancies with the measurements. He proposed to reject the proposal.
91. Kim Maher noted that Councillor Woollaston had already made a proposal.
92. Councillor Hilary Cole stated that she took great exception to comments made by Councillors Simpson and Vickers regarding use of her casting vote as Chairman of District Planning Committee in 2017, which she felt questioned her integrity. She invited Councillor Vickers to withdraw his remark. She noted that much had been made of the site's inclusion in the HSADPD and recalled that the planning inspector had asked the council to look at its housing supply, which was the reason for the HSADPD. She noted that the Village Design Statement was vague about what was considered as acceptable development in this area. She supported the development and the conditions proposed by members. She suggested that assumptions about people living in affordable housing not being able to afford cars were incorrect. She did not consider there to be an issue with the gradients on the site. She seconded Councillor Woollaston's proposal.
93. Councillor Vickers stated that his comments were not meant to impugn Councillor Hilary Cole's integrity, but he was simply highlighting that hers had been the casting vote on the previous application. He highlighted that the TRICS model assumed that people in affordable housing would make fewer car trips and the applicant had used this to justify the lower number of car trips set out in the transport statement. He noted that the development was elevated and far from local facilities and unlike Sandleford, it did not have retail at the same level. He suggested that the site should have lower density housing, with larger units for people who could afford at least two cars. He felt that the site should not have been included in the HSADPD, and should not have been brought forward with this number of houses. Nevertheless, he indicated that he would support the resolution.
94. Councillor Cant noted that the relevant issue was whether the submitted proposal was sufficient to justify consent and opined that it was. He suggested that Members

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should be careful in questioning the professionalism and judgement of officers by expecting a Planning Inspector to take the opposite view. He suggested that if this application were to go to appeal, the Council would be unsuccessful and incur significant costs.

95. Councillor Abbs requested a named vote.
96. The Chairman invited Members of the Committee to vote on the proposal by Councillor Woollaston and seconded by Councillor Hilary Cole to accept officer's recommendation to grant planning permission for the reasons listed in the main report and update report, subject to the following amendments:
- inclusion of a footpath across the public open space (subject to the successful negotiation of the S106 agreement);
 - inclusion of an additional entrance to the playground to serve residents of the Waller Drive estate;
 - the developer must ensure a 10 per cent reduction in emissions over that required by current Building Regulations;
 - Condition 11 be amended such that it refers to gradients of 1:12 rather than 1:8.
97. At the vote, the motion was carried by six votes to three, with members voting as follows:
- Councillor Abbs – against
 - Councillor Barnett – against
 - Councillor Benneyworth – for
 - Councillor Cant – for
 - Councillor Hilary Cole – for
 - Councillor Culver – against
 - Councillor Vickers – for
 - Councillor Woollaston – for
 - Councillor Hooker (Chair) - for

RESOLVED that provided that a Section 106 Agreement has been completed by 22/01/2021 (or such longer period that may be authorised by the Head of Development and Planning, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee), the Head of Development and Planning be authorised to grant planning permission subject to the conditions listed below.

OR, if a Section 106 Agreement is not completed, to **refuse** planning permission for the reasons listed below.

Conditions

1. Commencement of development

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

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

2. Preventing the implementation of two schemes

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The development to which this planning permission relates shall not be implemented if any part of the development for which planning permission was granted by the Local Planning Authority under application reference 16/01489/OUTMAJ is begun.

Reason: To prevent the implementation of both schemes or part implementation which would result in a piecemeal development and not allow for all of the necessary mitigation strategies to be implemented or enforced.

3. Approved plans

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

- 1) Apartments Floor Plans, reference 230 REV A, received 25/08/2020
- 2) Bin Store and Cycle Store, reference 220 REV D. received 31/07/2020
- 3) Proposed Site Layout Plan, reference 101 REV L, received 10/09/2020
- 4) Parking Strategy, reference 103 REV F, received 10/09/2020
- 5) Site Location Plan, reference 100, received 05/03/2020
- 6) Block Plan, reference 102 Rev C, received 22/06/2020
- 7) Surface Water Drainage Strategy, reference 8190252/1200 REV P8, received 29/07/2020
- 8) Site Sections and Street Scene, A, B and C, reference 222 REV B, received 01/07/2020
- 9) Site Sections and Street Scene, D, E and F, reference 223 REV B, received 01/07/2020
- 10) Building Heights, reference 106 Rev C, received 22/06/2020
- 11) House Types Plan, reference 107 Rev C, received 22/06/2020
- 12) House Type 3B1 Floor Plans and Elevations (Plots 25, 26, 29 and 30), reference 201 Rev C, received 22/06/2020
- 13) House Type 3B1A Floor Plans and Elevations (Plots 3, 4, 27, 28, 51 and 52), reference 202 Rev C, received 22/06/2020
- 14) House Type 3B2 Floor Plans and Elevations (Plots 5 and 18), reference 203 Rev C, received 22/06/2020
- 15) House Type 3B2A Floor Plans and Elevations (Plots 7 and 16), reference 204 Rev C, received 22/06/2020
- 16) 16. House Type 3B3 Floor Plans and Elevations (Plots 17, 53, 54, 67 and 68), reference 205 Rev C, received 22/06/2020
- 17) 17. House Type 4B1 Floor Plans and Elevations (Plots 1, 6, 13, 46, 47, 48, 50, 56, 57 and 58), reference 206 Rev C, received 22/06/2020
- 18) 18. House Type 4B2 Floor Plans and Elevations (Plots 2, 45, 49, 59, 60, 66 and 69), reference 208 Rev C, received 22/06/2020
- 19) 19. House Type 4B3 Floor Plans and Elevations (Plots 10, 19 and 55), reference 209 Rev D, received 22/06/2020
- 20) 20. House Type 4B3A Floor Plans and Elevations (Plots 9 and 11), reference 210 Rev D, received 22/06/2020
- 21) 21. House Type 4B3B Floor Plans and Elevations (Plots 12 and 14), reference 211 Rev D, received 22/06/2020

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- 22) 22. Apartments Floor Plans (2 of 2), reference 231, received 15/06/2020
- 23) 23. House Type 4B3BA Floor Plans and Elevations (Plot 15), reference 212 Rev D, received 22/06/2020
- 24) 24. Affordable Housing Layout, reference 105 Rev C, received 15/06/2020
- 25) 25. Garages Plans and Elevations, reference 219 Rev B, received 05/03/2020
- 26) 26. Sub Station, reference 221 Rev B, received 05/03/2020
- 27) 27. House Type 3B2B Floor Plans and Elevations (Plot 8), reference 224 Rev C, received 22/06/2020
- 28) 28. Apartments & Maisonettes Front & Rear Elevations (Plots 20-24), reference 226, received 15/06/2020
- 29) 29. Apartments & Maisonettes Side Elevations (Plots 20-24), reference 227, received 15/06/2020
- 30) 30. Apartments & Maisonettes Floor Plans (Plots 20-24), reference 228, received 15/06/2020
- 31) 31. Apartments Elevations (Plots 33-41), reference 229, received 15/06/2020
- 32) 32. House Type 4B4 AFF (Plots 31-32), reference 232, received 15/06/2020
- 33) 33. Maisonettes (Plots 42-44), reference 233, received 15/06/2020
- 34) 34. House Type 3B1 (semi) (Plots 64-65), reference 234, received 15/06/2020
- 35) 35. House Type 3B1A AFF and 2B1 (Plots 73-75), reference 235, received 15/06/2020
- 36) 36. House Type 3B1A AA and 2B1 (Plots 70-72), reference 236, received 15/06/2020
- 37) 37. House Type 3B1A AA (Plots 61-63), reference 237, received 15/06/2020
- 38) 38. Topographical Site Survey, reference 4a, received 05/03/2020
- 39) 39. Landscape Mitigation and Enhancement Plan, reference ACLA/BFM 05 D, received 05/03/2020
- 40) 40. Landscape Overview Plans 1 of 5, reference ACLA/BFM 100, Rev C, received 15/06/2020
- 41) 41. Landscape Overview Plans 2 of 5, reference ACLA/BFM 101, Rev C, received 15/06/2020
- 42) 42. Landscape Overview Plans 3 of 5, reference ACLA/BFM 102, Rev C, received 15/06/2020
- 43) 43. Landscape Overview Plans 4 of 5, reference ACLA/BFM 103, Rev C, received 15/06/2020
- 44) 44. Landscape Overview Plans 4 of 5, reference ACLA/BFM 104 Rev C, received 15/06/2020
- 45) 45. LEAP Layout Plan, reference ACLA/BFM 105 Rev C, received 15/06/2020
- 46) 46. Fire Hydrant Plan, 8190252/1511 Rev P5, received 22/06/2020
- 47) 47. Proposed Levels, 8190252/1104 Rev P8, received 22/06/2020
- 48) 48. Surface Water Drainage Strategy Plan, 8190252/1200 P8, received 29/07/2020
- 49) 49. Proposed Covent Area, reference ACLA/BFM 106, received 15/06/2020
- 50) 50. Refuse and Servicing, reference 104, Rev D, received 22/06/2020
- 51) 51. Arboricultural Impact Assessment, reference RT-MME-150332-02 REV B, received 16/06/2020
- 52) 52. Archaeological WSI, reference 15e282ds, received 03/04/2020

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- 53) 53. Energy Statement, Revision D by Energist, received 13/05/2020
- 54) 54. Archaeological Desk-based Assessment, reference CFN15/284, received 05/03/2020
- 55) 55. Outline bat mitigation Strategy, reference RT-MME-130905-05, received 05/03/2020
- 56) 56. Preliminary Bat Roost Assessment, reference RT-MME-130905-02, received 05/03/2020
- 57) 57. Dusk Emergence and Dawn Re-entry Bat Surveys, reference RT-MME130905-03 Revised June 2020, received 15/06/2020
- 58) 58. FRA and Surface Water Drainage Strategy, reference CV8190252/LMcG/DW/014, received 22/06/2020
- 59) 59. Landscape Management and Maintenance Plan, reference ACLA/BFM, received 05/03/2020
- 60) 60. PHASE 1 & 2 ENVIRONMENTAL & GEOTECHNICAL INVESTIGATION NO 3792/15 Parts 1 – 4, received 05/03/2020
- 61) 61. PRELIMINARY ECOLOGICAL APPRAISAL, reference RT-MME-130905-01, received 05/03/2020
- 62) 62. REPTILE MITIGATION STRATEGY, reference RT-MME-130905-06, received 05/03/2020
- 63) 63. REPTILE SURVEY, reference RT-MME-130905-04, received 05/03/2020
- 64) 64. SITE WASTE MANAGEMENT PLAN, by Pegasus Group, received 05/03/2020
- 65) 65. PRELIMINARY ARBORICULTURAL ASSESSMENT UPDATED, reference RT-MME-150332-01, received 05/03/2020

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

4. Arboricultural Method Statement

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 and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall not take place without the implementation of the approved arboricultural method statement. Page 25 West Berkshire Council Western Area Planning Committee 25th November 2020

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and 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.

5. Arboricultural supervision condition

No development 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.

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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. 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.

6. Arboricultural Programme of Works

No development or other operations 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. Thereafter the approved tree works shall be undertaken in accordance with the approved details.

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. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection measures and 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

7. Travel Plan

No development above slab level shall take place until a Travel Plan has been approved in writing by the Local Planning Authority. The Travel Plan shall be implemented from the development first being brought into use. It should be reviewed and updated if necessary within 6 months of first implementation. After that the Travel Plan shall be annually reviewed and updated and all reasonable practicable steps made to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.

Reason: To ensure the development reduces reliance on private motor vehicles and provides the 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), policies P1 and GS1 of the Housing Site Allocations DPD (2017) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8. Electric vehicle charging points (prior approval)

No dwelling shall be first occupied until an electric vehicle charging point has been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

9. Construction method statement (prior approval)

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

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development shall be carried out in accordance with the approved details. The statement shall provide for:

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

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework 2019, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is necessary because insufficient detailed information accompanies the application; ensuring that the site is constructed in a safe manner must be secured prior to works starting on site.

10. Layout and design standards (amended)

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 Developer to enter into a S278/S38 Agreement for the adoption of the site. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic 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).

11. Gradient of private drive

The gradient of private drives shall not exceed 1 in 12.

Reason: To ensure that adequate access to parking spaces and garages is provided. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

12. Parking (approved plans)

No dwelling shall be first occupied until vehicle parking and turning spaces for that dwelling have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road

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safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006- 2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

13. Cycle parking/storage (approved plans)

No dwelling shall be first occupied until cycle parking/storage facilities [for that dwelling have been provided in accordance with the approved drawings. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

14. Widening of Stoney Lane

No dwelling shall be first occupied until the carriageway of Stoney Lane, between the northwest corner of the development site and Pine Ridge has been widened in accordance with drawing no. 8190252/6103 rev B and any statutory undertaker's equipment or street furniture re-located in accordance with current WBC carriageway standards.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

15. Change of speed limit (amended)

No development shall take place until details of how the '30/National' speed limit change will be relocated approximately 220 metres to the north, together with an entry feature (should there be sufficient verge) have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the speed limit could be relocated. No dwelling shall be occupied until the speed limit change has been relocated and has been provided in accordance with the approved details.

Reason: To ensure the development is served by an adequately lit highway in order to maintain road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework 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).

16. Construction of Footpath

No dwelling shall be first occupied until a two metre wide footway on the east side of Stoney Lane, between the southwest corner of the development site and No. 63 Stoney Lane, including a dropped kerb crossing over Stoney Lane, has been constructed in accordance with the approved drawings and any statutory undertaker's equipment or street furniture located in the position of this footway has been re-sited to provide an unobstructed footway.

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Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

17. Visibility Spays

No dwelling shall be first occupied until the visibility splays at the proposed access on to Stoney Lane have been provided in accordance with drawing number 8190252/6103 rev B. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

18. Sustainable drainage

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

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018 and Surface Water Drainage Strategy Drawing No. 8190252/1200 or any subsequent version of this plan submitted to and approved by the LPA for the purposes of discharging this condition.
- b) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- c) Include construction drawings, cross-sections and specifications of all proposed drainage features, SuDS measures and spillways within the site;
- d) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures for the 1 in 1 year storm, 1 in 30 year storm, 1 in 100 year storm and 1 in 100 year storm +40% for climate change events;
- e) Include flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes;
- f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features;
- g) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements and agreement 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;
- h) Include with any design calculations an allowance for an additional 10% increase of paved areas over the lifetime of the development;

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- i) Provide written confirmation from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow;
- j) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc);
- k) Include details of the preferred foul water pumping station, inclusive of capacity calculations;
- l) Provide details of how surface water will be managed and contained within the site during any construction works to prevent silt migration and pollution of watercourses and land either on or adjacent to the site;
- m) Provide a verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted to and approved by the Local Planning Authority on completion of construction. This shall include: plans and details of any key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced 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 in the approved condition thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). 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.

19. Construction Management Plan

No development shall take place until details of a scheme (Construction Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

- I. the control of noise
- II. (ii) the control of dust, smell and other effluvia
- III. (iii) the control of rats and other vermin
- IV. (iii) the control of surface water run-off
- V. (iv) the proposed method of piling for foundations (if any)
- VI. (v) proposed construction and demolition working hours
- VII. (vi) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the

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site. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the amenities of the area. In accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

20. 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.

21. Contaminated land (investigation and remediation)

No development* shall take place until a scheme to deal with contamination at the site has been submitted to and approved in writing by the LPA. The above scheme shall:

- (a) Include an investigation and risk assessment. A report of the findings shall: identify the nature and extent of any contamination on the site (irrespective of its origin); include an assessment of the potential risks to human health, property, and the environment; and include an appraisal of remedial options, and proposal of preferred option(s).
- (b) Include a remediation scheme* which ensures that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.
- (c) Include a monitoring and maintenance scheme* to ensure the long-term effectiveness of the proposed remediation, and the provision of reports on the same that shall be submitted to and approved in writing by the LPA.
- (d) Be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice.

Thereafter, any approved remediation scheme and/or monitoring and maintenance measures shall be carried out in accordance with the approved details. Two weeks written notice shall be given to the LPA prior to the commencement of any remediation scheme.

If any previously unidentified land contamination is found during the carrying out of the development, it shall be reported immediately in writing to the LPA. Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. Thereafter, any remediation measures shall be carried out in accordance with the approved details.

The development shall not be occupied* until all approved remediation measures have been completed and a verification report to demonstrate the effectiveness of

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the remediation has been submitted to and approved in writing by the LPA. (* Unless otherwise agreed in writing by the LPA)

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required to ensure that adequate investigation and a suitable remediation and/or monitoring is agreed before it may be implemented throughout the demolition and/or construction phase

22. Archaeological Written Scheme of Investigation (WSI)

No development including site clearance shall take place within the application area until a Stage 1 Archaeological Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. No demolition or development shall take place for land within the area covered by the WSI, other than in accordance with the approved WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI no site clearance work or development shall take place other than in accordance with the agreed WSI, which shall include:

- A. The Statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 199 of the 2019 National Planning Policy Framework and is accordant with the requirements of Policy CS19 of the West Berkshire Core Strategy 2006-2026.

23. Permitted development restriction (extensions/outbuildings)

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, reenacting 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, D and/or 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.

Reason: To prevent the overdevelopment of the site in the interests of respecting the character and appearance of the surrounding area, and to maintain acceptable relationships with surrounding development. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and

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CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006).

24. Piling

If piling on the site is required then auger piling shall be used to minimise noise and vibration unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of neighbouring occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

25. Mineral Exploration

No development shall take place until a statement of mineral exploration and associated development management plan has been submitted to and approved in writing by the Local Planning Authority. This statement shall include:-

- (a) A method for investigating the extent and viability of the potential construction aggregate mineral resource beneath the application site, particularly the eastern end of the site where it is proposed to locate the sustainable urban drainage system.
- (b) A methodology that ensures that construction aggregates that can be viably recovered during development operations are recovered and put to beneficial use, such use to be agreed with the Planning Authority, and such an agreement not to be unreasonably refused; and
- (c) A method to record the quantity of recovered mineral (for use on and off site) and the reporting of this quantity to the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure compliance with Policies 1, 2 and 2A of the Replacement Minerals Local Plan for Berkshire to ensure the appropriate use of the identified mineral resources located beneath the application site. A pre-commencement condition is required because any recovered aggregate will take place during construction operations.

26. Protection of breeding birds during construction

No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding bird shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

Reason: To ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

27. Badgers

No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in

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open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. Thereafter any such works shall incorporate the approved measures. The measures may include:

- a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Reason: To ensure that badgers are not trapped and harmed on site and also to ensure that badgers do not cause problems for future site operation, e.g. blockage of pipes. Badgers are protected under the Protection of Badgers Act 1992. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

28. Lighting strategy (Ecology)

No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.
- b) 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.
- c) Include and isolux diagram of the proposed lighting.

No external lighting shall be installed except in accordance with the above strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. 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.

29. Hard landscaping (prior approval)

No dwelling hereby permitted shall be occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

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

30. Landscaping (submitted scheme)

All landscape works shall be carried out in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including plans and documents referenced in condition 3 of this

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planning consent, unless otherwise agreed in writing by the LPA. The approved landscape works shall be implemented within the first planting season following first occupation of the or in accordance with a programme submitted before any development takes place and approved in writing by the Local Planning Authority. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of 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.

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

31. Landscape and ecological management plan (LEMP)

A Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) shall be submitted to and be approved in writing by the local planning authority prior to the construction of any dwelling of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: 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. A pre-commencement condition is required because the LEMP may need to be implemented during construction.

32. Construction environmental management plan (Biodiversity)

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".

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- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- 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 on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: 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. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

33. Updated surveys

If the development hereby approved does not commence by 1 September 2022, the approved ecological measures secured through Conditions 3, 31 and 32 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of (bats, slow worms and nesting birds) and (ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

IMPORTANT: If any protected species are identified in the new surveys that were not previously known to be on site, and are likely to be harmed by the development, then a protected species licence might be required before works can commence. Advice should be sought from Natural England and/or a suitably qualified ecologist. Reason:

Reason: 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. A pre-commencement condition is to ensure relevant mitigation and protection is in understood and in place prior to works starting on site.

34. Low and zero carbon energy

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No dwelling hereby approved shall be occupied until the low and zero carbon energy generation measures identified in Energy Statement by Engerist, dated 19/02/2020 received 13/05/2020, have been implemented and provided in accordance with the approved details and a post construction review evidencing that all the required measures have been implemented has been submitted to the LPA.

Reason: To ensure that the low/zero carbon energy generation measures required to achieve a 10% reduction in carbon dioxide emissions are provided before the development is brought into use. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS15 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

Heads of Terms for Section 106 Agreement

1 Affordable housing

To provide 40% affordable housing on site.

2. Public Open Space

To secure the creation, retention and governance of public open space and LEAP in accordance with the details provided in LEAP Layout Plan, reference ACLA/BFM 105 Rev C.

3. Protection of hedgerow

Planning obligation to protect and maintain the existing hedgerow along the northern boundary and the middle section along the eastern as shown on plan; Proposed Covent Area, reference ACLA/BFM 106.

4. Footpath

To secure the construction and retention of a paved pedestrian path across the public open space connecting the southern boundary to the playground at The Leap and the housing on the development site.

Informatives:

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

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4. 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
5. This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the 18th September 2017. You are advised to ensure that you have all the necessary documents before development starts on site.
6. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
7. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>
8. The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk
9. The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at:

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<https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

(2) **Application No. and Parish: 20/01520/FULD, Rickety Gate Farm, Hamstead Marshall**

(No declarations were received for this item).

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/01520/FULD in respect of a Section 73: Variation of condition 13 'removal of log cabin' of approved application 17/02099/FULD: Section 73A: Variation of Condition 15: Temporary log cabin permitted of approved application 13/01008/FULD: Relocation of existing dog breeding establishment involving the erection of a single storey kennel building; siting of a temporary mobile home; isolation kennel building and change of use of existing barn to ancillary storage building; the use of land as canine exercise area, associated parking, turning and landscaping (allowed on appeal APP/W0340/A/13/2206830), at Rickety Gate Farm, Hamstead Marshall
2. Ms Sian Cutts, Senior Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Head of Planning and Development be authorised to grant planning permission subject to the conditions outlined in the main and update reports.

Removal of speaking rights

3. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had 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.
4. 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.
5. In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from Ms Nicky Brook, agent. Ms Brook was able to attend the remote meeting.
6. Individual written submissions were published online along with the agenda <http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=155&MId=5736&Ver=4>

Agent's Submission

7. The Clerk read out the representation. Members questioned the attendee as follows:
8. Councillor Adrian Abbs asked for clarification as to why an inability to export had been given as a reason for delay, when there were many news reports about the shortage of dogs available to buy in the UK. He asked how important the export market was to the business. He further queried why the application was only for three

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years, presuming the applicant had a five year business plan, if it were a permanent business.

9. Ms Brook explained that the Local Plan policy only allowed for three years. In terms of export, she could not provide the breakdown for the number of dogs exported, however she was aware that there were some dogs exported, and this aspect of the business had been a problem in 2020.
10. Councillor Abbs asked whether it was a critical part of the business plan. Ms Brook confirmed that it was a critical part of Ms Paul's business plan, but not the sole part as she bred a lot of dogs.
11. Councillor Hilary Cole was curious to know what breed of dogs were bred on the site. Ms Brook did not know the breeds that were reared on the site, as it was not relevant to the application. However she believed it was a broad range of different dogs.
12. Councillor Hilary Cole stated that she was aware that it was not relevant to the application, she had simply been curious. On hearing that it was a broad range of dogs, she was a little more curious.

Ward Member Representation

13. Councillor James Cole in representing the Committee as Ward Member made the following points:
 - Councillor James Cole felt that it was unfortunate that this application had arrived before the Committee. In practical terms, he had called this into Committee as a protective call-in for issues such as the spreading of spoil. However it became clear after a local site visit that nothing could be done about this issue at that stage. He had followed the application up with the planning officer twice, however he had not received a response other than the planning officer had noted that they had to discuss the application with previous section head. The next he heard, the application had been submitted to the Committee.
 - On reading the Committee report, he found that the planning officer had dealt with the other real issue to Councillor James Cole's satisfaction, and on enquiry to the satisfaction of the Parish Council too. He therefore withdrew his call-in. However, he was then told that there was nothing in the constitution to permit the call-in to be withdrawn at this stage.
 - He could not put an acceptable planning issue before the Committee to justify a refusal. Therefore, as far as he was concerned, the application should be approved.
 - He was going to propose to the Constitution Review Task Group, that he was part of, that they look for an acceptable form of words to avoid this situation in future.

Member's Questions to the Ward Member

14. Members did not have any questions for the Ward Member

Member's Questions to Officers

15. Members did not have any questions for officers.

Debate

16. Councillor Hilary Cole opened the debate by noting that she was a little concerned about the size of the breeding establishment, and the type of dogs that would be bred for export, as the agent seemed to think there was a high number of various breeds. However, she was reassured to see that the applicant was seeking to reach a high

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standard of operation at this site, as the new dog kennels legislation required it. The site was already there, the application was a variation of condition. Therefore, Councillor Hilary Cole proposed to accept officer's recommendation to grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Abbs.

17. The Chairman invited Members of the Committee to vote on the proposal by Councillor Hilary Cole, seconded by Councillor Abbs to grant planning permission. 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. Approved plans

The development hereby approved shall continue to be carried out in accordance with the following drawings (these either being first approved through appeal decision for 13/01008, condition discharge details and non material amendment details):

Location Plan 1001676-02 rev A

Block Plan 1001676-11 rev A

Proposed Elevations 1001676- 14 rev A

Proposed Floor Plans 1001676-12

Proposed Roof Plan 1001676-13

Site Sections 1001676-15 rev A

Isolation Kennel 1001676-16

Site Survey DTS041011-4M3

Log Cabin Plans -Floor Plans, Elevations, Roof Plan and Sections (approved through application 15/02664/COND2)

Unless alternative plans are approved in writing by the local planning authority.

Reason: To ensure that the development is carried out in accordance with the submitted details in accordance with the National Planning Policy Framework 2019, policies ADPP1, ADPP5, CS 13, CS 14, and CS 19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, Supplementary Planning Document: Quality Design 2006.

2. Materials

The materials to be used in this development shall be as specified on the plans first received with application 13/01008/FULD and the roofing materials for the kennel building as approved through non material amendment application 17/01851/NONMAT. No other materials shall be used unless prior agreement in writing has been obtained from the Local Planning Authority.

Reason: To ensure that the external materials are visually attractive and respond to local character within the North Wessex Downs AONB and to ensure that noise mitigation measures are in place. 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) Policies C3 and C5 of the Housing Site

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Allocations DPD and Supplementary Planning Document Quality Design (June 2006).

3. Landscaping Scheme

The development hereby approved shall continue to be landscaped (hard and soft landscaping) in accordance with plans approved through condition discharge application 16/00433/COND 4 and further details received with this application.

The approved details are shown on the following plans/documents:

Drawing GAB.RGF.001 LPP Rev A (received by e-mail dated 22nd March 2016)

Site section details including retaining walls 1001676 15 rev C (received by e-mail dated 12th April 2016)

Levels and Hard surface details 1001676 11 rev D (received by e-mail dated 12th April 2016).

E-mail from applicant dated 22nd March 2016 regarding hard surfacing and boundary treatments

E-mail from agent dated 4th September 2017, confirming works and timescale of works to grassed exercise area.

E-mail from agent dated 20th October 2017, confirming hedge plant details.

The soft landscape details include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

- a) Implementation of the approved landscape scheme before the first occupation or use of the main kennel building.
- b) Any trees, shrubs or plants that die or become seriously damaged within five years of being planted shall be replaced by plants of the same size and species.
- c) That there is sufficient screen planting to the eastern boundary to the site opposite Hamstead Marshall Footpaths 1 and 2.
- d) The hard landscape details include;
- e) Finished floor levels and contours;
- f) All means of enclosure;
- g) Hard surfacing materials;
- h) Other structures (e.g. refuse or other storage units, signage etc);
- i) Services above and below ground (e.g. power, communications cables, pipelines etc - indicating lines, manholes, supports)

These works shall be carried out as approved prior to the first occupation of any of the buildings hereby permitted.

Reason: To ensure the implementation of a satisfactory scheme of hard and soft landscaping in the interests of visual amenity in the North Wessex Downs AONB. This condition is imposed in accordance with the National Planning Policy Framework (2019.), Policies ADPP1, ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

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4. **Arboricultural Method Statement and Tree Protection**

The development hereby approved shall continue to be developed in accordance with the following details:

Arboricultural Method Statement and Tree Protection Plan dated 21st December 2015. GA Butler & Sons Ltd (Consulting Arborist - Stefan Rose)

Tree Protection Plan GAB.RGF.TPP.002

Bat Habitat Suitability Assessment - additional document from PV Ecology (January 2016) in respect of protected species and trees to be removed.

All approved through condition discharge application 16/00019/COND3.

Measures to protect retained trees shall only be undertaken in accordance with the approved method statement, unless alternative measures are agreed in writing by the local planning authority.

Reason: To ensure the protection of trees identified for retention at the site and adjacent to the site. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies ADPP1, ADPP5, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

5. **Drainage**

The development hereby approved shall include the implementation of the foul drainage details plans approved through condition discharge application 16/00433/COND 4 and further details received with this application, before the development is first brought into use.

The approved details are shown on the following plans/documents:

Drainage Plan 1001676-17 rev A

Internal layout and plumbing details 1001676 12 rev B

E-mail from agent dated 20th October 2017 confirming all washing down to BioFicient then to reed bed.

The scheme must include the disposal of all solid and liquid wastes including dog washing effluent and kennel washing effluent. The approved measures for dealing with foul drainage shall be kept in place, in full working order and adhered to at all times.

Reason: In the interests of amenity. In accordance with policies ADPP5 and CS14 of the West Berkshire Core Strategy 2006-2026 and advice contained within the National Planning Policy Framework (2019)

6. **SuDs**

The development hereby approved shall include the implementation of the sustainable drainage measures to deal with surface water within the site approved through condition discharge application 16/00433/COND 4 and received with application 17/02099/FULD.

The approved details are shown on the following plans/documents:

Drainage Plan 1001676-17 rev A

Internal layout and plumbing details 1001676 12 rev B

Site section details including retaining walls 1001676 15 rev C and

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Levels and Hard surface details 1001676 11 rev D both received by e-mail dated 12th April 2016.

E-mail from agent dated 20th October 2017 confirming use of water harvesting tank for roof run off from log cabin.

The approved measures shall be kept in place, in full working order and adhered to at all times.

Reason: In order to minimise the risks of surface water flooding. In accordance with policies ADPP1 and CS16 of the West Berkshire Core Strategy 2006-2026 and advice contained within the NPPF (2019).

7. Internal and External Lighting

The development hereby approved shall include the implementation of the internal and external lighting of the site and buildings approved through condition discharge application 16/00433/COND 4.

The approved details are shown on the following plans/documents:

Drawing 1001676 14 rev B

Drawing 1001676 18 rev A and

Lighting details received by e-mail dated 30th March 2016 and

E-mail from applicant sent by Carter Jonas dated 30th March 2016 clarifying lighting details.

The lighting shall be installed in accordance with the approved details to minimise light spill and using PIR with manual over ride.

No additional lighting shall be installed or changes to the scheme shall be made except with the prior written approval of the local planning authority.

Reason: In the interests of amenity and character of the area, to protect dark night skies and protect wildlife habitats in the North Wessex Downs AONB. In accordance with policies ADPP5, CS 14 and CS19 of the West Berkshire Core Strategy 2006-2026 and advice contained within the NPPF.

8. Access and Circulation, visibility

No buildings hereby permitted shall be occupied until the access, vehicle circulation and associated parking, including for customers and deliveries have been provided in accordance with the approved plans. The access, parking and turning spaces shall thereafter be kept available for parking and manoeuvring at all times.

Reason: In the interests of highway safety and in order to reduce the likelihood of roadside parking. In accordance with Policy CS13 of the West Berkshire Core Strategy (2006-2026) and advice contained within the NPPF.

9. Visibility Splays

No buildings hereby permitted shall be occupied until full details of visibility splays have been submitted to, agreed in writing by the local planning authority and provided at the site entrance. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of one metre above carriageway level.

Reason: In the interests of highway safety. In accordance with Policy CS13 of the West Berkshire Core Strategy (2006-2026) and advice contained within the NPPF.

10. Sound Insulation

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The main kennel building hereby permitted shall not be occupied until details of its construction to provide for appropriate sound insulation have been submitted to and agreed in writing by the local planning authority. The details shall be in accordance with the findings and recommendations of the Environmental Noise Impact Assessment by Ian Sharland Limited dated 13 March 2013 submitted with application 13/01008/FULD. The details will also take account of the potential for noise emissions via the air transfer grilles and from ventilation systems. The building shall be constructed and thereafter maintained and managed in accordance with the approved details.

Reason: In the interests of amenity, to minimise potential disturbance to neighbouring residential dwellings. In accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026, Policies OVS5 and OVS6 (West Berkshire Local Plan Saved Policies 2007) and advice contained within the NPPF.

11. **Vegetation Clearance**

No vegetation clearance works or demolition works shall take place in the bird nesting season (March-September) unless a check for nesting birds has been undertaken by a qualified ecologist within 24 hours of works commencing and has shown there to be no nesting birds present.

Reason: To accord with Policy CS17 (Biodiversity & Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

12. **Log Cabin Occupancy**

The occupation of the temporary log cabin hereby permitted shall be limited to a person solely or mainly working within the holding known as Rickety Gate Farm or a widow or widower of such a person and any resident dependants.

Reason: This permission has been given because the need for on site accommodation outweighs the planning objections to the development. The temporary log cabin must remain available for occupation in association with the dog breeding business. In accordance with Policies ADPP1, ADPP5, CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policies C1 and C5 of the HSA DPD and advice contained within the NPPF.

13. **Removal of log cabin**

The temporary log cabin hereby permitted shall be removed and the land restored to its former condition on or before three years from the date of first occupation, or 30th September 2024, or when it ceases to be occupied, whichever is the sooner. The Local Planning Authority shall be notified in writing within a month of the date of first occupation. Details to restore the land shall be submitted to and agreed in writing by the local planning authority before the works are implemented.

Reason: This permission has been given because the circumstances of the applicant are such in the short term as to outweigh the basic planning objections to the development. Should the proposed business on site fail, the site is not suitable for retention for a permanent dwelling without justification. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies ADPP1, ADPP5, CS10, CS12, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and C5 of the HSADPD.

Informatives

1. **Proactive**

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

2. **Mud on the Road**

The applicant is requested to ensure that any debris from the site, including mud on the road is regularly removed/swept away. This will minimise danger to road users and protect neighbouring amenity.

3. **Damage to the Carriageway**

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

4. **Damage to Footways, Cycleways and Verges**

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

(3) **Application No. and Parish: 20/02205/HOUSE, White Cottage, North Heath, Chieveley, Winterbourne**

(Councillor Hilary Cole declared a personal interest in Agenda Item 4(3) by virtue of the fact that she was a Member of Chieveley Parish Council. As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

(Councillor Dennis Benneyworth declared a personal interest in Agenda Item 4(3) by virtue of the fact that he worked in the equestrian world, including racing, but had no connection to the applicant. 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. In accordance with the Council's Constitution point 7.13.5, the Committee supported the Chairman's motion that the remaining business could be concluded by 10.30pm, and therefore continued with Agenda Item 4(3).
2. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 20/02205/HOUSE in respect of the construction of oak framed tractor and garden machinery building, construction of stable block and construction of all-weather riding arena at White Cottage, Winterbourne.
3. Mrs Sian Cutts, Senior Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Head of Planning and Development be authorised to grant permission subject to the conditions outlined in the main and update reports.

Removal of speaking rights

4. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had replaced with the ability to make written submissions. This decision was made in

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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.

5. 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.
6. In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from Ms Clare Bassett, objector and Mr Jonathan Green, applicant. Those able to attend the remote meeting were Mr Green.
7. Individual written submissions were published online along with the agenda:
<http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=155&MId=5736&Ver=4>

Objector's Submission

8. The Clerk read out Ms Bassett's representation. Ms Bassett was not able to attend the remote meeting.

Applicant's Submission

9. The Clerk read out the representation. Members questioned the attendee as follows:
10. Councillor Hilary Cole asked if the applicant had consulted with his neighbours. Mr Green believed that he had but it was several months ago.
11. Councillor Howard Woollaston had concerns regarding light pollution, and asked whether the applicant would agree to a condition that restricted lighting in and around the arena. Mr Green accepted that the arena lighting could be conditioned.
12. Councillor Dennis Benneyworth noted that many arenas had mirrors. He asked whether the applicant had planned to install mirrors, and if so, whether they would be facing away from his neighbours. Mr Green explained that the arena would be situated south northerly and the neighbours were to the west, and therefore any mirrors would be placed perpendicular to the neighbours.
13. Councillor Phil Barnett queried whether the information regarding manure disposal was requested by officers. Mr Green confirmed that he was requested to provide the information as part of the application.

Ward Member Representation

14. Councillor Hilary Cole in representing the Committee as Ward Member made the following points:
 - Councillor Hilary Cole had called the application into Committee, as she was concerned about the impact the proposal would have on the amenity of the adjacent neighbour, and the wider Area of Outstanding Natural Beauty (AONB).
 - She had no issue with any resident seeking to improve their property but this should not be done at the expense of their neighbours.
 - North Heath was a small community, and although it was in Winterbourne Parish, it was some distance from Winterbourne Village, and was separated from it by the B4494 Wantage Road, it was more closely aligned with Chieveley Parish and

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Village. North Heath had no settlement boundary and was in a prominent position on high ground, within the AONB, and looked across the valley towards Chieveley.

- The arena and stables were proposed to be sited in the larger area of ownership of White Cottage, but outside the domestic curtilage. This area was on an elevated site, which despite statements to the contrary in the report, was not well or adequately screened. There was a good example of this in the Site Photographs pack looking out of the site towards the cottage.
- A statement in ADPP1 was referenced in the report and addressed identified needs and maintaining a strong local economy. She was at loss what identified need this application addressed and how it would ensure a strong local economy, as the application for the buildings and arena were apparently for personal family use. Policy CS12 was also cited making reference to diversification opportunities for farmers, but as this property was not a farm, nor were the applicants farmers, she failed to see the relevance this policy had to this application. What was relevant however, was the fact that this was a proposal for a large arena set in the North Wessex Downs AONB which had the highest level of protection in planning terms.
- Nothing in the officer's report indicated to her that the design respected and enhanced the character of the AONB, rather to the contrary as lighting was proposed. The application stated that this would be low level, but there was no guarantee that this would be the case, even if it were to be conditioned.
- North Heath enjoyed the benefit of dark skies, which were a major feature of the AONB. A key project of the AONB management board was to ensure that dark skies within the AONB were protected, not eroded. As the district was 74% AONB, we had a duty as a planning authority to ensure this protection of our dark skies was maintained.
- The other issue mentioned was one of noise. The Committee had given the effect of noise pollution a lot of attention and weight when it had been discussed for an application at Compton, and she asked that the Committee give the same level of consideration to the issue of noise at this site when debating the application. Horses were noisy, particularly when practicing jumping over fences and knocking them over. When coupled with shouted instructions from a trainer, this would be detrimental to the amenity of the neighbour at the cottage and she see no noise attenuation measure proposed in this application.
- In her view, the arena could be better placed in the land available to avoid disturbing the near neighbours, but that would probably be at a cost to the applicant as their own amenity would be affected
- Finally, as with many equestrian applications in the accompanying block plan, the arena was referred to as a ménage, which was French for a household, what had really been meant was a manege which was a school for training horses. It never ceased to amaze her that horse owners and their agents consistently got this wrong. For these reasons, she was unable to support the application.

Member's Questions to the Ward Member

15. Members did not have any questions for the Ward Member.

Member's Questions to Officers

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16. Councillor Woollaston asked if there was any discussion with the applicant about reducing the size of the arena. Ms Cutts confirmed that there had been no discussion on this point.
17. Councillor Hilary Cole asked if there had been any discussion with the applicant about noise attenuation. Ms Cutts responded that there had not been, in this instance.
18. Councillor Jeff Cant sought clarification of the impact of the application on the AONB. Ms Cutts noted that there were large, mature trees which formed the boundary of the site, particularly to the north and east elevations, which provided the setting for the houses which formed North Heath, in an elevated position as outlined by Councillor Hilary Cole. The proposed arena and buildings would be low-profile and there would be a low fence around the arena. Taking the filtering effect of the screening, together with the ancillary nature of the proposed development to the dwellings, she did not consider that the application would be harmful to the character of the overall AONB.
19. Councillor Cant further queried whether these would be the considerations that should be applied to any structure one wanted to put up in an AONB, or specific to this one. Ms Cutts explained that when considering buildings, such as out-buildings and garages as part of residential developments, the way that the whole group of building were viewed together, and how they sat within the landscape, certainly were material considerations and influenced how officers assessed the application.
20. Councillor Tony Vickers was curious as to the reasons for refusing the previous application, and whether the arena had been sited in a different location to this application. He queried that if he were to acquire a horse, would he have to get a change of use for his private curtilage to accommodate it, or was this application necessary because it was on an agricultural piece of land that was being used to accommodate horses, even though they were privately owned horses. All over the district one could see agricultural land with horses grazing upon it. Ms Cutts explained that equestrian use was different to agricultural use. The previous, refused application was sited in an open, arable field, which would have been a more exposed site. Councillor Vickers posited that this application was therefore more acceptable to officers, as it was within the curtilage of the existing buildings.
21. Councillor Vickers further questioned whether putting a horse in one's garden counted as equestrian use or not. Ms Cutts answered that the addition of the stables changed the use of the land. Councillor Vickers questioned whether there were already stables on the site. Ms Cutts explained that there were some buildings that the applicant referred to as stables, but which were not used for this purpose.
22. Councillor Benneyworth noted there had been some disagreement regarding distances on the plans. Ms Cutts explained that an officer had visited the site on 24 November 2020 following receipt of the written submissions, as very different measurements had been cited. The officer checked the Ordnance Survey plan against the interactive map to clarify the measurements. There was a plan within the photograph presentation that showed where officers had taken their measurements from on the map. The officer on site, measured the gap at about 30 metres, officers believed that the neighbour had measured from her garden boundary across to the stables. Having double checked the council records and visited the site, Ms Cutts was certain that the measurements on the submitted drawings were correct.
23. Mr Simon Till, Team Leader – Western Area Planning, explained that he had visited the site and used a 30 metre tape to measure across the field between the kink in the fence, amongst other fixed reference points, which was adjacent to the location of the

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stable and the boundary adjacent to the cottage. He measured the distance to be 35 metres in that location, so it was within a 50cm margin of error on the 1:1250 plan, which was a low margin of error in terms of that scale of plan. In terms of taking a more detailed measurement to locate the stables correctly, it was quite clear on the plan that this would be the distance that the stables were from the kink in the fence. He felt that there was quite clearly an understandable misunderstanding in the objector's correspondence, where the measurements had been taken from the garden boundary, whereas Mrs Cutts measurements had been taken from directly adjacent to Bee cottage itself.

24. Councillor Benneyworth sought further clarification as to whether any lighting would be subject to a separate planning application. Ms Cutts explained that it would be conditioned as part of this application so that no lighting could be installed without the Council's consent.
25. Councillor Woollaston sought clarification on the point that if the application was solely regarding the arena, the owner would not have needed to apply for consent. Ms Cutts explained that the arena, the stables and the tractor area would need permission.

Debate

26. When opening up the debate the Chairman observed that if he had a piece of land and put four coats down on the ground and pretended he had an arena and jumped over poles, he would not need planning permission. He therefore wondered how concerns around noise would be considered.
27. Councillor Hilary Cole thought it was unfortunate that the applicant had not adequately consulted with his neighbours, that measurements had been called into question and that there had been no discussion with the applicant with regards to noise attenuation. Horses were noisy when they were practicing in an arena and this activity was very different to horses simply being turned out into a field. Councillor Benneyworth's comments about mirrors were quite disturbing, as irrespective of how they were placed they would cause reflection in this sensitive area of the AONB.
28. Councillor Hilary Cole proposed that the application be refused, contrary to officer's recommendation, however should Members be minded to approve it, she asked that the length of the arena be conditioned.
29. Councillor Adrian Abbs commented that he lived within 80 metres of the stable development and had never heard any noise from the horses. He respected Councillor Hilary Cole's wish to bring this application before the Committee, but he did not see any reason not to let this go ahead. He might have felt differently if there had been a large amount of lighting, but he could not object from a noise perspective or to an oak-framed building in the countryside that contained horses.
30. Councillor Benneyworth commented that he had a long background in working with horses and often it was not the horses that made the noise, but people. He could not see that noise would be a major factor with this application. He was also struggling to find reasons not to go with officer's recommendation.
31. The Chairman asked if there was a seconder for Councillor Hilary Cole's proposal, but none came forward. He asked for an alternative proposal. Councillor Abbs proposed to accept officer's recommendation and grant planning permission. This was seconded by Councillor Phil Barnett.

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32. The Chairman asked for confirmation of any additional conditions. He cited the discussion regarding the lighting and location of mirrors. Councillor Hilary Cole suggested that the length of the arena be set at 40 metres.
33. Councillor Abbs confirmed that his proposal included conditions on lighting and the location of the mirror, however he did not understand the need to reduce the length of the arena. Councillor Benneyworth noted that 40 metres smacked as a little limited.
34. Ms Kim Maher, Legal Advisor, noted that Councillor Abbs had already made a proposal, and that the condition on the length of the arena was not included as a condition within his proposal.
35. The Chairman invited Members of the Committee to vote on the proposal by Councillor Abbs, seconded by Councillor Barnett to grant planning permission as per officer's recommendation. At the vote the motion was carried.

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

Conditions

1. Commencement of development

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

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

2. Approved plans

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

- I. Location plan received on 23rd September 2020
- II. Proposed Block Plan received on 23rd September 2020
- III. Stable Proposed Floor Plan, Roof Plan and Elevation Drawing no 1 received on 23rd September 2020
- IV. Oak framed Tractor Barn, Utility Store and Workshop Proposed Elevations and Floorplans received on 23rd September 2020
- V. Arena Fence and Gate received on 23rd September 2020
- VI. Planning Statement prepared by Paul Dickinson and Associated dated September 2020, received on 23rd September 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 forms.

Reason: To ensure that the external materials are visually attractive and respond to local character in the North Wessex Downs AONB. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), , Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policies ENV29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).

4. All weather arena materials

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No development shall take place above foundation slab level until a schedule of the materials to be used for the floor of the all-weather riding arena has been submitted to and approved by the Local Planning Authority. The riding arena shall be constructed and maintained in accordance with the approved schedule of materials.

Reason: In the interest of the amenity in the North Wessex Downs AONB. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006)

5. External lighting (details required)

No development shall take place above foundation slab level, until details of the external lighting to be used in the areas around and on the buildings and the all-weather riding arena hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved scheme before the buildings hereby permitted are occupied. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: To protect the amenities of adjoining land users and the character of the area in the North Wessex Downs AONB. The area is unlit at night and benefits from dark night skies. Inappropriate external lighting would harm the special rural character of the locality. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

6. Manure storage and disposal (amended)

The development shall not be brought into use until full details of the location and method of storage of manure and its removal has been submitted to and approved in writing by the Local Planning Authority. The location and methods of storage of manure shall be implemented in accordance with the approved details.

Reason: To prevent the proliferation of manure which would detract from the quality of the North Wessex Downs AONB and in the interests of amenity and to avoid any possible water/land contamination. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policies OVS5, OVS6 and ENV29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).

7. Private equestrian use only

Irrespective of the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or an order revoking and re-enacting that Order, with or without modification), the application site area permitted shall only be used for private recreational equestrian purposes ancillary to the enjoyment of the residential dwelling known as White Cottage, and shall not be used for any other purpose including commercial riding, breeding, training or liveryes.

Reason: In the interests of amenity of nearby residents and of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13, CS14 of the West Berkshire Core Strategy (2006-2026), Policies ENV29 of the West Berkshire District Local Plan

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1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).

8. Control of mirrors

No mirrors shall be installed on the riding arena fencing, or within the riding arena except in accordance with details submitted and approved under a formal discharge of conditions application.

Reason: To protect the amenities of adjoining land users and the character of the area in the North Wessex Downs AONB. The site is near to adjoining residential dwellings and reflections from a poorly sited mirror may result in unacceptable levels of glare and reflection beyond the site boundaries. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy ENV29 of the West Berkshire District Local Plan 1991-2006- (Saved Policies) 2007 and Supplementary Planning Document Quality Design (June 2006).

Informatives:

1. Proactive

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. Damage to Footways, Cycleways and Verges

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

3. Damage to the Carriageway

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

40. Appeal Decisions relating to Western Area Planning Committee

No appeal decisions relating to the Western Area were presented to the Committee.

(The meeting commenced at 6.30 pm and closed at 10.25 pm)

CHAIRMAN

Date of Signature

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, 16 DECEMBER 2020

Councillors Present: Adrian Abbs, Phil Barnett, Dennis Benneyworth, Jeff Cant, Hilary Cole, James Cole (Substitute) (In place of Howard Woollaston), Carolyne Culver, Clive Hooker (Chairman) and Tony Vickers (Vice-Chairman)

Also Present: Andrew Giles (Tree Officer), Jenny Legge (Principal Performance, Research and Consultation Officer), Kim Maher (Solicitor), Masie Masiwa (Planning Officer), Gareth Ryman (Principal Ecologist) and Simon Till (Team Leader - Western Area Planning)

Apologies for inability to attend the meeting: Councillor Howard Woollaston

PART I

41. Minutes

The Minutes of the meeting held on 4 November 2020 were approved as a true and correct record and signed by the Chairman, subject to the inclusion of the following amendments:

Item 1, page 9, point 24, final bullet point: Councillor Carolyne Culver asked that the wording "This would be challenging for Planning Enforcement to check..." be replaced with something closer to the exact wording she had used, such as "...she was concerned about the kind of evidence that had been presented to Members evening and why the assessments had been done at such an unusual time of day. This underscored her concern that should Planning Enforcement need to do more of these monitoring exercise in the future, they needed to be done at different times of day. Rather than sending somebody out to do something at an odd time of day, such as 3am until 7am, it needed to be a much more comprehensive approach. She and the local residents would be particularly concerned that that happened."

Councillor Adrian Abbs had a query regarding correspondence he had received from an officer regarding a decibel levels condition. Neither Ms Kim Maher, the Legal advisor, nor Jenny Legge, the clerk, were aware of the conversation. Ms Maher offered to investigate the issue outside of the meeting.

The Minutes of the meeting held on 11 November 2020 were approved as a true and correct record and signed by the Chairman.

42. Declarations of Interest

All Councillor present declared an interest in Agenda Item (4)1, 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.

43. Schedule of Planning Applications

- (1) **Application No. and Parish: 20/02322/FUL, Boames Farm, Boames Lane, Enborne**

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(Councillors Dennis Benneyworth and James Cole declared a personal interest in Agenda Item 4(1) by virtue of the fact that the application was within the ward they represented. 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.)

(Councillor Tony Vickers declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was friends with the applicant's tree advisor. As his interests were personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(All of the Members present declared that they had been lobbied on Agenda Item 4(1)).

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/02322/FUL in respect of Boames Farm, Boames Lane, Enborne. The application sought to erect two sheds for housing cattle during winter.
2. Mr Masie Masiwa, Senior Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was unsatisfactory in planning terms and officers recommended that the Head of Development and Planning be authorised to refuse planning permission for the reasons listed in the main and update reports.

Removal of speaking rights

3. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had 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.
4. 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.
5. In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from Enborne Parish Council (Mr John Leeson), Mr John Handy, supporter, and Mr Simon Tomkins, applicant.
6. Individual written submissions were published online with the agenda - <http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=155&MId=5737&Ver=4>

Parish Council's Submission

7. The Clerk read out the representation. Mr John Leeson was invited to join the meeting to answer questions from Members of the Committee.
8. Councillor Tony Vickers asked for clarification as to what was meant by "...so woodland absence". Mr Leeson indicated this was an editing error. He explained that the applicant had moved to the site in approximately 2001, and there was a photo from that time in the Design Access Statement that showed that, at that time, there was no woodland on the site of the proposed development.

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9. Councillor Adrian Abbs asked for clarification in relation to the ancient woodland status of the copse. Mr Leeson referred to the MAGIC map, maintained by Defra, which did not specify Little Copse as ancient woodland. He also noted that the latest Ordnance Survey map did not show mark the area as woodland at all. Therefore, according to the standard definitions it was clearly not ancient woodland.
10. Councillor Abbs asked if this woodland had been established after 2000/2001. Mr Leeson confirmed that it was older than that, and suggested that the applicant's tree expert would be best placed to give an estimate as to its age.

Supporter's Submission

11. The Clerk read out the representation. Mr John Handy was invited to join the meeting to answer questions from Members of the Committee.
12. Councillor Vickers noted that the elevations showed the drainage sloping towards the woodland, but Mr Handy's statement indicated the natural gradient would prevent the likelihood of run-off towards the copse, doing away with the need for a habitat buffer.
13. Mr Handy explained that the natural fall of the land, including the paddock, was towards Little Copse, however within the site it began to fall away to the north of the copse.
14. Councillor Vickers further queried Mr Handy's description of the site as, "once polluted, much excavated, made-up ground". He noted that officers' preference was for the woodland to be left to restore itself to wild wood. He asked Mr Handy if he considered there was much chance of recovery and restoring tree growth from the seed bank situated under the made-up ground.
15. Mr Handy explained that seed bank or bed referred to residual old seeds within the soil, which would flourish when exposed to light. However, this site had been much excavated, therefore the upper few inches of soil in which the seeds would usually have resided had been disturbed, buried or destroyed, and this was after damage from slurry run-off in the period to 1995 when there had been a dairy. He noted the dominant tree species on the site were oak, ash, birch and cherry, which produced seeds that germinated quickly and would therefore have rotted if they had been buried in the seed bank. He indicated that the seed bank had been turned over by excavations undertaken to create the pond 20 years ago and a new seed bank was created. Growth from the new seedbank had shown itself to be made up of predominantly grass, thistle and dock, basically weeds rather than trees.
16. Councillor Dennis Benneyworth queried what damage had been caused by the slurry run-off.
17. Mr Handy noted that he had experience of working on cattle farms and in forestry, however he had not taken notice of damage from slurry in the past. He had sought the opinion of an agronomist who had indicated that the nutrient from the slurry that damaged the soil would leach out and some seeds would survive that, particularly oil-based seeds (e.g. oil-seed rape).

Applicant's Submission

18. The Clerk read out the representation. Mr Simon Tomkins was invited to join the meeting to answer questions from Members of the Committee.
19. Councillor James Cole noted in the applicant's statement that he had not removed trees to facilitate the application, however the site was pretty clear of trees. Also, he noted that the site had been slurry damaged and a 2004 survey which referred to the site as 'rank grassland'. He asked if this was an accurate description of the site when

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Mr Tomkins' father took on the site in 2001, and who was responsible for the slurry damage. He also asked what effect the slurry would have had on any trees or undergrowth that was there.

20. Mr Tomkins highlighted the statement by a qualified ecologist in 2004, which described the site as a pond area with mound surrounds and rank grassland. He was unable to speculate about the activities of previous occupants.
21. Councillor James Cole sought confirmation that it wasn't Mr Tomkins father that had caused the issue. Mr Tomkins confirmed this was correct.
22. Councillor James Cole asked how the proposed drainage would protect Little Copse. Mr Tomkins confirmed that a drainage plan had been submitted as part of the Design and Access Statement, which showed the existing and proposed levels of the site. In conjunction with the elevations, this showed that the land sloped away from Little Copse. He indicated that he had also spoken to an agricultural planning consultant, prior to submitting the application, to ensure that they were complying with all relevant regulations. The consultant had proposed the addition of two slurry channels at the exit doors which would lead to an effluent tank in case the roof failed and rain got in. This meant that there was no possibility of any run-off reaching Little Copse.
23. Councillor Hilary Cole asked why the barns were necessary, how many animals would occupy them and for how many months would they be needed each year. Mr Tomkins explained that at the heart of things, this was a grassland, livestock farm. They had been keeping the small herd in a converted hay barn, however for economic reasons they needed to become 'Farm Assured' in order to maximise the value of their animals. This involved meeting high standards of welfare for the cattle, which could not be achieved with the current housing. Also, they needed to keep a large enough herd to be economically viable. He confirmed there would potentially be up to 150 cattle on the site comprised of 50 breeding cows, 50 one year old and 50 two year old calves.
24. Councillor Hilary Cole asked if it was essential for the cows to be contained in barns. Mr Tomkins stated it was vital. Due to refusal of the first application, half the herd was now living outside and causing extensive damage to the wet fields. He stressed that it was important to keep the animals inside, not only for their benefit, but also for the benefit of the wider landscape.
25. Councillor Hilary Cole asked if the reason for Site 2 not being considered, was the impact on a neighbour. Mr Tomkins indicated that they had given a lot of thought to the first application. They had considered and sought advice on the planning policies and had assessed all potential sites in terms of the effect on the character of the area and the historic landscape, the public's enjoyment of the countryside, etc. The impact on the neighbour was one reason, but not the sole reason. He noted that the case officer had framed his response as though the applicant had submitted alternative sites, however they had submitted a potential sites appraisal, which considered whether other sites were feasible locations.
26. Councillor Benneyworth noted that Policy CS14 required efficient use of land and asked why Site 2 would be inefficient. Mr Tomkins stated that the proposed site was already partly hardstanding farmyard. Other potential sites would require an extension of the farmyard equivalent to the entire area of the barns, which would be inefficient. Site 2 would require 0.35 hectares, including for access and movement.
27. Councillor Benneyworth asked if this would involve the loss of a paddock. Mr Tomkins confirmed that the paddock was used as a quarantine area where they kept sick animals and indicated that this needed to be close-by so they could keep an eye

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on the animal. He referred to a recent outbreak of New Forest Eye, which was incredibly infectious, and the paddock had been used to isolate affected animals.

28. Councillor James Cole asked the applicant what he would do if the application was not approved. Mr Tomkins confirmed that it would put an end to their livestock enterprise. He indicated that local people had expressed shock and concern about using the alternative locations for the barns proposed by the planners. He suggested that the only option would be to expand the hay-making side of the business. Again more barns would be needed, which they may be able to erect under permitted development rights.
29. Councillor James Cole asked for confirmation that Site 2 was considered impractical. Mr Tomkins stated that it was not feasible for many reasons.
30. Councillor Hillary Cole asked the applicant if he had enough pasture land for the enterprise or whether he was trying to squeeze a quart into a pint pot. Mr Tomkins confirmed that they had sufficient pasture land.

Ward Member Representation

31. Councillor Claire Rowles in addressing the Committee made the following points:
 - A site visit was essential to understand the development of the proposed site and why alternative sites were unrealistic.
 - Much attention had been on historical removal of trees from the site, which was not of the applicant's making. There was nothing worth keeping on the site and it was in a poor, damaged state.
 - Members should consider the economic use of the land, particularly in the current challenging economic climate for farmers e.g. bovine TB, rural crime, Covid and Brexit. The benefits and advantages of the scheme needed to be balanced against the disadvantages.
 - The Tree Officer recognised that Little Copse was not designated as ancient woodland and was not listed as such on Natural England's inventory. He had classified it as historic woodland, but there was no such legal definition. He acknowledged that ash trees would need to be felled soon, due to ash dieback.
 - The previous occupant had let slurry leak over time and damage the seed bed.
 - The current occupants dug a pond to solve a problem and filled it in when it was no longer needed, which further damaged the seed bed.
 - Regarding biodiversity, the applicant had proposed a drainage plan, which highlighted the gradient away from Little Copse to the adjacent field. A much greater area of trees would be planted adding to tree and hedge planting already carried out, creating additional habitat to mitigate against any potentially lost.
 - The existing site where the cattle are located now was two miles away, which was too far away and the other side of the bypass and Redding's Copse, which was a true semi-natural ancient woodland.
 - Theoretically, there were two potential sites next to Boames Farm. Officers claimed these were put forward by the applicant as alternative sites, but this was incorrect.
 - The first site was in front of the Grade II listed farmhouse, which was unacceptable.

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- The second site had high voltage wires across it, restricting the area that could be used and requiring the cattle sheds to move towards a neighbouring house, which was a non-designated heritage asset.
- Planning officers had said that the paddock was not used, but this was factually incorrect, since it was used as an isolation paddock. The site was also right by the road.
- She could not see either site being supported by the Heritage Champion.
- In the current economic climate, local businesses needed to be supported. This application would safeguard the future of a rural enterprise and maintain jobs.
- It would also secure conservation of a rare breed of cattle of national importance.
- It is best practice in terms of safety and animal welfare for cattle to be nearby in case of sickness or when calving.
- The cattle were essential for the maintenance of rare grassland habitats on this farm and grazing animals supported a more diverse range of insects and birds than redundant or mechanically managed grassland.
- More trees would result in more habitats. The siting of the new trees would create a wildlife corridor between the two copses.
- All young livestock would live under cover in the winter.
- Carbon emissions would be reduced since the applicant would not need to travel to attend to their cattle.
- She encouraged Members to reject the officers' recommendation.

Members' Questions to the Ward Member

32. Members did not have any questions for the Ward Member.

Members' Questions to Officers

33. Councillor Abbs asked Mr Andrew Giles, Senior Tree Officer, to confirm if the site was ancient woodland. Mr Giles confirmed that it was not classified as ancient woodland, which was classified as being there for since 1600, but historical maps suggested it had been there for at least 170 years.
34. Councillor Abbs noted that ancient woodland required a 15m buffer, and asked if there should be a similar buffer for the other types the woodland.
35. Mr Giles stated that there was distance from the roots as set out in the arboricultural report produced by Mr Handy, however he noted that the barns would be sited within the woodland footprint, which was a concern.
36. Councillor Abbs noted that more woodland would be planted than lost, and asked about the net level of biodiversity gain. Mr Giles indicated that the new planting on the eastern side (25m x 50m) was double the size of the new buildings.
37. Councillor Vickers asked Mr Gareth Ryman, Principal Ecologist, about the potential loss of biodiversity and carbon storage if Site 2 were developed.
38. Mr Ryman explained that woodland stored far more carbon than grassland, particularly given the expected grazing densities.
39. Councillor Vickers asked if much of the carbon had been released when the soil was disturbed previously.

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40. My Ryman was unable to comment on this. However, he noted that the proposed site would cause leaching of nitrogen into the woodland at much greater levels than for Site 2. This would lead to biodiversity loss in the woodland unless there was adequate drainage. Also, he explained that his previous assumptions were based on 50 cattle rather than 150 that Mr Tomkins had indicated. He explained that the proposed 6,000 litre effluent tank would be 6m x 1m x 1m, which did not seem enough for the number of cattle, so there was a real risk of a pollution event.
41. Councillor Clive Hooker called for clarity as to whether the tank would be big enough for the number of cattle to be accommodated in the sheds and suggested that a condition might be required to stipulate a larger tank if the development were approved.
42. Mr Ryman indicated that a larger tank would help, but his concerns about proximity to the woodland remained, as not all of the effluent would be caught. In addition to the liquid and solid effluent, cattle produced methane, although methane did not travel far. He suggested eutrophication of terrestrial habitats, identified in research carried out by the Forestry Commission in 2004, might occur on the site. However, the effects of methane production had not been included in his ecology report.
43. Councillor Hilary Cole asked Mr Masiwa if the committee favoured an alternative site whether that would require a new application. Mr Masiwa explained that prior to the application determined in August, officers had highlighted objections to the applicant regarding the proposed site and had invited him to consider alternative sites. The applicant identified two alternative sites. On balance, officers felt that Site 2 would have less of an impact. Officers had also invited the applicant to amend the red line to include Site 2. He confirmed that there was scope to amend the red line without the need for a new application.
44. Councillor Hilary Cole noted that the Council had decided to give more weight to economic considerations above environmental and social, in the current climate, but she did not see this reflected in the application. She asked if sufficient weight had been given to economic considerations in this application. Mr Masiwa confirmed that officers had given appropriate weight to the economic benefits of the proposal and had not disputed the need of the development. Officers had given every opportunity to the applicant to put forward an alternative site or to amend the proposal. Officers had added weight to the economic impacts, however there were still environmental and social impacts and had arrived at the recommendation for refusal.
45. Councillor Hilary Cole asked why the Council's animal welfare officer had not been consulted. Mr Masiwa stated that officers did not consider that animal welfare was a significant consideration and that, as indicated in the presentation, it was acknowledged that the two mile round trip for the farmer was inadequate and officers had attempted to support the farmer in finding an alternative.
46. Councillor Benneyworth noted that the Thames Valley Environmental Records Centre conducted a survey in 2004 suggesting that this area could be removed from the local wildlife site list and invited officers to comment. Mr Ryman explained that if the site were left to go wild, then there would be ecological succession in the area over time. In the last two years, if changes had not happened there would have been further ecological success and the edge habitats would have provided extra value to the woodlands in terms of biodiversity. If the ash tree had been left in place, there would have been value in having 'dead standing'.
47. Councillor Jeff Cant asked if operational facilities, such as slurry storage tanks, were a legitimate planning consideration. Mr Ryman indicated that there had been

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previous cases in the Lambourn Valley where sewage treatments plants had been required to protect the Site of Special Scientific Interest (SSSI), and there could be similar eutrophication problems that could impact this site.

48. Mr Masiwa confirmed that drainage and slurry management were legitimate planning considerations and these were key considerations in this application and the previous one. He stated that it was a planning consideration for example, where intensive livestock development could have high levels of environmental impact, and if that were the case an environmental impact statement may be required.
49. Councillor Cant asked what the most important reason for refusal was for this application. Mr Masiwa explained that the objections were: the location of the barns in the woodland; and the impact on the retained woodland by the operation of the building, with the second of these being the main issue.
50. Councillor Hooker asked if the objections related to particular policies. Mr Masiwa confirmed that objections related to policies CS17, CS18 and CS19.
51. Councillor Abbs noted that there did not appear to be evidence about drainage from Site 2, but observed that the levels suggested that the flow would be towards the copse. He asked for clarification as to why Site 2 was preferred. Mr Masiwa explained that the tree officer and ecologist were content that there would be sufficient distance to the woodland for the mitigation measure of ditches to be installed around the barns to protect the surrounding environments.
52. Councillor Abbs indicated that he was unclear about the level of mitigation required, but it appeared that more mitigation was required for Site 2. He indicated that he did not have sufficient information to be able to draw a clear conclusion. Mr Masiwa indicated that the ecology report addressed the mitigation measures required, as it mentioned a ditch and 7m buffer to the trees.
53. Mr Ryman explained that in his original response he had asked for a 5m buffer and 2m ditch to protect the woodland. Additionally, he indicated that there were areas within Site 2 that could be used as a Sustainable Drainage System (SuDS) and potentially offer on-site grazing for any quarantined animals. In his opinion, this made Site 2 a better choice. He also noted that monitoring surveys would be required to ensure that effluent was not entering the woodland.
54. Councillor Hilary Cole asked if a condition could be imposed to require a larger effluent tank to be provided, or if the application would need to be deferred.
55. Mr Simon Till stated that there was no guarantee that there would be enough space within the red line currently proposed to condition additional mitigation, but there may be potential for amendment of the red line and for officers to explore additional measures. If members were minded to recommend approval, they could ask for these details to be secured by officers within 3 months, with the application to be brought back before the Committee if no resolution could be achieved.
56. Councillor James Cole asked why there was confusion about the number of cattle. Mr Ryman indicated that the Design and Access Statement specified 50 cattle, but at the meeting, the applicant had indicated that the number would be 150.
57. Councillor James Cole indicated that in his experience, it was normal to have cows, yearlings, calves and a bull.
58. Mrs Kim Maher highlighted the information in section 6.8 on page 57 of the papers, which confirmed the intention to have up to 50 cows with associated young stock.

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59. Councillor James Cole indicated that this added up to 75 cattle now, doubling over time to 150.

Debate

60. Councillor Cant opened the debate by stating while he did not usually go against Officer's recommendations, he felt this young entrepreneur who could accommodate 450 cattle on his farm, had a genuine operational need for facilities to make it more profitable and productive. He noted that the community would benefit from the barns being in the proposed location, which combined with the economic needs of the farmer made him inclined to support the application, despite other concerns. He proposed to reject Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report.
61. Councillor Abbs indicated that he had initially been minded to oppose the application on the grounds that ancient woodland would be destroyed. However, he was satisfied this was not the case and there would be significant biodiversity gain. He was not convinced that Site 2 was a better option. He seconded Councillor Cant's proposal.
62. Councillor Vickers indicated that he saw many positives in the proposal. He considered that Site 2 had significant disadvantages in terms of impacts on the landscape and the neighbour. Site 2 was also more intrusive from the lane and other directions, and the proposed site, with appropriate screening and the back drop of Little Copse, would have a negligible impact on the landscape. He noted that the previous wood had gone from the site and there would be little impact on the adjacent woodland. He supported the proposal, but indicated that the drainage needed to be looked at carefully. There would also need to be landscaping mitigation. Overall he felt that the application would have a positive impact.
63. Councillor James Cole acknowledged that he had called the application in, but was disappointed at planners' lack of concern for animal welfare. He welcomed the wildlife corridor and indicated that he would have objected to the alternative sites, which would have brought the noise and smells of a cattle barn to the roadside. He felt that the current site was equivalent to a brownfield site and benefits expected from rewilding the site would not have been achieved. He felt that using this site for two barns made sense.
64. The Chairman asked members if they would like to amend conditions, including those relating to the drainage and tank size, which may require the red line to be moved either as part of a new application or as a continuation of this application. He also asked members if they wanted a condition relating to methane and if there needed to be a condition relating to the emptying of the tank.
65. Councillor Hilary Cole felt that planners were clutching at straws in their reasons for refusal. She felt that the area was scrubby and would benefit from regeneration and she could not see the benefits of the alternative sites. Her concerns related to the tank size and mitigation of drainage, but if these could be addressed then there was no reason to refuse the application. She did not feel that sufficient weight had been given to the economic factors, which were important in current times.
66. Councillor Benneyworth felt that the proposal would make efficient use of a site that would not otherwise return to woodland, since it would continue to be used to store farm machinery. He felt that the applicant husbanded his land responsibly and was passionate about environmental matters. He noted that this was not a dairy farm where the parlour would be washed out, but rather this was for overwintering cattle,

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with straw that would be cleared out at the end of the winter. As such, it would not have as much impact as officers feared.

67. Councillor Phil Barnett regretted that he had been unable to visit the site. He indicated that some evidence put before the committee had been confusing, but he was supportive on the basis of animal welfare.
68. Councillor Cant modified his proposal such that the application be approved subject to appropriate conditions on drainage.
69. The Chairman sought advice from the Planning Officers.
70. Mr Till suggested the following conditions:
 - Materials as per the drawings
 - A landscaping scheme to be provided and agreed
 - A mitigation strategy for ecology
 - Officers be given 3 months to negotiate an acceptable scheme of drainage measures with the applicant and subject to this being achieved for the application to be approved, but if this cannot be achieved for the application to come back to committee
71. The Chairman confirmed that Members were happy with these conditions and invited Members to vote on the proposal by Councillor Cant, seconded by Councillor Abbs to grant planning permission contrary to officer's recommendation. At the vote the motion was carried.
72. **RESOLVED that** the Head of Development and Planning be authorised to grant planning permission subject to the following conditions:

Conditions

1. Commencement

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

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

2. Approved drawings

The development hereby approved shall be carried out in accordance with the following plans and drawings (list to be included following the outcome of discussions regarding condition 6).

Reason: For the avoidance of doubt and in the interests 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/or the application forms.

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 2019 and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

4. Landscaping

WESTERN AREA PLANNING COMMITTEE - 16 DECEMBER 2020 - MINUTES

The development hereby approved shall not be occupied until, a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall ensure:

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

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

5. Mitigation for Ecology

No development above floor level of the building hereby approved shall take place until a scheme of mitigation measures to address the impacts on ecology and biodiversity associated with the development has been submitted and approved in writing under a discharge of conditions application. The scheme shall include clear recommendations on the measures to be taken and a schedule for their implementation. The development shall be carried out in accordance with the approved scheme and schedule.

Reason: In order to secure the satisfactory identification and mitigation of impacts of the approved works on ecology and biodiversity in accordance with the requirements of the NPPF and Policies CS17 and CS18 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

6. Drainage

To be confirmed by officers following the outcome of discussions with the applicant as requested in the resolution.

(The meeting commenced at 6.30 pm and closed at 8.30 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/01914/FUL Hampstead Norreys Parish Council	15.10.2020 ¹	Two-storey front and side extension over basement to create granny annexe and carers room. Change of use of associated land to provide two additional ancillary parking spaces. Tree Tops, Hampstead Norreys, Thatcham, RG18 0TE Mrs & Mr Humphreys

¹ Extension of time agreed with applicant until 12/02/2021

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01914/FUL>

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

Ward Member(s): Councillor Carolyne Culver

Reason for Committee Determination: 10 objections received.

Committee Site Visit: Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

Contact Officer Details

Name: Mr Scott Houston
Job Title: Planning Officer
Tel No: 01635 519318
Email: scott.houston1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for a two storey side/front extension with basement, and two additional parking spaces on a piece of agricultural land in the ownership of the applicants, comprising of a change of use to domestic from agricultural for an area of dimensions 4.8m by 4.8m, including an electrical upstand for car charging.
- 1.2 The application site sits roughly in the middle section of the Hampstead Norreys settlement, adjacent to the settlement boundary, within its Conservation area, set well back from the main road and up on the hillside. It is accessed primarily on foot via a narrow path/PROW that leads up to a set of steps on the front of the veranda/balcony of the house.
- 1.3 There exists a narrow farm track (the aforementioned piece of agricultural land) that accesses the rear garden and two fields, but this does not form a formal part of the domestic curtilage of the dwelling.
- 1.4 The extension and spaces were amended in the course of the application to address a specific concern in regards to an immediate neighbour's amenity and a highway/PROW safety matter.

2. Planning History

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

Application	Proposal	Decision / Date
00/57550/FUL	Convert single storey bungalow with a loft conversion and brickwalls on outside	Approved 22.11.2000
02/00563/FUL	Change of use from agricultural land to residential curtilage to incorporate new driveway and parking.	Refused 11.09.2002
02/02082/FUL	Creation of access track and parking for the use by occupiers of High View	Refused 24.12.2002
04/01966/FUL	Proposed demolition and replacement of existing dwelling. Creation of access track.	Refused 18.10.2004
07/00248/FUL	Retrospective - Replacement dwelling in place of approved extended bungalow	Refused 05.04.2007. Allowed at appeal 20.06.2008
09/02274/FUL	Access track following the hedgeline of the existing field boundary	Refused 05.02.2010.

		Appeal dismissed 03.11.2010
20/01209/HOUSE*	Householder application for a two-storey front and side extension over basement to create granny annexe and carers room.	Withdrawn 13.07.2020

*20/01209/HOUSE was considered by the same officer. The circumstances leading to its withdrawal and resubmission as part of this application are explained in section 6.44.

3. Procedural Matters

- 3.1 EIA Not Applicable.
- 3.2 Site notice displayed on a telegraph pole next to the highway and pedestrian access (also a PROW) of the dwelling on 28.08.2020, site notice expired 18.09.2020.
- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).

As the proposal is over 100 square meters, it may be liable to pay CIL. Residential annexe exception is being sought. CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

- 3.4 A notice was displayed in the Newbury Weekly News on 27.08.2020. This was a statutory requirement as the application site is in a conservation area and potentially affects a public right of way.

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.

Hampstead Norreys Parish Council:	<p>"Objection.</p> <p>The increase in bedrooms to this property from 3 to 5, including the access for a carer creating the use of an additional vehicle, will increase the requirement for parking spaces at this property. According to the Housing Site Allocations DPD (2006-2026), there is a requirement for properties in Zone 3 with 4 bedrooms to have 3 parking spaces available within the curtilage of the dwelling.</p>
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	<p>No vehicular access is permitted to this property, as confirmed by the Planning Inspectorate within planning appeal APP/W0340/A/10/2131162, relating to planning application 09/02274/FUL.</p> <p>The existing dwelling has only one parking space. This revised planning application requests the inclusion of two new parking spaces within the curtilage of the main site.</p> <p>This would be unacceptable given the previous decision by the planning inspectorate to prevent vehicular access to the site.</p> <p>The increase in the number of bedrooms in this property, particularly when taking into account the needs of the carer that part of the extension is designed to cater for, would increase parking around the area of the corner of Church Street and Forge Hill on the B4009. This location is already overwhelmed by on-street parking and the situation would only be exacerbated by the additional vehicles created by this extension.</p> <p>The access track, that is not permitted for use as per the Planning Inspectorate's decision referenced above, is being used for access to this property with cars regularly using the track from the White Hart with cars being driven up and round behind Folly Cottage to the existing property.</p> <p>Temporary access was granted along this route when the original dwelling was built, however, conditions were included that this ceased on completion of the work and that the ancient hedge was restored. Neither of these conditions have been met.</p> <p>Construction materials can only be delivered via a narrow, steep footpath leading from Forge Hill. This is likely to result in additional issues with parking on this area of Forge Hill.</p> <p>It is noted that there is currently no basement to the property. It is therefore believed that this is, in effect, a three-storey extension to the property.</p> <p>There are concerns regarding the scale of the proposal on a plot that is elevated and can be seen from a long distance. The proposed extension will only add to the dominance of the dwelling.</p>
<p>WBC Highways:</p>	<p>Initial objection to proposal over exact position of spaces not being suitable in terms of pedestrian visibility splays. Resolved to no objection subject to conditioning of a Construction Method Statement, implementation of the visibility splays, parking in accord with plans, EV charging point, and 2 informatives.</p> <p>Further comments in response to request from Case Officer for review of submitted objections:</p> <p>“The representation letters do not alter the highway recommendation for approval.</p> <p>The parking spaces are remote from the dwelling but this in itself is not a reason to object in this instance. The concerns related to land ownership and the permitted use of the land are not for highway consideration.</p> <p>In terms of construction, a CMS is requested which is appropriate and is as much as we can reasonably request. Again we would be unable to object on these grounds.”</p>

PROW:	No response.
Conservation:	<p>The built form of Tree Tops is located within the Hampstead Norreys Conservation Area, however, access to the dwelling falls just outside of the CA.</p> <p>The proposal is for:</p> <ul style="list-style-type: none"> • Change of use of associated land to provide two additional ancillary parking spaces. • Two-storey front and side extension over basement to create granny annexe and carers room <p>The proposed parking spaces are to be located at the access into the site, adjacent to the CA. It is unclear whether or not they involve the loss of any trees, as a site plan has not been provided for this area. Further information is therefore required so that we can properly assess the impact of the proposed parking spaces on the setting of the CA.</p> <p>I note my colleagues comments on the earlier withdrawn application from this year:</p> <p>“An interesting site with an interesting site history, involving a prominently situated unlisted building in the Hampstead Norreys Conservation Area, Settlement Boundary and the AONB.</p> <p>The existing property on the site was permitted on appeal under a retrospective application number 07/00248/FUL. The said appeal was also in respect of Enforcement action taken against the then unauthorised property on the site.</p> <p>Originally alterations and extensions were proposed to an existing dwelling on the site (application 00/57550/FUL refers), but the dwelling was subsequently demolished and replaced with that subject of retrospective application 07/00248/FUL, when the various planning objections to the proposal, including building conservation objections, were dismissed in allowing the appeal. This must be the starting point in considering any new proposals for the site.</p> <p>The question with regard to the current application to extend the approved dwelling on the site, is therefore whether any new issues arise.</p> <p>Although previously objected to in building conservation terms, the building on site remains no less prominent than before, and, even with extensions, this would not appear to be an issue based on the appeal decision. The proposed extensions are also considered to be in keeping with those approved in terms of design and matching materials (albeit previously objected to). Together, this therefore suggests that there are no new building conservation issues with regard to impact on the character and appearance of the Conservation Area in which the property is situated, nor views of it from public viewpoints.</p> <p>Notwithstanding any other Development Control Case Officer considerations in respect of assessing the ancillary nature of the proposed accommodation (which appears to be fully capable of independent use and is only nominally linked to the main house with a single door), plus any impact of the proposed extensions on the amenities of neighbouring properties.”</p> <p>I concur with his comments and have nothing further to add. Other than I note that the proposed extension has been designed to reflect the scale, architectural form, and detailing of the main house.</p>

	<p>Response 2, in response to amended plans:</p> <p>Provided the tree office is content that the proposed parking spaces will not harm any existing trees then I have no objections. (although I would have expected a 1:100 or 1:200 plan showing the proposed parking spaces and the existing trees?)</p>
Trees	<p>There are significant trees in proximity to the proposal to the rear of Forge Cottage. The RPA is likely to be a sufficient distance from the site of the proposal which in principle appear achievable however additional information will be required to ensure inadvertent damage by creeping development activities including storage does not occur.</p> <p>The proposed additional parking spaces are close to an existing tree. Details of any excavation required within the RPA, tree protection during construction and its installation preventing soil compaction using no dig techniques will be required. The tree should be included in an Arboricultural Survey and Impact Assessment detailing the classification, condition as per BS5837 and the impact of the proposals.</p> <p>There is no arboricultural report with the submission and the following conditions are suggested (see conditions 10 and 11).</p>
SUDS	No response.
AONB	No response.
Ramblers	No response.

Public representations

- 4.2 Representations have been received from 10 contributors, 0 of which support, and 10 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 points have been raised:
- Application has misleading description, should be called a three storey extension
 - Two parking spaces are proposed which contradict the appeal decision from 2010.
 - Delivery of materials and equipment likely only made via narrow footpath which is a PROW, concern over impact on other residents
 - Dwelling is large and dominant, development won't blend with rural character, visible from road accesses
 - Concern of use of rear access being used by private vehicles
 - Concern of extent of overlooking and protrusion into neighbour amenity
 - Concern over existing parking situation along the highway, increased pressure from development.
 - Parking spaces would constitute domestic development outside of the settlement boundary

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 CS13 CS14 CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C8, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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 2019-24
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Whether the proposed extension is acceptable in its impact on the character of the area
- Whether the proposal has an adverse impact on neighbouring amenity and what measures are necessary to ensure the protection of neighbouring amenity
- The benefits of the proposed parking spaces and electric charging point versus their impact on the character of the area

Principle of development

6.2 The consideration of whether residential development within this site is acceptable was addressed by the appeal decision of application 07/00248/FUL, and is the point from which this proposal is assessed.

6.3 The proposed extension is located within the Hampstead Norreys settlement boundary, where the principle in favour of development is established, subject to detailed consideration of policies on design, impact on the character of the area, and neighbouring amenity, which are discussed below.

6.4 The proposed parking spaces are located outside of the Hampstead Norreys settlement boundary where the principle of development is not established, but where the principle of extending the residential curtilage of a dwelling in the countryside to provide parking in the interests of highway safety is established, subject to detailed consideration of Policy C8 in regards to the impact on character of the area, highway safety, and neighbouring amenity.

Character, appearance, use – proposed house extension

- 6.5 The proposed extension comprises a two storey extension over a new basement to provide a residential annexe for the purposes of live-in medical care. This comprises two main parts on the side and street-facing elevations of the dwelling.
- 6.6 The extension could be described as a rear extension, as the principle elevation (including the 'front' door) is on the other side of the dwelling, facing the countryside. However, the 'rear' is the most visible elevation of the dwelling, faces the highway, and is how pedestrian access from the parking spaces to the dwelling is made (as existing and proposed). The real-world impact of the extension is therefore judged as resembling that of a front and side extension rather than that of a rear and side extension, and is assessed accordingly.
- 6.7 For clarity in this report, the 'front' elevation is described as the 'countryside-facing' elevation, with the 'rear' elevation as the 'street-facing' elevation. The respective floors are referred to as 'basement' 'ground' and 'first', acknowledging that the basement does not yet exist and is proposed to be partially excavated into the hillside, and that the first floor is contained largely within the roof of the existing dwelling and the proposal.
- 6.8 Policy CS14 seeks that new development demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Good design should not only consider the appearance but also the context of both the immediate site and wider area. Policy CS19 also seeks that development is appropriate in terms of its location, style, and design in context with the settlement form and pattern. Guidance contained within the West Berkshire House Extensions SPG will be utilised to consider the merits of the design of the proposed development.
- 6.9 The main character considerations identified for the proposed extension is in the impact on the character of the locality and Conservation area, with particular regard to whether this development would result in an impact that is significantly greater than that which already exists, and whether the development respects the character of the dwelling and its usage.
- 6.10 First, consideration is given to whether the proposal has a visual impact that is significantly greater than existing.
- 6.11 The appeal decision for 07/00248/FUL describes views of the existing terrace as being "clearly visible from the village, [but] does not strike me as excessively dominant or otherwise offensive", where views of the holistic building are "either over such a distance that the detail of the building is not readily discernible, or confined to relatively close quarters along the footpath". This was confirmed in the course of the Case Officers site visit.
- 6.12 Comparing the physical footprint occupied by existing building and terrace to the proposed, no significant change in footprint is identified, as the proposal slightly shorter in its projection from the main dwelling than the terrace. From the ground floor level downwards, therefore, the development is essentially equivalent in its mass to the existing, and that part of the proposal will occupy a physical space within the site that has already been developed, and the impact cannot therefore be said to be significantly greater than existing.
- 6.13 However, from the ground floor/terrace level upwards, the proposal will project from the existing dwelling with a 5m long footprint, 5.8m height, a 8m long pitched roof with a gable frontage, in addition to a 2.5m wide side extension to incorporate the front part

into the main dwelling. The impact of this part of the proposal is identified to be greater than that which currently exists, and is given greater consideration below.

- 6.14 It is concluded overall that the Inspector's assessment remains as a solid standpoint from which development within this site should be considered.
- 6.15 The House Extensions SPG details design guidance for front extensions that, as mentioned in 6.6, is considered to be applicable in this situation due to the unique circumstances of this site and orientation/location of the proposed extension. The SPG advises against new front extensions in general, but exceptions are given where the dwelling is detached and well set back from the road in a good sized plot.
- 6.16 The dwelling is set well back from the street, detached, and set in a good sized plot. As has been identified not only in the 2008 appeal decision but also by the Conservation Officer, the views of the dwelling from an external viewpoint are limited to views from afar, where the circumstances of the site are such that it is considered to fulfil the detailed exception for front extensions.
- 6.17 Although the plot is of a reasonable size, there is not a reasonable location within the site other than in the proposed location to extend the dwelling to the degree that is required. This is because an extension of a similar type/size on the countryside facing side of the house would be outside of the settlement, outside of the domestic curtilage of the site, and would require a change of use for a section of agricultural land, which is judged as a more damaging development than extending within the domestic curtilage. Locating the development elsewhere on this side of the dwelling would almost certainly result in the extension requiring the removal of mature trees and shrubbery, which would be unacceptable in context with the location within a Conservation area.
- 6.18 Next, the SPG advises that extensions should ideally be set back and down in order for a development to demonstrate subservience to the main dwelling, but that it may be preferable in some cases to match the existing ridgeline.
- 6.19 In this case, the roof of the side part of the proposal matches the existing ridgeline, and demonstrates subservience through a half-hip, which results in a visual appearance that is acceptably subservient and in character, as hipped roofs on this dwelling are an existing feature. The hip has the related benefit in reducing the mass of the proposal along the boundary with the neighbour. The projecting part of the extension at the ground and first floor levels is also subservient in appearance to the existing dwelling, as it is well set down from the existing ridgeline. The development has been judged as demonstrating significant subservience to the existing dwelling.
- 6.20 The consideration remains over whether the overall design and style of the proposal and its visual impact is acceptable, as the proposal should not only respect the existing character of the dwelling, but also should not infringe upon the character of the Conservation area that it is located within. In considering this question, weight is given to the comments provided by the Conservation Officer:
- 6.21 "The building on site remains no less prominent than before, and, even with extensions, this would not appear to be an issue based on the appeal decision. The proposed extensions are also considered to be in keeping with those approved in terms of design and matching materials. Together, this therefore suggests that there are no new building conservation issues with regard to impact on the character and appearance of the Conservation Area in which the property is situated, nor views of it from public viewpoints."
- 6.22 It is concluded that the impact of the proposal on the Conservation area, due to the relatively modern age of the dwelling and location that results in most views being from

afar, is no more significant than the impact that the existing dwelling has on the Conservation area.

- 6.23 The design of the side part of the proposal, as previously identified, is incorporated into the design of the main dwelling/ridgeline/roof, and is informed by a need to utilise the space effectively, whilst incorporating a mix of the existing hipped character features of the dwelling and a need to reduce the mass of the proposal along the boundary. Regardless, this part of the proposal is in such a location that it would not be readily visible from most angles, and those angles that it would be visible from are a distance as to be not significant.
- 6.24 The design of the projecting part of the proposal is reflective of the existing gable on the street facing elevation, going so far as to match the exact detailing of this gable. Clearly, the proposed extends further out than the existing gable, however it is overall very similar in dimensions and only projects 3.3m further forward than the existing gable. The overall form, style and size is considered to broadly reflect the existing character of the dwelling.
- 6.25 A dormer is proposed on the countryside-facing elevation, which is identical to the two that are already existing on this elevation, and has not been identified as raising any particular concerns, as it is not widely visible and does not overlook neighbouring dwellings.
- 6.26 Overall, no part of the extension has been judged to introduce character features onto the dwelling that do not already exist in some form. Subservience to the main dwelling, respect for its character, and integration by design has been demonstrated.
- 6.27 The final consideration for this section is over the design of the proposal with regard to its usage. As identified, the proposal incorporates is an annexe for the purposes of providing a live-in carer. The incorporation of the annexe as an integral, attached part of the design of the dwelling/extension results in internal space that, although largely separated from the rest of the dwelling, has the clear capacity to be modified and re-absorbed into the main dwelling if and when the need passes. To ensure the cohesiveness of the dwelling, condition 8 has been suggested. The considerations of the creation of a separate dwelling has been concluded to not hold significant weight in the particular circumstances of the site and proposed use.

Neighbouring Amenity

- 6.28 In terms of direct impact on neighbour amenity through overshadowing, overbearing, and overlooking, it has been identified that there is only one neighbour that could be clearly and directly impacted by the extension itself, which is Mountain Ash. This is because the location of the proposal is such that other neighbouring dwellings are such a distance from it such that the amenity impact would be negligible.
- 6.29 Mountain Ash, however, sits directly south of the proposal. Referring to the picture titled 'Mountain Ash side elevation', it is clear to see that there are few windows on this elevation, and those windows that are on this elevation have been identified as secondary. The lay of the land and mass of the existing Tree Tops building, terrace, and vegetation already restricts view out of these windows to a large degree, therefore the impact is considered from whether this is greater than before.
- 6.30 As previously identified in 6.16, the location of the proposal in this part of the site is important in preventing other adverse impacts, although it is acknowledged that the location in this position results in more development near Mountain Ash. As existing, this side area is occupied by the front wood terrace and a set of stairs, in addition to a

small single storey side aspect of the existing dwelling that contains a bathroom. The proposal extends to the same degree as this existing side part of the dwelling. The built form on the boundary is therefore, in theory, no closer than which currently exists, although in practice the larger size of the extension will present a visually larger brick walls on this boundary that could have a greater impact on neighbouring amenity. The half-hipped roof here assists in reducing the mass of the extension along this boundary, with the pitched roof of the projecting part of the extension – itself in line with the original hipped roof of the dwelling - further assists in reducing the mass of the proposal along the boundary.

- 6.31 Attention is drawn to the removal of a previously proposed terrace at the ground floor level of the street-facing extension, in the interests of protecting the amenity of Mountain Ash by removing an aspect of the proposal that had potential to cause overlooking/harm to amenity and had been raised as a concern by the neighbours.
- 6.32 Matters concerning the final treatment of the boundary between the proposal and Mountain Ash are recommended to be addressed by condition 4.
- 6.33 The two primary concerns raised by the closest neighbour to the extension have therefore largely been addressed or will be covered by condition. Whilst the proposal will have a degree of impact on Mountain Ash due to its size and mass, it is not considered that there would be a significant direct impact on their amenity due to the steps taken to reduce the mass of the proposal alongside the boundary, their distance from the proposal, the removal of an overlooking/overbearing terrace, and that the impacted windows are secondary windows.
- 6.34 The direct impacts on neighbouring amenity as a result of the extension is concluded not be so significant that refusal would be a justified course of action, especially given the factors that dictate the location and size of the proposed development

Character, appearance, amenity and Highway Safety – access to the dwelling & proposed parking spaces

- 6.35 Matters regarding access construction and measures to mitigate impact on neighbouring amenity during construction are reserved for a future discharge of conditions pre-commencement as per condition 5 set out by the Highways Officer, which requires a Construction Method Statement (CMS). This also covers matters such as the disposal of spoil and maintaining access to neighbouring dwellings during construction.
- 6.36 It could be desirable in the interests of protecting neighbouring amenity for the rear agricultural access to be utilised in an extraordinary capacity to deliver materials to the development, as this would avoid the need to undertake deliveries via the PROW. Use of this access has been indicated by the Parish as occurring in the past when the house was constructed. Detail of proposed movements, rear access or otherwise, is recommended as a requirement within the CMS prior to commencement of development, and use of the access could be stipulated as part of the discharge of that condition as ceasing once development has finished.
- 6.37 Matters regarding the surfacing and implementation of the proposed parking spaces is jointly reserved by conditions 10, 11, 12 and 6, 7 respectively. The excavation, surfacing and landscaping needs to be informed by arboricultural assessment before determining the final details of the works. The implementation of the proposed parking spaces after delivery of materials provides the opportunity for any remedial works. Preliminary discussions have raised various options such as gravel to match the existing access, block pavements, and grasscrete, and such details can be secured as appropriate by way of the recommended conditions.

- 6.38 Therefore, the consideration for this section is over the use and impacts of a change of use of a section of land from an agricultural access into domestic parking spaces, and the position that these spaces are to take.
- 6.39 This part of the proposal constitutes a detached extension of the domestic curtilage outside of settlement, of a square area of ground (4.8m by 4.8m). The principle of extending domestic curtilage out of settlement for the purposes of providing parking in the interests of highway safety is established by Policy C8 of HSA DPD. Proposals are considered where it can be shown that there is no adverse impact on the character and local distinctiveness of the rural area, encroachment on the rural area, public footpaths and on the amenity of local residents. Sufficient visibility splays must also be demonstrated. C8 also seeks that new hard surfacing and landscaping should be in character with the surrounding area – see 6.43.
- 6.40 Policy CS13 of the West Berkshire Core Strategy (2006-2026) is also of relevance here as it seeks to guide development to provide choice of transport and encourage the use of electric vehicles. CS14 also seeks that development makes good provision for access by all transport modes. P1 of the HSA DPD also applies in this instance, which requires new development to provide parking to meet its transport demand - in this case, three parking spaces, one of which is existing.
- 6.41 Detailing the existing situation and the Council's requirements for additional parking is important in understanding the reasons behind the proposed spaces and their location before their impact is given due consideration.
- 6.42 In consultation with the Highways Officer, in the course of the Case Officers site visit, and in accordance with received objections and concerns, there is a clear and visible deficit in on-street parking that is severely impacting upon the safety of the highway in this location. The on-street parking in this area takes up a section of Church Street (B4009) next to a blind corner. It was observed on site that vehicles are compelled to accelerate quickly to get past the stretch of parked cars as this is a busy main road. Pedestrians are restricted by parked cars on one side with minimal room to pass each other, and are next to the cars on the other side (the potential to be clipped by a wing mirror was notably highlighted in one representation). Overall, the situation that has developed here has led to a fairly unpleasant experience for all road users, and is causing active detriment to Highway Safety, and demand is unlikely to change in the near future. It is reasonably assumed that demand for parking is very high at this exact moment in time, as residents will be at home due to the national lockdown.
- 6.43 This was the primary reason for the withdrawal of a householder application on this site in 2020, which comprised only the proposed extension. The increased pressure from additional parking in this already oversubscribed area conflicted with the aims of Policy CS13 of the West Berkshire Core Strategy, as it failed to mitigate the impact of the development on the local transport network, also running contrary to Policy P1 of the HSA DPD, which sets out the minimum parking standards for new development (3, as mentioned).
- 6.44 Conversely, this was the reason behind the submission of this application, to include two parking spaces and an electric charging point on a section of agricultural access owned by the applicant, proposed to be accessed off of an existing shared gravel access to the nearby farm and a nearby garage, bounded to the south by the side wall of the White Hart pub.
- 6.45 In summary, the two additional proposed parking spaces are a requirement from the Council for the development to meet its transport needs and are integral to this application as it now exists. They cannot be separated from the extension, as the

provision of extra bedrooms as part of the extension would be unacceptable without additional parking, and was the sole reason for the resubmission.

- 6.46 Turning to the safety and traffic impact of the spaces:
- 6.47 The gravel access sees existing light traffic in several forms, mainly from vehicles accessing the farm, foot traffic from the public right of way, and two parking spaces as existing close to the road on its north side in front/to the side of a garage.
- 6.48 With the shortfall of on-street parking, cars occasionally park informally off to one side in the gravel access as existing, much as the case officer did when visiting the site. A delivery van was also noted during the case officer's site visit, using this access to stop and deliver a parcel to a nearby house before turning around within the access to leave. The access has good visibility down each arm of the main road, despite the cars parked along it, as it is on the outside corner of the blind bend.
- 6.49 In consultation with the highways officer, the exact position of the spaces was modified slightly in order to provide better visibility splays for the Public Right of Way, secured by condition 6. This modification in position is not material in terms of character but is important to ensure PROW and pedestrian safety.
- 6.50 The increase in traffic movements as a result of two additional cars is not concluded as raising significant implications in regards to impact on the character of the area, amenity, or highway safety, as this access sees some existing movements, has good visibility when entering and exiting, and has not been judged as having a significant impact on highway safety.
- 6.51 Turning to the impact of these spaces on the character and appearance of the area:
- 6.52 The spaces are set well back from the street and sit in front of the trees and the boundary fence that separates the fields, farm, and farm access from the settlement. As a result, the spaces are well screened from the surrounding AONB, but are visible from the street.
- 6.53 The parking spaces sit outside of the official settlement boundary by approximately 5-6m, and sit away from the rest of the parking along the street. It is posited that this could constitute an imposition of urbanisation and domestic development where there was not previously an urban character.
- 6.54 However, when viewing the location stood in the access, it was not possible to determine exactly where the official settlement boundary was, as it runs diagonally through the middle of the shared gravel access. From a purely visual perspective, the spaces appear well related to the settlement, as there is no demarcation nor barrier between them and the settlement - the only barrier is the hedge and fence behind the proposed spaces, which form a definite separation from the countryside and transition into the rural backdrop of the settlement.
- 6.55 As a result of the limited size of the area proposed as new driveway, the area to be turned into parking is no more than is strictly required. The access has cars parked off of it as existing, therefore the introduction of more cars parked off of the same access is not considered by officers to be a particularly foreign imposition on the character of the area. Furthermore, it is considered that there is no further space available immediately off of this access that could accommodate further parking. It is judged highly unlikely that this development would result in a precedent for further development here - there simply is no room for it.

- 6.56 The proposed EV charging point would not be an imposing feature in the street character due to its minimal size, and it is considered that the character impact from a EV charging point is an acceptable trade off to secure greater sustainability for the transport of the area and ensure local resilience for the internal combustion engine (ICE) phase-out in 2030. The EV point is therefore in accordance with the goals set out in Policies CS13, CS14 and P1 in ensuring a choice of sustainable transport for new development and encouraging the use of EVs, aligning additionally with the comments of the highways officer. Full details of the charging point are recommended to be provided by condition 9.
- 6.57 Concern has been raised as to whether these spaces would realistically be used due to a relative remoteness from the dwelling. On site, the case officer determined, after parking in the access himself, that parking and walking up to the dwelling via the tarmac path (without having to cross the street) is significantly easier than attempting to drive a car up the steep, narrow, and muddy farm track, such that the concern raised that the spaces wouldn't be used is not considered to raise concern in light of the physical constraints of the site. The proposed electric charging point is a further strong incentive for cars to be kept in this location instead of being driven up the agricultural access, where it is anticipated that its use would inevitably increase over time as electric cars are more widely adopted to replace more polluting forms of motor transport. The original parking space (which is itself detached from the main house, though closer to the dwelling) is also maintained, and would still be available for use should the need arise to bring a car closer to the house.
- 6.58 In conclusion, although the two proposed parking spaces represent a domestic development outside of settlement and are on a piece of agricultural land, they have been considered in context with the assessed localised and low-profile impact on the character of the area, their limited size, significant screening from the open countryside, the benefits resulting from the proposed works in terms of meeting the transport demand of the development, abstracting parking from the oversubscribed on-street parking in the interests of highway safety, and providing an electric charging point for two cars in the interests of sustainability, increasing transport choice, and preparing rural communities in the district for the move away from use of internal combustion engine powered private motor cars.
- 6.59 The cumulative benefits of the proposed parking have therefore been concluded significantly outweigh the potential harm to the character of the area and urbanisation of the AONB.

7. Other matters

- 7.1 It is noted that the consideration of the extension being three storeys has been a subject of a number of representations, and that the application description is therefore suggested in objections to be misleading. The Case Officer considered these concerns and is of the view that the description is acceptable, as the majority of the proposal is at the existing ground and first floor levels of the dwelling, with the basement not currently existing.
- 7.2 The appeal decision for 09/02274/FUL that refused permission of the rear farm access as 100m long paved, private access, incorporated into domestic curtilage, has been raised in several representations and consultations, with the suggestion that this refused proposal is material to consideration of the proposed parking spaces.

- 7.3 Every proposal is considered on its own merits, and two different proposals, even on the same site, even if they bear some superficial similarities, can lead to radically different conclusions when considering the detail of the associated material considerations.
- 7.4 The track in question is a mud and grass track on agricultural land, owned by the applicant, with some planting along the fence next to it. This track provides an established right of access for the neighbouring farmer to two gates/fields, and clearly, it does provide the ability to access the rear of Tree Tops, although this usage has been largely restricted by WBC.
- 7.5 There are no physical impediments to anyone who wishes to walk (or drive) up this access, much as the case officer did on site by walking up it. Conclusive evidence has not been submitted to demonstrate that this access has come into general and regular use, where the use and appearance does not appear to have changed since 2010. The existing access is therefore in accordance with the decision of the 2010 appeal decision – and the land cannot be brought as a whole into the domestic curtilage as a paved driveway and domestic curtilage extension.
- 7.6 Whilst a part of the same land is the subject of this proposal, it is a material consideration in the current application that the changes to the land in this instance are limited in their entirety to the two driveway spaces. Although some of the considerations between 09/02274/FUL and the current proposals are similar, a direct comparison of the two proposals does not reflect the changing circumstances of the site, area, and respective impacts of the proposals. Particularly, significant differences are identified comparing an area of 4.8m x 4.8m immediately off an existing gravel access near the settlement boundary as proposed under the current application, versus the introduction of a 100 meter long paved driveway and associated curtilage extension that extends significantly outside of the settlement boundary as was proposed in 09/02274/FUL.
- 7.7 Beyond these differences, planning policy has changed between determination of the appeal against refusal of application 09/02274/FUL and submission of application 20/01914/FUL. The HSA DPD, and consequently Policies P1 and particularly C8 (extension of domestic curtilage in the countryside), was not adopted until 2016. Application 09/02274/FUL did not propose any increase in the number of bedrooms of the main dwelling, where an increase in bedrooms as part of this proposal therefore increases the demand for parking, as per P1.
- 7.8 Furthermore, it is highlighted that there was not the same degree of need for additional parking in 2010 as now exists in the modern day, due to the fact that the number of cars in the UK has increased from 34 million in 2010 to 40 million in 2020. In line with national trends, it is expected that the number of cars parked along the street has become worse since that appeal decision was taken. Even at the time, the Inspector strongly welcomed additional off-street parking provided at the end of the driveway in the interests of Highway Safety. Policy P1 establishes a revised parking standard, with which this application is compliant, to address this increased need for parking and the requirement for development to be designed to meet a realistic level of need for parking.
- 7.9 Therefore, the up-to date policy position is given considerably greater weight than the policy considerations at play in a decision for a different proposal in a different policy context taken 10 years ago. The 2010 appeal decision for 09/02274/FUL is not considered by your officers as being a significant material consideration in respect of the proposed development.
- 7.10 Objections raise concerns regarding a historic condition restricting use of the agricultural access. However, your officers note that there is no record of conditions being imposed on an approved/allowed application at this site that restricted the usage of the

agricultural access, nor are there any conditions that stipulate a requirement for use of this access to cease after completion of development, including those attached to permissions 00/57550/FUL and 07/00248/FUL.

8. Planning Balance and Conclusion

- 8.1 Whilst some limited impact on the character of the area and neighbouring amenity has been identified, officers consider that the overall benefits of the proposal significantly outweigh the potential harm, chiefly in the social benefits of providing carer accommodation, and the benefits from the additional off-street parking/electric vehicle charging to meet the transport demand of the development, improve highway safety, and encourage the use of electric vehicles. The proposed extension works are considered to represent sympathetic extensions to the dwelling that would appear in keeping with the character and appearance of the surrounding area and the existing dwelling. Subject to the conditions the works are considered by your officers to be acceptable.
- 8.2 The proposed development therefore is considered to be accordant with the objectives as set out in Policies CS13, CS14, CS19 of the West Berkshire Core Strategy, Policies C1, C8 and P1 of the HSA DPD, TRANS1 of the West Berkshire Local Plan (saved polices 1997-2006), the West Berkshire House Extensions SPG (2004), and West Berkshire Quality Design (2006).

9. Full Recommendation

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

Conditions

1.	<p>Commencement of development 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>Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> - LC-PL-01 (Rev17A) Location plan - EX-ELV-01 (Rev17) Existing elevations - EX-PL-01 (Rev17) Existing floor and roof plan - EX-SPL-01 (Rev19) Existing site/block plan - EX-3D-01 (Rev17) 3D view of existing - BLC-PL-01 (Rev17A) Proposed Block plans (including visibility splays) - PR-ELV-01 (Rev19) Proposed Elevations - PR-PL-01 (Rev19) Proposed floor and roof plans - PRSPL-01 (Rev19) Proposed site plan - PR-3D-01 (Rev18) Proposed 3D view - SEC-AA-01 (Rev19) Section A-A - SEC-AA-BB-01 (Rev19) Section A-A & B-B - SEC-AA-01 (Rev19) Section E-E

	Reason: For the avoidance of doubt and in the interest of proper planning.
3.	<p>Materials as specified and to match</p> <p>The external 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.</p> <p>Reason: To ensure that the external materials respond to local character and appearance. 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 (Part 2, June 2006), and House Extensions SPG 04/2 (July 2004).</p>
4.	<p>Boundary treatment</p> <p>The development hereby approved shall not be occupied until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected on the south side of the site bounding the garden of the dwelling 'Mountain Ash' has 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 the extension hereby permitted is first brought into use. The approved boundary treatment shall thereafter be retained.</p> <p>Reason: In the interests of ensuring proper treatment of the boundary between the two sites upon the completion of development in the interests of protecting neighbouring amenity. Insufficient information currently accompanies the application to be able to determine these details at this stage. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006)</p>
5.	<p>CONS1 - Construction method statement – details to be submitted</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. The development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> (a) The parking of vehicles of site operatives and visitors (b) Loading and unloading of plant and materials (c) Storage of plant and materials used in constructing the development (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (e) Wheel washing facilities (f) Measures to control the emission of dust and dirt during construction (g) A scheme for recycling/disposing of waste/spoil resulting from demolition, excavation and construction works (h) A site set-up plan during the works <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>

	<p>A pre-commencement condition is required because insufficient information on construction methodology accompanies the application and this information is required in order to ensure that construction does not result in a detrimental impact on highway safety and neighbouring amenity.</p>
6.	<p>Visibility splays for private drives</p> <p>The development shall not be brought into use until visibility splays of 2.4 metres by 2.4 metres have been provided at the junction of the proposed parking spaces and the adjacent footway. Dimensions shall be measured along the edge of the driveway/access and the back of the footway from their point of intersection. The visibility splays shall, thereafter, be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.</p> <p>Reason: To enable pedestrians to see emerging vehicles and to be seen by its driver. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
7.	<p>Parking/turning in accord with plans</p> <p>The development shall not be brought into use until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall thereafter be kept available for parking of private motor cars 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>
8.	<p>Residential annex use</p> <p>The extension hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as Tree Tops. The extension shall not be used as a separate dwelling unit and no separate curtilage shall be created.</p> <p>Reason: The creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 CS14 of the West Berkshire Core Strategy (2006-2026), House Extensions SPG (2004).</p>
9.	<p>Electric Charging Point</p> <p>The development hereby permitted shall not be brought into use until details of an electric vehicle charging point are submitted to and approved in writing by the Council. The charging point shall thereafter be installed as approved and kept available for the use of an electric vehicle.</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 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>

<p>10.</p>	<p>Tree protection scheme</p> <p>No development (including site clearance and any other preparatory works) shall commence on site until an Arboricultural Survey and Impact Assessment in addition to a scheme for the protection of trees to be retained is submitted to, and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.</p> <p>Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.</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> <p>A pre-commencement condition is required as insufficient details of arboricultural methodology have been provided with the application and in order to ensure that all arboricultural works are carried out in an appropriate manner that does not result in undue impacts to trees and shrubs to be retained through the course of development.</p>
<p>11.</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 and shall include 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>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and 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>Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18, and CS19 of the West Berkshire Core Strategy 2006-2026.</p> <p>A pre-commencement condition is required as insufficient details of arboricultural methodology have been provided with the application and in order to ensure that all arboricultural works are carried out in an appropriate manner that does not result in undue impacts to trees and shrubs to be retained through the course of development.</p>
<p>12.</p>	<p>Hard surfacing</p> <p>The development shall not be occupied until details, to include a plan, indicating the means of surfacing treatment and other landscaping detail of the</p>

	<p>proposed parking spaces, has been submitted to and approved in writing by the Local Planning Authority. The hard surfacing shall be completed in accordance with the approved scheme before the extension hereby permitted is first occupied. The approved hard surfacing shall thereafter be retained.</p> <p>Reason: In the interests of the character of the area and ensuring the choice of material does not adversely affect the existing trees. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14, CS18, and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C8 and P1 of the Housing Site Allocations DPD, Policies TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
13.	<p>Hours of work (construction)</p> <p>No demolition or construction works shall take place outside the following hours:</p> <p>7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays; nor at any time on Sundays or Bank Holidays.</p> <p>Reason: To safeguard the amenities of adjoining rural land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS14 CS19 of the West Berkshire Core Strategy (2006-2026).</p>

Informatives

1.	<p>Approval – need for revision</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 conditions of the area.</p>
2.	<p>CIL Liability</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.	Damage to footways, cycleways and verges The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
4.	Damage to the carriageway The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

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Tree Tops, Forge Hill, Hampstead Norreys

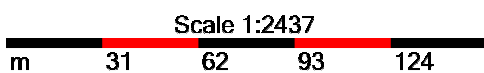


Map Centre Coordinates :

Scale : 1:2437

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	26 January 2021
SLA Number	0100024151

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Tree Tops 20/01914/FUL

Forge Hill, Hampstead Norreys

Photographs for Western Area Planning Committee



View of countryside-facing elevation. Existing side aspect can be seen centre of image. Settlement boundary runs approximately where the two chairs are.



View of side of proposal site from existing terrace.



View from existing terrace over surrounding countryside/settlement.



View of side of dwelling/location of proposal, stood roughly where the proposal extends to. Existing single storey WC shown.



Side elevation of neighbouring dwelling (Mountain Ash) that this proposal is adjacent to.



View of dwelling from garden. This is the street-facing elevation. The proposal is on the right of this image.



Looking up at the dwelling from a street view from day of visit. The gap to the right is the footpath. The site notice was attached to the telegraph pole on the far right.



Google street view circa 2014. Tree Tops is just visible centre right above the trees.



Picture from day of site visit, showing some existing parking and the existing access. The silver car on the left is the Officers car.



Google street view circa 2014. The access has remained largely unchanged bar the introduction of a metal bar farm gate next to the tree in the centre-left of the image.



View out of access demonstrating problematic parking situation. Note red car parked on the left parked off of the access as existing.



Existing parking space of Tree Tops on bottom right.



Rear access track, no development proposed here.

Agenda Item 4.(2)

3Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	20/02630/HOUSE Inkpen Parish Council	05/01/2021 ¹	Revised proposals for replacement entrance porch, internal alterations and extension to accommodate relocated kitchen with dining area with additional bedroom and family bathroom Gallants View, Lower Green, Inkpen, RG17 9DW Mr E and Mrs R Bennett

¹ Extension of time to be confirmed by agreement with applicant.

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

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<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02630/HOUSE>

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

Ward Member(s): Councillor D Benneyworth
Councillor J Cole
Councillor C Rowles

Reason for Committee Determination: 11 objections received

Committee Site Visit: Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link

Contact Officer Details

Name: Lucinda Pinhorne-Smy
Job Title: Planning Officer
Tel No: 01635 519111
Email: Lucinda.Pinhorne-Smy1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for a replacement front porch, internal alterations and a part two-storey / part single storey rear extension to facilitate the relocation of the existing kitchen with dining area and an additional bedroom and family bathroom above.
- 1.2 Gallants View is a diminutive thatched cottage located within the Lower Green area of Inkpen. The principal, west elevation, predominantly comprises red facing brickwork, the south elevation, adjacent to a footpath, is white rendered at ground floor level and red clay tile-hung at first floor level, the rear, east, elevation is white rendered at ground floor level, and the first floor mostly comprises slate roof tiles and thatch. A dark-stained timber addition is positioned along the north elevation with the thatch extending over it and rising to first floor level. The public footpath, INKP/14/1, runs parallel with the south boundary of the site and dog-legs around the rear boundary of the site. The application site benefits from a good degree of mature soft landscaping.
- 1.3 The proposed replacement porch would measure 2m in width, 3.12m in height and project by 1.5m; it would have a pitch-roof design with front facing gable. The ground floor element of the part two-storey / part single storey rear extensions would measure 6.3m in maximum width and would project by 8.3m; the first floor would measure 4.35m in width and project by 6.3m. The single storey aspects would measure 4.5m in height and the two-storey element would measure 6.9m in overall ridge height.

2. Planning History

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

Application	Proposal	Decision / Date
19/02365/TPC	Various Tree Works	Permission not required 23.09.2019
20/00837/HOUSE	Replacement entrance porch, internal alterations and two storey extension to accommodate relocated kitchen with family area, two single bedrooms and a guest bedroom	Withdrawn 04.06.2020
91/40019/ADD	New vehicular access onto main road	Approved 07.11.1991

3. Procedural Matters

- 3.1 Given the nature and scale of this householder development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.

- 3.2 Site notices were displayed by the applicant along the west and south boundaries of the application site on the 14th and 19th November 2020; the deadline for representations expired on 5th and 10th January 2021, respectively.
- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floor space (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).

Initial assessment of the scheme indicates the proposals would increase the floor space by more than 100 sq. m and as a consequence the proposals are considered likely to be CIL liable. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil.

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.

<p>Inkpen Parish Council:</p>	<p>Initial comments returned by the Parish Council raised no objections but requested 4 conditions to protect the amenity of the AONB area.</p> <p>The above was replaced with the following subsequently received comments:</p> <p>Objection and wish the following comments to be taken into consideration.</p> <p><i>Gallant View is situated in an iconic part of Inkpen where the amenity is valued both for its tranquillity and historical rural character dating back to the 19th Century. It is sited within 'open countryside' within the North Wessex Downs AONB and is therefore particularly sensitive to inappropriate development which does not enhance and conserve.</i></p> <ul style="list-style-type: none"> • <i>Extensions to dwellings in the countryside: The proposed extension is an overdevelopment and disproportionate to the existing smaller dwelling.</i> - <i>more importantly, the two-storey extension is 6m high and will dominate and impact on the neighbouring property, blocking out the sunlight and reducing the amount of light.</i> • <i>The Lower Green area of Inkpen is part of the North Wessex Downs AONB and as such has the highest status of protection in accordance with the NPPF.</i> • <i>The current dwelling is characteristic of the area and although not listed should be considered by the conservation officer.</i> • <i>The two-storey extension would be highly visual from the rear of the adjoining footpath, which is a well-used track by residents and visitors to the area. The footpath shares the driveway to the</i>
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	<p><i>property and ramblers require openness as well as free and safe access to the area.</i></p> <ul style="list-style-type: none"> • <i>The extension as proposed would appear to restrict the daylight available to an adjacent property and compromise the privacy of that property as it overlooks the garden of the adjacent property. The 'openness' of this area will be severely restricted by the proposed extension.</i> <p><i>If the Planning Officer recommends approval the amenity of the area should be protected:</i></p> <ul style="list-style-type: none"> • <i>construction work should be limited with no weekend or bank holiday working</i> • <i>no external lighting should be approved to protect the dark night sky and avoid light pollution</i> • <i>no construction vehicles parking on the highway to obstruct local traffic.</i> • <i>trees and hedging should be protected to mitigate damage from any construction work.</i>
<p>Conservation and Design Officer:</p>	<p><i>Gallant View (or Gallants View as it is identified on the council's database) is a charming thatched cottage, which is clearly of some historic and architectural interest. It is shown on the First Edition OS map so dates from at least the late C19th, but could possibly be earlier.</i></p> <p><i>The building is a modest two storey cottage, with a hipped thatch roof. It is located within the small hamlet of Lower Green, close to several thatched listed buildings.</i></p> <p><i>Whilst not included on the National Heritage List for England (NHLE), Gallant View appears to possess a degree of local significance that merits consideration.</i></p> <p><i>The proposal is for a part 2 storey and part 1 storey extension to the rear of the cottage, and a new porch to the front. This application follows a recently withdrawn scheme for a much larger 2 storey rear extension.</i></p> <p><i>Amendments have been made which have reduced the overall height, bulk, massing and scale of the proposal. This has been achieved by reducing the length of the two storey extension by almost a third and setting it down slightly further from the ridge of the main cottage. To achieve the additional ground floor area a small single storey addition is proposed at the end of the two storey extension. Dormers have also been removed from the roof of the two storey extension which has helped simplify the roof form.</i></p> <p><i>The proposal has been designed to reflect the traditional form of the cottage, and is now sufficiently subservient so as to not dominate the cottage. I therefore do not feel that it would harm the significance of this non-designated heritage asset.</i></p> <p><i>The Conservation and Design Officer recommended the following conditions are attached to any permission that may be forthcoming: Schedule / samples of Materials; New Brickwork to</i></p>

	Match Existing; New Windows/Areas of Glazing and Doors; Eaves/fascia; Rooflights).
Tree Officer:	<p><i>There are significant trees in proximity to the front and back of the property in proximity to the proposal. Additional information detailing any excavation required within the RPA, tree protection during construction will be required. The trees should be included in an Arboricultural Survey and Impact Assessment detailing the classification, condition as per BS5837 and the impact of the proposals to ensure inadvertent damage by creeping development activities including storage does not occur.</i></p> <p><i>There is no arboricultural report with the submission and the following conditions are suggested:</i></p> <p>Tree Protection Scheme; Arboricultural Method Statement</p>
Archaeologist:	<i>I do not feel there are major archaeological implications to this proposal to extend the house</i>
Public Rights of Way Officer:	<p><i>As with 20/00837 No objections. The comments I wrote back in April are the same regarding the possible impacts on Inkpen footpath 14/1. Inkpen PC and some objectors also make reference to the close proximity of the development to this footpath.</i></p> <p><i>The same informatives and comments regarding risk assessments for path users and site access which I wrote below in April are still relevant. For my reference, please do inform me when works are due to commence.</i></p> <p><u><i>Risk Assessment</i></u> <i>I would like to add that the footpath (Inkpen 14/1) appears to be heavily used and due to the tight nature of the site and only a fence panel and hedge line between the proposed building site and the footpath, please ensure that users of the footpath are included within developments' risk assessment. For example, - protection from noise, dust, fumes, impact (from debris or digger/crane arms) and objects falling from height (tiles during roofing for example). Appropriate warning and prohibition signage would also need to be present for footpath users to see.</i></p> <p><u><i>Site Access</i></u> <i>It looks like site access will be up the drive and around the northern side of the property, but in the event access plans result in footpath use for access- Please remember footpath user safety in the risk assessment."</i></p> <p>Recommended Informatives: I10, I12, I13, I14, I15, I16 and I19</p>

Public representations

- 4.2 Representations have been received from 13 contributors, 2 of which support, and 10 of which object to the proposal. One contributor stated their objections would be

removed if the issues they raised were satisfactorily dealt with via the means of planning condition.

- 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:

Object

- Overdevelopment within the village;
- Increasing concern regarding the number of applications for large extensions in this part of the North Wessex Downs AONB;
- Proposed extension does not maintain the character of the village;
- Scale: proposed extensions are not keeping with the scale / size of the host dwelling or surrounding traditional buildings;
- Not in keeping with the building line;
- First floor windows will overlook neighbouring properties;
- Proposed extension will block out light to neighbouring properties;
- Proposals do not enhance / conserve the AONB;
- Impact on public footpath / obstruction to users of public footpath;
- Detrimental to historic character of host-building;
- Reduces diversity of housing stock in the village;
- Overdevelopment within the village
- Hazard caused from construction traffic and deliveries

Request:

- Gallants view is listed;
- Construction traffic does not block the highway or the footpath;
- Hours of work are restricted;
- Control of deliveries

Support:

- Proposals are proportionate and in keeping with local surroundings;
- Gallants View requires modernisation in order to make it fit for occupation and comply with modern standards;
- The proposals would not have a detrimental impact on the footpath and on neighbouring properties;
- Concern regarding Parish Council comments.

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 (Spatial Strategy), ADPP5 (North Wessex Downs Areas of Outstanding Natural Beauty), CS14 (Design Principles), CS18 (Green Infrastructure), CS19 (Historic Environment and Landscape Character) of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C3 (Design of Housing in the Countryside), C6 (Extension of Existing Dwellings), P1 (Residential Parking for New Development) of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

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)
- North Wessex Downs Areas of Outstanding Natural Beauty: Guidance on the selection and use of colour in development
- Inkpen Village Design Statement (2004)

6. Appraisal

6.1 The main issues for consideration in this application are:

- The principle of the proposal;
- The impact on the character and appearance of the locality and the wider AONB setting;
- The impact on neighbouring properties residential amenity.

Principle of development

6.2 The application site is located outside of any defined settlement boundary within the district and it therefore is regarded as 'open countryside' under Core Strategy Policy ADPP1. The policy states that only appropriate limited development in the countryside will be allowed. In the context of this general policy of restraint in the countryside, Policy C6 of the Housing Site Allocations DPD gives a presumption in favour of proposals for the extension of existing permanent dwellings. An extension or alteration will be permitted providing that:

- i. the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling; and
- ii. it has no adverse impact on: the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape; and
- iii. the use of materials is appropriate within the local architectural context; and
- iv. there is no significant harm on the living conditions currently enjoyed by residents of neighbouring properties.

6.3 The application site is also located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy ADPP5 sets out the criteria for the principle of development within the North Wessex Downs AONB and identifies development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB, whilst preserving the strong sense of remoteness, tranquillity and dark night skies. It is also stated that development will respect identified landscape features and components of natural beauty.

Character and appearance

6.4 Gallants View is a diminutive thatched cottage situated within a spacious, linear plot, located within the Lower Green area of Inkpen. Paragraph 5.1 of the Heritage Statement submitted in support of this application describes Inkpen as "*scattered*"

hamlets linked by intricate lanes and paths in wooded country". The West Berkshire Landscape Character Assessment (2019) further describes the key characteristics of this area as follows:

"This character area is crossed by a tight network of rural lanes often bounded by banks. These form the framework for settlements, which are predominantly linear villages, such as Lower Green and Inkpen ... The landscape has a coherent character, with a consistent framework provided by the strong structure of woodlands, hedgerows and trees. This creates a small scale, enclosed and intimate rural character. The tranquillity is enhanced by a lack of intrusion of modern life into the majority of the area, and there are very dark skies."

The supporting Heritage Statement considers *"The historic vernacular houses (of which Gallant's View forms a part) which make up the positive character of these hamlets are often modest in scale"*. The Heritage Statement further identifies that many of the earlier buildings in the locality are timber framed and thatched. Lower Green is therefore considered to have a strong rural character and buildings in this locality share characteristic features.

In the context of this strong and coherent character Policy CS14 requires new development to demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. It further states that development shall contribute positively to the local distinctiveness and sense of place. In this regard, the design of the proposed replacement front porch and part two-storey / part single storey rear extensions are considered to be of a sufficiently high quality. Despite having a significant rearwards projection, the staggered nature of the proposed extensions are considered to ameliorate the impact of the increased volume, mass and bulk, as is the provision of the additional first floor accommodation predominantly within the roof-space. Whilst the host dwelling is thatched, the introduction of the clay-tiled, bonnet-hipped roof-design to the rear extension is considered to compliment rather than imitate the character and appearance of the host dwelling. The use of traditional materials, such as the clay roof tiles and dark stained timber boarding, are considered to appear sympathetic to the variety of materials present in the construction of the existing building. Due to the combined effect of the design and traditional materials the proposed extensions are not considered to compete with the host dwelling, but rather appear as a sympathetic addition to a building that displays some historic and architectural interest.

Parish Council comments and third party representations received in response to this application have raised a number of objections, including concerns with the scale of the proposed development and the consequent impact on the character of the locality, the North Wessex Downs AONB and the open countryside. Policy C6 of the Housing Site Allocations DPD requires, inter alia, that the scale of the enlargement is subservient to the original dwelling. The agent has presented figures that the proposals would increase the floor-space of the original dwelling by 65% and the volume would be increased by 77%. This differs from the case officer calculations, however, both sets of figures demonstrate that the proposals would result in a significant increase of both floor-space and volume. However, floor-space is just one measure of impact, and despite its scale the proposed extensions are considered to appear subservient to the host dwelling, largely due to their staggered design and use of traditional materials. The part two-storey / part single storey extension would project entirely to the rear of the existing dwelling and would be inset from each of the flank elevations, as a consequence it will remain possible for the original dwelling to be clearly read as a result of the proposed extensions. The Heritage Statement highlights:

“The proposed ridge of the extension is set almost 1 metre below the main ridge of the existing house. This has been half hipped at its east end to further reduce its bulk and scale. The use of weatherboarding to the upper sections of the south elevation will further break up the scale of the proposed extension with the dropping to single storey reflective of typical and traditional consideration of scale when extending an historic building.”

The Conservation and Design Officer comments accept these design features *“reflect the traditional form of the cottage, and is now sufficiently subservient so as to not dominate the cottage.”*

The south elevation of the proposed extensions would be located between 250mm – 500mm from the boundary with the footpath. The flank wall of the existing cottage already abuts the public footpath at INKP/14/1. As such, although the proposed rear extensions would be clearly visible from the public footpath, this would be in keeping with the character of the existing relationship between the dwelling and the footpath. Due to the spacious nature of the plot, and in particular the large frontage, the proposals are considered to retain an adequate degree of spaciousness in the street scene. Due to the retention of the integrity of the host-dwelling, the sympathetic, yet differing appearance of the proposed rear extension, and the use of traditional materials, the proposals are not considered to adversely impact the character and appearance of the host dwelling, or its setting or the wider landscape.

Impact on Neighbouring Properties

- 6.5 The proposed replacement front porch would be modest in scale and located a good distance from the front and side boundaries of the application site. This aspect of the proposals is therefore considered to have a minimal impact on the residential amenities of adjacent properties. The neighbouring property to the north, at Hollytree Cottage, is set slightly further back in its plot than the dwelling at Gallants View and consequently projects marginally beyond the rear of the cottage at the application site. The mutual boundary between Gallants View and Hollytree Cottage is well screened by a tall and mature hedge. Whilst the dwelling at Hollytree Cottage is located up to the mutual boundary with Gallants View the proposed rear extensions would be located in excess of 7m from this boundary. The proposed rear extensions would have an eaves height of approximately 2.3m along the north elevation and would measure approximately 720mm lower than the host dwelling in terms of ridge height. Given the modest eaves height and distance from the north boundary the additional shadow cast by the proposed extension would fall largely within the application site, and consequently the proposals are not considered to result in any unacceptable loss of light to Hollytree Cottage. Furthermore, due to this modest eaves height along the north elevation, with the bulk of the first floor accommodation located within the roof-space, despite its rearward projection, the proposed rear extensions are not considered to appear unduly prominent or obtrusive when viewed from Hollytree Cottage.

To the south the application site is separated from the neighbouring property at Brook House by the presence of a public footpath. Due to the orientation of the proposed rear extensions at Gallants View to the north of the neighbouring property at Brook House, the proposals are not considered to impact the light received to this neighbouring property. Due to the design of the proposed extensions the eaves height along the south elevation would measure approximately 3.6m, and it is intended to retain the approximate 3m hedging along this boundary with the footpath. The dwelling at Brook House, has an ‘L’ shaped plan-form and projects a similar distance to the east as the rear extensions proposed at Gallants View. The north elevation of the dwelling at Brook House faces the public footpath and as a consequence the planning history indicates that the windows along the north

elevation of the dwelling either serve bathrooms or secondary windows to habitable rooms. The distance retained between the two dwellings at Brook House and Gallants View would exceed 6m. The proposals are therefore not considered to appear unduly prominent or obtrusive when viewed from this neighbouring property.

Two small windows are proposed in the south elevation of the two-storey rear extension which would serve as secondary windows to the kitchen. These windows would be partially screened by the retention of existing hedging, however, even if the hedging were to be lost, as these windows directly face onto the public footpath it is not considered reasonable to resist the application on the basis of overlooking. A significant degree of glazing is proposed along the north elevation of the rear extensions to serve the new kitchen and dining room at ground floor level, however, as these windows would be located in excess of 7m from the mutual boundary with Hollytree Cottage, and a good degree of soft landscaping is present along this mutual boundary, they are not considered to result in any unacceptable overlooking or loss of privacy to Hollytree Cottage. At first floor level the bathroom would be served by a roof-light in the north roof-slope and the bedroom would have a one-and-a-half pane window in the east elevation. The public footpath curves along the rear boundary of the application site, beyond which appears to be land associated with the occupation of Brook House. The first floor windows are therefore not considered to result in any unacceptable overlooking of neighbouring properties. The proposed replacement front porch and part single / part two-storey rear extensions are therefore not considered to adversely affect the residential amenities of adjacent properties in terms of over-dominance, obtrusiveness, loss of light or overlooking.

Other Matters

- 6.6 The existing dwelling occupying the application site is diminutive in scale, however, the plot is spacious and benefits from a good degree of mature soft landscaping. Paragraph 7.1 of the Heritage Statement highlights:

“These proposals are commensurate with providing a level of accommodation respectful of the existing scale of the building whilst allowing for the house to continue to function and thrive effectively as a small family home in the 21st century.”

It is recognised that in its current form Gallants View provides modest accommodation, not in keeping with modern standards. It is accepted that modernising the building will secure its future occupation. The proposals would result in a good sized family home, providing practical accommodation for modern family needs. However, given the diminutive scale of the original dwelling, it is considered that the proposals represent the upper limit of what would be considered acceptable at the application site. Consequently, to protect the open and undeveloped character of the countryside, and to ensure that the dwelling at Gallants View does not become more intrusive in the landscape, for example, through the addition of dormer windows at first floor level, a proliferation of outbuildings, or an enlarged side addition, it is considered practicable and reasonable to remove permitted development rights for the dwelling in order to control any future development at this site.

Third party representations have raised concerns with regards to the loss of a mix of housing stock within Inkpen, however, it is not considered reasonable to resist the application on this basis. The cottage at Gallants View is not included on the National Heritage List for England, but is included on the West Berkshire Environment Record. Contributions submitted with regards to this application have included requests for the cottage at Gallants View to be listed; whilst the conservation officer has not indicated that the dwelling is considered worthy of listing,

the historic and special architectural features of the building have been considered in the above observations.

The application drawings indicate that a spacious drive will be retained as a result of the proposed extensions, with adequate turning and manoeuvring space to be able to leave the site in a forward gear and accommodate at least 3 vehicles off-road. The proposals are therefore not considered to have any parking or highway implications.

Representations received in response to this application have raised concern that construction traffic must not block the highway or footpath, and that the footpath must not be obstructed during construction. The application site benefits from a spacious frontage that could comfortably accommodate construction traffic and materials storage. Given the domestic scale of the proposed extensions and the spacious nature of the application site frontage, it is not considered that a condition requiring details of the construction traffic management would be justified, however, appropriate informatives would be reasonably justified to highlight the applicant's obligations with regards to ensuring that the highway and footpath are not obstructed. However, given the rural character of the locality and in the interests of preserving the strong sense of remoteness, tranquillity and dark night skies it is considered reasonable and practicable to restrict the hours of construction as requested by third parties.

7. Planning Balance and Conclusion

- 7.1 Whilst there have been objections to this application, it is considered the proposed replacement front porch, internal alterations, and part two-storey / part single storey rear extensions are acceptable subject to the attachment of the recommended conditions.
- 7.2 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is acceptable and conditional approval is justified.

8.0 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.	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: 1984-100B (Site Location and Block Plan), 1984-103A (Proposed Floor and Roof Plans, Elevations and Section) and Existing Floor Plans, Elevations and Section A (Rev A) received 10 th November 2020 Reason: For the avoidance of doubt and in the interest of proper planning.

3.	<p>Samples of Materials</p> <p>No above ground level development shall take place until a schedule of all materials and finishes visible external to the building, including roof tiles, ridge and hip tiles, bricks, and timber cladding, have been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
4	<p>New Brickwork to Match Existing</p> <p>All new facing brickwork, including works of making good, shall match the existing brickwork in terms of bricks (size, colour and texture); mortar (mix, colour and texture); joint profile; and bond.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
5	<p>New Windows / Areas of Glazing and Doors</p> <p>No works to window/door/roof openings shall take place until detailed plans and specifications of such works have been submitted to and approved in writing by the Local Planning Authority. Such details shall include materials and finishes, at a minimum scale of 1:20 and 1:2. The windows/areas of glazing/external doors shall be installed in accordance with the approved details.</p> <p>Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
6	<p>Eaves/fascia</p> <p>No works shall take place to the roof until full details of the eaves and fascia, at a minimum scale of 1:20, have 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 details.</p> <p>Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>

7	<p>Rooflights</p> <p>Rooflights are to be conservation type, fitted flush with or below the roof covering. The rooflights shall be installed in accordance with the approved details.</p> <p>Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
8	<p>Tree protection scheme</p> <p>No development (including site clearance and any other preparatory works) shall commence on site until an Arboricultural Survey and Impact Assessment in addition to a scheme for the protection of trees to be retained is submitted to, and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days' notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority. Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.</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>
9	<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 and shall include 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 protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
10	<p>Permitted development restriction (extensions/outbuildings)</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/or 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>

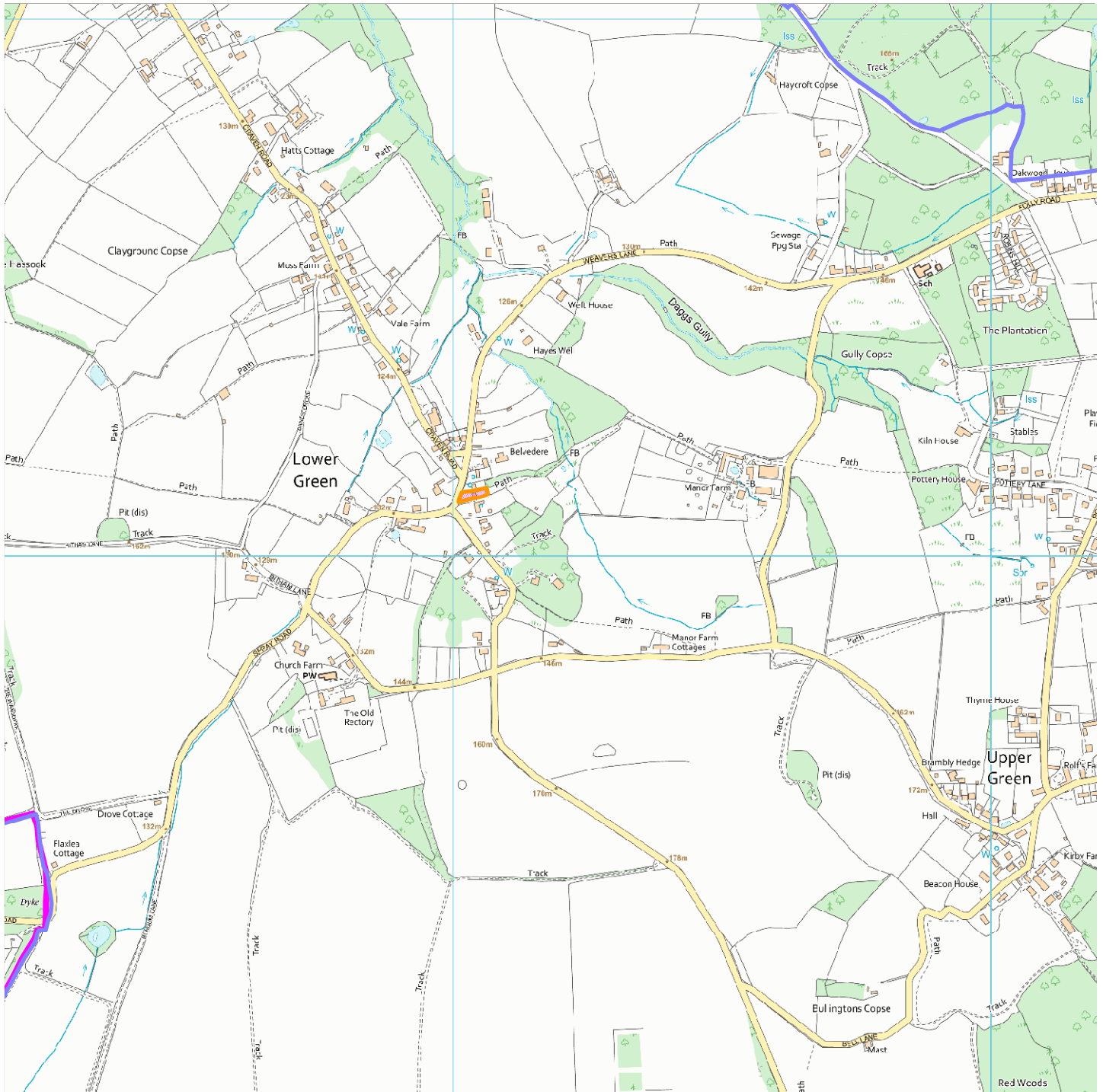
	Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006) and the Town/Village Design Statement for Inkpen.
11	<p>Hours of work (construction)</p> <p>No demolition or construction works shall take place outside the following hours:</p> <p>7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays; nor at any time on Sundays or Bank Holidays.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers, and in the interests of preserving the strong sense of remoteness, tranquillity and dark night skies of the North Wessex Downs AONB. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), and Policies ADPP5 and CS14 of the West Berkshire Core Strategy (2006-2026).</p>

Informatives

1.	<p><u>NPPF</u></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><u>CIL</u></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><u>PROW</u></p> <p>The applicant is advised that this planning permission does not in any way allow the Public Right of Way to be obstructed at any time during the course of the development.</p>
4.	<p><u>Visitors to be made aware of PROW</u></p> <p>The applicant is advised that all visitors to the site should be made aware that they would be driving along a Public Right of Way. As a result they should drive with caution when manoeuvring into and out of the site and should give way to pedestrians, cyclists and equestrians at all times.</p>
5.	<p><u>No encroachment on PROW</u></p>

	Nothing connected with either the development or its construction must adversely affect or encroach upon the Public Right of Way (PROW), which must remain available for public use at all times. Information on the width of the PROW can be obtained from the PROW Officer.
6.	<u>PROW notification (services)</u> The applicant is advised that the Rights of Way Officer must be informed prior to the laying of any services beneath the Public Right of Way.
7.	<u>PROW levels</u> Where the ground levels adjacent to the path are to be raised above the existing ground levels, a suitable drainage system must be installed adjacent to the Public Right of Way, to a specification to be agreed with the Local Planning Authority prior to development commencing.
8.	<u>21 days notice</u> The applicant is advised to give the Local Authority 21 days notice prior to the development commencing. Before the development starts, the Local Authority must obtain from the applicant a written undertaking that they will meet any costs incurred by the Local Authority in the repair of the surface of the Public Right of Way, as a result of construction traffic using the route.
9.	<u>No alterations to PROW surface</u> No alteration of the surface of the Public Right of Way must take place without the prior written permission of the Rights of Way Officer.
10	<u>Risk Assessment</u> I would like to add that the footpath (Inkpen 14/1) appears to be heavily used and due to the tight nature of the site and only a fence panel and hedge line between the proposed building site and the footpath, please ensure that users of the footpath are included within developments' risk assessment. For example,- protection from noise, dust, fumes, impact (from debris or digger/crane arms) and objects falling from height (tiles during roofing for example). Appropriate warning and prohibition signage would also need to be present for footpath users to see.
11	<u>Site Access</u> It looks like site access will be up the drive and around the northern side of the property, but in the event access plans result in footpath use for access- Please remember footpath user safety in the risk assessment.
12	<u>Damage to footways etc.</u> 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.
13	<u>Damage to carriageway</u> The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

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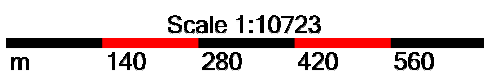
Map Centre Coordinates :

Scale : 1:10723

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	26 January 2021
SLA Number	0100024151



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Gallants View 20/02630/HOUSE

Lower Green, Inkpen

Photographs for Western Area Planning Committee



Front (West) Elevation of cottage at Gallants View
(photo taken from Heritage Statement prepared by Forum Heritage
Services)



Rear (East) Elevation of cottage at Gallants View
(photo taken from Heritage Statement prepared by Forum
Heritage Services)

South Elevation of cottage at Gallants View – adjacent to the public footpath, INKP/14/1

(photo taken from Heritage Statement prepared by Forum Heritage Services)





Location of public footpath INKP/14/1 along south boundary of application site



View of North Elevation of cottage at Gallants View from neighbouring property to the north



View of north boundary of the application site from the neighbouring property to the north, Holly Tree Cottage



View from Holly Tree Cottage (north) to Bridgeman's