

**EASTERN AREA PLANNING COMMITTEE
ON 16TH JANUARY 2019**

UPDATE REPORT

Item No: (1) **Application No:** 17/00186/COMIND **Page No.** 13-66
Site: The Grotto, Lower Basildon

Planning Officer Presenting: Cheryl Willett

Member Presenting:

Parish Representative speaking: Mr Geoff Couchman

Adjacent Parish Streatley: N/A

Adjacent Parish Goring: N/A

Objector(s) speaking: N/A

Supporter(s) speaking: N/A

Applicant/Agent speaking: Mr Harry Harris
Mr Philip Oag
Mr Paul Forster
Ms Helen Selwyn

Ward Member(s): Councillor Alan Law

Update Information:

Additional representations

A letter of objection has been received, summarised as:

- The proposed new road access will be to the front of my gate, and will dramatically increase traffic to what has been, for many years, a quiet road serving 6 properties;
- The development will likely take a few years to complete, and will be problematic for the neighbouring properties.
- Query whether the access road could be moved a further 20m to the north-west.

- Concern that the developer would build the two houses and declare insolvency and disappear.
- Writer was not informed of committee date in December.

In response to the above, the Highways Authority comment that the location of the access onto the A329 has been provided to ensure adequate sight lines onto the A329. The location is the best location to achieve this. Where this access joins onto the A329 has no effect on traffic generation in to and from the proposed development. It is not considered that any traffic increases from the proposal will be severe.

The location of the access is directly opposite to the entrance to the Grotto, not the neighbouring dwelling. The Grotto has been vacant for some 9 or 10 years, but before that there were two offices on site, which would have had staff and visitors travelling to and from the site.

The query about building the houses and declaring insolvency has been considered. The Heads of Terms have constructed to ensure that appropriate phasing is in place to secure the repair and restoration of the Grotto at the appropriate time before the construction of the dwellings.

Access

Although discussed in the committee report the accompanying plan for the revised access point was omitted from the committee plans. This is attached, and has previously been e-mailed to Members.

Updated Heads of Terms

Following further consideration of the phasing of works and discussions with the application the Heads of Terms for the enabling development aspects have been updated. This replaces the enabling development aspects of Section 24 of the committee report. These were sent to Members on Friday 11th January, and are repeated as follows.

Phases of Enabling Development

Enabling Development Phase 1 – Construction of Dwelling No.1

Enabling Development Phase 2 – Reconstruction of the lost east and north wings to the Grotto.
Construction of the new west wing to the Grotto.

Enabling Development Phase 3 – Construction of the Coach House extension.

Enabling Development Phase 4 - Construction of Dwelling No. 2

Enabling Development Phase 5 - Construction of the leisure facility and spa building.

Enabling Development Phase 6 - Construction of the new 6 no detached lodges

Enabling Development Phase 7 - Construction of the boathouse.

Phases of Repair/Restoration to The Grotto

This should be informed by a detailed and up to date Schedule of Repairs.

The schedule of works should ensure that works follow logical phases which ensure that the significant works to ensure the building is made structurally sound, and wind & watertight are carried out first. This ensures that clear benefits can be achieved even if the development is aborted.

The phases in the S106 should be set out as follows:

Repair/Restoration Phase 1

Repair/Restoration Phase 2....etc

Recommended Phasing

In order to ensure that the public benefits (i.e. the restoration of the listed building) are secured before the commercial element of the development is commenced/occupied, I recommend the following phasing. This phasing ensures that the repair/restoration works remain a step ahead of the enabling development works. It also ensures that the works to the Grotto are completed well in advance of the completion of the enabling development. This in accordance with Historic England's Enabling Development Guidance

1. **Repair/Restoration Phase 1 – This is to include the significant works required to ensure the building is made structurally sound, and wind & watertight e.g. Repairs to roof structure and subsequent re-roofing, new leadwork, new rainwater goods, repairs to building envelope, new/repared windows, structural work to make the building sounds etc**
2. Enabling Development Phase 1 – Construction of Dwelling No.1
3. **Repair/Restoration Phase 2 – Repairs to be informed by a Schedule of Works**
4. Enabling Development Phase 2 – Reconstruction of the lost east and north wings to the Grotto. Construction of the new west wing to the Grotto.
5. **Repair/Restoration Phase 3 – Repairs to be informed by a Schedule of Works**
6. Enabling Development Phase 3 – Construction of the Coach House extension.
7. Enabling Development Phase 4 - Construction of Dwelling No.2
8. Enabling Development Phase 5 - Construction of the leisure facility and spa building.
9. **Repair/Restoration Phase 4 – Completion of remaining repair/restoration works – these works should be largely cosmetic e.g. internal decoration etc.**
10. Enabling Development Phase 6 - Construction of the new 6 no detached lodges
11. Enabling Development Phase 7 - Construction of the boathouse.

Suggested Heads of Terms for S106

The above phasing should be incorporated into the S106.

Schedule 1

Requirement to undertake Repairs and Restrictions on Enabling Development

The Development shall be carried out in accordance with the phasing scheme set out at paragraph 2 of this Schedule.

The phasing scheme indicating the order of construction and repairs is as follows:

Not to commence Development in respect of Enabling Development Phase 1 unless and until Phase 1 Repairs/Restoration works have been completed to the written satisfaction of the Council.

or

No dwelling within Enabling Phase 1 shall be occupied until Phase 1 Repairs/Restoration works have been completed to the written satisfaction of the Council.

Not to commence Development in respect of Enabling Phase 2 unless and until Phase 2 Repairs/Restoration works have been completed to the written satisfaction of the Council.

or

No building within Enabling Phase 2 shall be occupied until Phase 2 Repairs/Restoration works have been completed to the written satisfaction of the Council.

(c) Not to commence Development in respect of Enabling Phase 3 unless and until Phase 3 Repairs/Restoration works have been completed to the written satisfaction of the Council.

or

No building within Enabling Phase 3 shall be occupied until Phase 3 Repairs/Restoration works have been completed to the written satisfaction of the Council.

(d) Not to commence Development in respect of Enabling Phase 6 unless and until Phase 4 (Final Phase) Repairs/Restoration works have been completed to the written satisfaction of the Council.

or

No building within Enabling Phase 6 shall be occupied until Phase 4 (Final Phase) Repairs/Restoration works have been completed to the written satisfaction of the Council.

Schedule 2

Time limit for carrying out repairs

The owner hereby agrees that it will within 14 days of the occupation of any dwelling/building within Enabling Phases 1, 2, 3, 4, 5, 6 and 7, commence the subsequent Phase of Repairs/Restoration (as set out in Schedule 1) and will use reasonable endeavours to complete the same to the reasonable satisfaction of the Council within [weeks/months] of their commencement.

Schedule 3

Notification in writing of dates of the following:

Implementation of planning permission.

Practical completion of each phase.

Commencement of each Phase of the Repairs and estimated duration of those works.

Schedule 4

Management Plan

Before implementing the planning permission the owner shall have agreed in writing with the Council the terms of a Management Plan. The purpose of such an obligation would be to secure the long-term maintenance of the building and surrounding landscape that forms the subject matter of the enabling development to which the planning agreement relates.

There are no further considerations, and the recommendation to approve permission remains unchanged.