

**EASTERN AREA PLANNING COMMITTEE
ON 25TH JULY 2018**

UPDATE REPORT

Item No: (1) **Application No:** 18/00833/FULD **Page No.** 25-50
Site: Lawrence Building, Newbury Road, Hermitage, Thatcham, RG18 9TD

Planning Officer Presenting: Mr David Pearson

Member Presenting:

Parish Representative speaking: Councillor Ruth Cottingham

Objector(s) speaking: Mr Ian Whipp
Mr Chris Genge

Supporter(s) speaking: N/A

Applicant/Agent speaking: Mr Philip Holdcroft

Ward Member(s): Councillor Quentin Webb
Councillor Graham Pask

Update Information:

1. Publication of 2018 National Planning Policy Framework

Members are asked to note that the National Planning Policy Framework 2018, which supersedes the previous NPPF (2012) referred to in the officer's report has now been published. The recommendation made in the report and this update sheet is considered to be consistent with the policies in this document.

2. Dimensions and distances

During the Committee site distance confirmation was requested about the separation distance for the existing and proposed building from the dwellings in Charlotte Close. The shop and flat building would be;

- 25 metres from 1 Charlotte Close,
- 23 metres form 2 Charlotte Close.

- The existing building is 21.4 metres from 2 Charlotte Close
- The access road up to the loading bay is 6 metres wide

The existing building is 6.2 metres high, the proposed shop and flats building is 5 metres at eaves height, 8.8 metres at ridge height. The detached house, identified as Plot 1 on Newbury Road is 7.5 metres high

3. Area of commercial use

The existing site area is 0.3 hectares. The floor area of the existing buildings on the site are 923 square metres, the commercial unit is 325 square metres. A net loss of 598 square metres. The shop unit will employ 3 full time employees, and 16 part time employees.

4. Highways Matters

The agent has confirmed that no articulated lorries will be required to make a delivery. The largest vehicle will be a 10.35 rigid vehicle.

The tracking plans indicate that the vehicles would leave and enter in a forward gear, and it would not be enforceable to impose a condition that delivery vehicles leave in forward gear.

A revised elevation plan has been submitted which indicates the position of the delivery door, and a sign saying "Keep Clear Loading Only"

The Delivery and Servicing Management Plan submitted with the application states that "*All delivery vehicles are fitted with white noise reversing alarms. These alarms emit sound over a wide range of frequencies and can be directed towards the area where staff and the public may be at risk. This reduces noise nuisance for local residents*". A condition has been suggested by the agent with regards to co-op delivery lorries as follows;

No Co-op delivery vehicle shall enter the site other than those fitted with a broadband 'white noise' type of reversing warning alarm system, or an alternative system approved in writing by the Local Planning Authority. For the avoidance of doubt, this condition shall apply to Co-op delivery vehicles only.

However, this wording of a condition limiting the condition to Co-op lorries would not be enforceable should the shop unit be sold or changed to another operator, or be enforceable should a contract lorry be used for deliveries. The monitoring of the mechanics of the white noise vehicles could not be enforced. The condition limiting the hours of delivery will be more effective in securing the amenity of surrounding residents.

5. Landscaping matters

It was confirmed at the site meeting that the front boundary would be 600mm high metal railings on a 600mm high brick wall. (Total height 1.2 metres). The existing boundary wall between the site and the rear of the houses in Charlotte Close will be retained. There are fences proposed between the house plots, and a close boarded fence along the boundary with the fields to the south-east and south-west. The landscaping plan proposes a detailed scheme of boundary treatments throughout the site. The wording of condition 16 within the report is proposed to be amended as set out below in the lists of revised conditions.

The existing condition requires a comprehensive landscaping scheme to be submitted.

At the site meeting it was queried whether a tree along the boundary with Longworthy was within the site. The submitted landscaping plan, appears to show the tree beyond the site boundary.

6. Affordable Housing

Following the publication of the Agenda, the affordable housing viability review has been received and has concluded that contrary to the submitted Affordable Housing Viability Statement which proposed nil affordable housing, it was the opinion of the Council's agents that a near policy compliant affordable housing provision could be reached. The Officer recommendation is that a S106 legal agreement is secured to provide this affordable housing, in line with the amended recommendation set out below.

7. Update Recommendation

"Subject to the completion of a S106 legal agreement to secure affordable housing within three months from the resolution date (or any longer period as agree in writing in consultation with the Chairman/Vice Chairman of the Eastern Area Planning Committee to **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the conditions set out in section 9.1 as updated

OR

If a S106 legal agreement to secure affordable housing is not completed within the above specified time, to delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION** for the reason listed below"

"Refusal Reason

S106 Planning obligation

The application fails to provide a Section 106 Planning Obligation to deliver affordable housing, without which the proposal would be contrary to the NPPF, Policy CS6 of the West Berkshire Core Strategy (2006-2026), and the Planning Obligations SPD."

8. Update Conditions

Following the receipt of amended plans, and checking of the published agenda, the following conditions should be altered as follows;

1. 2. The development hereby permitted shall be carried out in accordance with the approved drawing and other documents listed below;
 - (i) Drawing No 8966/400 Rev G received on 31st May 2018;
 - (ii) Drawing No 8966/401 Rev D received on 24th July 2018;
 - (ii) Drawing No 9866/402 received on 19th March 2018;
 - (iii) Drawing No 8966/403 received on 19th March 2018;
 - (iv) Drawing No 8966/404 received on 19th March 2018;
 - (v) Drawing No 8966/405 received on 19th March 2018;
 - (vi) Drawing No 8966/406 Rev C received on 24th July 2018;
 - (vii) Drawing No 8966/407 Rev C received on 31st May 2018;
 - (viii) Drawing No 2137/1B received on 16th April 2018.

- (vix) Delivery and Servicing Management Plan Prepared by ADL Traffic & Highway Engineering Ltd Ref ADL/AJM/3737/16A dated March 2018, received on 16th April 2018;
- (x) Surface Water Drainage Strategy prepared by Pitman Associates dated March 2018 received on 16th April 2018;
- (xi) Noise Impact Assessment prepared by KR Associates (UK) Ltd dated 4th April 2018, received on 16th April 2018;
- (xii) Transport Statement Prepared by ADL Traffic & Highway Engineering Ltd Ref ADL/AM/3737/16A dated March 2018, received on 16th April 2018;
- (xiii) Phase 1 Desk Study prepared by Soils Ltd Reference 16616/DS dated December 2017, received on 16th April 2018

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

16. The boundary treatment indicated on Drawing NO 2137/1M received on 16th April 2018 shall be completed in accordance with the approved before the buildings hereby permitted are occupied. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development. 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) and the Village Design Statement for Hermitage.