

**DRAFT**

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

**WESTERN AREA PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD ON  
WEDNESDAY, 5 APRIL 2017**

**Councillors Present:** Howard Bairstow, Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Hilary Cole, Billy Drummond, Adrian Edwards, Paul Hewer, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing

**Also Present:** Michael Butler (Principal Planning Officer), Derek Carnegie (Team Leader - Development Control), Stuart Clark (Principal Engineer), Rachel Craggs (Principal Policy Officer (Equalities)), Paul Goddard (Team Leader - Highways Development Control), Bryan Lyttle (Planning & Transport Policy Manager), Gary Rayner (Development Control Manager), Jo Reeves (Principal Policy Officer) and Shiraz Sheikh (Acting Legal Services Manager)

**PART I**

**54. Minutes**

The Minutes of the meeting held on 15 March 2017 were approved as a true and correct record and signed by the Chairman, subject to the following amendment:

Page 9, Section 23, third line, the word 'not' to be changed to 'no'.

**55. Declarations of Interest**

Councillors Paul Hewer and Dennis Benneyworth declared an interest in Agenda Item 4(1), but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

Councillor Clive Hooker declared an interest in Agenda Item 4(2), but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

**56. Schedule of Planning Applications**

**(1) Application No. and Parish: 16/03061/OUTMAJ - Land to the south of Priory Road, Hungerford.**

*(Councillor Dennis Benneyworth declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a Member of Hungerford Town Council. As his interest was personal and not prejudicial or a disclosable pecuniary interest and the item was an outline application, he determined to remain to take part in the debate and vote on the matter. He was also a resident of Kennedy Meadow, which abutted the application site).*

*(Councillor Paul Hewer declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was employed by Sovereign Housing. 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.)*

*(Councillor Clive Hooker declared that all Members had been lobbied on Agenda Item 4(1)).*

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 16/03061/OUTMAJ in respect of an outline application for approximately 100 dwellings, public open space and landscaping. The matters to be considered were access only.
2. Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. The Officer recommendation was to grant conditional planning permission subject to the first completion of a Section 106 planning obligation.
3. Michael Butler emphasised that the only matter under consideration at the meeting was access and the reserved matters application would deal with the appearance, scale and layout of the development.
4. Highways Officers had advised that although there would be some impact on traffic in Hungerford Town Centre, the impact would not be so severe as to justify a recommendation for refusal.
5. Michael Butler advised that the Committee would need to consider the planning balance having regard to the relative visual and landscape harm that would result from the scheme. The extent of the harm, having regard to the landscape mitigation to be put in place, was the important test.
6. Members were referred to the Update Report and in particular the response from the Planning Policy Team who had concluded that since the Housing Sites Allocation Development Plan Document (HSA DPD) was at a very advanced state, significant weight should be given to the policy allocation and therefore the application was not premature. Michael Butler also asked Members to note that the North Wessex Downs Area of Natural Beauty (AONB) had formally requested the National Planning Casework Unit to call in the proposal should Members approve it.
7. Michael Butler concluded by advising that if the Committee were minded to refuse the application, the Development Control Manager, under his delegated authority would automatically refer the application to the District Planning Committee for decision.
8. Bryan Lyttle provided the following information to the Committee:

The HSA DPD had been examined and the Inspector had already published his Preliminary Findings on the Main Modifications to the DPD including what final report would be considered at Council on the 9 May 2017, with the report being published in advance of that meeting.

From the day of publication, decision-takers must also give weight to relevant policies in emerging plans according to:

- Stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that might be given);
- The extent to which there were unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that might be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that might be given).

The North Wessex Downs AONB Unit submitted a strong objection to the proposed development – the Unit objected to the Core Strategy Policy Area Delivery Plan Policy 5 (ADPP5) which required up to 2,000 houses throughout the AONB in West

## **WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES**

Berkshire. This had been considered by the Planning Inspector and the policy was found to be sound.

During the examination of the HSA DPD the Inspector was concerned about the proposed level of development in the AONB as it exceeded the 2,000 units and asked the Council additional questions as part of the 'homework'.

However, the Inspector had not proposed to remove any of the sites in the AONB from the document as part of the Main Modifications consultation. Therefore these sites must be in compliance with the National Planning Policy Framework (NPPF) and paragraph 116 otherwise he would have made significant changes as part of the Main Modification consultation in order to make the plan comply with the NPPF.

The Council attached great weight to the need to conserve the character and appearance of the AONB and to the fact that major development should be refused unless there were exceptional circumstances and the development could be demonstrated to be in the public interest (NPPF para 116).

However, there was no definition in Government guidance for what constituted "major development" in terms of AONBs.

The North Wessex Downs Partnership defined "major development" as set out in Statutory Instrument 2015 No.2184 - The Town and Country Planning (Development Management Procedure (England) Order 2015). It also drew particular attention to paragraph 14 footnote (9) of the NPPF that restricted the "presumption in favour of sustainable development" in AONBs. The North Wessex Downs Partnership then went on to clarify that it would decide whether paragraph 116 was relevant in terms of the impact on the area based on local context as consideration had to be given to location, scale and impacts.

In terms of the tests in paragraph 116, the general need for the scale of development in the AONB and the scope for developing that elsewhere had already been considered sound through the Core Strategy. The Council considered that the extensive nature of the AONB designation (74% of the District), taken together with the fact that 29% of the population was already resident within the AONB, many in existing established settlements, represented exceptional circumstances that formed part of the justification for the proposed general scale of development within the AONB. The Spatial Strategy across the District had already been agreed through the Core Strategy and the Council's strategy was for the AONB to 'have appropriate sustainable growth throughout the plan period to meet identified local needs and support the local communities and rural economy.' The role of the HSA DPD was to allocate non-strategic sites in accordance with that agreed strategy. Sites would therefore be allocated in the areas the Core Strategy set out as suitable for some level of growth. In the AONB, the sites were being taken forward in accordance with policy ADPP5 which made clear how development would be accommodated across the AONB.

Policy ADPP5 stated that 'development would be focussed in Hungerford as the more sustainable Rural Service Centre'. Hungerford was a sustainable settlement which enjoyed a wide range of facilities and services.

The principle of development in Hungerford was therefore established and the issue then became whether or not the development would adequately respect the need to conserve the landscape and scenic beauty of the area.

The Council had considered any detrimental effects on the environment by taking a landscape-led approach to individual sites. With appropriate planting, layout and design there was no reason to conclude that any harm caused would be of such

## **WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES**

significance to the landscape and scenic beauty of the AONB that it would outweigh the need for Hungerford to accommodate an appropriate level of growth for such a sustainable settlement.

The changes to Policy HSA 19 suggested by the Planning Inspector as part of the Main Modifications were:

- Increase of site area from 5 to 7 hectares.
- Provision of permanent allotments in association with the development of the site would be explored.

The Hungerford Town Plan was not a land use plan and did not form part of the development plan for West Berkshire.

9. In accordance with the Council's Constitution, Martin Crane, Parish Council representative, Tim Bevan, objector, Steven Smallman, Agent, and Councillors Paul Hewer and James Podger, Ward Members addressed the Committee on this application.
10. Martin Crane in addressing the Committee raised the following points:
  - Hungerford Town Council was not against new housing developments in the town.
  - They had identified space for 100 dwellings within the town boundary that would not affect the AONB. Commercial consultants had helped them to develop the plan.
  - This was a major development and there had been a huge amount of public concern.
  - The development would not be good for the Hungerford economy, as stated in the report, as it was being built by a major developer who would not be using local builders and carpenters.
  - The DPD was still in draft and would not be policy until 9 May 2017, so it was premature to be considering this application now.
  - West Berkshire Council's (WBC) record on maintaining the number of affordable housing in initial planning applications was not good.
  - This was an outline application and therefore it was not certain that the plans currently on the table would be the end result, as the site could be sold to another developer. Therefore the conditions included within the application were unsustainable.
  - The proposed development was situated in the North Wessex Downs AONB and the Town Council supported their objection.
  - There was a requirement for a detailed assessment in relation to the traffic impact as they had not seen evidence of this. Even WBC had stated that traffic impact would be high and it was not possible to divert the A4 as the Council's policy stated there were insufficient funds for this.
11. Councillor Anthony Pick noted the report stated that the Town Council considered that sufficient Brownfield sites would be available in the future and enquired if this was the case. Mr Crane confirmed that this was correct.
12. Councillor Jeff Beck asked Mr Crane to explain why the development would cause economic damage to the retail businesses. Mr Crane replied that the development would create an additional 600 journeys through the town centre per day and this would affect the shops as free flowing traffic in the town centre was required.

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

13. Councillor Paul Bryant enquired whether any of the sites identified by the Town Council had been brought forward to the DPD. Mr Crane responded in the affirmative and added that the Town Plan refresh had been adopted by WBC. It identified seven sites in the town that could accommodate 100 houses in total.
14. Councillor Bryant further enquired whether these were rejected by WBC and Mr Crane confirmed that they were rejected and expressed the view that WBC wanted to take the easy option of one large development.
15. Councillor Bryant then asked whether the Town Council was responsible for the Hungerford Housing Needs Policy and if so, what it said in terms of the number of dwellings that were required. Mr Crane responded that it had identified 80 to 90 dwellings were required.
16. Councillor Garth Simpson queried whether the Town Council had debated the alternative site options with the Planning Inspector during the review in summer 2016 and Mr Crane confirmed that they had done so.
17. Tim Bevan in addressing the Committee raised the following points:
  - He was speaking on behalf of Stuart Davies, Claudia Meyer, Malcolm Meyer and Bob Hammond.
  - He was a layman and did not understand planning policy. He was also a resident of Kennedy Meadow.
  - In their view there was a lot wrong with the application as Hungerford could provide the housing that was needed from elsewhere, but no one was listening to this viewpoint.
  - It might be easier for WBC to have one developer providing the total housing allocation, but it was not good for Hungerford.
  - The issues regarding the AONB had not been resolved.
  - The application site was different from that on the allocation plan.
  - Other sites within Hungerford were ready to be used.
  - No rational reason had been given setting out why this site was better than any of the others.
  - They had always said that a site to the north of the town would be better as it would avoid the town centre that gets congested by traffic.
  - There had recently been a case at the High Court involving Mevagissey Parish Council and Cornwall District Council. It concerned exceptional circumstances for building on AONB and the decision was that the District Council had not proved there were exceptional circumstances.
  - As it was possible for these houses to be built elsewhere, this site was the wrong place for them.
  - Hungerford was already badly congested with traffic and would suffer more by 2020, even before the new development was built.
  - Even if the building of Kennedy Meadow was a mistake, it made no sense to compound it by building this development.
18. Councillor Beck asked how Mr Bevan could justify economically that the number of affordable houses could be provided on the smaller sites. Mr Bevan replied that he was unable to comment on this.

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

19. Councillor Simpson noted that Mr Bevan had mentioned two sites and asked if there were any others and what their capacity was. Mr Bevan again replied that he was unable to comment on this.
20. Councillor Hewer referred back to Councillor Beck's earlier question, which related to a comment he believed Mr Bevan had made about the number of affordable houses that could be provided on the smaller sites. Councillor Hewer clarified that Mr Bevan had been referring to the number of houses that could be provided on this sites and not the number of affordable houses.
21. Steven Smallman in addressing the Committee raised the following points:
  - He was accompanied by Andrew Blacker from WSP Parsons Brinckerhoff and Fiona McKenzie from the Environmental Dimension Partnership (EDP), who would be able to assist with questions from Members.
  - The proposed development accorded with the Council's Core Strategy and the DPD.
  - It was a sustainable development, visually well contained and included 40 affordable houses as well as public open space.
  - They recognised that the development was not supported by the Town Council, the AONB Unit and residents. However they had met with the Town Council and the AONB Unit and consulted with the public in an attempt to address their concerns.
  - One of the concerns had been in relation to the prematurity of the application. This was of WBC's own making as the applicant had said it would be possible to defer the application until the Planning Inspector's decision had been made on the DPD. However the DPD was at an advanced state and so should be given the appropriate accord and the allocation of this site had emerged from the DPD.
  - Therefore to fail to grant planning permission would be to fatally undermine the process.
  - The objection from the AONB Unit could not in principle be an objection, as the Core Strategy was explicit regarding the preference for future housing in the AONB to be in Hungerford.
  - Natural England was not against the application and their view should be recognised.
  - WBC had commissioned a landscaping capacity assessment, which supported the development of the site.
  - They recognised that a balancing act was required in relation to the visual impact of the development as already explained.
  - All the relevant junctions would continue to operate effectively except for the A4 Charnham Street / A338 Bridge Street mini roundabout and there were proposals being put forward to relieve this.
22. Councillor Billy Drummond noted that Martin Crane had expressed concern that local builders would not benefit from the development and he asked if this would be the case. Mr Smallman replied that he was unable to comment as he did not know how the local craftsmen would be sourced.
23. Councillor Simpson expressed concern about the Charnham Street roundabout and asked if any detailed modelling had been undertaken on the traffic flow from

## **WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES**

Salisbury Road and the next roundabout down. He further asked if they were concerned about the traffic problems the development would bring. Andrew Blacker responded that the proximity of the Kennedy Meadow's roundabout to the development had been designed to Highways' standards and they would be moving the 30 mph limit further south.

24. Councillor James Podger in addressing the Committee raised the following points:
  - It was obvious from previous speakers how strong feelings were in Hungerford about the proposed development and the comments from Councillor Simpson about the impact of the traffic were very pertinent.
  - When he was first elected he had been very opposed to building beyond the settlement boundary, however he now appreciated that it was sometimes difficult to argue against it.
  - If the settlement boundary was to be extended it should be to the north of the town as it would be possible for the traffic to disperse along the A4 and M4.
  - The site was within the DPD and therefore had already been agreed.
25. Councillor Paul Hewer in addressing the Committee raised the following points:
  - The north of the town provided a far more superior development site.
  - The AONB was very important and to erect 100 houses on the great entrance to Hungerford would be a blot on the landscape.
  - He appreciated that there was a requirement for more housing in the area and supported the inclusion of affordable housing on most sites. However this was the wrong site.
26. Councillor Beck asked Councillor Podger whether he thought it would be possible to develop the alternative sites mentioned by previous speakers if they would provide 100 dwellings. Councillor Podger advised that some of the sites were protected employment sites and would not alleviate the requirement for 100 dwellings.
27. Councillor Virginia von Celsing questioned how many houses the Eddington site would deliver. The Chairman interjected and advised that it was spurious to consider other sites as the Committee needed to deliberate the application before them.
28. Councillor Adrian Edwards commented that there had been a considerable amount of discussion about alternative sites and questioned whether any of them would provide 40 affordable houses. Councillor Podger responded that he was not in a position to provide an answer to this.
29. Councillor Benneyworth enquired what impact taking the traffic away from the A4 would have on the local businesses. Councillor Podger replied that free flowing traffic was the life blood of Hungerford.
30. Councillor Hilary Cole asked Paul Goddard for his professional view of the development's impact on the traffic, as modelling must have been undertaken.
31. Paul Goddard referred Members to Page 23 of the report, which set out the issues in relation to access and highway matters. He assured the Committee that a roundabout was being installed to reduce the traffic speeds coming into Hungerford from the south. However the proposed roundabout and the roundabouts at Kennedy Meadow would not have capacity issues as they were much larger than the mini roundabouts in the centre of Hungerford. He was aware that most, although not all, of the traffic went through Hungerford Town Centre and there was congestion during

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

peak travel periods. However it was common to have traffic congestion in larger settlements including Newbury and Thatcham. The decision was required on whether the congestion in Hungerford met the definition of severe, as set out in paragraph 32 of the NPPF. The mini roundabouts in Hungerford Town Centre were nearly at capacity, but the mini roundabout at the junction with Charnham Street and Bridge Street would already be over capacity by 2021. Consequently this would constitute the definition of 'severe' and on these grounds they should be refusing the planning application.

32. Nevertheless there was a potential solution, as the development would be liable to a Community Infrastructure Levy (CIL) payment that could be used to fund highways infrastructure. It could be possible to divert the A4 around Charnham Park away from this mini roundabout or have Visual Message Signing that could be activated during busier periods to divert traffic. This would be an issue for the Council to consider in future with Hungerford Town Council. Therefore in conclusion, there would be an impact but it could be difficult to recommend refusal.
33. Councillor Bryant asked if the Oakes Brothers and Eddington sites had been considered. Bryan Lyttle advised that the Oakes Brothers site was not considered as it was in the town centre and a protected employment site. The Eddington site was considered by the Planning Inspector but it had not been included in the DPD.
34. Councillor Pick enquired whether it would be possible to ensure that no more than 100 houses were built on the site, if the application was approved. Michael Butler responded that this was stipulated in Condition 10 and consequently, if the application was approved, the developer must comply with this. However, it was not a personal application and once approved, the developer could sell it onto another developer who could submit a full planning application for, eg 110 houses. Even if this was refused by the Council, he could not guarantee that it would not be approved at appeal. It might also be possible for the developer to put in a request to remove or vary conditions on the original outline planning permission under Section 73 of the Town and Country Planning Act 1990. Consequently it would not be possible to guarantee the number of houses that could be built on the site.
35. Councillor Pick further enquired whether the conditions imposed on the site would help to alleviate the flooding risks. Stuart Clark confirmed that they would alleviate the flooding risks and added that there were no records of properties being flooded in the vicinity. There was photographic evidence showing that surface water 'run offs' went down the footpath to Priory Road, but he believed that all the surface water could be contained within the site, which would improve the situation.
36. Councillor Pick then asked what Public Rights of Way (PROW) would be affected by the development and Michael Butler pointed these out on the site plan.
37. Councillor Benneyworth requested an explanation of 'exceptional circumstances'. Bryan Lyttle responded that there were no set criteria and it was dependent on local context, as consideration had to be given to location, scale and impact. This site had been assessed rigorously and the Planning Inspector had not deleted it from the DPD, so it must be taken that there were no exceptional circumstances. Councillor Benneyworth further asked what exceptional circumstances would allow a site to be considered. Bryan Lyttle stated that this was covered during the Housing Site Allocations Planning Process. Mr Smallman had provided a detailed land assessment for the site, which had led to some modifications such as the inclusion of permanent allotments.



## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

38. Councillor Simpson wondered what differences had been highlighted between this site and the others during the consultation stage. Bryan Lyttle assured him that the arguments setting out the reasons why this site was preferable were part of the DPD, so they were not relevant to this application. All the sites had been considered during the HSA DPD process and this site had not been rejected. Derek Carnegie added that the merits of all the other sites in Hungerford would have been promoted at this stage and this site would have been subject to the same detailed investigation as they were.
39. Councillor Hewer commented that roads and roundabouts that were beyond capacity should be considered as exceptional circumstances.
40. In considering the above application the following debate ensued.
41. Councillor Cole sympathised with the concerns of residents but this site had previously been approved as suitable for development in the DPD. There had been a good discussion about whether to approve the site, but this site had already been agreed and the Committee was only being asked to approve the access to the site. Therefore, although the arguments were interesting, they were irrelevant and wherever the houses were built, it would have an impact on traffic.
42. Councillor Simpson considered that the real issue was the impact of the north to south traffic.
43. Councillor Beck also expressed his sympathy with the residents' concerns. However the development would bring 40 affordable homes and would be a tremendous gain to Hungerford. He appreciated that free flowing traffic was the life blood of the town but as Paul Goddard had said, most towns suffered from traffic congestion. He saw the development as an extension to earlier developments and he therefore proposed that the Committee accepted the Officers' recommendation. This was seconded by Councillor Cole.
44. It was proposed that the application should be subject to an amendment put forward by Paul Goddard. This related to increasing the 2 metre footway widths in Conditions 12 and 14 to 2.5 metres and the inclusion of a cycleway with a similar width in Condition 12.
45. Councillor Beck proposed to accept this change, which was seconded by Councillor Cole.
46. The Chairman invited the Committee to vote on Councillor Beck's proposal, seconded by Councillor Cole to accept Officers' recommendation, which included the amendment requested by Paul Goddard. At the vote this was carried.

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

*The meeting took a break at 8.10pm and Councillor Paul Hewer left as he was unwell.*

### **Conditions**

1. The development hereby permitted shall be begun on or before whichever is the later of the following dates:-
  - (i) 3 years from the date of this decision
  - (ii) the expiration of 2 years from the date of the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter approved.

Reason: to clarify the permission in accord with the advice in the DMPO of 2015

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

2. Full details of the external appearance of the housing, the scale, the layout and the landscaping of the site, the ('reserved matters') shall be submitted to the Local Planning Authority not later than the expiration of 3 years beginning with the date of this permission, and shall be approved in writing by the Local Planning Authority before any building or other operations start on site. This condition shall apply irrespective of any indications as to the reserved matters which have been given in the submitted application and the development shall be carried out in strict accordance with the approved details.

Reason: The application is not accompanied by sufficient details of the reserved matters to enable the Local Planning Authority to give proper consideration to those matters and such consideration is required to ensure that the development is in accordance with the advice in the DMPO of 2015.

3. Development shall not 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 policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

4. 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 accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

5. 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. The road and footpath design should be to a standard that is adoptable as public highway. This condition shall apply notwithstanding any indications to these matters which have been given in the current application. All the required s278 and s38 agreements shall be completed prior to the first occupation of any dwelling.

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

6. 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

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (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)

7. No development shall commence until details of fire hydrant provision on the site has been submitted and agreed with the LPA. The development must be carried out in strict accord with this scheme prior to any dwelling occupation.

Reason: To protect public safety in accord with the advice in the NPPF of 2012.

8. No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall:
- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
  - b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
  - d) Include a drainage strategy for surface water run-off from the site;
  - e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
  - f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
  - g) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +30% for climate change, plus a stress test for the affect of a 40% increase;
  - i) Include flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes;
  - j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
  - k) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
  - l) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
  - m) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
  - n) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
  - p) Include a Contamination Risk Assessment [if required] for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);
  - r) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)

## **WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES**

- v) Attenuation storage measures must have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;
- w) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development;
- x) Written confirmation is required from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow;
- y) Details of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and where the flows exit the site both predevelopment and post-development must be provided.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings 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; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

9. No development shall take place until details of the proposed access into the site has been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the vehicular, pedestrian/cycle access and associated engineering operations shall be constructed in accordance with the approved drawings.

Reason: To ensure that the accesses into the site are constructed before the approved dwellings are occupied in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

10. The development must be carried out in strict accord with the amended application form and plans submitted on the 1st March 2017—plan number 15-917-001-K refers. In addition this permission shall ensure that no more than 100 dwellings in total shall be constructed on the application site.

Reason. To clarify the planning permission, in accord with the advice in the DMPO of 2015 and the advice in policy HSA19 in the Council HSADPD of November 2015.

11. No development shall commence until an impact study of the existing water supply infrastructure has been submitted to and approved in writing by the Local Planning Authority, in concert with Thames Water.

Reason. To ensure sufficient future water supply to the prospective residents on the application site, in accord with the advice in the NPPF of 2012.

12. No development shall take place until details of a 2.0 to 2.5 metre wide footway / cycleway to be constructed on the east side of Salisbury Road, along the site frontage and northwards to the Kennedy Meadow junction has been submitted to and

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

approved in writing by the Local Planning Authority. No dwelling shall be occupied until the footway/cycleway has been provided in accordance with the approved scheme and any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006- 2026).

13. No development shall take place until details of a 2.5 metre wide footway to be constructed on the east side of Salisbury Road, along the site frontage and northwards to the Kennedy Meadow junction has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the footway/cycleway has been provided in accordance with the approved scheme and any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

14. By completion of the 50th dwelling, the following works shall be provided by the developer through a Section 278 Agreement:
  - (a) Amended junction arrangement at the mini-roundabout at the A4 Charnham Street / A338 Bridge Street mini roundabout to move the stop line forward on the A4 Charnham Street west arm;
  - (b) Widen the existing footway on Salisbury Road, across the site frontage, to 2.0 to 2.5 metres, extending north to the Kennedy Meadow junction with possible lighting;
  - (c) Improvements to the footway link with Priory Road, including an all-weather surface and lighting.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists, and mitigating traffic impact. 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. By completion of the 50th dwelling, the following works shall be provided by the developer through a Section 278 Agreement:
  - (a) Amended junction arrangement at the mini-roundabout at the A4 Charnham Street / A338 Bridge Street mini roundabout to move the stop line forward on the A4 Charnham Street west arm;
  - (b) Widen the existing footway on Salisbury Road, across the site frontage, to 2.5 metres, extending north to the Kennedy Meadow junction with possible lighting;
  - (c) Improvements to the footway link with Priory Road, including an all-weather surface and lighting

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists, and mitigating traffic impact. 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. A Travel Plan Coordinator shall be appointed 3 months prior to first occupation and there shall be a Travel Plan Coordinator in post for the duration of the Travel Plan.

## **WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES**

The Residential Travel Plan shall be implemented from first occupation. It should be reviewed and updated if necessary within 3 months of the initial baseline survey including the written agreement of targets with the Local Planning Authority. After that the Travel Plan shall be annually reviewed and updated for a period of five years from first implementation, or two years after completion of the development, whichever is later. All reasonable and practicable steps shall be made to achieve the agreed targets and measures within the timescales set out in the Residential Travel Plan and any subsequent revisions. The developer shall commit to funding the Residential Travel Plan including all measures, including a cycling voucher to the value of £50 for every household that can be redeemed against cycle purchase or repair, the development of a walking and cycling map covering the development and the Hungerford area, and the implementation of the Travel Plan Coordinator role for the full duration of the Travel Plan.

Reason: To ensure the development reduces reliance on private motor vehicles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006), and Policy LTP SC1 of the Local Transport Plan for West Berkshire 2011-2026.

17. Full details of how the development will be delivered to enable residents to have access to electric vehicle charging points shall be provided and approved in writing by the Local Planning Authority before development commences.

Reason: To ensure that the development provides for predicted future growth in electric vehicle ownership. This condition is imposed in accordance with point ix. of Policy P1 of the West Berkshire Housing Site Allocations DPD; and West Berkshire Council Local Transport Plan, policies LTP K1 (Travel Choice), LTP SC3 (New Technology), and LTP K5 (Climate Change).

### **INFORMATIVE:**

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.
2. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)
3. This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the \*\*\*\*. You are advised to ensure that you have all the necessary documents before development starts on site.
4. Permitted development rights may be removed from all/some of the approved dwellings in the reserved matters submission. This has not been undertaken at the outline stage given that layout was not at that stage a matter to be approved.

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

### 58. **Application No. and Parish: 17/00190/ADV - The Ibex Inn, Chaddleworth**

*The meeting recommenced at 8.20pm.*

*(Councillor Clive Hooker declared a personal interest in Agenda Item 4(2) by virtue of the fact that he had been lobbied on the matter. 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. However he would vacate the Chair for the item and Councillor Paul Bryant would take his place.)*

*(Councillor Paul Bryant in the Chair)*

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/00190/ADV in respect of five directional fascia board signs for the Ibex Inn, Chaddleworth.
2. In accordance with the Council's Constitution, Grahame Murphy, applicant/agent and Councillor Clive Hooker, Ward Member, addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations and the Officer recommendation was to refuse advertisement consent. The item had been called in by Councillor Hooker as he was of the opinion that refusal would not support trade for the public house or the village.
4. Derek Carnegie emphasised that there was a balance between supporting local businesses and protecting the Area of Natural Beauty (AONB). He was concerned that approval of the application would set a precedent as it would lead to a cumulative impact on the AONB. The planning authority had a great deal of sympathy with public houses in the rural area but it had a duty to protect the AONB. He added that an application to place brown signs adjacent to highways signage would be viewed more positively. Therefore, as the application currently stood, there was a strong recommendation to the Committee to refuse the application.
5. Grahame Murphy in addressing the Committee raised the following points:
  - The objection came about as the Planning Officer had misplaced the proposed location of one of the signs.
  - This Committee had been kind enough to grant planning permission to the Ibex and enabled the adjacent houses to be sold in order to fund the redevelopment of the public house.
  - As a result, a considerable amount of money had been spent on the redevelopment of the Ibex.
  - They had spoken to all the residents in the village and held two meetings, each of which had been attended by over 70 people and everyone was in support of the application.
  - The Ibex was not able to draw on passing trade due to its location and it was difficult to find, which was why they required the five signs to help patrons to find it.
  - He asked the Committee to approve the application as so many rural public houses were closing. The Ibex had only reopened in December 2016 and could not rely on the trade of the 400 people resident in the village so it was vital to attract passing trade.

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

6. Councillor Hilary Cole asked Mr Murphy why they had been resistant to the erection of the brown signs. Mr Murphy assured her that they were not resistant to them and had written two letters to the Planning department requesting costing for them but had not received a reply. He had managed to obtain some 2014 prices from Wiltshire County Council that indicated the cost would be £1,754 plus £200 for the application and the cost for Highways to fit them. Therefore the total would be in the region of £3-4,000 which the Parish Council could not afford.
7. Mr Murphy added that he had been communicating with the Case Officer and Derek Carnegie said he would find out why Mr Murphy had not received a reply. Paul Goddard suggested that Mr Murphy should discuss this with Glyn Davis in Highways.
8. Councillor Jeff Beck recalled that the brown signs were discussed at the site meeting and Derek Carnegie said he would process the details so it was unfortunate that this had not happened.
9. Derek Carnegie noted that there was no problem with the location of the signs if Sign 2 was relocated to the south, therefore the only issue was in relation to the nature of the signs.
10. Councillor Howard Bairstow asked if the Council had a monopoly on the manufacture of the signs. Paul Goddard clarified that this was only the case if the signs were on the highway and did not apply if they were not on it.
11. Councillor Garth Simpson opined that the proposed signs were large and very busy and asked Mr Murphy if he would be prepared to change any of the detail. Derek Carnegie interjected that the Council wanted the Ibex to be successful and suggested that the application was deferred until Highways and Planning Officers had had the opportunity to find a solution. Councillor Paul Bryant asked Mr Murphy if he was in agreement with this, however he was unable to do so without discussing it with the Parish Council.
12. Councillor Clive Hooker in addressing the Committee raised the following points:
  - In 2013 the Ibex was a failing public house. However the Parish Council had been determined to support its retention and they had applied to have it listed as a village asset, which was granted.
  - The Ibex had ceased trading in 2013-14 and was bought by a developer. The Parish Council worked with the developer and a planning application was developed, which was submitted to Committee in 2014 and it was approved.
  - The Ibex now provided an important facility for the village and the signs were required to help keep it going.
  - This Committee had originally 'stuck its neck out' by agreeing the planning application for the public house and it now needed to support this application to help keep the business viable.
13. During the course of the debate Councillor Dennis Benneyworth declared an interest in the item as he was born to the trade and had frequented the Ibex. He then asked if the cost of the brown signs could be met by a Members' bid. Councillor Hooker responded that he had already posed this question, but had been told it was not possible to do so.
14. Councillor Jeff Beck expressed the view that he considered it essential for the Committee to continue to support the Ibex and he felt the requirement for the signs should be classed as an exceptional need, which Councillor Hooker opined.



## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

15. Councillor Adrian Edwards asked if he thought approving this application would set a precedent and other public houses in the rural area would want to do something similar. Councillor Hooker drew attention to the Swan at East Ilsley, which had been granted permission for similar signs in 2009 and this had not set a precedent.
16. Councillor Beck commented that Officers would like to support the signs. The locations for the signs had been agreed. Derek Carnegie added that planners had a greater responsibility to protect the AONB and they wanted to find a reasonable compromise. Consequently they would like to find a solution in time for the next Committee using the brown signs.
17. Councillor Virginia von Celsing noted that the cost of the brown signs seemed unreasonably high and asked if the item was deferred could this be explored, which Derek Carnegie affirmed.
18. Councillor Hooker asserted that when the item came back to Committee, he did not want the Parish Council to be left with signs that they could not afford.
19. Councillor Cole asked where the harm was if the signs were not on the highway. Derek Carnegie clarified that one sign would be acceptable, but not all five.
20. Councillor Anthony Pick proposed that the item was deferred but said he wanted a guarantee that it would come back to the next Planning Committee meeting. Derek Carnegie assured him that if it did not come to the next meeting it would be definitely be on the agenda for the following meeting. The proposal was seconded by Councillor Benneyworth.
21. Councillor Hooker asked what would happen if it came back to Committee and it did not qualify for a brown sign. Councillor Bryant assured him that his understanding was that this would be resolved between the applicant and Officers.
22. The Chairman invited the Committee to vote on Councillor Pick's proposal, seconded by Councillor Benneyworth to defer the item until a later meeting to enable a solution to be found between Officers and the applicant. At the vote this was carried.

**RESOLVED** that the Head of Planning and Countryside be authorised to defer the planning application to allow further discussions to take place.

### 59. **Application No. and Parish: 17/00315/FULD - Woodridge House, Bucklebury Alley, Cold Ash**

*(Councillor Clive Hooker resumed the position of Chairman).*

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 17/00315/FULD in respect of Section 73 Variation of Condition 2: Approved Plans in accordance of approved reference 15/03473/FULD (Demolition of existing dwelling and associated outbuildings and replacement with a new dwelling and garden shed.
2. In accordance with the Council's Constitution, M Munro, Parish Council representative, Bob Thorley, objector, Howard Waters, applicant/agent and Councillor Garth Simpson, Ward Member addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. The item had been brought before the Committee as more than ten objections had been received to the application.

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

4. The application sought the variation of Condition 2 of the earlier planning permission, which included a revised scheme to provide basement storage underneath the new dwelling. This would reduce the requirement for the proposed piling and there would be less spoil to remove from the site. The Officers' recommendation was to approve the planning permission as it was considered very acceptable.
5. M Munro in addressing the Committee raised the following points:
  - The Parish Council had objected to the original design due to over massing. However the applicant had agreed to amend the plans and they found the new application to be acceptable.
  - The ramp underneath the building was an improvement on the previous plan although they were aware that there were still some objections to the development.
  - The main objection related to noise from the ramp but the Parish Council felt that as the underground storage would be used for a collection of vintage cars, it would not be in continual use.
  - Therefore, after consideration, they felt the concerns had been addressed and they had no further objections.
6. Bob Thorley in addressing the Committee raised the following points:
  - He had lived at Pine Lodge for 33 years, which was adjacent to Woodridge and it was in an AONB.
  - He had strongly supported the earlier planning application.
  - All the changes in this application would have a direct impact on Woodridge, as the ramp and the 6-7 door garage would be located immediately adjacent to his property.
  - There might be benefits from the new application during construction, but there would be a permanent impact on Pine Lodge and he was concerned about the step ramp, which was parallel and adjacent to his boundary.
  - There would be noise and disturbance caused by access to the ramp and the right turn into the garage.
  - Headlights from the vehicles accessing the garage would spill over the top into the front of Woodridge and the master bedroom.
  - A beautiful 50 year old, 30 feet golden yew tree that screened the two houses was threatened and was not included on the plans. The tree was within the curtilage of Woodridge and its roots would be damaged during the construction of the ramp.
  - He asked the Committee to agree that the greater good lay with the original approved plans.
  - However, if the application was approved, an acoustic fence would assist, as would raising the height of the eastern wall and refreshing the hedge.
7. Councillor Hilary Cole asked what the distance was from Pine Ridge to the garage door at Woodridge. Mr Thorley replied that he was not sure but he believed this information had been provided during the site visit.
8. Councillor Howard Bairstow suggested that if the vehicles did not use their headlights when accessing the garage that this would reduce their impact. Mr Thorley agreed, but felt it was unlikely that drivers would turn the headlights off.

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

9. Howard Waters in addressing the Committee raised the following points:
  - The application was the end of a long and emotional process for Mr and Mrs Samuels.
  - There had been a number of objections to this planning application even though it was an improvement on the original one.
  - The refinement referred to the basement parking under the house, which dispensed with the need to build a garage above ground.
  - This meant there would be space on site for the contractors' vehicles.
  - There would be no piling so it would be less disruptive with less noise as there would be less spoil leaving the site.
  - The concern about disturbance from car headlights was a red herring as there would be less disturbance than that caused by cars parked at ground level.
  - The ramp would be less steep than in the previous application so there would be less noise from car engines.
  - There would be no impact on the yew tree and it had not been ignored.
  - Mr and Mrs Samuels had tried to lessen the impact on neighbours as they had been living at the property for some time.
  - The builder had attended the planning meeting, which was a measure of how seriously the neighbours' concerns were being taken.
10. Councillor Jeff Beck observed that mention had been made about acoustic fencing and headlights exiting the garage and that Mr Waters had assured them during the site meeting that he would look into this. He therefore asked Mr Waters if he would agree to the inclusion of a condition to this effect. Mr Waters replied that a landscaping scheme had already been approved, which could be implemented immediately and he felt this would be more appropriate in an AONB. Consequently, having given it some thought he did not consider it was an issue.
11. Councillor Beck further observed that the boundary hedging related to an earlier application and a sound assessment of noise from the garage appeared to have been pushed to one side. Mr Waters retorted that they were certainly not ignoring this concern.
12. Councillor Anthony Pick queried at what point the cars would reach ground level as they emerged from the basement and Mr Waters pointed this out on the map.
13. Councillor Pick then enquired if Mr Waters would be willing to install some protection against the headlights until the natural hedging had taken effect. Mr Waters agreed that this would be acceptable and suggested the installation of a 2 metre fence.
14. Councillor Garth Simpson asked if the beech hedge would be retained, which Mr Waters affirmed as this was a condition of the planning application.
15. Councillor Simpson requested the timescales for construction and Mr Waters advised it was due to start within the next fortnight and would take a year. The basement and ramp would be built first and this would take about 3 months.
16. Councillor Simpson then asked for clarification about the root protection in place for the yew tree and Mr Waters advised some root protection measures had been retained from the previous application.

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

17. Councillor Cole referred members to Paragraph 7.13.5 (Continuation of Meeting) of part 7 of the Council's Constitution which stated that meetings of Committees should not normally continue past 10.00pm. However, the meeting could extend to 10.30pm at the latest if it was felt that the business of the meeting could be concluded within that time. Councillor Cole proposed that the meeting was extended to 10.30pm at the latest to determine the application. This was seconded by Councillor Beck and approved by the Committee.
18. Councillor Garth Simpson in addressing the Committee raised the following points:
  - The main concerns raised by the objectors to the earlier application had been addressed and the new application did not contain any material changes.
  - The new application would bring considerable benefits to the development as the frontage from the ramp would be reduced as would the visual impact.
  - Consequently he approved of the new application although he did appreciate there would be an impact on Pine Lodge.
  - The ramp did provide visual mitigation and attention to the hedge near the ramp should be given as it needed to be refreshed.
  - He noted that consideration should be given to the installation of an acoustic fence.
19. Councillor Adrian Edwards noted that there had been no mention of the archaeological impact caused by excavating the site for the basement. Derek Carnegie reassured him that consultation had been undertaken on this as part of the planning application and if there had been any concerns, these would have been raised.
20. Councillor Simpson observed that when looking at a cross section diagram, it showed the soil around the yew tree within the Woodridge boundary running at an angle, whereas on the Pine Ridge side it was level. It therefore looked as if the soil around the roots was very shallow. Derek Carnegie reassured him that a detailed investigation had been carried out by the Tree officer.
21. Councillor Virginia von Celsing expressed her support for the application and proposed that permission was granted. This was seconded by Councillor Pick with the proviso that it included a two metre fence to protect against the car headlights when emerging from the ramp until the hedge had grown.
22. The Chairman invited the Committee to vote on Councillor von Celsing's proposal, seconded by Councillor Pick to accept Officers' recommendation, which included the amendment requested by Councillor Pick. At the vote this was carried.

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

### Conditions

#### 1. Time to Implement

The development hereby permitted shall be begun on or before 29th March 2019, this date being three years from the date of the first permission (15/03473/FULD).

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. Plans approved

The development hereby approved shall be carried out in accordance with:  
Site Location and Block Plan 1584.01

## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

Proposed Site Plan	1584.30-A
Proposed Plans and Elevations	1584.29
Proposed Shed and Gate Details	1584.06
Site Section and Street Scene	1584.07-A

### Associated Documents:

Planning, Design and Access Statement, (MWA 1584 revision A Dated 2nd February 2017) Phase I Habitat Survey (Arbtech 10th February 2014) First received as part of application 14/02878

All received with the application validated on 7th February 2017 unless otherwise specified.

Reason: To ensure that the development is carried out in accordance with the submitted details in accordance with the National Planning Policy Framework 2012, policies ADPP1, ADPP5, CS 13, CS 14, and CS 19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, Supplementary Planning Document: Quality Design 2006.

### 3. Materials

The following external materials shall be used in the development hereby approved unless alternative details are agreed, through a condition discharge application, in writing with the local planning authority:

Facing Brick Michelmersh Dark Victorian Red  
Tile Hanging Marley Plain Clay Ashdowne (Aylesham Mix)  
Roof Dark Grey Natural Slate (Forna Especial)

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

### 4. Hard Surfacing

The development hereby approved shall include the hard surfacing areas and materials shown on drawing 1584.Land 2.

The hard surfacing shall be completed in accordance with the approved scheme before the dwelling hereby permitted is occupied. The approved hard surfacing shall thereafter be retained.

Reason: In the interests of visual amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

### 5. Spoil removal

Spoil arising from the development, hereby approved shall be disposed of in accordance with the details first received through discharge of condition application 16/01706. Finished ground levels shall be in accordance with the details shown on approved drawing 1584.30-A. All spoil arisings will be taken off site and Top soil will be temporarily stockpiled on site pending re-use at the completion of the project as soil around the building, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework

## **WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES**

(March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

### **6. External Lighting**

The development hereby approved shall include the external lighting details shown on drawing 1584.Land 2 and as approved through discharge of condition application 16/01706.

The external lighting shall be installed in accordance with the approved scheme before the dwelling hereby permitted is occupied. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development/To protect the amenities of adjoining landusers and the character of the area. The area is unlit at night and benefits from dark night skies. Inappropriate external lighting would harm the special rural character of the locality. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

### **7. Temporary Parking, Turning and Construction Method Statement**

The construction of the development hereby approved shall be in accordance with the details shown on Site Management Plan 1584.SM2 and as set out in the MWA 1584 Construction Method Statement dated 2nd February 2017.

The approved parking and turning area and Construction Management shall be provided at the commencement of development and thereafter maintained in accordance with the approved details until the development has been completed. During this time, the approved parking and turning area shall be kept available for parking and used by employees, contractors, operatives and other visitors during all periods that they are working at or visiting the site.

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).

### **8. Landscape Scheme**

The development hereby approved shall be landscaped in accordance with the details shown on drawing 1584.Land 2. The approved 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.

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), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

### **9. Arb Method Statement and Watching Brief**

The development hereby approved shall be carried out in accordance with the approved Arboricultural Method Statement and Watching Brief, first received through condition discharge application 16/01706 (Fulford-Dobson Associates dated 22nd June 2016),

## **WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES**

Tree Protection Plan 1584.05 and supplemental statement from Fulford-Dobson Associates (Jasper Fulford-Dobson) dated 8th March 2017. This statement includes 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 CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **10. Protective Fencing**

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing number 1584.05. Within the fenced areas, there shall be no excavations, no storage/mixing of lime based products or fuels, no storage of materials, or machinery, no parking of vehicles, no fires.

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 CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

### **11. Hours of work (construction)**

Demolition or construction works shall not take place outside the following hours:

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

8:30am to 1:00pm Saturdays;

nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the living conditions of adjacent occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

### **12. Piling**

No piling shall take place until details of the type of piling to be used has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

### **13. Parking and Turning**

The dwelling shall not be occupied until the vehicle parking and turning space have been surfaced, and provided in accordance with the approved plans. The parking and 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).

### **14. Gradient of Private Drives**

The gradient of private drives shall not exceed 1 in 8 or, where buildings are likely to be occupied by the mobility impaired, 1 in 12.

## **WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES**

Reason: To ensure that adequate access to parking spaces and garages is provided. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### **15. Gate Set Back**

The gates to be provided at access where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least 5 metres from the edge of the highway.

Reason: In the interest of road safety and to ensure that vehicles can be driven off the highway before the gates are opened. 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. Wildlife protection**

At all times during the construction of the dwelling when works is not taking place all unfilled excavations created during construction shall either be:

Completely covered by solid materials, or

Have a rough sawn plank place in the then.

Reason: To ensure the protection of wildlife. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS17 of the West Berkshire Core Strategy (2006-2026).

### **17. Shed Location**

No works to the shed shall take place until details of the proposed location of the shed within the red line has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interests of visual amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

### **18. PD Rights Windows**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed at first floor level on the east and west (side) elevations of the dwelling hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

## **Informatives**

### **1. NPPF**

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



## WESTERN AREA PLANNING COMMITTEE - 5 APRIL 2017 - MINUTES

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

### **2. Community Infrastructure Levy (CIL)**

The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

### **3. 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.

### **4. 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.

### **5. Wildlife enhancement**

The applicant is advised that the opportunity should be taken to introduce bio and geo diversity enhancements such as the introduction of bat boxes and swift boxes within the house design/garden

## **60. Appeal Decisions relating to Western Area Planning Committee**

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

*(The meeting commenced at 6.30 pm and closed at 9.50 pm)*

**CHAIRMAN** .....

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

This page is intentionally left blank