

**EASTERN AREA PLANNING COMMITTEE
ON 07 DECEMBER 2016**

UPDATE REPORT

Item No: (1) **Application No:** 16/02273/FULD **Page No.** 11-24
Site: Green Gables, Tidmarsh Lane, Tidmarsh

Planning Officer Presenting: Dave Pearson

Member Presenting:

Parish Representative speaking: Mr Colin Pawson

Objector(s) speaking: N/A

Support(s) speaking: Mrs Deirdre Cuthbert on behalf of Maidenhatch Residents
Ms Franny Hornblow

Applicant/Agent speaking: Mr Mark Leedale

Ward Member(s): Councillor Tim Metcalfe
Councillor Rick Jones

1. Queries on trees arising from site visit: consultation response provided in the committee report. Conditions recommended. No further details required.
2. Query on Environmental Health consultation in relation to contaminated land arising from site visit: 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. Environmental Health have identified dust, contaminated land and adjacent commercial activities as issues and a series of conditions are proposed.
3. Details of the three Certificates of Lawfulness applicable to the site are attached.
4. Amended plans for highways and traffic statement . Received 25/11/16. Amendments showing change from garage to car ports. Highways responded:

Road layout

The road is now proposed to be constructed to adoptable standards. The service margins must be provided around the whole of the turning head. The refuse manoeuvre does look to be tight but is shown to be just achievable.

Access and Visibility

In my emails of 15 September 2016 and 28 September 2016 I requested a speed survey be undertaken to determine what actual vehicle speeds are in the vicinity of the site in order that an appropriate splay could be calculated. Manual for Streets has been quoted, however this road is not considered to be a residential street and splays in accordance with Design Manual for Roads and Bridges are considered to be more appropriate.

In this location visibility splays of 2.4 metres x 215 metres should be provided. This cannot be achieved. The existing level of vehicle movements is relatively low, however this site has the potential for a greater level of vehicle movements associated with the existing permitted use. A total of 645 sqm industrial use is existing at this site 491 sqm B1c and 154 sqm B2, and the TN provides TRICS data associated with this use. The Technical Note also identifies that this site previously employed a greater level of staff and could return to a more intensive use with no further planning approvals. Whilst I am of the view that the figures submitted are quite high, it is my view that the levels associated with the existing permitted and the proposed use are likely to be comparable. It is however, noted that the Technical note refers to 3 bed dwellings but these are all 5-beds which will generate a greater level of movements – around 8 movements per dwelling per day in this location (5 dwellings net increase).

The type of movement will change from some HGVs/LGVs etc to private cars which is a welcome improvement onto this road.

Whilst a speed survey has not been undertaken, which is disappointing, some improvements to the achievable visibility splay at the access are proposed. Given the existing permitted use, and the comparison between the potential vehicle movements under the permitted use and those for the proposed use, it would be difficult to substantiate an objection. However, both visibility splays must be shown to the nearside carriageway edge. There is no physical restriction to vehicles crossing the centre line, and the nature of this road is such that vehicles could be approaching the site in the centre of the carriageway. There is also no supportive evidence that demonstrates vehicles and cyclists approach the site in excess of 1 metre from the edge of the carriageway. I am not aware of any guidance that suggests this is where a splay should be measured to. Both splays must also be shown to the nearside kerb edge. Amended plan requested. This would then be conditioned.

Parking and Cycle Storage

Vehicle parking has now been provided as follows:

- Plot 1: 3 driveway car parking spaces,
- Plots 2-6: a car port and 2 driveway car parking spaces.

This is now acceptable.

Garages are not included as car parking spaces as they are often used for storage only.

Cycle storage can take place within each of the proposed garages.

Conditions and Informatives:

The following conditions and informatives would be requested on any planning approval which may be given. Inserts for HIGH8 to be included when an appropriate plan has been received.

CONS1 - 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
- (h) Haul route to be agreed

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).

Variation HIGH1 - Layout and Design Standards (YHA1) (Request form attached).

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision and the Developer to enter into a S278/S38 Agreement for the adoption of the site. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed in accordance with the National Planning Policy Framework (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).

HIGH8 - Visibility splays before occupation (YHA20)

No dwelling shall be occupied until the visibility splays at the access have been provided in accordance with drawing number X received on X. 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).

HIGH12 - Parking/turning in accord with plans (YHA24)

No dwelling shall be occupied until the 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).

HIGH16 - Access construction (plans required)

No development shall take place until details of all access(es) into the site have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access has 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).

HI 1 Access construction

The Highways Manager, West Berkshire District Council, Highways & Transport, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

HI 3 Damage to footways, cycleways and verges

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

HI 4 Damage to the carriageway

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

H 100 Developer Coordination 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."

No further updates