

# DRAFT

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

## DISTRICT PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD ON WEDNESDAY, 25 MARCH 2015

**Councillors Present:** David Allen, Brian Bedwell, Paul Bryant, Hilary Cole (Chairman), Alan Law, Royce Longton, Alan Macro, Graham Pask, Garth Simpson, Virginia von Celsing and Quentin Webb (Vice-Chairman)

**Also Present:** Sharon Armour (Solicitor), Michael Butler (Principal Planning Officer), Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control), Bryan Lyttle (Planning & Transport Policy Manager) and Gary Rayner (Development Control Manager), Councillor George Chandler

**Apologies:** Councillor Pamela Bale

#### PART I

##### 10. Minutes

The Minutes of the meeting held on 4<sup>th</sup> December 2014 were approved as a true and correct record and signed by the Chairman.

##### 11. Declarations of Interest

Councillor David Allen declared an interest in Agenda Item 6(1), but reported that, 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.

Members of Western Area Planning Committee declared a general interest in Agenda Items 6(1) and 6(2) due to the fact that they had been in attendance when the applications had been considered at a previous Western Area Planning Committee. However, they determined that they would consider all the evidence presented afresh before voting on the matter.

##### 12. Schedule of Planning Applications

##### 13. Exclusion of Press and Public

**RESOLVED** that members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the [Local Government \(Access to Information\)\(Variation\) Order 2006](#). [Rule 8.10.4 of the Constitution](#) also refers.

#### PART II

##### 14. Application No. & Parish: 15/003219/FULEXT - Land at Sterling Garage, Kings Road, Newbury

Members of the Committee considered an exempt report (Agenda Item 6(1)) which provided confidential commercial information corresponding to viability appraisals in relation to application number 15/00319/FULEXT on the Part I agenda, in respect of the

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demolition of all buildings on site, site remediation, new link road and the erection of 167 flats, car parking and landscaping on land at Sterling Cables site, Kings Road, Newbury.

### PART I

#### 15. (1) **Application No. & Parish: 15/003219/FULEXT - Land at Sterling Garage, Kings Road, Newbury**

*(Councillor David Allen declared a personal interest in Agenda Item 6(1) by virtue of the fact that he was a Member of Newbury Town Council and of the Planning and Highways Committee. However, he had not been in attendance at the meeting when this item was discussed. 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.)*

*(Members of the Western Area Planning Committee declared a general interest in Agenda item 6(1) by virtue of the fact that they had been present during the discussion of this item at a previous Western Area Planning Committee meeting. However, they would listen to the evidence provided at this meeting and would consider the application afresh. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter).*

The Committee considered a report (Agenda Item 6(1)) concerning Planning Application 15/00319/FULEXT in respect of the demolition of all buildings on site, site remediation, new link road and the erection of 167 flats, car parking and landscaping on land at Sterling Cables site, Kings Road, Newbury.

Michael Butler introduced the report and stated that the Western Area Planning Committee on 18<sup>th</sup> March 2015 had considered two reports in relation to this application. The Part I report set out the details of the scheme and recommended at Officer level that the application be approved subject to the viability appraisals as set out in the Part II report. The Western Area Planning Committee had elected to accept the Officer recommendation, and so resolved to refer the application to the District Planning Committee, with a recommendation to approve the scheme in question. It was necessary to determine the application at the District Planning Committee as, if approved, it would be contrary to the application of policy CS9 in the Adopted Core Strategy which was the Council's employment land protection policy, the designation of which (inter alia) washed over the Sterling Garage site. Clearly housing was not an employment generating land use (apart from the construction phase) and would mean protected employment land would be lost in perpetuity.

Both Council Officers and the Western Area Planning Committee had elected to 'override' this policy objection, in recommending approval to the application, given the significant wider benefits which would accrue from the site. On the one hand the loss of just over 1.0ha of employment land in close proximity to the centre of Newbury was regrettable. However, the redevelopment of a very unsightly and highly contaminated site was to be positively encouraged since not only would 167 dwellings be provided on a highly sustainable brownfield site, but it would also provide valuable new infrastructure in the form of the new link road as identified in saved policy TRANS1A in the District Local Plan 1991 to 2006. The future remediation of the site was also a substantial benefit. It was not considered that a harmful precedent would be set, nor any harm done to significantly undermine policy CS9 in this regard.

In relation to consultation and representations it was noted that the Transport Policy Officer supported the application. In addition grant funding of £2.335m had just been confirmed for the construction of the new link road. A s106 request of £26,177 was noted for transport policy initiatives. The Environment Agency was now recommending

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conditional planning permission as the applicant had successfully satisfied the EA that the proposed decontamination works would be acceptable as would the potential increased flood risk arising from the site. It was noted that the total s106 contributions required for the site was £685,139.

Since the application had been considered at the Western Area Planning Committee on 18<sup>th</sup> March 2015 the Council had received seven further letters of representation. One local resident was fully supportive of the proposal given the decontamination of the site and the new link road. The other six letters all objected to the application on the basis of additional overlooking, disruption during the construction process, lack of car parking on-site leading to off-site pressures, poor living conditions for new residents on the site, lack of local services and infrastructure, noise and vehicle pollution, impact on local businesses, impact on local skyline, density of scheme too high, poor amenity for residents on site in terms of open space, increased light pollution, impact on local traffic congestion in the area, buildings too high. In addition the precise alignment of the new road was not considered to be safe and it should be traffic calmed.

Network Rail had formally commented on the application, and had no objection in principle to the scheme, but noted that all new buildings should be in excess of 2m from the rail boundary to the south.

Following negotiations with the applicant regarding the precise drafting of the s106 obligation, the highways sums noted in the Part I report had altered very slightly but not significantly so. This had not impacted on the overall viability situation. The sum of circa £2.9 million remained as the overall highways "cost" figure.

It was noted that the final draft s106 agreement had been agreed in principle with the applicants and would be completed as soon as possible if the application were to be approved.

Following the Western Area Planning Committee meeting in the previous week, the following additional conditions had been recommended:

1. No development shall commence until a scheme indicating obscure glazing in the east elevation of block E on the stair well has been submitted to and approved in writing by the Council. The development shall be carried out in strict accord with that scheme.

Reason: To ensure no overlooking of No. 42 Boundary Road, in accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

2. No development shall commence until a scheme indicating how the western perimeter of the application site fronting Gordon Road has been submitted to and approved by the Council. This boundary scheme shall be impermeable [i.e. no pedestrian entrances or exits]. The development shall be subsequently built out in strict accord with the approved boundary treatment.

Reason: To respect local amenity in accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

In addition the wording of Condition 18 [regarding the acoustic fence adjacent the new link road to the south of Gordon Road] to be approved in consultation with Gordon Road residents.

It had been suggested by the Ward Member at the Committee on 18<sup>th</sup> March 2015, that parking provision lost on Kings Road, be replaced on the application site. This was not possible to condition at this late stage in the application process but an Informative had been added to deal with the request. Therefore, an additional informative would be

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placed on any planning permission noting that the applicant and Council would use their best endeavours to provide additional residents car parking on Kings Road, post the completion of the scheme concerned.

It was noted that the application site was in excess of 0.5ha in extent and comprised an 'urban development scheme'. Accordingly, it fell to be considered under Schedule 2, Section 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. On 19<sup>th</sup> February 2015, the Development Control Manager had informed the applicant's agent by letter, that no Environmental Statement was required to be submitted with the application, having regard to the advice in the Regulations and the advice in Circular 2/99. In addition, in February 2015 the application was also formally advertised as a Departure from the prevailing Development Plan, by site notice and a Newbury Weekly News advertisement. This was because it proposed housing on a protected employment area under policy CS9 in the adopted Core Strategy.

The Planning Officer stated that this application was identical to application number 14/01181/FULEXT which had been invalid. An application had also been submitted in 2011 which had not included the link road in the site, as saved and identified in Policy TRANS1A of the District Local Plan of 1991 to 2006 and this proved to be an additional reason for rejecting that application, in addition to the 'normal' technical reasons in relation to the lack of a completed s106 planning obligation. Following considerable negotiation with the Council's Highways and Planning Officers, the applicant had now submitted the current scheme. The Planning Officer gave a presentation which set out the outline of the development and included each level, section and elevation. The highest block comprised 8 storeys and was 30m high which was 9m lower than the existing tower on the site. The development included 325 bed spaces, 318 cycle parking spaces and 170 car parking spaces. With regard to the retention of the industrial unit on site albeit outside the application 'red line' the applicant had endeavoured to negotiate with the owners of the site to purchase it, which would have made a much more effective land parcel to deliver the redevelopment of the site. However this had not been possible, and therefore the Committee had to consider the planning application on its planning merits as submitted.

Officers had had concerns about the block layout, level of amenity and outlook of the development. Given the height, mass, scale, proximity and orientation of the blocks the courtyard to the east would receive very little natural light particularly during the winter months. The distance between blocks at their closest would be 19m which was below the best practice guidance of 21m for dwellings 'back to back' separation. However, any purchasers would be aware of this factor prior to buying an apartment. All of the flats would also have a private balcony and therefore each would have a small degree of private external amenity space. Given the need to allow a relatively high density on the site in order to facilitate the redevelopment, this slight reduction in acknowledged standards was considered to be acceptable on balance.

With the introduction of the NPPF in 2012, the Government, via the advice in paragraph 173 of that document, sought to ensure that issues of viability should be taken fully into account by Local Planning Authorities in determining applications, where viability was an issue, in order to ensure the delivery of schemes, and in particular for housing. This application was a case in point, given the substantial physical constraints in relation to the land contamination and the new road. The applicants had consequently submitted a final viability appraisal in order to confirm to Council Officers, that if the development was to proceed, there would be no s106 contributions to mitigate the impact of the new occupants of the housing on the District, in accordance with policy CS5 in the Core Strategy, and in addition no affordable housing would be provided on site or via an off-site contribution. The full s106 contributions payable would have been £685,000, and the

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full 30% of affordable housing would have been 50 units, as per policy CS6 in the Core Strategy. In Part II of this agenda report the full details of the above two reports, and the consequent Council independent appraisal, had been set out for the Committee to consider. That report confirmed that the Council's assessor had fully accepted the applicant's final viability report and its conclusions. However, it did state that once the full and accurate on site decontamination works had been completed and costs were fully known the Council would have the opportunity, via a review mechanism contained within the s106 obligation, to reassess if any s106 contributions and/or affordable housing paid, should be returned to the developer. Officers had accepted this recommendation.

In relation to Policy CS9 the purpose was to protect designated employment land and premises in the district. Planning Policy Officers had correctly objected to the application as it would inevitably permanently remove from the district land base a current employment area. It was noted that the application would remove 4,100m<sup>2</sup> of B space and around 42 local jobs. Officers had carefully considered this policy objection but it was recognised that the current site was dilapidated and did not provide a high density of employment although the range of jobs and services were valued locally. The site was surrounded by existing housing and the site area at just over 1.0ha was not considered to be so significant to substantially prejudice the supply of future employment land in the district for the next 12 years. Officers were required to balance the substantive benefits arising from this application, which achieved land values which would not be possible if employment was proposed, to achieve the decontamination and new link road. Therefore having regard to all of the above factors it was considered that in this instance the Policy CS9 objection could be set aside given the major benefits from the scheme.

After refusing the previous planning application on this site, the Council had made a bid for funding from the Berkshire Local Transport Body (BLTB) and had been successful in obtaining a conditional £2.3 million bid for funding for the link road. Therefore, the applicant would no longer be required to fund/ provide any of the link road except as potentially Section 38 and 278 works with the funding being passed to the developer to provide the road with construction of the proposal. The overall cost of the link road was £2.935m of which £2.335m had now been obtained from the BLTB and the remaining £600k would be funded from existing s106 contributions and the Council's own Capital Programme. There was a three year time limit on the funding for the link road.

It was noted that Network Rail was scheduled to replace the Boundary Road railway bridge from April 2015. The opportunity was therefore being taken to provide a wider bridge along with a wider footway over the bridge and along Boundary Road fronting the site. Additional land would be required from the application site to provide the footway. This was to be provided as shown on the Proposed Block Plan with the carriageway realigned to provide the footway on the eastern side of Boundary Road. This provision of land by the applicant, would be considered as part of any Section 106 contribution.

To enable a projection for the potential traffic generation the applicant's highway consultants SMA had used the Trip Rate Information Computer System (TRICS), which was a national database containing traffic survey information from many different land uses within the United Kingdom. The following results had been produced:

- The existing industrial site was projected to generate potentially 42 vehicle movements (28 arriving, 14 leaving) between 08.00 and 09.00 hours with 42 vehicles (9 arriving, 33 leaving) between 17.00 and 18.00 hours;
- The proposed development was projected to generate 55 vehicle movements (13 arriving, 42 leaving) between 08.00 and 09.00 hours with 52 vehicles (37 arriving, 15 leaving) between 17.00 and 18.00 hours.

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The increase in vehicle movements was therefore not considered to be substantial. To mitigate any additional travel impact and to encourage sustainable travel highway works to a value of £241,500 had initially been sought. £10,200 had been deducted for the cost of the land to provide a footway with the new railway bridge and this left a figure of £231,300. The report set out how that amount would be used. The Boundary Road/Hambridge Road/Kings Road traffic signal junction would cost around £250,000, with approximately £200,000 being met from existing Section 106 contributions. A design for this junction had generally been agreed with previous planning applications. There was therefore a shortfall of some £50,000.

In conclusion the Planning Officer stated that it was recognised that the application could have a negative impact on the skyline and might have a detrimental impact on some local residents. There would be increased noise from the road and the impact from the development of the site itself. The proposed development and the constraints on the site would mean that there would be a loss of s106 contributions and no provision of affordable housing units. However, the positive impacts of the development included:

- The decontamination of the second most heavily contaminated site in the South East and the worst in West Berkshire.
- The provision of a new link road.
- 167 new dwellings in a sustainable location on a brownfield site.
- The replacement of an unsightly and dilapidated site.

Officers considered this to be an exceptional case and were therefore recommending approval of the application with the s106 Agreement being completed prior to 31<sup>st</sup> March 2015. It was proposed that Condition 22 should be deleted as it was a repeat of Condition 8. An additional condition was proposed in relation to a Travel Plan as set out on page 74 of the agenda together with the new conditions/amendments set out in the Update Sheet.

The Highways Officer stated that he strongly supported the development due to the provision of the link road. This link road was supported in the Local Plan policies, the Core Strategy and the LTP3. It would take a significant amount of traffic off of Kings Road and Mill Lane which were narrow residential streets. Those streets would be quieter and would provide the Council with the ability to widen footpaths and increase the use for cyclists all of which could be completed within one year. The link road would also reduce the level of traffic around the A339/Bear Lane roundabout.

The Highways Officer confirmed that the link road would cost £2.935m in total of which £2.335m had been obtained through grant funding from the BLTB with the remaining £600k being funded from existing s106 contributions. The road would be constructed by the developer under a Section 38 Agreement and s106 monies would enable traffic signals to be provided on the Boundary Road/Hambridge Road/Kings Road junction which would cost around £250,000. Improvements on Boundary Road would enable the widening of the footpath to link in with the wider railway bridge which was being provided as a result of electrification.

The Highway's Officer confirmed that he was content with the layout of the site and that 170 car parking spaces complied with the Council's standards.

Councillor Alan Law noted that some parking would be lost along Kings Road and that it was proposed that an informative would be placed on any planning permission to endeavour to provide additional car parking on Kings Road post completion of the scheme. He queried why that could not be conditioned. The Planning Officer confirmed that the conditions only applied to the red line of the application site and the Kings Road

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area in question was outside the application site. Due to the viability issues on the site a condition seeking to supply additional parking could result in a substantial amendment being required to the application. The application would then need to be reconsulted upon and would delay the application and possibly jeopardise the development. The Highways Officer stated that only five or six spaces would be lost along Kings Road near the application site. However, as the traffic along Kings Road would reduce it was suggested that those spaces could be provided elsewhere along the road and the levels would therefore be maintained.

Councillor Alan Macro referred to paragraph 6.3.2 of the report in relation to the review mechanism for s106 contributions. He noted that there was no mechanism for increasing the level of s106 contributions only to reduce them. The Solicitor confirmed that the amount of £685k which had been mentioned in the report was the level of s106 contributions required by the Council. The Council could not ask for more contributions than the policy allowed it to.

Councillor Royce Longton noted that the second condition on the Update Sheet required a wording amendment. He also referred to page 54 of the report where he noted that Natural England had objected to the application. He asked if they were satisfied with the proposed conditions. The Planning Officer confirmed that the Ecology Officer had also been consulted and had raised some concerns but he did not object in principle and was recommending approval of the application. Councillor Longton noted that the funding for the link road was time limited and he asked if a condition could be placed to ensure that it was constructed during that period so funding was not lost. The Planning Officer agreed that a time limit condition of 2 rather than 3 years could be included if Members so wished.

In accordance with the Council's Constitution, Councillor Phil Barnett, Parish Council representative, Ms. Suzanne Davis and Mr. Leigh Lindsay, objectors, Mr. Brian Withers, supporter, and Mr. Ian Blake, agent/architect, addressed the Committee on this application.

Mr. Barnett in addressing the Committee raised the following points:

- Newbury Town Council had had an interest in this site and the applications submitted on it since 2005;
- The Town Council recognised that it was an ideal location for housing as it was close to the town centre and had civic amenities close by;
- The Town Council had raised concerns with previous applications regarding site layout, contamination of the land, the number of blocks proposed and the effect on the street scene and surrounding roads. However, they now felt that these initial concerns had been addressed;
- Councillor Barnett stated that the Town Council welcomed the inclusion of the link road which had been a major stumbling block and recognised the benefits to local residents of alleviating congested roads;
- However, it was recognised that residents of Gordon Road and Boundary Road would still be affected to a certain extent but he welcomed the inclusion of obscure glass in the stairwell to the block adjacent to Boundary Road;
- The 170 parking spaces were welcomed which might seem to be inadequate, but due to the siting of the development it was recognised that there would be less of a need for occupiers to have vehicles. However, there was a concern that more cars would spill out into surrounding roads;

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- Although it was stated that 42 jobs might be lost, a number of the local companies on the site had already moved out and it was hoped that employees would find work in the relocated site;
- Members of the Town Council were concerned about the lack of affordable housing on the site and he still hoped that this benefit would come forward;
- The Town Council welcomed the cleaning up of the site, including the demolition of the dilapidated buildings which included a previous old gas works;
- The new buildings would have some impact on the street scene and surrounding area but it was hoped that the building work would be completed as quickly as possible and with minimal disturbance to existing residents from dust and noise.

Councillor Hilary Cole noted that Councillor Barnett had mentioned the loss of jobs and she asked whether there would be any real loss or whether the majority of employees would relocate. Councillor Barnett confirmed that he was aware that several businesses had already relocated and they had kept their existing employees. He was only reporting the concerns which had been made at the Planning and Highways Committee meeting when this application had been considered.

Ms. Davis and Mr. Lindsay in addressing the Committee raised the following points:

- Ms. Davis lived at and was the owner of 42 Boundary Road. She had concerns about the loss of daylight to her property;
- The stairwell and lift shaft of Block E would overlook her house and invade her privacy;
- She had asked the Western Area Planning Committee to consider obscuring the glass in the stairwell in order to retain her privacy and she was pleased to see that this had been taken into account. However, she also asked if the windows in the stairwell could be non-opening in order to reduce noise;
- Mr. Lindsay presented an axonometric block view plan and as this was not new material the Chairman allowed Members of the Committee to view the plan. Mr. Lindsay stated that residents of Gordon Road welcomed the proposed noise suppression measures as whilst noise was at present infrequent the new link road would mean that the noise would be constant and he was pleased that that issue had been dealt with;
- Mr. Lindsay felt that the two way road through the development would not be beneficial to residents' quality of life.

Councillor Paul Bryant queried whether the non-opening windows requested were in the stairwell. Ms. Davis confirmed that this was the case.

Mr. Withers in addressing the Committee raised the following points:

- Mr. Withers worked at Sterling Garage and supported the application for the change in use from CS9;
- The Committee report stated that there were 42 employees on the site, however, Mr. Withers said that the number was far less than that. The general public were wary of entering the site as the tower was dangerous and the road was collapsing and any cars parked on the site would not be covered by insurance;
- Mr. Withers stated that a number of the key employers on the site had already left the site with the units under the tower empty and derelict;



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- He suggested that the number of employees on the site was more likely to be in the region of 15 and not 42;
- Mr. Withers was of the opinion that it would be impossible to develop the area as an employment site and he fully supported the proposal.

Mr. Blake in addressing the Committee raised the following points:

- Mr. Blake stated that he did not want to give a presentation but was happy to answer any questions that Members of the Committee might have.

Councillor Paul Bryant noted that Ms. Davis had mentioned the fact that she would like to see non-opening windows in the stairwell and he asked whether that would be possible. The windows were not shown on the plans to be opening but it might be necessary to have some element of ventilation in the stairwell. Mr. Blake stated that the windows would need to open out in case it was necessary to vent out in the event of a fire. This was a requirement under Building Regulations. Councillor Alan Macro noted that the concern of the resident in No. 42 Boundary Road was in relation to noise. Mr. Blake stated that the Building Regulations covered acoustics and if the development met the necessary requirements then that would be sufficient to prevent noise penetrating to outside areas.

Councillor David Allen asked Mr. Blake to describe the open space areas. Mr. Blake responded that there would be connecting pathways, grassed areas, trees, seats and cycle parking areas. It would be much the same style as had been used in Parkway.

Councillor Graham Pask noted that there would be roughly one parking space per flat and he asked whether they would be allocated and would a barrier system be in operation. Mr. Blake confirmed that a barrier would be used and that the spaces would probably be allocated. Councillor Pask queried what would happen when residents had visitors. Mr. Blake responded that the parking allocation was within guidelines and not every flat would have a vehicle and car parks were available in the surrounding area which were within walking distance.

Councillor Hilary Cole asked Mr. Blake when work was expected to start on site should the application be approved. Mr. Blake could not give a precise answer but he noted that there was obviously a time restriction in relation to the construction of the link road.

Councillors Roger Hunneman and David Allen as Ward Members in addressing the Committee raised the following points:

- Councillor Hunneman was concerned with the height and impact on the southern edge of the development and the negative impact on No. 42 Boundary Road;
- He still had concerns in respect of the lack of car parking on the site;
- Councillor Hunneman stated that it was a shame that the Beard unit was being retained;
- The link road was now part of the scheme and he felt that this would improve the conditions for residents of Kings Road and Mill Lane. Councillor Hunneman confirmed that he would be pressing separately for the removal of all through traffic from Kings Road together with a 20mph speed limit through the site;
- Councillor Hunneman was of the opinion that it was time that the site was cleaned up and developed and although some local residents were not in agreement there was a realisation that the site could no longer remain as it was;
- Councillor Hunneman welcomed the two additional conditions and the fact that Condition 18 had been modified;

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- Councillor Allen had concerns about the loss of the s106 contributions and in particular the sum of £100k which had been requested for public open space and £390k for Education. However, that needed to be balanced against the benefits of the development and he was therefore in favour of the proposal;
- Councillor Allen had worked on the Sterling Cable site 25 years ago and it was in need of demolition then. He confirmed that a large number of the employers had already vacated the site and relocated elsewhere;
- He recognised that the negative impact on Gordon Road and No. 42 Boundary Road would need to be mitigated against but he felt that if this was the last chance to improve the site then the Committee needed to take it.

Councillor Alan Law noted that Councillor Hunneman had lobbied for the link road and he asked whether he was happy with the design. Councillor Hunneman confirmed that he would have like to have seen a different design but as the Beard unit was remaining on the site then he was content with what had been proposed.

Councillor Graham Pask stated that the Committee had heard a lot of evidence in respect of the application. The site had been an eyesore for 30 years or more and was the most contaminated site in West Berkshire. Something needed to be done with the site and it would be necessary to accept a compromise in relation to the density in order to achieve a return. He confirmed that he was Chair of the Speed Limit Review Group and there would be plenty of time to consider a review of the speed limit through the development site.

Councillor David Allen agreed that this was a great opportunity to decontaminate a derelict site. However, without that benefit he would not be in favour of the proposal as the s106 contributions and affordable housing provision would be lost. He was not keen on high rise developments but the height of the blocks and the design/style of the development would be similar to those in Parkway. Councillor Allen proposed to accept Officers' recommendation to approve the application subject to conditions. Councillor Alan Law seconded the proposal.

Councillor Garth Simpson stated that he was relaxed about the 20mph speed limit as there was a right angle bend in the road which would prevent vehicles travelling at high speeds through the site. He echoed the comments from other Members and felt that the new link road would improve mobility in the area.

Councillor Alan Law stated that he did not like the application at all but he had to accept that it was the best that we were likely to get and it would improve a site which was an eyesore. The reason it was being considered at the District Planning Committee was because it was contrary to policy. However, Members needed to be realistic as the application site was derelict but he hoped that the developer would be sensitive to the needs of local residents. Councillor Royce Longton noted that one of the criticisms of the Core Strategy was that it did not free up employment land. The Council would be achieving a great benefit from the development of this site.

Councillor Alan Macro suggested that Condition 1 should be amended to read 'two years' and not 'three years'.

Councillor Paul Bryant stated that the Western Area Planning Committee had had a detailed debate. The Planning Officer had said that Planning was not an exact science and this was correct. The authority had tried to set policies which would adapt to every eventuality but this was a golden opportunity to improve a site which was an eyesore in the town.

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Councillor Hilary Cole concluded that the Committee would be determining this application within exceptional circumstances. The site would be more suited for residential development than for employment use but she wanted to ensure that the developer was aware that this application was contrary to normal Council policy. This was an exceptional site but she recognised the benefit that this development would bring to the town and to the local area.

**RESOLVED** that the Head of Planning and Countryside be authorised to grant planning permission subject to the following conditions and subject to the first completion of the required s106 obligation on or prior to the 31<sup>st</sup> March 2015:

### Conditions

- (1) The development shall be started within two years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time, in accord with the advice in the DMPO of 2010.

- (2) No development shall commence until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policy HSG1 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

- (3) No development shall commence until details of floor levels in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with Policy HSG1 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

- (4) The hours of work for all contractors (and sub-contractors) for the duration of the site development, to include demolition, shall, unless otherwise agreed in writing by the Local Planning Authority, be limited to; 7.30 am to 6.00 pm on Mondays to Fridays, 7.30 am to 1.00 pm on Saturdays, and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding residents in accordance with policy HSG1 of the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

- (5) The dwellings shall achieve Level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme). Within 3 months of each phase of dwelling occupation, a final Code Certificate relevant to it, certifying that Level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme) has been achieved, has been issued and a copy has been provided to the Local Planning Authority.

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Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

- (6) No development shall commence on this site until full details of the measures required to create at least one dark North-South corridor through the site which will be suitable for bats will be submitted to the Local Planning Authority for approval. Such approved measures will be implemented in full and shall be maintained thereafter. Measures will be designed using a qualified ecologist and include those mentioned in paragraph 7.2.5 of the Bat Survey report dated August 2014 by Michael Woods Associates and expanded upon in the e-mail to West Berkshire Council from Carter Jonas and dated 20th August 2014. In addition, a bat sensitive lighting strategy will be submitted to the Local Planning Authority for approval. Such approved measures will be implemented in full and shall be maintained thereafter. Such lighting strategy will also include details of how light spill from windows in the development will be controlled and an isolux diagram of the dark corridor. Two years after the first occupation of a flat / apartment, a bat survey of the dark corridor will be undertaken in suitable weather conditions in the months of June/July to establish whether the corridor is working or not. A report of the monitoring will be submitted to the Local Planning Authority in the following August.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Core Strategy of 2006 to 2026.

- (7) No development shall commence on this site until:
- (1) a detailed reptile mitigation plan based on Section 7.6 of the Updated Ecological Survey By Michael Woods Associates and dated February 2014, has been submitted to the Local Planning Authority for approval. Such plan will include details of the receptor site and any required enhancements at this site to make it suitable. Such agreed plan will be implemented in full.
  - (2) In addition, a detailed landscape plan will be submitted to the Local Planning Authority for approval. Such plan will incorporate the recommendations made in Section 7.4 of the Updated Ecological Survey dated February 2014 by Michael Woods Associates and Section 7.2.5 of the bat Survey report dated August 2014 by Michael Woods Associates.
  - (3) In addition, detailed plans showing the following will be submitted to the Local Planning Authority for approval and such approved plans will be implemented in full and the boxes incorporated shall be retained and maintained thereafter. The incorporation of three groups of 5 woodcrete swift nest boxes; 3 woodcrete sparrow terrace nest boxes; 2 bird boxes suitable for Black Redstarts; 3 Blackbird nest boxes; 6 built in bat boxes and 2 woodcrete bat boxes suitable for trees.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Core Strategy of 2006 to 2026.

- (8) No development shall commence until a Construction Management Plan has been submitted to the Local Planning Authority. The plan should detail items such as phasing of construction, lorry routing and potential numbers, types of piling rig and earth moving machinery to be implemented and measures proposed to mitigate

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the impact of construction operations. In addition the plan should make note of any temporary lighting that will be used during the construction phase of the development. The plan shall be implemented in full and retained until the development has been constructed. Any deviation from this Statement shall be first agreed in writing with the Local Planning Authority.

Reason: To ensure potential disruption is minimised as much as possible during construction in accordance with Policy CS14 of the West Berkshire Core Strategy 2006 to 2026.

- (9) No development shall commence until the applicant has submitted to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of dust from the demolition and construction of the development. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.

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

- (10) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition 4 has been complied with in relation to that contamination.

### **1. Site Characterisation**

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

### **2. Submission of Remediation Scheme**

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A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### **3. Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

### **4. Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

If required:

### **5. Long Term Monitoring and Maintenance**

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can

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be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accord with the advice in the NPPF

- (11) No development shall commence until full details of a scheme of works, for protecting the occupiers of the development from externally generated noise, has been submitted to and approved in writing by the Local Planning Authority. All works forming part of the scheme shall be completed before any dwelling is first occupied.

Reason: In order to protect the amenities of proposed residents/occupiers of the development, in accord with saved policy OVS6 in the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

- (12) No development approved by this permission shall be commenced until a detailed scheme for the improvement of the existing sewerage system has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved. No occupation of dwellings approved by this permission shall occur until the scheme for improvement of the existing sewerage system has been completed.

Reason: To ensure protection of local public health in accord with the advice in the NPPF of 2012.

- (13) No development shall commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accord with the advice in the NPPF of 2012.

- (14) No development shall commence until - impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. The development must be carried out in accord with the conclusions of the report so approved.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand in accord with the advice in the NPPF.

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

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

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Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policy CS18 of the West Berkshire Core Strategy 2006 to 2026.

- (16) No demolition/ site works/ development shall take place within the application area until the applicant has secured the implementation of a programme of building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that an adequate record is made of these buildings of architectural, historical or archaeological interest in accord with policy CS19 of the West Berkshire Core Strategy of 2006 to 2026.

- (17) 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 best practice and the proposed national standards and to provide attenuation to greenfield run-off rates and volumes;
  - (b) Be informed by a full ground investigation survey, details of which shall be included within the submission;
  - (c) Include construction drawings, cross-sections and specifications of all hard surfaced areas within the site;
  - (d) Include the storage capacity for the proposed surfacing materials based on a 1 in 100 year storm +30% for climate change;
  - (e) Provide benefits, where possible, such as water quality, biodiversity and amenity.

The sustainable drainage measures shall be implemented in accordance with the approved details before the dwelling(s) hereby permitted are occupied. In accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained in the approved condition thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

- (18) No development shall commence until the applicant has submitted a scheme indicating the erection of an acoustic barrier to the south west of the application site adjoining Gordon Road - to the north of the new link road. This scheme must be approved in writing by the Council in consultation with Gordon Road residents and implemented in strict accord with those details before any occupation of the first dwelling on the application site.

Reason: To respect the amenities of the occupants of Gordon Road in accord with policy OVS6 in the Saved District Local Plan for West Berkshire 1991 to 2006, in respect of the proposed new link road.



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- (19) No development shall commence on the demolition of the Counting House until the local planning authority has been provided with either:-
- (a) licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity / development to go ahead; or
  - (b) a statement in writing from Natural England to the effect that it does not consider that the specified activity / development will require a licence."

Reason: To protect the local bat population in accord with advice in the NPPF of 2012.

- (20) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect local groundwater in accord with the advice in the NPPF of 2012.

- (21) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect local groundwater in accord with advice in the NPPF of 2012.

- (22) No development shall commence until a scheme indicating the boundary detail of the western perimeter of the application site fronting Gordon Road has been submitted to and approved by the Council. This boundary scheme shall be impermeable [i.e. no pedestrian entrances or exits]. The development shall be subsequently built out in strict accord with the approved boundary treatment.

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

- (23) Each area of the development shall not be brought into use until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

- (24) No development shall commence until a scheme indicating obscure glazing in the east elevation of block E on the stair well has been submitted to and approved in writing by the Council. The development shall be carried out in strict accord with that scheme.

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Reason: To ensure no overlooking of No. 42 Boundary Road, in accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

- (25) No development shall commence until a scheme indicating how the western perimeter of the application site fronting Gordon Road has been submitted to and approved by the Council. This boundary scheme shall be impermeable [i.e. no pedestrian entrances or exits]. The development shall be subsequently built out in strict accord with the approved boundary treatment.

Reason: To respect local amenity in accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

- (26) The Travel Plan hereby approved (Framework Residential Travel Plan dated March 2014, Issue 04) or any subsequent revision that has been approved in writing by the Local Planning Authority, shall be implemented in accordance with the details set out in that plan, or an subsequent approved revision. The owner/occupier shall take reasonably practical steps to achieve and maintain the targets developed as part of the plan, or any subsequent approved revision. Any future owner/occupier shall implement the Travel Plan hereby approved or any subsequent revision that has been approved in writing by the Local Planning Authority.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the increase in sustainable travel in connection with the development. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### Informative:

The applicant and Council will use their best endeavours to provide additional residents car parking on the Kings Road, post the completion of the scheme concerned.

### 15. (2) **Application No. & Parish: 14/02901/FULD - Ibex Inn, Main Street, Chaddleworth, RG20 7ER**

*(Members of the Western Area Planning Committee declared a general interest in Agenda item 6(2) by virtue of the fact that they had been present during the discussion of this item at a previous Western Area Planning Committee meeting. However, they would listen to the evidence provided at this meeting and would consider the application afresh. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter).*

The Committee considered a report (Agenda Item 6(2)) concerning Planning Application 14/02902/FULD in respect of the erection of 3 dwellings, a Bed and Breakfast Self-contained unit all with landscaping, car parking and to include extensions to The Ibex Inn to create an enlarged kitchen with stores, level access and disabled WC, one bedroom with en-suite facilities for B & B, a village shop, a two bedroom renovated staff/tenant accommodation and internal alterations to dining and bar areas.

The Planning Officer introduced the report and stated that the Western Area Planning Committee on 25<sup>th</sup> February 2015 had considered in detail the proposal for the refurbishment and extension of the existing (currently vacant) public house, creation of a village shop, bed and breakfast facilities and three open market dwellings. The site was within the village of Chaddleworth which did not have a defined settlement boundary. The Committee determined that the application should be approved as it would provide a valuable asset for the village if the refurbishment of the pub and provision of village shop

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could be secured through an agreement. As part of the debate, Members of the Committee had been made aware that Officers considered the proposal for the new open market dwellings to be contrary to the development plan and due to strategic issues, in particular sustainability and securing the re-furbishing and opening of the pub before the sale of the open market dwellings, the decision should be made at District level. If approved the development would also be required to provide developer contributions to mitigate against the impact of the new dwellings on local services, amenity and infrastructure.

Six letters of representation had been received, including a petition in support, plus a supporting letter from the Parish Council. Three letters of objection had been received with the main concerns being overdevelopment, viability of the scheme and the retention of the pub and shop, conflict of use of parking spaces, space for parking for the detached B&B and safe use/access into the pub and garden, lack of provision for family use and loss of public house floor space. The main points set out in the two letters of support plus petition included the fact that the Ibex was the hub of community and a registered community asset. Comments had also been set out regarding sustainable construction and disturbance/safety during construction plus ensuring the pub was re-opened.

The new cottages were to be constructed on part of the existing pub car park to the north of the main building. An old map from 1899 had been provided by the Parish Council which showed that there were dwellings on this site originally. The Highways Officer was content that the number of car parking spaces remaining would be sufficient for a local pub. The existing building on the site was a public house which was deteriorating fast together with associated staff accommodation. The building occupied a large plot in a prominent position and had been listed as an Asset of Community Value. The site also included a large car park to the north which was informal and not marked out.

The application site lay within the village of Chaddleworth in a rural location outside of any defined settlement boundary within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The village infant school was to the east of the site and the main part of the village comprised a number of houses of varying ages and styles to the north-west, south and south-east of the site.

The application sought to provide three open market dwellings to facilitate the refurbishment of the public house, village shop and to provide bed and breakfast accommodation.

There was strong support locally for the current proposal from the Parish Council and residents. The scheme would bring the pub back into operation with the emphasis being on good food in order to attract customers from a wider area and which would provide a village shop and bed and breakfast accommodation. This would contribute to the vitality and economy of this rural area.

The Planning Officer stated that the National Planning Policy Framework (NPPF) at paragraph 55 set out that local planning authorities should avoid new isolated homes in the countryside unless there were special circumstances. The application clearly stated that the dwellings would be open market and that there was no essential need. The scheme did not relate to a heritage asset or to a conversion/re-use of redundant buildings. In assessing the material considerations, securing the pub, village shop and bed and breakfast facilities for the longer term also needed to be addressed. The economic success of these ventures would also depend on market demand and this could not be predicted or guaranteed. The applicant had confirmed that the development would be in one phase with funds from the housing being used to pay back the costs of refurbishing the pub.

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It was noted that the proposed development included covered cycle parking next to the proposed self contained bed and breakfast unit within the altered garage opposite the public house. Whilst this was required to meet current Highway Policies, the exact location and design should be secured through a condition to ensure that the resultant building did not detract from the character of the village and street scene. The area currently proposed for the cycle parking might be subject to a restrictive covenant and therefore if this was the case then an alternative location would need to be secured.

The Western Area Planning Committee had spent a considerable amount of time on the advisability of providing three additional houses in an area where there was no settlement boundary. This was not an established village and if there had been a red line then this Committee would not be discussing the current application. The Planning Officer concluded that having taken into account all of the relevant policy considerations and other material considerations the proposal would on balance have an unacceptable impact and refusal was therefore recommended.

The Highways Officer stated that the site had been used as a public house already and he therefore had no objections to the proposal subject to clarification and receipt of amended plans to ensure site lines/visibility splays were correct, the orientation of disabled parking spaces, opening hours for the shop and to secure covered cycle parking.

In accordance with the Council's Constitution, Mr. Grahame Murphy, Parish Council representative and Mr. Michael Pooley and Mr. Kevin Brady, supporters, addressed the Committee on this application.

Mr. Murphy in addressing the Committee raised the following points:

- Mr. Murphy stated that the Parish Council were fully supportive of the application;
- The history of the site went back four decades but as no money had been invested into the business it had rapidly deteriorated;
- He could understand why the applicant needed to construct and sell the houses in order to support the renovation of the business;
- The Parish Council had felt that it was so important that it had canvassed the village and held meetings in the village hall. At the first meeting 70 people had attended and 67 had completed a questionnaire. There had been 48 attendees at the second meeting. All of those in attendance at the meetings had supported the proposed application;
- The Parish Council had checked on two developments that the local builder had constructed and had been content with the quality and standard of his work;
- The IbeX Inn had been listed as an Asset of Community Value;
- The builder had given his agreement that he would carry out the development in unison and he would also take place in the interviews for the forthcoming tenant.

Councillor Alan Law queried who owned the public house. Mr. Murphy clarified that Mr. John Castle owned the public house but was also the builder/developer.

Councillor Paul Bryant confirmed that some time ago he had lived in the area and at that time Chaddleworth had had a shop and a petrol station. He asked Mr. Murphy why he thought that this venture would be successful. Mr. Murphy stated that the shop on School Hill had been taken over by an unsuitable tenant and that was why it had failed. The tenant for The IbeX would be on a lease or manager basis.

Mr. Pooley and Mr. Brady in addressing the Committee raised the following points:

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- Mr. Brady stated that the community were very supportive of the application and the pub had been missed since it had closed. It had deteriorated due to lack of investment and he was of the opinion that pubs should be preserved wherever possible as they were the heart of the village community;
- The Ibex Inn had been the CAMRA Community Pub of the Year in 2012;
- Since the pub had closed local community groups had been set up and events had been arranged for people to attend and meet;
- A local brewery had started up in the village and it was hoped that this could be used to support the pub;
- A beer bus had been arranged to visit local towns on a Friday evening so there was still a thriving group in the community who would support a local establishment;
- Mr. Pooley stated that he had lived in the village for 40 years and had been a shopkeeper himself for 50 years;
- The publican would be free to buy beer from wherever he liked and would not be tied to a brewery therefore he would be able to buy from the local micro brewery;
- The quality of food would be important as there were a number of walkers and ramblers who would often stop in to the pub;
- The village also had a good cricket club and golf club within half a mile of the development site;
- Two of the local estates had merged their shoots and the result would be that it would be one of the best shoots in the country;
- The village owned a marquee and this could be made use of by extending the pub in the Summer for wedding receptions and parties;
- The shop would sell specialist goods and would be a delivery and collection point for parcels;
- There were three villages on the Downs with over 600 households and therefore he felt that the business would be viable and fully supported.

Councillor Quentin Webb queried whether there were any other bed and breakfast facilities in the village. Mr. Brady confirmed that the village did not have a bed and breakfast establishment at present and therefore the proposed accommodation would be useful for visitors.

Councillor David Allen asked whether the pub, shop and bed and breakfast would be run separately or whether there would be one manager. It was confirmed that one manager would run the three ventures.

Councillor Hilary Cole noted that it had been stated that there were 600 households in the three Downland villages and she asked which three villages. The three villages were Chaddleworth, Leckhampstead and Brightwalton. She noted that Chaddleworth was not a village in policy terms but she asked Mr. Brady and Mr. Pooley whether they viewed it as a village. They confirmed that they did.

Councillor Quentin Webb queried whether any survey had been undertaken to identify housing needs for younger people. Mr. Pooley confirmed that there was no-one from Chaddleworth on the housing list as social housing had been built some years ago.

Councillor George Chandler, Ward Member, in addressing the Committee raised the following points:

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- This application had been referred up from the Western Area Planning Committee and it had received tremendous support from the village community;
- Chaddleworth was a Downland village and was typical of other villages in the area. The site was not in open countryside but was near the infant school, the war memorial and a housing estate. It was in the heart of the village and was a sufficiently large enough site;
- Councillor Chandler asked West Berkshire Members to support an establishment which was deteriorating and it would be good to see The Ibex operating as a fully functioning public house;
- The three new homes would be a welcome addition to the village and would make it more viable. The villagers within Chaddleworth were very active;
- Policies were very important but they could only work within the red line and Chaddleworth did not have one and therefore it was necessary to use a common sense approach;
- Councillor Chandler felt that the proposed development would enhance the village and that there would be plenty of space on the site for what was being proposed;
- The Western Area Planning Committee had had concerns about the pub and the development and how they could be tied to ensure that the refurbishment of the public house took place. This had now been addressed;
- It would have been beneficial for the applicant to attend this meeting but Councillor Chandler confirmed that the community was in favour of the proposed development.

Councillor Quentin Webb was in favour of the application as he was of the opinion that the village had to be able to evolve. The original cottages had been in the confines of the site and he felt that the increase in housing would benefit the village and would provide more income to the public house.

Councillor Alan Law noted that the discussion seemed to be around the viability of the pub but the issue here was in relation to houses in the countryside. The Parish Council should have looked at putting in a red line when the Core Strategy was being developed. Planning policies were in place to try and restrict development in the AONB. Councillor Law stated that the village of Aldworth was in a similar position and the last thing required there was new houses. He was therefore concerned that this application was going against Council policy and if this development was allowed then it would be difficult to resist a similar application in Aldworth. He understood that the local community would like to see the pub re-open but the issue was around funding and there were other ways to address that.

Councillor Brian Bedwell felt that this was an excellent scheme. He referred to the map on page 93 of the agenda and he concluded that the site was within some form of settlement boundary. The lines were clearly there and the site was in the heart of the community. The local residents wanted a pub and social facility in the village and there were areas within the village where housing dominated. He therefore could not see the harm in supporting this application.

Councillor Paul Bryant stated that a good debate on this application had taken place at the Western Area Planning Committee and it had been unanimously approved. Again he reiterated that planning was not an exact science and this was a unique proposal which he felt would not be replicated elsewhere. The application site was in a built environment with a piece of orphaned land on the edge and he therefore felt that what was proposed for the site was sensible. The proposal would reduce the risk of the pub not succeeding

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but that could not be guaranteed. He proposed that the application should be approved in the interests of the villagers. Councillor Brian Bedwell seconded that proposal.

Councillor Graham Pask said that he was supportive of the application but he also felt that Councillor Alan Law was correct. Chaddleworth was a village but in planning terms it did not have a settlement boundary. It was not possible to change policy at the District Planning Committee but Councillor Pask stated that he would support the application as an exception to planning policy. He was glad that it was being phased in order to enable the public house to be refurbished but he felt that it was a shame that the community would not be taking ownership.

Councillor Virginia von Celsing agreed that she could not see an issue with putting two new dwellings on the site.

Councillor Royce Longton stated that in terms of setting a precedent the fact that this was a brownfield site was relevant.

Councillor David Allen was of the opinion that Aldworth had the best pub in the district and that too was the heart of the village. It was a shame not to let Chaddleworth have the same.

The Planning Officer concluded that this was a difficult situation. Planning policy would be undermined if the application was approved but it was good that a condition had been included so that the pub would be occupied prior to construction of the houses.

Councillor Hilary Cole noted that a new policy for Houses in the Countryside was currently out for consultation and she queried whether there would be any difference in relation to the new policy regarding this application. Bryan Lyttle clarified that at present Councillor Alan Law was correct that this site was in the AONB and there was generally a policy of constraint for development in the AONB. Members had the gift to consider that balance when determining an application.

Councillor Brian Bedwell queried whether there was any way Chaddleworth could obtain a settlement boundary for their community. Councillor Cole confirmed that all settlements would need to be revisited in this respect.

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

### Conditions

#### 1. 3 year time limit

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

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

#### 2. Approved plans

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

- Location Plan 2001-B
- Site Plan 100 – C Received by e-mail dated 30<sup>th</sup> December 2014
- Block Plan 101 – A
- Pub Refurbishment (existing and proposed floor plans and elevations) 103 – D
- Self Contained B&B (existing and proposed floor plans and elevations) 104 – B
- Proposed Detached Dwelling (floor plans and elevations) 105 – B

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- Proposed Cottages (floor plans and elevations) 106 – C
- All received with the application validated on 17<sup>th</sup> November 2014.

Reason: For the avoidance of doubt and in the interest of proper planning. To ensure that the development is carried out in accordance with the submitted details. In the interest of amenity and in accordance with Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

### 3. **Materials samples to be submitted**

No development shall commence on site until, samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of amenity and in accordance with Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

### 4. **Landscaping**

No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing (to incorporate the use of a porous material to any hard surfaced areas) and materials to be used, a schedules of plants (noting species, plant sizes and proposed numbers/densities), an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- (a) completion of the approved landscaping scheme within the first planting season following the completion of the development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority as part of the details submitted for this condition; and
- (b) any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the approved landscaping scheme shall be replaced in the next planting season by plants of the same size and species; and

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policies ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

### 5. **Tree protection scheme**

No development or other operations (including site clearance and any other preparatory works) shall take place until a scheme for the protection of trees to be retained has been 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, to be in accordance with B.S.5837:2012. 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



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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.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **6. Tree protection – construction precautions**

No development or other operations shall take place until details of the proposed access, hard surfacing, drainage, soakaways and services providing for the protection of the root zones of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.

Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14, CS18, and CS19 of the West Berkshire Core Strategy (2006-2026).

### **7. Arboricultural Method Statement**

No development, site clearance and/or other preparatory works shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The statement 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 incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14, CS18, and CS19 of the West Berkshire Core Strategy (2006-2026).

### **8. Bat Roost**

No development shall commence until a detailed bat mitigation/enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. Such scheme will include detailed construction drawings showing the new bat roost over the B & B accommodation in the pub (minimum 4m x 4m x 2m high) and bat access points. Those sections of the roof to have access for bats will only be lined with traditional bitumastic roofing felt. Development shall be carried out in accordance with the approved scheme and the bat roost created hereafter retained and maintained.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

### **9. No illumination of Bat Roost**

No external lighting will illuminate any bat roost access points and there shall be no internal lighting of roost void provided as part of the mitigation scheme.

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Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

### 10. Hours of work during construction

The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers. In accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026

### 11. Pub Kitchen extract equipment

Before development commences the applicant shall submit to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of odour and noise from the preparation of food associated with the development. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.

Reason: In the interests of the amenities of neighbouring occupiers. In accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026 and OVS5 Este Berkshire Local Plan saved policies 2007 and advice contained within the NPPF.

### 12. Unforeseen Contamination

Should any unforeseen contamination be encountered during the development, the developer shall inform the LPA immediately. Any subsequent investigation/remedial/protective works deemed necessary by the LPA shall be carried out to agreed timescales and approved by the LPA in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the LPA upon completion of the development.

Reason: In order to protect the amenities of proposed occupants/users of the application site. In accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026 and advice contained within the NPPF.

### 13. Construction method statement

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

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

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

### 14. Access Closure with reinstatement

The existing vehicular access(es) at the site shall be stopped up and abandoned immediately after the new access(es) hereby approved has/have been brought into use. The footway/cycleway(s)/verge(s) shall, at the same time as the stopping-up and abandonment, be reinstated to the satisfaction of the Local Planning Authority.

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

### 15. Visibility Splays

No dwelling shall be occupied until the visibility splays at the accesses have been provided in accordance with drawing number IBEX-SP-01Sep14-100-C dated December 2014. 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 (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### 16. Parking and turning in accordance with plans

No dwelling shall be occupied and the refurbished pub shall not be taken into use until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning space shall thereafter be kept available for parking at all times. The provision of this parking can be phased in accordance with the phasing of the development.

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

### 17. Cycle Parking

Notwithstanding the details shown on approved site plan, no development shall commence until full details of proposed cycle parking for the public house and self contained B&B shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking for the proposed for the new dwellings shall be provided in accordance with the details shown on the approved plans. The new dwellings, pub and d B&B accommodation shall not be brought into use until the cycle parking has been provided in accordance with the approved drawings (this can be phased in accordance with the development) and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13

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of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **18. Developer Co-ordination Requirements**

Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be coordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in West Berkshire.

Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be coordinated by them in liaison with West Berkshire Council's Street Works Section, (telephone 01635 519169/519234). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are coordinated to take place wherever possible at the same time.

Reason: In order to minimise disruption to road users, be they pedestrians or vehicular traffic, under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. In order to satisfy the licensing requirements of the Highways Act 1980."

### **19. Sustainable Drainage Methods**

No development shall commence until a details of Sustainable Drainage Methods to be used within the site have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure that all surface water is contained within the site and that no surface water is directed to existing highway drains nor existing water courses unless through controlled attenuation. The dwelling hereby approved shall not be occupied until the approved sustainable drainage methods have been implemented in full and shall be maintained and operated in perpetuity.

Reason: To ensure that the development does not create unsustainable surface water run-off or adversely affects important areas of bio and geo diversity in accordance with the National Planning Policy Framework and Policy CS16 and CS17 of the West Berkshire Core Strategy 2006 - 2026.

### **20. Means of Enclosure and Hard Surfacing**

No development or other operations on site shall commence until a scheme of fencing and other means of enclosure (if any) to be erected on the site and all areas of hard surfacing (which should where possible be permeable) have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall be not be occupied until the fencing, other means of enclosure and surfacing have been erected/ constructed to the satisfaction of the Local Planning Authority. The approved fencing or other means of enclosure and surfacing shall be retained thereafter.

Reason: The fencing, other means of enclosure and hard surfacing are essential elements in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. In the interests of the character of the area within this village setting. In accordance with Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

### **21. Code for Sustainable Homes**

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The dwellings shall achieve Level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme). The dwellings shall not be occupied until a final Code Certificate relevant to it, certifying that Code Level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme) has been achieved, has been issued and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS15 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document Quality Design (June 2006).

### 22. **Obscure Glazing (Detached dwelling)**

The proposed windows in the side elevations of the detached dwelling shall be obscure glazed. The dwelling shall not be occupied until these are installed. The obscure glazing shall be retained thereafter. Irrespective of the provisions of the current Town and Country Planning (General Development) Order 1995 (or any subsequent revision), no additional openings shall be inserted at first floor level and above in the North or South elevation of this dwelling without the prior approval in writing of the Local Planning Authority.

Reason: To prevent overlooking of adjoining properties and in the interests of the amenity of neighbouring properties future occupiers of the new dwelling. In accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

#### **Informatives:**

##### ***Informative – Construction/Demolition Noise***

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.

##### ***Informative – proximity to licensed premises***

The proposed residential property to the South is rather close to the Public House. Although there would be an aspect of buyer beware the noise levels from the Pub could have an impact on this property. Licensable activities such as the sale of alcohol and regulated entertainment would have a certain level of control (and of course further enforcement through the statutory nuisance provisions) but the potential exists for disturbance particularly from use of the garden. Perhaps a greater level of sound insulation should be installed into this property.

##### ***Informative - Access construction***

The Highways Manager, West Berkshire District Council, Highways & Transport, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519803, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) week's notice, to obtain details of underground services on the applicant's behalf.

##### ***Informative - 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.

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### ***Informative - 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.

### ***Informative - Excavation in close proximity to the highway***

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

### ***Informative – PROW obstruction***

The applicant is advised that this planning permission does not in any way allow the Public Footpath to be obstructed at any time during the course of the development.

### ***Informative – PROW no encroachment***

Nothing connected with either the development or the construction must adversely affect or encroach upon the Public Footpath, which must remain available for public use at all time. Information on the legal width of the PROW can be obtained from the PROW Officer.

### ***Informative – Waste Services***

Please note that the pub, its B and B business and proposed village shop will produce Commercial Waste (as defined by the Controlled Waste Regulations 2012) and this is not collected by the Local Authority and will require private waste and recycling collection arrangements. This refuse and recycling should be kept separate from domestic waste produced by the proposed domestic properties to prevent cross-contamination. West Berkshire Council will not collect commercial waste or empty domestic bins containing trade waste.

The two proposed cottages and the new house raise no concerns with regard to the storage and collection of domestic refuse and recycling, provided that this is kept separate from the commercial waste as mentioned above.

### ***Informative – Thames Water***

#### Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these

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recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

**Water Comments**

Thames Water recommend the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

*(The meeting commenced at 5.30 pm and closed at 8.55 pm)*

**CHAIRMAN** .....

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