

**WESTERN AREA PLANNING COMMITTEE  
ON 23 NOVEMBER 2016**

**UPDATE REPORT**

**Item No:** (1)      **Application No:** 16/00547/FULEXT      **Page No.** 197 - 274

**Site:** Market Street, Newbury

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**Planning Officer Presenting:** Debra Inston

**Member Presenting:**

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**Parish Representative speaking:** Councillor Elizabeth O’Keeffe

**Objector(s) speaking:** Mr Tony Vickers

**Supporter(s) speaking:** N/A

**Applicant/Agent speaking:** Mr David Walters (Grainger)  
Mr Dominic Chapman (JTP Architects)

Available for questions:  
Ms Rebecca Crow (Grainger)  
Mr Gavin Hall (Savills Planning)  
Mr Richard Harrison (Odyssey Markides Transport Consultant)

**Ward Member(s):** Cllr. D. Benneyworth  
Cllr. J. Fredrickson

**Update Information:**

**1. Clarifications**

The agent for the application has provided clarification regarding the resident’s hub. The resident’s hub will be a flexible space which all residents of Market Street will have access to. The hub will be designed to include space for residents to hire out for meetings/children’s parties etc, and will also be a space that residents can come to socialise and relax and will include seating areas with televisions, games and tea and coffee making facilities. The space will be managed by Grainger in consultation with future residents.

## **2. Highways**

The Highways and Transport Officer has reviewed the main agenda report and provided the following correction in respect of parking numbers.

Within the south eastern part of the site, a multi-storey car park (MSCP) is proposed. Plans reveal a car park providing 497 car parking spaces.

Network Rail have 142 car parking spaces existing north of the railway station. An additional circa 205 car parking spaces will be added to Network Rail car parking providing 347 spaces within the MSCP.

The remaining 150 car parking spaces will be provided for West Berkshire Council staff. West Berkshire Council currently have circa 165 car parking spaces with a potential for more with double parking.

In addition, the Market Street public car park has 71 car parking spaces which appear to be frequently near or at capacity. This car park will be lost by the proposed development. However the Traffic Services Manager advises that up to 200 car parking spaces are used within Newbury town centre by Vodafone. This car parking will be freed with this parking being relocated to new additional car parking being provided at the Vodafone headquarters. There should therefore be sufficient car parking within the town centre to absorb the loss of the Market Street public car park and the displaced West Berkshire Council staff car parking. It also needs to be stated that the additional circa 205 parking spaces for Network Rail will have the potential to free up public car parking.

The additional circa 205 spaces being provided for Network Rail has been accounted for within the traffic modeling.

Furthermore, the Highways and Transport Officer has confirmed that a Section 278 Agreement under the Highways Act 1980 will be required to procure the following highway works mentioned in the report as follows:

Westbound bus lay-by with two bus stops,  
Eastbound bus lay-by with one bus stop,  
Bus shelters on both sides,  
Associated road markings,  
Removal of redundant turn right lane within Market Street,  
Kerb build out and alterations to road markings to change priority to the access road fronting the West Berkshire Council offices.

The Highways and Transport Officer also requests an additional condition relating to vehicle waiting restrictions on the access roads within the development.

It is important to clarify that no objections are raised to this scheme from either Highways or Transport Policy.

## **3. Waste Collection**

The requirement for a private waste collection from Blocks G and H is no longer required within the S106 and has been removed. Instead, a planning condition requesting details of refuse/recycling collection points for Blocks G and H has been recommended. This is to ensure that the Council's waste contractors are able to safely collect private refuse and recycling from these blocks. This condition will not prevent the applicants from using a private contractor to collect residential waste, as per their proposal, but will ensure that if the refuse

and recycling is not placed in the designated collections points, the Council will not be obliged to collect it.

The Waste Officer has now removed their objection.

#### **4. Amendments to Heads of Terms to the S106**

The proposed Heads of Terms remain as set out at 7.21.4 of the main agenda report with the exception of the clause regarding the requirement to ensure appropriate waste collection from Blocks G and H which is to be deleted.

#### **5. Conditions**

The following conditions should be amended to read as follows:

Condition 2 Approved Plans (*nb. amended plan numbers highlighted in bold*)

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

Elevations and Floorplans

B\_A\_E01 Rev P01 received 16 March 2016  
B\_A\_E02 Rev P01 received 16 March 2016  
B\_A\_01 Rev P01 received 16 March 2016  
B\_A\_02 Rev P01 received 16 March 2016  
B\_A\_03 Rev P01 received 16 March 2016  
B\_A\_X01 Rev P01 received 16 March 2016

B\_B\_E01 Rev P01 received 16 March 2016  
B\_B\_E02 Rev P01 received 16 March 2016  
B\_B\_01 Rev P01 received 16 March 2016  
B\_B\_02 Rev P01 received 16 March 2016  
B\_B\_03 Rev P01 received 16 March 2016  
B\_B\_X01 Rev P01 received 16 March 2016

B\_C\_E01 Rev P01 received 16 March 2016  
B\_C\_E02 Rev P01 received 16 March 2016  
B\_C\_01 Rev P01 received 16 March 2016  
B\_C\_02 Rev P01 received 16 March 2016  
B\_C\_03 Rev P01 received 16 March 2016  
B\_C\_X01 Rev P01 received 16 March 2016  
B\_D\_E01 Rev P01 received 16 March 2016  
B\_D\_E02 Rev P01 received 16 March 2016  
B\_D\_01 Rev P01 received 16 March 2016  
B\_D\_02 Rev P01 received 16 March 2016  
B\_D\_03 Rev P01 received 16 March 2016  
B\_D\_X01 Rev P01 received 16 March 2016

B\_E\_E01 Rev P01 received 16 March 2016  
B\_E\_E02 Rev P01 received 16 March 2016  
B\_E\_01 Rev P01 received 16 March 2016  
B\_E\_02 Rev P01 received 16 March 2016  
B\_E\_03 Rev P01 received 16 March 2016  
B\_E\_X01 Rev P01 received 16 March 2016

SE03 Rev P01 received 16 March 2016

B\_F\_E01 Rev P01 received 16 March 2016  
B\_F\_E02 Rev P01 received 16 March 2016  
B\_F\_01 Rev P01 received 16 March 2016  
B\_F\_02 Rev P01 received 16 March 2016  
B\_F\_03 Rev P01 received 16 March 2016  
B\_F\_04 Rev P01 received 16 March 2016  
B\_F\_X01 Rev P01 received 16 March 2016

B\_G\_E01 Rev P01 received 16 March 2016  
B\_G\_E02 Rev P01 received 16 March 2016  
**B\_G\_01 Rev P02 received 22 August 2016**  
B\_G\_02 Rev P01 received 16 March 2016  
B\_G\_03 Rev P01 received 16 March 2016  
B\_G\_04 Rev P01 received 16 March 2016  
B\_G\_X01 Rev P01 received 16 March 2016

B\_H\_E01 Rev P01 received 16 March 2016  
B\_H\_E02 Rev P01 received 16 March 2016  
B\_H\_01 Rev P01 received 16 March 2016  
**B\_H\_02 Rev P02 received 22 August 2016**  
B\_H\_03 Rev P01 received 16 March 2016  
B\_H\_04 Rev P01 received 16 March 2016  
B\_H\_05 Rev P01 received 16 March 2016  
B\_H\_06 Rev P01 received 16 March 2016  
B\_H\_07 Rev P01 received 16 March 2016  
B\_H\_X01 Rev P01 received 16 March 2016

B\_J\_E01 Rev P01 received 16 March 2016  
B\_J\_E02 Rev P01 received 16 March 2016  
B\_J\_01 Rev P01 received 16 March 2016  
B\_J\_02 Rev P01 received 16 March 2016  
B\_J\_X01 Rev P01 received 16 March 2016

B\_M\_01 Rev P01 received 16 March 2016  
B\_M\_02 Rev P01 received 16 March 2016  
B\_M\_03 Rev P01 received 16 March 2016  
B\_M\_04 Rev P01 received 16 March 2016  
B\_M\_05 Rev P01 received 16 March 2016  
B\_M\_06 Rev P01 received 16 March 2016

#### Trees, Landscaping and Access Ramp

D0212\_003\_F Ramp Layout and Station Square - received 12 October 2016  
D0212\_002\_S Landscape Masterplan Hardworks - received 12 October 2016  
D0212\_007\_J Landscape Masterplan Softworks - received 12 October 2016  
D0212\_08 Tree Protection Plan. Existing Site Survey with CP Spaces Added and Typical Hardworks Details within RPA - received 22 August 2016  
D0212\_05 B Tree Protection Plan - received 22 August 2016  
D00212\_004\_F Detail Sections 1 of 2 - received 12 October 2016  
D00212\_005 A Detail Sections 2 of 2 received 16 March 2016  
D00212\_01 A Tree Survey and Site Constraints Plan - received 16 March 2016

Email from Savills sent on 22 August 2016 containing details of planting methods.

## Refuse

MP\_06 Rev P01 Proposed Services and Refuse Strategy - received 18 May 2016  
13-066-104 B Refuse Strategy - received 9 June 2016  
SK\_226 Residential and Commercial Refuse Collection Strategy - received 18 May 2016

## Shell Plans

MP\_16 Rev P02 received 9 June 2016  
MP\_17 Rev P02 received 9 June 2016  
MP\_18 Rev P02 received 9 June 2016  
MP\_19 Rev P02 received 9 June 2016  
MP\_20 Rev P02 received 9 June 2016  
MP\_21 Rev P02 received 9 June 2016

## Other

SK\_221 Pedestrian, Cycle and Vehicular Movement through site - received 12 October 2016  
MP\_14 RevP01 Site Levels – received 18 May 2016  
SK\_224 Indicative Public Art Strategy – received 9 June 2016  
13-066/103 Rev A Coach Parking and Turning received 9 June 2016  
MP\_29 Network Rail Access – received on 16 March 2016

## Documents

Reptile Survey February 2016  
Preliminary Ecological Appraisal February 2016  
Energy Strategy February 2016  
Sustainability Statement February 2016

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

## Condition 24 – Energy/Sustainability Measures

To be replaced with:

**No development shall take place (excluding demolition and site clearance) until full details of how the energy reduction measures outlined in the submitted Energy Strategy dated February 2016 are to be implemented have been submitted to and approved in writing by the Local Planning Authority. The details shall include, inter alia, the number, type and location of the solar photovoltaic panels.**

**The energy reduction measures shall thereafter be implemented, maintained and managed in accordance with the approved details and manufacturers specifications.**

**Reason: To ensure that the low carbon energy generation measures outlined in the Energy Strategy are provided in full and to ensure that the photovoltaic panels do not cause any harm to the character and appearance of the Conservation Area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14, CS15 and CS19 of the West Berkshire Core Strategy (2006-2026).**

#### Condition 34 Parking Management Strategy

**No part of the development shall be taken into use** until a Parking Management Strategy for the multi storey car park has been submitted to and approved in writing by the Local Planning Authority. The Parking Management Strategy shall include the following:

- a) Details of the number and location of car parking spaces within the multi storey car park for all the users of the car park.
- b) Details of the time period between which residents of the scheme can use the car park spaces allocated under (a).
- c) Details of the entry/exit arrangements for all users of the car park.

Thereafter the development shall incorporate and be undertaken in accordance with the approved strategy.

Reason: To ensure the development is provided with adequate parking facilities for all users within the scheme, 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), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy P1 of the West Berkshire Council Housing Site Allocations DPD.

#### Condition 40 Refuse collection – Block G and H

Condition 40 has been replaced with the following wording:

**No development, excluding site clearance and demolition, shall take place until details of refuse and recycling collection points for Blocks G and H have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling collection points shall be no more than 10 metres from the point at which a collection vehicle can safely stop.**

**Thereafter the development shall incorporate and be undertaken in accordance with the approved details.**

**Reason: To ensure that the Council's waste contractors are able to safely collect private refuse and recycling from Blocks G and H. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).**

#### Condition 43 - Market Street Highway works

No development, **excluding site clearance and demolition**, shall take place until details within Market Street of a westbound bus lay-by with two bus stops, an eastbound bus lay-by with one bus stop, **associated bus shelters** and road markings, removal of redundant turn right lane; works to the access road fronting the West Berkshire Council offices have been submitted to and approved in writing by the Local Planning Authority. **The works shall be constructed in accordance with a timetable / programme of works to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. Any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway shall be relocated to provide unobstructed footway/cycleway.**

Reason: In the interest of providing bus stops serving the proposal and accommodating access. 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).

Condition 44 - Parking/turning in accord with plans

No part of the development shall be taken into use until the **associated** vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is 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).

Condition 45 - Cycle parking

No part of the development shall be taken into use until the **associated** 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).

Condition 47 – Access construction (plans required)

No development, **excluding site clearance and demolition**, shall take place until details of all access roads into and within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be taken into use until the access roads have been constructed in accordance with the approved details.

Reason: In the interest 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).

Condition 48 – Details of door openings

**No dwelling or commercial unit hereby approved shall be occupied until details of ground floor external door openings** have been submitted to and approved in writing by the Local Planning Authority, and no doors shall open outwards onto pedestrian areas. All buildings shall be provided in accordance with the approved drawings.

Reason: In the interest of pedestrian 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).

## **6. Additional Conditions**

### BREEAM

No commercial unit shall be occupied until a final Certificate has been issued, and a copy submitted to the Local Planning Authority, certifying that BREEAM Very Good has been achieved for the development.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD (Part 4).

### Waiting Restrictions

No dwelling or commercial unit hereby approved shall be occupied until a scheme for vehicle waiting restrictions on the access roads within the development has been submitted to and approved in writing by the Local Planning Authority. Prior to adoption of the access roads within the development, the developer shall implement the scheme and provide all appropriate signage and line markings.

Reason: 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).