

**WESTERN AREA PLANNING COMMITTEE
ON 9 AUGUST 2017**

UPDATE REPORT

Item No: (1) **Application No:** 17/01096/OUTMAJ **Page No.** 25 - 42

Site: Land to the north of Pinchington Lane, Greenham

Planning Officer Presenting: Michael Butler

Member Presenting: N/A

Parish Representative speaking: N/A

Objector(s) speaking: Ms Lucy Crofts

Supporter(s) speaking: N/A

Applicant/Agent speaking: Ms Laura Cox – Pro Vision
Mr Simon Cook – Hydrock
Mr Peter Shepherd – BSG Ecology
Mr John Birch – Glanville

Ward Member(s): Councillor Billy Drummond
Councillor Jeremy Bartlett

Update Information:

Additional condition recommended.

No development shall commence until full details of the finished floor levels of the proposed new dwellings have been submitted to and approved in writing by the Council. The development shall then be carried out in strict accord with those approved levels.

Reason. To ensure the development has no undue visual impact having regard to policy CS19 in the WBCS of 2006 to 2026.

Minor correction. Para 6.1.1 – delete “in the Council” in first line.

Para 5.1 Overall proposed mix of dwellings should read - "20 No. 1 bed maisonettes, 42 No. 2 bed flats, 47 No. 2 bed houses, 33 No. 3 bed houses, and 15 No. 4 bed houses".

In anticipation of the concerns of some objectors about the retention of the open land in the red line, para 6.5.3 requires updating. Plans on the presentation indicate the relevant areas. The existing deed of covenant on the site will ONLY be released in regard to the actual built up areas. The remainder will remain in place. It is important to recognise that a deed of covenant is under separate legislation to s106 obligations, as the latter can be appealed after 5 years. No such possibility applies to deeds. All signatories must be party to any release. Accordingly, 'in perpetuity' does apply, UNLESS the Council elects in the future to amend it. In addition it is anticipated that none of the land will be passed to the Council as freehold, given the ongoing land contamination liabilities arising due to the past land fill use. It would accordingly not be in the public interest to accept such a freehold position. A management company will be set up, via the proposed s106 obligation, to, in future, maintain the biodiversity area and the open space which will be enforceable against any current and future landowner - as any permission will not be personal to the applicant Company, but will run with the land.

BBOWT continue to request the Council seeks via a s106 obligation additional funding to mitigate the impact upon Greenham Common. Advice on why this is not possible is set out in para 6.5.2 of the report.

Finally, in response to some concerns over objections in relation to the 4 policy areas under HSA4 being comprehensively planned as per the HSADPD document, the question of ecological biodiversity links has been raised across this application site and the Pyle Hill scheme recently approved. The applicants' ecologist has set out in some detail a response as to why this is not required across the intervening highway, with which the officers concur. This is because the actual ecological benefits are questionable, with the economic ramifications being considerable unlikely to meet the tests in para 122 of the CIL Regulations.

Amend wording of the final recommendation – delete the requirement for the commuted sum of £240,000 for the public open space, as this will be managed by the applicant Company [or successors in title].

DC