

# DRAFT

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

## FRIDAY EASTERN AREA PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD ON WEDNESDAY, 7 FEBRUARY 2018

**Councillors Present:** Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Lee Dillon (Substitute) (In place of Alan Macro), Marigold Jaques, Tony Linden (Substitute) (In place of Graham Pask), Richard Somner, Quentin Webb (Substitute) (In place of Tim Metcalfe) and Emma Webster

**Also Present:** Gareth Dowding (Senior Engineer), Charlene Hurd (Democratic Services Officer), David Pearson (Development Control Team Leader), Linda Pye (Principal Policy Officer), Shiraz Sheikh (Principal Solicitor) and Simon Till (Planning Officer)

**Apologies for inability to attend the meeting:** Councillor Alan Law, Councillor Alan Macro, Councillor Tim Metcalfe and Councillor Graham Pask

#### PART I

#### 49. Minutes

The Minutes of the meeting held on 17 January 2018 were approved as a true and correct record and signed by the Chairman.

#### 50. Declarations of Interest

Councillor Richard Crumly declared an interest in Agenda Item(s) 1 & 3, and reported that, as his interest was a personal or another registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

#### 51. Schedule of Planning Applications

##### (1) Application No. & Parish: 17/03079/COMIND - Land Between Francis Baily and Kennet Schools and Land Adjacent To Dunstan Park, Thatcham,

*(Councillor Richard Crumly declared an interest in Agenda Item 4(1), by the virtue of the fact that he was present at that Thatcham Town Council meeting when the matter was considered. He reported that, he remained impartial and would consider the matter afresh this evening; therefore, as his interest was a personal or another registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)*

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/03079/COMIND in respect of a flood alleviation scheme which comprised a series of strategically located bunds (earth embankments) in Dunstan Green and Siege Cross play area varying in height from 0.4m to 1m. The proposed works would also entail the erection of a 1 metre bund alongside the access track within allotments to the east of Dunstan Green and a section of bund on allotment land on the west of the allotment site. A bund of heights between 50cm and 80cm was proposed on land to the north west of Kennet School sports pitches with a shallow swale approximately 440m long along the perimeter of the Kennet School sports pitches to collect and convey water into storage

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basins with a 50cm depth in Siege Cross play area, allowing the water to drain at a controlled rate into the existing surface water sewer system. The scheme also included re-profiling a section of Harts Hill Road and excavation of a 50cm depth swale to divert water off the carriageway and into Dunstan Green.

In accordance with the Council's Constitution, Ms Liz Wood, objector, Mr Iain Dunn (Thatcham Flood Forum), supporter, and Mr Brian Cafferkey and Mrs Liz Allen, agents, addressed the Committee on this application.

Ms Liz Wood in addressing the Committee raised the following points:

- At the site meeting Officers had stated that the bund was outside the perimeter fence of the allotments but it was inside so that was a mistake;
- The allotments near Dunstan Green had not been included in any written statements and no notices had been displayed on the allotments;
- The use of the land was statutory allotment land and therefore the proper consultation had not been undertaken;
- Ms Wood referred to the swept path analysis and amended bund drawing showing the allotment site that was attached to the Update Sheet. She stated that this had been undertaken using a Skoda car which was not a large car. Many people who used the allotments needed access with a car and a trailer and there would not be sufficient space to allow that access;
- Ms Wood referred to a bund which had originally been included in the plans and then had been removed. It was then put back in just five days before the meeting but had been reduced in size. She queried why that had happened and was concerned that the authority said that it could predict where the water would flow but plans kept on changing;
- Ms Wood stated that the National Allotment Society had said that the Council would need to apply to the Secretary of State for permission in order to complete the work. She confirmed that she would follow that up as she felt that permission would not be granted as it would be a violation of the right to use the land;
- The Food Standards Agency guidance states that if allotment land is flooded then it cannot be used to grow raw vegetables for a period of time, and that the scheme would result in the flooding of the allotments;
- Ms Wood felt that the objections put forward had not been appreciated or listened to.

Councillor Richard Crumly said that he was present at the site visit and noted that the allotment land was higher than Dunstan Green and he asked if Ms Wood accepted that. Ms Wood responded that it was a not a question she could answer.

Councillor Graham Bridgman noted that Ms Wood had made reference to plans changing and he asked for clarification as to whether the size of the bund had increased, decreased or stayed the same. Ms Wood responded that it was not about whether the size of the bund went up or down but was a case of how the scheme could be valid if it kept changing. She confirmed that the size of the bund had reduced. Councillor Bridgman recalled that at the site visit discussions had taken place as to how big the bund needed to be and Officers had said that they would look into that. Ms Wood said that the bund would still block the access even if it was reduced in size.

Councillor Pamela Bale asked if the allotments had flooded in 2007 and Ms Wood confirmed that they had not.

Iain Dunn in addressing the Committee raised the following points:

- Mr. Dunn confirmed that he was the Chair of Thatcham Flood Forum. He strongly supported anything that would prevent flooding;

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- There was no reason why the proposed scheme was not acceptable;
- Some funding had come from the community and therefore not everyone was against the scheme;
- The scheme was a strong element of the wider plan to reduce flood risk in Thatcham.

Councillor Richard Crumly asked Mr. Dunn if it was correct that 1,100 homes had flooded in Thatcham in the floods of 2007 and Mr. Dunn confirmed that that was correct.

Mr. Brian Cafferkey and Mrs Liz Allen in addressing the Committee raised the following points:

- Mr. Cafferkey stated that this scheme was part of a wider strategy following the floods in 2007 which also included Cold Ash and Tull Way;
- Floods similar to those in 2007 were life threatening events and this was why this scheme was so important;
- Bund heights varied between 0.5 metres and 0.75 metres to the northern part of Dunstan Green and higher bunds of 1 metre and 1.5 metres were situated close to the existing skateboard ramp and play area on the southern part of the site;
- Following consultation with local residents the scheme had been amended to reduce the height of some of the bunds which would serve to slow the passage of water and act as temporary rain storage basins in the event of severe rainfall in the 1 in 30 to 1 in 100 year event category;
- In terms of sustainability there would be minimum impact on public space and the bunds would be constructed with materials taken from Tull Way;
- Mr. Cafferkey confirmed that funding for the scheme had come from a grant from the Environment Agency, the Town Council and the local community;
- Mrs. Allen stated that there would be a loss of some of the trees and hedges as a result of the scheme but a comprehensive scheme had been provided for landscaping and improvement of planting on the site. This would result in an improvement to the quality of landscaping on the site and an improvement of the visual contribution to the local amenity;
- The improvements in landscaping would provide year round colour and would improve the air quality in the area. Species of low stature would be included to reduce loss of light in some areas;
- The landscaping scheme would also see the introduction of native grasses and wild flower areas which would provide yearlong visual interest throughout the seasons.

Councillor Richard Crumly stated that 1,100 homes had flooded in 2007 and he asked if this scheme would help to eliminate flooding of that scale again. Mr. Cafferkey confirmed that it would.

Councillor Graham Bridgman referred to the drawing in the agenda showing the bunds into the allotment site and also the plan included in the Update Sheet. He asked if the plan in the Update Sheet was an amended plan to replace that in the agenda pack. Mr. Cafferkey confirmed that it was intended to. In order to minimise the impact on the allotment site the bunding had been reduced and pushed further north and the water course had been filled in more so there was a subtle difference. Councillor Bridgman noted the concerns of the allotment holders that the allotments had not flooded in 2007 but there was greater risk that they would flood now if water was diverted that way.

Councillor Marigold Jaques noted the comment made by Ms Wood that the Allotment Association had not been consulted. However on page 35 of the agenda in paragraph 6.5.2 it stated that neither the Town Council nor the National Allotments Association, who had both been consulted, had raised any objection to the scheme. Stuart Clarke confirmed that he had consulted Thatcham Town Council and the local Allotment

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Association and had explained the scheme which had been accepted. There were drainage issues on the site and he would look into those separately with a view to improving drainage on the allotments. Not all plot holders were members of the Allotment Association and the National Allotment Society was not something that he was involved with but he confirmed that he would be happy to seek their consent.

Councillor Pamela Bale asked if that was the only place the bunds could be located at the allotment site. Mr. Cafferkey confirmed that that element of the scheme had to be in that location.

Councillor Lee Dillon, as Ward Member, in addressing the Committee raised the following points:

- Councillor Dillon confirmed that he had done a leaflet drop and knocked on doors on properties adjacent to Harts Hill Road and Dunstan Green and no objections had been received;
- Councillor Dillon asked if the scheme was approved that consideration be given to pest control as that had been an issue in previous schemes.

In considering the above application Councillor Emma Webster referred to the comment from Ms Wood about permission being required from the Secretary of State and whether the recommendation would need to be amended to reflect that. The Planning Officer stated that Members could take a view but that it would be up to the applicant to seek that permission as it was a matter separate from planning.

Councillor Lee Dillon asked if planning notices should have been placed on the allotment fence or gate. The Planning Officer confirmed that the Council had complied with its statutory duty. Four notices had been displayed which included locations on Harts Hill Road and the Siege Cross estate and neighbour notifications had been sent to properties within 100m of the site. It was unfortunate that plot holders on the allotments had missed the publicity which included a notice in the local press. Comments had also been accepted after the closing date.

Councillor Pamela Bale assumed that the Allotment Association was a near neighbour. The National Allotment Society had been consulted and the Planning Officer confirmed that he had spoken to a representative of the Society on the telephone and had supplied information by e-mail on the 2<sup>nd</sup> of January. However, an e-mail had been received on the day of the Planning Committee to say that they had not been consulted. The Planning Officer was of the opinion that the Council had followed due process. Thatcham Town Council administered the allotments and they had also been consulted.

Councillor Graham Bridgman referred to the vehicle used to undertake the swept path analysis and asked if the Officer had any comments. The Highways Officer advised that a standard vehicle would be used – either small/medium or large. In this case a large vehicle had been used and which had demonstrated that vehicular access to the allotment plots was possible. It would be rare to undertake this analysis with a car and trailer unless it had been specifically requested beforehand.

Councillor Lee Dillon confirmed that he had consulted residents in Dunstan Green and had not received any objections. As a Ward Member for Thatcham he had been involved with the Surface Water Schemes and had attended site visits. He conceded that the bunds at Siege Cross would cause overlooking but the majority of residents would benefit from the scheme and he therefore proposed that the Officer recommendation should be accepted. This was seconded by Councillor Richard Crumly. Councillor Crumly agreed with Councillor Dillon that there would be an overall benefit to the majority of residents of Thatcham which would avoid a repetition of the floods of 2007 by reducing the threat of flood.

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Councillor Emma Webster clarified that the recommendation also needed to include the additional condition set out in the Update Sheet. Councillor Keith Chopping confirmed that the recommendation incorporated that condition.

Councillor Lee Dillon said that at the site visit mention was made of the fear of an increase in low level anti-social behaviour. He confirmed that he was working with the local Police team to support the implementation of the scheme by increasing patrols and crime awareness in the Siege Cross area.

Councillor Graham Bridgman asked if Officers could ensure that the part plan provided in the Update Sheet replaced the original plan. The Planning Officer stated that the plan in the Update Sheet had been submitted too late to be considered as part of the formal submission, so approval would be granted subject to the plans originally submitted. The swept paths drawing showing a reduced bund was therefore for information purposes, but if Members wished to seek a similar reduction to the length of the northern bund in order to prevent it impinging on any allotment plots an additional condition could be applied to require approval of a similar amended drawing.

Councillor Pamela Bale asked that if the allotment area was flooded would it be possible for the Town Council to provide alternative plots. Councillor Lee Dillon confirmed that he would be happy to take that back for consideration.

**RESOLVED that** the Head of Development and Planning be authorised to grant planning permission subject to the conditions listed in Section 8 of the Committee Report and the additional condition set out in the Update Sheet as follows:

### **Conditions**

#### **1. Full planning permission time limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

#### **2. Standard approved plans**

The development hereby permitted shall be carried out in accordance with drawing numbers X910-006 Rev C, X910-002 Rev C, X910-035 Rev B, X910-026 Rev B, X910-025 Rev B, X910-047, X910-048, X910-028 Rev B, X910/027 Rev A, X910-032 Rev B, X910-033 Rev B, X910-034 Rev B, X910-010 Rev C, X910-011 Rev D, X910-012 Rev E, X910-009 Rev B, X910-008 Rev B, X910-007 Rev B, X910-020 Rev B, X910-019 Rev B, X910-018 Rev B, X910-017 Rev B, X910-021 Rev B, X910-022 Rev B, X910-023 Rev B, X910-024 Rev B, X910-049 and X910-053, except where varied by the details submitted and approved to comply with the requirements of condition 10 of this planning permission.

Any material change to the approved plans will require a formal planning application to vary this condition under Section 73 of the Act. Any non-material change to the approved plans will require a non-material amendment application prior to such a change being made.

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

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### **3. Construction method statement**

No development of the approved flood alleviation scheme 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 any security hoarding or public displays
- (e) Wheel washing facilities
- (f) Haul routes
- (g) Measures to control the emission of dust and dirt during construction
- (h) 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 2007).

### **4. Archaeology**

Development of the flood alleviation scheme hereby approved shall take place in accordance with the recommendations of the Written Scheme of Investigation by Cotswold Archaeology submitted by email on 20 December 2017.

Reason: To ensure that any archaeological remains that are found are adequately recorded in accordance with the requirements of the NPPF (2012) and Policy CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **5. Ecology**

No development shall commence on site until a full schedule for carrying out the recommendations made at section 6 of the ecology report has been submitted and approved under a formal discharge of conditions application. Development works shall thereafter be undertaken in accordance with the approved schedule of ecological works.

Reason: To secure the protection of local ecology in the site and surrounding area in accordance with the NPPF (2012) and Policy CS17 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **6. Working hours**

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 pm on Mondays to Fridays, 8.30 am to 1.00 pm on Saturdays and no work shall be carried out on Sundays or Bank

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Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with the NPPF (2012) Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **7. Contaminated land**

Should any unforeseen contamination be encountered during the development, the developer shall inform the LPA immediately. Any subsequent investigation/remedial/protective works deemed necessary by the LPA shall be carried out to agreed timescales and approved by the LPA in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the LPA upon completion of the development.

Reason: In order to protect the amenities of proposed occupants/users of the application site in accordance with the NPPF (2012) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **8. Landscaping**

All landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including drawing numbers KLP/276/17/01, KLP/276/17/02, KLP/276/17/03 Rev B, KLP/276/17/04 Rev B, KLP/276/17/05 Rev C, KLP/276/17/06 Rev B dated 12th December 2017. Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **9. Cycleways**

The cycleways shown on drawing no. X910-065 received on 1st February 2018 shall not be brought into use until visibility splays have been provided in accordance with this drawing. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility as shown on this drawing.

Reason: In the interests of cycle 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)."

### **10. Shortening of bund**

Irrespective of the details shown on the approved plans no development of the northern bund on Dunstan Green shall commence until details of a revision to reduce the length of the element of the bund located on the allotments to the eastern extent of the bund have been submitted and approved under a formal discharge of conditions application. The details shall include plans and sections of the bund in this location and a swept

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paths diagram to demonstrate vehicle movements on the allotment site following completion of the approved works, and a written description of the works to demonstrate that the alteration of the bund will not result in a reduction in the overall capacity of the scheme to provide flood alleviation. The bund shall be constructed and retained in accordance with the approved details.

Reason: To protect the amenities of allotment users and ensure that allotment plots are not intruded on by the development while providing for alleviation of flood risk to residential and commercial properties in Thatcham, in accordance with the NPPF (2012) and Policies CS14 and CS16 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **Informative – Tree protection**

- To ensure that the trees, which are to be retained, are protected from damage, ensure that all works occur in a direction away from the trees.
- In addition that no materials are stored within close proximity i.e. underneath the canopy of trees to be retained.
- Ensure that all mixing of materials that could be harmful to tree roots is done well away from trees (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil.
- To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil.
- If this is not possible due to working room/access requirements The ground under the trees' canopies on the side of construction/access should be covered by 7.5cm of woodchip or a compressible material such as sharp sand, and covered with plywood sheets/scaffold boards to prevent compaction of the soil and roots. This could be underlain by a non-permeable membrane to prevent lime based products/chemicals entering the soil
- If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back to using a sharp knife.

### **(2) Application No. & Parish: 17/02578/RESMAJ - Firlands Farm, Hollybush Lane, Burghfield Common, Reading, Berkshire, RG7 3JN**

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/02578/RESMAJ in respect of Approval of reserved matters following outline permission 14/01730/OUTMAJ (Appeal reference APP/W0340/A/2228089) - Erection of 90 dwellings with vehicular access to Hollybush Lane and associated public open space, landscaping and drainage work. Matters seeking consent: Appearance, Landscaping, Layout and Scale.

In accordance with the Council's Constitution, Mr Rob Collett, applicant/agent, addressed the Committee on this application.



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Mr Rob Collett in addressing the Committee raised the following points:

- Thank you for the positive recommendation and for attending the site visit.
- Officers produced a comprehensive report regarding outline matters relating to a 90 dwelling development in Burghfield - offering 35 Affordable Housing Units.
- Concerns had been addressed regarding the movement of material - resources would remain onsite and allocated for other features of the development.
- The site layout was informal in nature and varied in size which was appropriate for the local character of the area.
- Landscaping plans would complement the overall appearance of the development and provide public, recreational space.

Councillor Graham Bridgman identified that the current plan did not specify the size and style of all 90 dwellings. He noted that [some of] the garden sizes were undesirably small and asked whether the number of properties could be adjusted to accommodate reasonable garden sizes throughout the development. Mr Collect acknowledged the comments and reminded the Committee that the development included open, public space along with private gardens which, he felt, provided sufficient amenities and supported good living standards.

In response to questions asked by the Committee Mr Collett advised that the existing entrance to Firlands Farm would remain accessible. In addition, the proposed plans outlined a second access route, through the main development, as an option. The roads would be built to an adoptable standard, not including the driveways.

Councillor Keith Chopping, speaking as Ward Member, in addressing the Committee raised the following points:

- He found the proposal to be acceptable although he recognised that the previous application was overturned at appeal.
- The dwellings would be set back from the main road and sufficiently masked by landscaping and tree lines.
- The proposed materials were sufficient for the type of development although the overall design was unimaginative.
- The scheme offered a mix of dwellings [size and style] plus 35 Affordable Housing units.
- Neither Parish Councils raised objections against the application. The objections raised by Burghfield Parish Council should be considered with caution due to the indirect impact and distance from the site.
- He was disappointed with the size of the gardens [in some cases] but did not feel that it was sufficient reason to warrant refusal.
- There were insufficient visitor]parking spaces available within the development area which could result in disruption.

Councillor Bridgman challenged Officers to expand on the comment in section 6.9.3 of the report which stated that a *'not insignificant number [of gardens] fall short'* of the expected minimum size. David Pearson could not be sure how many fell outside the, minimum, expected size and confirmed that they were split between Affordable Housing units and private dwellings. Councillor Bridgman suggested that the application could overcome this issue by adjusting the overall number of units within the development. David Pearson agreed with Councillor Bridgman's suggestion but Officers considered

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that, on balance, the benefits of the current scheme outweighed these concerns; he suggested that refusal for reasons regarding garden size would be difficult to defend at appeal.

In response to questions raised by the Committee, David Pearson advised that the Council was statutorily required to invite Burghfield Parish Council to comment on the scheme. However, it was for the Committee to decide how much weight they would apply towards these comments. He suggested that, in light of the separation and proposed landscaping it was not a significant material consideration.

Councillor Lee Dillion was concerned about on-street parking in light of the scheme design and land constraints. He asked whether it was possible to extend parking provision to avoid disruption onsite. Gareth Dowding stated that the scheme complied with Council parking policy/ standards and explained that visitor parking spaces only applied to the development of flats.

Councillor Crumly was delighted to see a lot of greenery included in the proposed scheme and felt that the overall development was reasonably laid out; he could not see any material reason to refuse planning permission.

Councillor Crumly proposed acceptance of Officers recommendation to grant planning permission. The proposal was seconded by Councillor Peter Argyle.

Councillor Emma Webster considered that the scheme was positive due to the of 35 Affordable Housing units included. She was frustrated with the situation surrounding the size of the gardens and felt that this could be adequately addressed if the developer adjusted the overall number of units. She felt that the scheme could be improved but equally acknowledged the need for Affordable Housing.

Councillor Bridgman noticed that 17 of the 26 objection points listed were dealt with during the course of the previous outline application. Therefore, the reduced number of objections reflected the general feeling towards the current application. He was disappointed that the issue surrounding garden sizes could not be resolved but felt the overall scheme should be supported.

In considering the above application all Members voted in favour of the proposal to accept Officers recommendation.

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

### **Conditions:**

To delegate to the Head of Development and Planning to **APPROVE THE RESERVED MATTERS APPLICATION** subject to the following conditions:

#### **1. Link reserved matters/outline**

This permission relates solely to the reserved matters referred to in Condition 1 of the outline planning permission granted on 6 July 2015 under appeal reference APP/W0340/A/14/2228089 (application reference 14/01730/OUTMAJ). Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions applied on that outline planning permission.

Reason: The reserved matters cannot be considered separately from the permission to which they relate and the conditions applied on that outline permission are still applicable.

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### **2. Approved plans**

The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

- P1387.01/T: Planning Layout
- P1387.02/P: Materials Layout
- P1387.03/P: Building Heights Plan
- P1387.04/P: Building Tenure Layout
- P1387.05/P: Parking Plan
- P1387.06/N: Refuse Plan
- P1387.07/Q: Enclosures Layout
- P1387.08: Location Plan
- P1387.10/B: Path Phasing Layout
- P1387.GAR.01: Single Garages, Plans & Elevations
- P1387.GAR.02: Double Garage, Plans & Elevations
- P1387.GAR.03: Pair Garages, Plans & Elevations
- P1387.GAR.04: Double Garages – Plot 88, Plans & Elevations
- P1387.ST.01/B: Bin & Cycle Stores, Plans & Elevations
- P1387.SS.01/F: Streetscenes (Sheet 1 of 2)
- P1387.SS.02/D: Streetscenes (Sheet 2 of 2)
- P1387.SEC.01: Site Section
- P1387.1BM.101/B: Type 1BM – Floor Plans
- P1387.1BM.102/B: Type 1BM – Elevations
- P1387.1BM1.101/A: Type 1BM1 – Ground & First Floor Plans
- P1387.1BM1.102/A: Type 1BM1 – Roof Plan
- P1387.1BM1.103/A: Type 1BM1 – Front & Side Elevations
- P1387.1BM1.104/A: Type 1BM1 – Rear & Side Elevations
- P1387.2.101/C: Type 2 – Floor Plans
- P1387.2.102/C: Type 2 – Elevations
- P1387.3.101/B: Type 3 – Floor Plans
- P1387.3.102/B: Type 3 – Elevations
- P1387.4.101/A: Type 4 – Floor Plans
- P1387.4.102/A: Type 4 – Elevations
- P1387.A.101/A: Type A – Floor Plans
- P1387.A.102/A: Type A – Floor Plans
- P1387.A.103/A: Type A – Brick, Elevations
- P1387.A.104/A: Type A – Brick, Elevations
- P1387.A.105: Type A – Tile Hung, Elevations
- P1387.BY.101/C: Type BY – Floor Plans
- P1387.BY.102/C: Type BY – Brick, Elevations
- P1387.BY.103/B: Type BY – Floor Plans
- P1387.BY.104/C: Type BY – Painted Brick, Elevations
- P1387.CH.101: Type CH – Floor Plans
- P1387.CH.102: Type CH – Floor Plans
- P1387.CH.103: Type CH – Brick, Elevations
- P1387.CH.104: Type CH – Tile Hung, Elevations
- P1387.CH.105: Type CH – Brick, Elevations
- P1387.CH.106: Type CH – Tile Hung, Elevations

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- P1387.D.101/A: Type D – Floor Plans
- P1387.D.102: Type D – Brick, Elevations
- P1387.D.103/A: Type D – Painted Brick, Elevations
- P1387.E.101/A: Type E – Floor Plans
- P1387.E.102: Type E – Brick, Elevations
- P1387.E.103: Type E – Painted Brick, Elevations
- P1387.E.104/A: Type E – Tile Hung, Elevations
- P1387.E.105/A: Type E – Tile Hung, Elevations
- P1387.IG.101/A: Type IG – Floor Plans
- P1387.IG.102/A: Type IG – Brick, Elevations
- P1387.IG.103/A: Type IG – Painted Brick, Elevations
- P1387.IG.104/A: Type IG – Floor Plans
- P1387.IG.105/A: Type IG – Painted Brick, Elevations
- P1387.M.101/A: Type M – Plans & Elevations
- P1387.MY.101/B: Type MY – Floor Plans
- P1387.MY.102/B: Type MY – Brick, Elevations
- P1387.MY.103/B: Type MY – Floor Plans
- P1387.MY.104/B: Type MY – Tile Hung, Elevations
- P1387.R.101: Type R – Floor Plans
- P1387.R.102: Type R – Floor Plans
- P1387.R.103: Type R – Brick, Elevations
- P1387.R.104: Type R – Painted Brick Elevations
- P1387.2A.101/A: Type 2A – Floor Plans
- P1387.2A.102/A: Type 2A – Elevations
- MILL21003/10: Landscape Masterplan
- MILL21003/11/F: Soft Landscape Proposals (Sheets 1-4)
- MILL21003/12/E: Hard Landscape Proposals (Sheets 1-5)
- MILL21003/20/H: Open Space Proposals (Sheets 1 – 2)
- MILL21003/30/C: Play Area Proposals
- P518/32/D: Swept Path Analysis, Refuse Vehicle
- P518/33/C: Swept Path Analysis, Fire Tender
- P518/34/C: Swept Path Analysis, Large Car
- P518/35/E: Storm & Foul Site Drainage Strategy & Proposed Finish Floor Levels
- P518/39/A: Access Road Longitudinal Section
- P518/40/A: Alternative Off-site Swale link to Benham's Ditch
- P518/42/E: Proposed Extent of Adoptable Construction
- P518/43/B: Visibility Splays

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

### **3. Materials**

The materials to be used in the external surfaces of the dwellings shall be in accordance with the Materials Layout (Drawing P1387/02 Revision P), the submitted samples, namely:

- Brick - Forterra Hampton Rural Blend
- Roof - Sandtoft Vauban Multiblend and Stoneleaf Del Mino Natural Slate
- Tile Hanging - Sandtoft Humber Flanders

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- Painted Brick - Sandtex Chalk Hill

Reason: To ensure that the external materials respond to local character. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### **4. Tree protection (provision)**

No development shall take place until the approved tree protection scheme has been provided in accordance with the Arboricultural Impact Assessment, Method Statement and Woodland Management Plan (Prepared by ACD Environmental, Reference MILL21003aia-ams, Revision E 17.01.2018). Notice of commencement of development shall be given to the Local Planning Authority at least 2 working days before any development takes place. The scheme shall be retained and maintained for the full duration of building/engineering operations, or until such time as agreed in writing with the Local Planning Authority. There shall be no construction activities, excavations, storage of materials/machinery, parking of vehicles, or fires.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. This condition is applied in accordance with the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### **5. Arboricultural supervision (prior approval)**

No development (including site clearance and any other preparatory works) shall take place until an arboricultural watching brief has been secured for the development, in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. Site monitoring shall thereafter take place in accordance with the approved details.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. The watching brief must be secured before development takes place to ensure that the trees are protected throughout the construction phase. This condition is applied in accordance with the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### **6. Architectural detailing (provision)**

No dwelling shall be first occupied until the detailing of its elevations has been completed in accordance with the approved plans. This includes (but is not necessarily limited to) the provision of bargeboards, lintels (materials, keystone details), string/soldier courses, fenestration, quoins, porches, plinths, chimneys (corbelling), eaves detailing, cills, hanging tiles (varying tiles/detailing).

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Reason: The articulation of elevations with such detailing makes an important contribution to the design quality of the development. The completion of these features prior to first occupation is therefore necessary to ensure that the buildings respect the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP6, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

### **7. Access, parking and turning (provision)**

No dwelling shall be first occupied until the vehicle access (including road access between Hollybush Lane and that dwelling), parking, and turning spaces associated to that dwelling have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall thereafter be kept available for parking and manoeuvring (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the appropriate phasing of dwellings with roads, and to ensure the development is provided with adequate parking and turning facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD (2006-2026), and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **8. Internal visibility splays (provision)**

Visibility splays shall be provided in accordance with drawing P518/43 B. All visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

- (a) No dwelling on Plots 76-81 shall be first occupied until the visibility splays opposite plot 48 have been provided.
- (b) No dwelling on Plots 44-86 (excluding Plot 57) shall be first occupied until the forward visibility area at Plots 86/87 have been provided.
- (c) No dwelling on Plots 6-43 and Plot 57 shall be first occupied until the visibility splays opposite Plots 86/87 have been provided.
- (d) No dwelling on Plots 15-43 shall be first occupied until the visibility splays by Plots 14/15 have been provided.
- (e) No dwelling on Plots 27-43 shall be first occupied until the forward visibility area by Plots 23/26 have been provided.
- (f) No dwelling on Plots 58-72 shall be first occupied until the visibility splays opposite Plots 64/65 have been provided.

Reason: To ensure the internal visibility splays are provided at the correct time in line with the occupation of the development, and that thereafter they are kept free of obstructions, all in the interests of road safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-

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2026).

### **9. Cycle storage (prior approval)**

No dwelling hereby permitted shall be first occupied until cycle storage for that dwelling has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage the use of cycles in order to reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, 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).

### **10. Hard landscaping (provision)**

No dwelling shall be first occupied until the boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) of its plot has been completed in accordance with Hard Landscape Proposals (ACD Drawing MILL21003/12 Revision E, Sheets 1-2). The final dwelling to be occupied shall not be first occupied until the hard landscaping of the whole application site has been completed in accordance with these approved details.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### **11. Soft landscaping (as submitted)**

All soft landscaping works of individual plots shall be completed in accordance with the Soft Landscape Proposals (ACD Drawing MILL21003/11 Revision F, Sheets 1-4) and the Open Space Proposals (ACD Drawing MILL21003/20 Revision H, Sheets 1-2) within the first planting season following first occupation of that dwelling. All other soft landscaping works shall be completed in accordance with these approved details before first occupation of the final dwelling to be occupied, unless the approved details specify otherwise.

Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design.

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This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

### **12. Road layout near Plot 18**

Notwithstanding what is shown on other approved drawings, the road layout between Plot 18 and Plots 23-26 (in particular the design of the road bend and access to parking for Plots 19-22) shall be construction in accordance with Planning Layout drawing P1387/01 Rev T.

Reason: The road layout has been amended to address highway concerns. Given the minor nature of this change other drawings have not been amended accordingly. This condition is therefore necessary to ensure the correct layout is construction. This condition is applied in the interests of highway safety and in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### **13. Open space footpaths**

No dwelling shall be first occupied until the Phase 1 Footpaths (shaded purple on the Footpath Phasing Plan – P1387/10/B) have been provided broadly in accordance with the layout shown on the approved plans, and in strict accordance with the “no-dig” specifications. No more than 15 dwellings shall be first occupied until the Phase 2 Footpaths (shaded orange of the same plan) have been provided broadly in accordance with the layout shown on the approved plans, and in strict accordance with the “no-dig” specifications. The precise routes of the footpaths shall be determined on site in agreement with, and in the presence of, the Local Planning Authority or Council’s Tree Officer.

Reason: To provide suitable access to the open space and site, without detriment to the existing trees to be retained. This condition is applied in accordance with the NPPF, Policy CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **14. Permitted development restriction (extensions/outbuildings)**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extensions, enlargements, improvements or other alterations to dwellings, which would otherwise be permitted by Schedule 2, Part 1, Class A that Order shall be carried out to Plots 1-6, 9, 11-13, 16-17, 19-43, 45-55, 71, 73, 77, 80, and 82-90 (as numbered on Planning Layout P1387/01 Revision T), without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: Primarily to safeguard neighbouring amenity from development that would increase overlooking and reduce privacy due to the close proximity between dwellings. Further, to prevent the overdevelopment of



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the site in the interests of respecting the character and appearance of the development. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the North Wessex Downs AONB Management Plan 2014-2019, and Quality Design SPD (June 2006).

### **15. Permitted development restriction (roof extensions/dormers)**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no enlargement of a dwellinghouse consisting of an addition or alteration to its roof (including dormer windows, but excluding roof lights permitted under Class C, which would otherwise be permitted by Schedule 2, Part 1, Class B that Order shall be carried out to any dwellinghouse (Plots 1-90, as numbered on Planning Layout P1387/01 Revision T), without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: Primarily to safeguard neighbouring amenity from development that would increase overlooking and reduce privacy due to the introduction of elevated dormers windows in close proximity to other dwellings. Further, to respect the character and appearance of the roof-scape of the development. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the North Wessex Downs AONB Management Plan 2014-2019, and Quality Design SPD (June 2006).

### **(3) Application No. & Parish: 17/03304/FULD - Garden land to the rear of 17 Church Gate, Thatcham, RG19 3PN**

*(Councillor Richard Crumly declared an interest in Agenda Item 4(1), by the virtue of the fact that he was present at that Thatcham Town Council meeting when the matter was considered. He reported that, he remained impartial and would consider the matter afresh this evening; therefore, as his interest was a personal or another registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)*

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 17/03304/FULD in respect of the erection of a new dwelling.

In accordance with the Council's Constitution, Mr Steven Cottrell, agent, addressed the Committee on this application.

Mr. Cottrell in addressing the Committee raised the following points:

- Mr. Cottrell stated that the siting and position of the proposed dwelling did not have an impact on the Conservation Area as it would not be visible from the road;
- There had been a number of objections raised by neighbours some of whom seemed to have submitted several objections;
- The appeal decision for application 15/02052/FUL stated that the two storey development proposed in that application would be out of keeping but would not have an unacceptable impact on the living conditions in neighbouring properties.

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This proposal had been reduced to a single storey bungalow under the current application and therefore the impact would be reduced;

- The proposed dwelling was in a sustainable location and would cause no significant harm and Mr. Cottrell could see no planning reason to refuse the application.

Councillor Richard Crumly referred to the location plan where it was noted to the West was a dwelling known as The Grange and to the east was a number of executive homes. He asked how many executive homes there were. Mr. Cottrell could not recall the exact number but there were quite a few 4 and 5 bedroom homes.

Councillors Marigold Jacques and Richard Crumly, as Ward Members, raised the following points:

- Councillor Marigold Jacques stated that the development site was in a Conservation Area which had led to a number of objections from local residents. However, not all of the site was in the Conservation Area;
- In submitting this application the applicant had tried to address the issues raised by the Inspector in relation to the previous application;
- She felt that the proposed landscaping would soften the impact on neighbouring properties, the bin store could be accommodated at the end of the drive and no windows would overlook neighbouring properties;
- She felt that bungalows were in short supply and a much-needed form of development in Thatcham;
- Councillor Richard Crumly confirmed that most of the dwelling would be in the Conservation Area. However, it had been reduced in size to a bungalow and in any event the site was surrounded by dwellings itself;
- The applicants had dealt with the issues raised by the Inspector in relation to the previous application and that would strengthen their hand if this application went to appeal.

Councillor Graham Bridgman advised that Bryan Dundas had written to all Members of the Committee at 5.05pm that evening criticising what Officers had said in relation to the previous appeal. He made it clear that he would not be taking account of the contents of that letter when making a decision on the application.

In considering the above application Councillor Richard Crumly asked what the significance was of a property being in the Conservation Area. The Planning Officer confirmed that Conservation Areas were heritage assets which, under the provisions of the National Planning Policy Framework, required a special level of consideration. Any development which would cause significant harm should not be approved. Harm in the context of a Conservation Area would include detrimental impacts on visual amenity, impacts detracting from the character of the street scene or new development that was poorly related to the pattern of surrounding development. The Conservation Officer had been consulted in order to seek advice as to whether the special character of the Conservation Area would be detracted from. The view of the Conservation Officer was that the proposed bungalow would be a subservient building to the north of the site and would be more suitable than the two storey building which had previously been proposed. It was considered that a bungalow would complement the special character of the conservation area and blend with the pattern and appearance of surrounding development.

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Councillor Emma Webster proposed that the officer recommendation for approval should be accepted. This was seconded by Councillor Quentin Webb.

In putting the motion to the vote the majority of the Committee voted in favour of granting planning permission. Councillor Richard Crumly abstained from voting.

**RESOLVED that** the Head of Planning and Countryside be authorised to grant planning permission subject to the conditions listed in Section 9 of the Committee Report and subject to the additional condition set out in the Update Sheet as follows:

### Conditions:

1. Notwithstanding the approved plans, no development shall take place until the floor plans, elevations and schedule of materials of the shed indicated on drawing no AB\_02 has been submitted to and approved in writing by the Local Planning Authority. The shed shall be erected in accordance with the approved details.

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

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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).

3. The development hereby permitted shall be carried out in accordance with the approved drawing numbers AB\_01 Rev A & AB\_02 Rev A received on 28<sup>th</sup> November 2017

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

4. No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the dwellings and hard surfaced areas hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

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

5. 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

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- (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

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).

6. The dwelling shall not be occupied until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the drawing no AB\_02 Rev A received on 28<sup>th</sup> November 2017. 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).

7. Notwithstanding the approved plans, no development shall take place until a plan and schedule of details of and materials for a path to provide flat level access for manoeuvring bins to the public highway at Church Gate has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the path has been constructed in accordance with the approved details or materials and thereafter the path shall be permanently retained in accordance with the approved details and materials.

Reason: To ensure that the dwelling can adequately deal with the removal of waste recycling materials in accordance with policy OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8. No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The 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 in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

9. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall

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specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days' notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

10. No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

11. No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the dwelling hereby permitted is occupied. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006).

12. No demolition or construction works shall 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 amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026)

13. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

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Reason: To prevent the overdevelopment of the site, and the addition of first floor windows and other extensions or outbuildings which would visually detract from the ancillary nature of the dwelling and in the interests of respecting the character and appearance of the Thatcham Conservation Area and the setting of the nearby listed buildings known as St Mary's Cottage, Old Granary and The Grange and to protect the residential amenities of adjoining properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

### **(4) Application No. & Parish: 17/03374/FULD - Knappswood Farm, Pangbourne Road, Upper Basildon, Berkshire RG8 8LN**

The Committee considered a report (Agenda Item 4(4)) concerning Planning Application 17/03374/FULD in respect of Demolition of existing house containing 3 units and erection of 2 dwellings.

In accordance with the Council's Constitution, Councillor Geoff Couchman, Parish Council representative, addressed the Committee on this application.

Councillor Geoff Couchman in addressing the Committee raised the following points:

- The Parish Council was concerned about the 'tandem' approach towards this development and would not support the application.
- Current residents had to be rehoused whilst the development was underway or find an alternative home altogether.
- Access and egress from the site was problematic. He disagreed with the Officer's report which stated that there would be a slight increase in traffic as a result of the development.
- The number of objection letters received highlighted the level of concerns up to  $\frac{3}{4}$  miles away from the site.
- There was likely to be an increase in traffic from online shopping deliveries as a result of the increased number of properties onsite.
- There had been a recent incident whereby a white van overturned as a result of driving too fast along Pangbourne Road. Gritting along Pangbourne Road was paid for by the Parish Council and, if stopped, the conditions would worsen and could lead to more incidents along the road which experienced pluvial flooding.

In response to questions asked by the committee, Councillor Couchman stated that the properties would introduce an additional bedroom and it was not unreasonable to assume that this would include an additional vehicle per property.

Councillor Pamela Bale asked how the Highways Department calculated vehicle movements. Gareth Dowding advised that they used TRICS indicators based on similar properties and used this benchmark against the current property to calculate differences. The Committee heard that the current property would entail 12/14 vehicle movements and that the TRICS indicators suggested that the proposed properties would entail the same number. He concluded that because there would be no change in the volume of traffic it was regrettable that there was very little they could do to seek an improvement to visibility at the entrance/exit of the site.

Gareth Dowding advised that standard road markings might be an option but the proposal would not generate extra traffic.

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Councillor Bale asked how much weight Officers had given towards the suggestion that this proposal was a 'tandem' build. David Pearson advised that Officers considered planning policy (including the Design Statement) but the previous application was considered 'acceptable' so this factored into their overall consideration.

Councillor Bridgman suggested that the proposal should not be accepted just because it did not make the situation any worse. He asked Officers to state the planning policy considerations to Members. David Pearson advised that planning policy was not the reference point in this case but that Officers looked towards Case Law to gauge the direction that an appeal might take. Members heard that it was necessary to consider the level of harm as a result of the development. In considering this application, Officers concluded that the scheme would not entail sufficient additional harm beyond the existing situation on the site to warrant refusal.

Councillor Tony Linden stated that he could not see any grounds for refusal. He proposed acceptance of Officers recommendation. The proposal was seconded by Councillor Bridgman.

Councillor Richard Crumly noted that the development site was outside the settlement boundary but due to the fact that it was replacing existing dwellings he suggested that it would be difficult to justify refusal for this reason.

In response to questions asked by the Committee, Officers confirmed that a condition removing Permitted Development Rights was proposed as part of the recommendation.

In considering the above application Members voted in favour of the recommendation to accept Officers recommendation for approval. Councillor Pamela Bale abstained from voting.

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

### **Conditions**

#### **1. Commencement of development**

The development hereby approved shall be begun before the expiration of three years from the date of this permission.

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. Approved plans**

The development of the replacement dwellings hereby approved shall be carried out in accordance with the application form, the design and access statement and drawing numbers 7765.1; 7765.2 and 7765.4 received 05 December 2017.

Reason: For the avoidance of doubt, in the interests of proper planning.

#### **3. Schedule of Materials**

Irrespective of details given in the approved plans and documents no development of the approved dwellings shall commence until samples of all external materials to be used have been submitted and approved under a formal discharge of conditions

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application. The approved dwellings shall be constructed in accordance in accordance with the approved schedule of materials.

Reason: In the interests of visual amenity in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **4. Construction Method Statement**

No development shall take place until a Construction Method Statement has been submitted and approved under a formal discharge of conditions application. The development shall be carried out in accordance with the approved Construction Method Statement. The Construction Method Statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Delivery, 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

**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).

### **5. Parking/turning in accord with plans.**

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) and P1 of the HSA DPD

### **6. Cycle storage**

No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.



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**Reason:** To ensure that there is adequate and safe cycle storage space within the site. 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) and P1 of the HSADPD.

### **7. External Lighting**

No development of the approved dwellings shall commence until full details of any lighting to be erected, including the complete specification and location of all external lights, has been submitted and approved under a formal discharge of conditions application. Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, no other external lighting shall be erected on the site.

Reason: In the interests of visual amenity and to prevent encroachment of illumination into the night skies in the North Wessex Downs Area of Outstanding Natural Beauty in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **8. Ecological mitigation - Bat boxes**

The dwellings hereby approved shall not be occupied until a scheme of ecological mitigation and enhancements is submitted and approved under a discharge of conditions application in accordance with the ecological recommendations at Section 4 of the ecological report by Brian Masterton Wildlife Consultant. The dwellings shall not be occupied until the approved ecological mitigation and enhancements have been implemented in accordance with the approved scheme. The ecological mitigation and enhancements shall be retained in accordance with the approved scheme thereafter.

Reason: To conserve and enhance the qualities of the site for local wildlife in accordance with Policy CS17 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **9. Landscaping scheme**

No development of the approved dwellings shall commence until details of a scheme of landscaping to be implemented on the site have been submitted and approved under a discharge of conditions application made for this purpose. The scheme of landscaping shall ensure:

- (i) Identification of all trees and shrubs scheduled for retention on the site;
- (ii) Identification of native varieties of trees and shrubs for all new planting;
- (iii) Full implementation of the scheme of landscaping within the first planting season following occupation of the replacement dwellings;
- (iv) That all trees and shrubs that form part of the approved landscaping are retained for a period of five years following planting and that during this period any trees or shrubs that become diseased, damaged or die are replaced with plants of the same species and a similar size during the following planting season.

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The landscaping of the site shall be undertaken in accordance with the approved scheme.

Reason: In order to secure the benefits of landscaping to soften the visual impacts of development on a sensitive site within the North Wessex Downs AONB and to provide opportunities for local wildlife in accordance with the NPPF and Policies CS14, CS17 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **10. Hard landscaping**

No development or other operations shall commence on site until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the development is commenced because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

### **11. Spoil**

No development shall take place until full details of how all spoil arising from the development will be used or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil (not to be deposited) from the site
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

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

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### **12. Land contamination 1: site characterisation**

The construction of the dwelling hereby permitted shall not take place until a scheme to assess the nature and extent of any land contamination of the site (whether or not it originates from the site) has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment shall be completed as part of this scheme. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced and submitted. The report of the findings shall include:

- (a) A survey of the extent, scale and nature of contamination;
- (b) An assessment of the potential risks to:
  - i. human health,
  - ii. property (existing and proposed) including buildings, pets, and service lines and pipes,
  - iii. adjoining land,
  - iv. groundwater and surface water,
  - v. ecological systems,
  - vi. archaeological sites and ancient monuments; and
- (c) An appraisal of remedial options, and proposal of the preferred option(s).

This report shall be conducted in accordance with CLR11: Model Procedures for the Management of Land Contamination (DEFRA/EA).

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. The approval of this information is required at this stage because insufficient information has been submitted with the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **13. Land contamination 2: remediation scheme submission**

The construction of the dwelling hereby permitted shall not take place until a remediation scheme for any land contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- (a) Provide for the removal of unacceptable risks to human health, buildings and other property, and the natural and historical environment;
- (b) Ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation;
- (c) Detail proposed objectives and remediation criteria, all works to be undertaken, a timetable of works, and site management procedures; and
- (d) Include measures for the monitoring and maintenance of the long-term effectiveness of the remediation over a period agreed in writing with the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. The approval of this information is required at this stage because insufficient information has been submitted with the application. This condition is applied in accordance with the

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National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **14. Land contamination 3: remediation scheme implementation**

The remediation scheme for land contamination approved under condition 15 shall be implemented in full in accordance with the timetable of works thereby approved. Two weeks written notice shall be given to the Local Planning Authority prior to the commencement of the remediation scheme. Following the completion of the measures identified in the approved remediation scheme (except those for the long-term monitoring and maintenance), no dwelling shall be occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **15. Land contamination 4: unexpected contamination**

In the event that any previously unidentified land contamination is found at any time during the carrying out of the development, it shall immediately be reported in writing to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of Condition 14, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of condition 15. The investigation and risk assessment, and any remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme, no dwelling shall be occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **16. Land contamination 5: monitoring and maintenance**

Following completion of the measures for the monitoring and maintenance of the effectiveness of the land contamination remediation approved under clause (d) of condition 15 (if any), a verification report to demonstrate the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the completion of the measures. These reports shall be conducted in accordance with CLR11: Model Procedures for the Management of Land Contamination (DEFRA/EA).

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition

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ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **17. Hours of work (demolition and construction)**

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 is 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 accordance with the NPPF and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

### **18. Sustainable Drainage**

No development shall take place until a scheme of surface water drainage has been submitted and approved under a formal discharge of conditions application made for this purpose. The scheme shall incorporate sustainable drainage principles to deal with surface water run-off from the roof of the dwellings hereby permitted and within the application site. The dwelling hereby permitted shall not be first occupied until the scheme of surface water drainage has been implemented in accordance with the approved details. The approved method of surface water drainage shall be retained thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design - Part 4 Sustainable Design Techniques (June 2006).

### **19. Windows to be top hung and obscure glazed**

The development hereby permitted shall not be occupied until the windows at first floor level in the northern and southern elevations of the dwellings hereby permitted have been fitted with obscure glass and top hung casements. The obscure and top hung glazing shall be permanently retained in that condition thereafter.

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).

### **20. Restriction on permitted development for windows on side elevation**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows/roof lights (other than those expressly authorised by this permission) which would otherwise be

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permitted by Schedule 2, Part 1, Classes A, B or C of that Order shall be constructed on the north and south elevations of the dwellings hereby permitted, without planning permission being granted by the Local Planning Authority in respect of 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) and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

### **21. PD Removal – extensions or outbuildings**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions or outbuildings which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C, D and E of that Order shall be constructed on the dwellings hereby permitted, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of visual amenity and to avoid the overdevelopment and an unacceptable increase in the level of visual impact of a sensitive and prominent site within the North Wessex Downs Area of Outstanding Natural Beauty, in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy C3 of the West Berkshire Council Housing Site Allocations DPD (2017).

### **52. Appeal Decisions relating to Eastern Area Planning**

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

*(The meeting commenced at 6.00 pm and closed at 8.15 pm)*

**CHAIRMAN** .....

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