

**WESTERN AREA PLANNING COMMITTEE
ON 17 MAY 2017**

UPDATE REPORT

Item No: (3) **Application No:** 16/02191/OUTMAJ **Page No.** 49-76

Site: Land East of Laylands Green and South of Craven Close, Kintbury

Planning Officer Presenting: Derek Carnegie

Member Presenting:

Parish Representative speaking: Mr Steven Cook

Objector(s) speaking: Mr Lee Coleman
Ms Emma Davies

Supporter(s) speaking: N/A

Applicant/Agent speaking: Mr Philip Simmons - Land Manager
Ms Lisa Jackson - Planning Consultant

Ward Member(s): Councillor Anthony Stansfeld and Councillor James Cole

Update Information:

Further consultation comments have been received since the Committee Report was written.

Planning Policy

The site is allocated in the Housing Site Allocations DPD through Policy HSA26 (formerly HSA27) and therefore the principle of development on the site is considered acceptable. The Housing Site Allocations DPD was adopted by the Council on 9th May 2017. It now forms part of the development plan for West Berkshire and carries full weight in the decision making process.

Policy HSA26 makes clear that the scheme will be developed in accordance with the LSA (landscape sensitivity assessment)(2011) and that the development design and layout will be further informed by a full and detailed LVIA (landscape visual impact assessment). The LSA sets out that appropriate buffers should be provided to protect the TPO in the north and the tree boundary to the south.

The definition of a 'landscape buffer' is set out in the glossary to the DPD. It makes clear that private

gardens would not normally be included in a landscape buffer in order to avoid urbanisation of the buffer but that they may be acceptable in some locations if specified in the DPD or LSA/LCA or agreed through a more detailed LVIA. I note that in this case the inclusion of some private gardens has been agreed through the more detailed LVIA and that the Tree Officer has no objections. In this instance therefore I can confirm that in policy terms this is acceptable. The removal of PD rights in respect of extensions and outbuildings will also be important.

I can also confirm that the Ecology Officer (Hampshire County Council) has no concerns.

Officer Comment: The removal of PD rights in respect of extensions and outbuildings is suggested as condition 26. The reason for this condition can be amended to:

Reason: To prevent the over-development of the site, to safeguard *the character of the area, landscape buffer and* amenities of neighbouring properties in accordance with Policies CS14, CS17, CS19 of the West Berkshire Core Strategy 2006-2026 and HSA DPD Policy HSA27.

This will ensure that the reason also includes the protection of important landscape buffers.

These additional comments do not affect the recommendation.

Ecology

A further response has been received from the Consultant Ecologist (Hampshire County Council). The proposed mitigation strategies for GCN and other protected species are acceptable. The applicant has confirmed agreement of the landowner for the proposed 0.2ha reptile receptor site. The applicant has also confirmed that the capture and relocation of GCN found on site during development will be secured through the required EPS Licence from Natural England. The suggested condition to secure GCN mitigation in accordance with the submitted Herpetofauna Mitigation Strategy (condition 25) remains. A further condition in respect of site wide ecological mitigation and management strategy is requested. This would be partly secured through suggested conditions 8, 18 and 25. However the following condition is also suggested:

Ecological Mitigation and Management

No development shall commence until, a single fully-detailed scheme of site-wide ecological mitigation, compensation and enhancement measures (to include but not necessarily restricted to: site plan showing all ecological features; location, extent and composition of mitigation/ enhancement and retained habitat; details of management of mitigation/enhancement/retained features; measures to protect ecological features; lighting strategy) has been submitted to, and agreed in writing by, the Local Planning Authority. Such details shall be in accordance with the outline mitigation, compensation and enhancement measures detailed within the Preliminary Ecological Assessment (Middlemarch, February 2016). Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority. All ecological mitigation, compensation and enhancement measures shall be permanently retained and maintained.

Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NERC Act 2006, NPPF and Policy CS 17 of the West Berkshire Core Strategy 2006-2026.

Officer Comment: The additional requested condition can be attached to the list of conditions in the recommendation.

Highways

Additional Conditions recommended by Highways:-

HIGH1 - Layout and Design Standards (YHA1)

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.

Reason: In the interest of road safety and 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).

HIGH4 - Footway/cycleway provision (construct) (YHA11A)

No dwelling shall be occupied until the footway to be constructed on the eastern side of Laylands Green, between the proposed site vehicular access and the existing footway to the north has been constructed in accordance with the approved drawing(s) and any statutory undertaker's equipment or street furniture located in the position of this footway has been re-sited to provide an unobstructed footway/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).

Officer Comment: The additional requested conditions can be attached to the list of conditions in the recommendation and will replace suggested condition 10.

Recommendation:

The Head of Development and Planning be authorised to **APPROVE** Planning Permission subject to the conditions set out in section 8.1 of the committee report with additional ecology and highway conditions as set out above; removal of suggested condition 10 and a change in the reason for condition 26.

DC