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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 12 DECEMBER 2018

Councillors Present: Jeff Beck, Hilary Cole, James Cole, Paul Hewer, Clive Hooker (Chairman), Garth Simpson and Virginia von Celsing

Also Present: Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control), Lydia Mather (Senior Planning Officer) and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Dennis Benneyworth, Councillor Paul Bryant, Councillor Billy Drummond, Councillor Adrian Edwards and Councillor Anthony Pick

PART I

34. Minutes

The Minutes of the meeting held on 21 December 2018 were approved as a true and correct record and signed by the Chairman, subject to the correct of the following typographical errors:

Page 9, third bullet from the top: replace 'would be a carbunkle' to 'was a carbunkle'.

Page 9, paragraph 22: replace 'not development' with 'no development'.

Page 10, paragraph 29: replace 'asked of' with 'asked if'.

Page 10, paragraph 38: replace 'risk that' with 'risk to'.

Page 12, paragraph 5: replace 'sauna wound' with 'sauna would'.

Page 13, paragraph 18: replace 'clos' with 'close'.

Page 16, paragraph 3: remove repeated 'Derek Carnegie'.

Page 17, paragraph 8: replace 'i' with 'if'.

Page 17, paragraph 10: replace 'render' with 'rendered'.

35. Declarations of Interest

Councillors Jeff Beck and Paul Hewer declared that they had been lobbied on Agenda Item 4 (1).

Councillors Jeff Beck, James Cole and Virginia von Celsing declared an interest in Agenda Item 4 (3) but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

36. Schedule of Planning Applications

(1) Application No. and Parish: 18/02623/FULD - Hungerford

(Councillors Jeff Beck and Paul Hewer declared that they had been lobbied on this item.)

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1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/02623/FULD in respect of the resubmission of a previously approved scheme for a replacement dwelling (17/03089/FULD) to provide a summer house/exercise room to the rear of the dwelling house.
2. In accordance with the Council's Constitution, Mrs Jan Giggins and Mrs Doris Colloff, objectors, and Mr John Downe, applicant, addressed the Committee on this application.
3. The Chairman notified the Committee that a member of the public was recording the meeting and asked whether any members of the public had any objections to being filmed. No objections were raised.
4. The Chairman also notified the Committee that Mrs Giggins had submitted a request to extend speaking time to 10 minutes from the usual 5 minutes. The Chairman declined the request on the basis that this was not a major application and it would be unfair to other speakers who would have prepared shorter presentations.
5. Lydia Mather introduced the report and update sheet to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers recommended the Committee grant planning permission.
6. Mrs Giggins and Mrs Colloff in addressing the Committee raised the following points:
 - The application was incomplete and invalid. The committee report was incomplete, convoluted, contradictory and incorrect. Before the Committee determined the application all Members should visit the site.
 - The Committee should reconsider the extant permission for the house.
 - Mrs Giggins advised she had also requested that her husband be registered to speak by the Planning Registration Team but this request had not been acknowledged.

(Post meeting note: The Planning Registration Team confirmed that Mrs Giggins had not submitted a request for her husband to speak.)

- Formerly an application on the site had been approved with permitted development rights removed; this restriction should be maintained.
- The application requested retrospective permission for the house in order to cover mistakes. A basement swimming pool had been approved under a previous permission but had not been built.
- Approval of the application would reset permitted development rights and so encourage overdevelopment.
- The house that had been built on the site was larger than neighbouring properties.
- They disputed that the previous permission should have been granted.
- The applicant had not submitted a view of the street scene with the application.
- The applicant had ignored the conditions of previous permissions and approval of this application would reward bad behaviour.
- The landscaping scheme had not yet been planted.

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- Restrictions should be imposed to prevent the pool building being converted into a dwelling in the future.
7. Councillor Jeff Beck asked why the application was invalid and contradictory. Mrs Giggins stated that the application description on the planning portal only made reference to the pool house and other amendments when in fact the application was also retrospective for the dwelling which was already being built on the site. No street scene had been submitted as part of the application. Submitted plans were also based on previously approved plans rather than up to date architectural drawings and this was misleading. Permitted development rights had previously been restricted on the site which was why the application required determination. Different protections were proposed as part of this application to what had previously been agreed. Mrs Colloff added that the plans implied that there was a gap between the garage and the neighbouring property. The site plan also made neighbouring houses appear larger than they were.
8. Mr Downe, in addressing the Committee raised the following points:
- He and his wife sought to create an energy efficient lifetime home to enjoy with their grandchildren.
 - This application sought to add to the house a south facing summer house to accommodate a small exercise pool. It would be low level and of a timber construction.
 - No environmental concerns had been raised by the Environmental Health Team.
 - Any of their neighbours would be free to construct a similar summerhouse as the dimensions were permissible under permitted development rights, even in the Area of Outstanding Natural Beauty.
 - In response to claims that the site was overdeveloped, the house footprint was less than 1% greater than the previous dwelling on the site. The car port included in the S73 application added only another 2% to the overall developed proportion of the site. This application would add another 3.5%. Overall less than one fifth of the site would be built on and the site would include 650m² of open garden.
9. Councillor Paul Hewer sought confirmation of the position of the car port. Mr Downe advised that from the road the car port was on the right of the building.
10. Councillor Hewer asked officers to clarify the status of the application. Lydia Mather confirmed that the application covered the construction of a house and outbuilding. The application was retrospective in as much as a house had already begun to be built on site, although in accordance with a previous permission.
11. Councillor Hewer in addressing the Committee as Ward Member raised the following points:
- He had sympathy with the neighbours. He had been taken aback by the scale of the development.
 - The summerhouse would be 2.3m high, just over the height of a standard fence.
 - The planting scheme would block the views of the summer house.
 - The application was acceptable and he could not find a reason not to support the application.

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12. Moving to questions to officers, Councillor Hilary Cole asked whether street scenes were required to be submitted with every application. Derek Carnegie confirmed that they were not required.
13. Councillor Hilary Cole sought clarity on the permitted development rights, and asked whether the matter was irrelevant considering that the application was being determined by the Committee. Lydia Mather confirmed that permitted development rights had been removed under a previous application, however this was not the permission which had been implemented on the site. If the Committee were minded to approve the application they could apply a condition to remove permitted development rights. Councillor Hilary Cole confirmed that construction of the house could still go ahead under the previous permission, should the Committee be minded to refuse the application. Lydia Mather stated that she had sought legal advice which confirmed that was the case.
14. Councillor Hilary Cole commented that a number of the objection letters were from residents outside Hungerford and she felt this was an abuse of the call-in process.
15. Councillor James Cole sought clarification on why the application had been resubmitted and asked if the plans for the main house had changed. Lydia Mather advised that the application was identical and the house plans had the same reference numbers. When the application was submitted, the Planning Registration Team queried the resubmission of the plans for the house but this application was what was presented by the applicant. Proposed conditions had been amended from the former permission to include trigger points for actions to be taken.
16. Councillor Simpson sought clarification on the site history. Lydia Mather advised that application number 17/01709/FULD had been approved and then varied via application 17/03089/FULD, which had been implemented. Application 17/02942/COND1 had approved details of conditions.
17. In commencing the debate, Councillor James Cole expressed the view that there was no difference between the previously approved house on the site and the retrospective application before the Committee. The only feature for the Committee to determine was the outbuilding and this would not have been a matter for the Committee if submitted on its own.
18. Councillor Hilary Cole agreed with Councillor James Cole and proposed that the Committee accept officers' recommendations and grant planning permission. The proposal was seconded by Councillor Virginia von Celsing.
19. The Chairman invited the Committee to vote on the proposal, which at the vote was carried unanimously.

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

Conditions

1. Commencement of Outbuilding

Development of the domestic outbuilding hereby permitted as shown on the block plan 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

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The development hereby permitted shall be carried out in accordance with the approved drawings 001 Rev B, 002 Rev B, 518/026/01 Rev A, 518/026/02 Rev A, 003 Rev A, 004 Rev A, 005 Rev A, and 17.DWN.501 Rev C and Planning Statement by Altas Planning received on 10 October 2018.

Reason: For the avoidance of doubt and in the interest of proper planning in accordance with policies ADPP1, ADPP5, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, policy P1 of the West Berkshire Housing Site Allocations DPD 2006-2026, and the National Planning Policy Framework 2018.

3. Construction Management Statement

The development hereby permitted shall incorporate and be undertaken in accordance with the Construction Method Statement received on 24 October 2017 approved by 17/02942/COND1.

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety in accordance with the National Planning Policy Framework 2018, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS. 1 of the West Berkshire District Local Plan Saved Policies 2007.

4. Hours of Work

No external 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 in accordance with the National Planning Policy Framework 2018 and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

5. Deliveries

During the development no deliveries shall be taken at the site within the following hours:

08:20am - 09:05am and 14:50pm - 15:50pm, Mondays to Fridays.

Reason: To safeguard the living conditions of adjacent occupiers, and the interests of highway safety particularly pedestrians at the neighbouring school in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

6. Materials schedule for outbuilding

No development above ground level of the outbuilding hereby approved as shown on the block plan shall take place until a schedule of the materials, including final colour, to be used in the construction of the external surfaces of the outbuilding 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. 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 in accordance with the National Planning Policy Framework 2018, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

7. Surfacing

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The dwelling hereby permitted shall not be occupied until the driveway has been surfaced in accordance with the approved details on drawing 17.DWN.501 Rev C received on 10 October 2018.

Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework 2018 and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

8. Parking

The dwelling hereby permitted shall not be occupied until the vehicle parking and turning space have been surfaced and provided in accordance with the approved drawing 17.DWN.501 Rev C received on 10 October 2018. 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 in accordance with the National Planning Policy Framework 2018, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.

9. Balcony Screen

The dwelling hereby permitted shall not be occupied until the balcony at first floor level on the northern side of the rear elevation (adjacent to 143 Priory Road) has been fitted with an obscure glass screen in accordance with approved drawings 005 Rev A and 004 Rev A received on 10 October 2018. The obscure glazed screen shall be retained in perpetuity, until the balcony is removed. Any replacement shall be like for like, or details of an alternative screen shall be submitted to and agreed in writing by the local planning authority before the screen is changed and which shall then be retained in perpetuity or until the balcony is removed.

Reason: In the interests of neighbouring amenity and to minimise overlooking of the private amenity space at 143 Priory Road in accordance with the National Planning Policy Framework 2018, Policy CS14 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

10. Plant Machinery in Outbuilding

The domestic outbuilding hereby permitted as shown on the block plan shall not be brought into use until the plant for the endless pool has been installed in accordance with paragraphs 2.15 to 2.20 of the Planning Statement by Atlas Planning received on 10 October 2018. Any replacement of the plant machinery for the endless pool shall be like for like or details of an alternative along with details of its noise output shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity and to minimise noise in accordance with the National Planning Policy Framework 2018, Policy CS14 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies 2007.

11. Landscaping

All landscape works shall be carried out in accordance with the approved plan 17.DWN.501 Rev C received on 10 October 2018 and with the exception of the dates stated the Landscape Implementation, Maintenance and Management Plan by RALD received on 12 June 2017 approved by 17/01709/FULD and 17/03089/FULD. The landscaping scheme shall be implemented within the first planting season following the

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first occupation of the dwelling. 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 the approved 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: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the National Planning Policy Framework 2018, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

12. Spoil

All spoil arising from the development hereby approved shall be removed from site within 3 months of completion of the development.

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 in accordance with the National Planning Policy Framework 2018, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

(2) Application No. and Parish: 18/01315/HOUSE - Greenham

The Committee noted that this item had been withdrawn after the publication of the agenda.

(3) Application No. and Parish: 18/01090/FULD - Welford and Wickham

(Councillors Jeff Beck, James Cole and Virginia von Celsing declared a personal interest by virtue of the fact that they were acquainted with the applicant in his capacity as the Lord Lieutenant for Berkshire. As their interest was personal and not a prejudicial or a disclosable pecuniary interest they determined to take part in the debate and vote on the matter).

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 18/01090/FULD in respect of the proposed conversion of four agricultural buildings to residential use including parking, landscaping and associated works at Elton Farm, Weston.
2. In accordance with the Council's Constitution, Mr James Puxley, applicant, and Mr Justin Packman, agent, addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers recommended the Committee grant planning permission.
4. Paul Goddard drew the Committee's attention to the Highways report on page 50 of the agenda and advised that while concerns regarding sightlines were shared by Highways Officers, it was likely that residential traffic from the site would be less than or equal to agricultural traffic.
5. Mr Puxley and Mr Packman in addressing the Committee raised the following points:
 - The application for the conversion of redundant agricultural buildings to residential dwellings was compliant with the Council's policies.

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- They had worked constructively with the Council to resolve matters and the plans had been amended in response to comments raised, such as maintaining the historical width of the Public Right of Way.
 - There had been drainage issues on a nearby site but this had nothing to do with the applicant.
 - The applicant's family had been custodians of the land on which the site sat for over 400 years and wished to maintain the health of the River Lambourn.
 - The site was not connected to mains waste water and relevant tests had confirmed that the proposed drainage solution would be adequate and meet the Sustainable Drainage System requirements. The removal of the hardstanding and the creation of gardens would reduce rainwater run off by 30%.
 - The foul drainage of the farmhouse, although outside of the application, would also be improved.
 - Natural England and the Council's Drainage Officer considered that the application was acceptable.
6. Councillor James Cole asked whether the applicant would be amenable to a condition to secure the long term maintenance of the drainage system. Mr Packman advised that the applicant wanted to ensure that the drainage system was maintained and understood that there was a condition proposed by officers to keep it in full working order.
 7. Councillor Jeff Beck asked whether the roofs of the current farm buildings was concrete or asbestos, and if it was asbestos it would be removed. Mr Packman responded that if any asbestos was discovered on the site it would be removed safely.
 8. Councillor Hilary Cole asked if the applicant was aware that the Council had adopted a Sustainable Drainage Supplementary Planning Document at the meeting on 6 December 2018 and whether the proposals were compliant with this new policy. Mr Packman advised that he was aware and had not yet compared the document to the plans.
 9. Councillor James Cole in addressing the Committee as Ward Member raised the following points:
 - A previous development in Weston had caused a number of drainage issues in the area and had become known as 'Weston-gate'.
 - There were the necessary field areas to deal with the soakaway drainage.
 - The applicant owned three miles of the River Lambourn downstream of the site so was not likely to wish to ruin it.
 - He supported the replacement of the farmhouse's drainage system.
 - The application was better for the river and for the appearance of the Area of Outstanding Natural Beauty.
 - Residential traffic was acceptable; farms could be very busy places.
 10. Turning to questions to officers, Councillor Beck asked whether a condition regarding the disposal of asbestos should be recommended. Derek Carnegie advised that this was a Building Regulations issue. Councillor Beck further asked whether the maintenance of the drainage system could be ensured. Derek Carnegie advised that the proposed condition was adequate and enforceable.

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11. Councillor James Cole sought assurance that maintenance of the drainage system would be long term; Derek Carnegie advised it would be forever.
12. Councillor Clive Hooker sought assurances that scrutiny of the application had been consistent with other applications pertaining to residential conversions of redundant agricultural buildings in the Area of Outstanding Natural Beauty. He also questioned whether appropriate ecological surveys had been undertaken. Derek Carnegie confirmed that the applicant and his agent had been careful to ensure that each element of the application had been completed properly and he was content that due diligence had been applied by the case officer.
13. In commencing the debate, Councillor Hilary Cole welcomed the application to bring redundant buildings back into use and the consideration around the River Lambourn Site of Special Scientific Interest. She had considered the traffic issues and concluded that farms could be very busy. Residents would know to take care on country roads.
14. Councillor Virginia von Celsing proposed that the Committee accept the officers' recommendation and approve planning permission. The proposal was seconded by Councillor Jeff Beck.
15. The Chairman invited the Committee to vote on the proposal of Councillor von Celsing, as seconded by Councillor Beck. At the vote the motion was carried unanimously.

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

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).

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved drawings:

Site Location Plan 2152 P1-01 rev A

Proposed Site Plan 2152 P1-03 rev C (received by e-mail dated 5th December 2018)

Proposed House 1

Proposed Ground Floor Plan 2152 P2-01-H1

Proposed First Floor Plan 2152 P2-02-H1

Proposed Roof Plan 2152 P2-03-H1

Proposed Elevations 2152 P3-01-H1, P3-02-H1 and P3-03-H1

Proposed House 2

Proposed Ground and First Floor Plan 2152 P2-04-H2

Proposed Roof Plan 2152 P2-05-H2

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Proposed Elevations 2152 P3-04-H2 and P3-05-H2

Proposed House 3

Proposed Floor Plan 2152 P2-06-H3

Proposed Roof Plan 2152 P2-07-H3

Proposed Elevations 2152 P3-06-H3 and P3-07-H3

Proposed Outbuilding - Proposed Plan and Elevations 2152 P2-11-S3

Proposed House 4

Proposed Floor Plan 2152 P2-08-H4

Proposed Roof Plan 2152 P2-09-H4

Proposed Elevations 2152 P3-08-H4 rev A

Garage H4 - Proposed Plans and Elevation 8152 P2-10-G4

Associated Documents and Background Documents

Figure Ground Plans 2152 P1-02 rev A

Contextual Analysis 2152 P1-04 rev A

Existing Plans Building 1

Floor, Roof, Elevations 2152 E2-01-H1; E2-02-H1; E2-03-H1; E3-01-H1; E3-02-H1 and E3-03-H1.

Existing Plans Building 2

Floor, Roof and Elevations 2152 E2-04-H2; E2-05-H2; E2-04-H2; E2-05-H2.

Existing Plans Building 3

Floor, Roof and Elevations 2152 E2-06-H3; E2-07-H3; E3-06-H3.

Existing Plans Building 4

Floor, Roof and Elevations 2152 E2-08-H4; E3-08-H4.

Contextual Site Sections 2152 P5-01 rev A

Topographic Survey 2152/SK00 rev A

Planning, Design and Access Statement April 2018 (Pro Vision)

Structural Report four barns (Archibald Shaw) Issue 30th May 2017

Structural Report Large Barn (Pro Vision) (26th March 2018)

Drainage

Drainage Design Strategy Issue 4 dated October 2018 (Cole Easdon) received by e-mail dated 24th October 2018

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Ecology

Covering Letter 23rd February 2018

Phase I Ecological Assessment (October 2016) (PV Ecology)

Phase II Bat and Reptile Report (November 2017) (PV Ecology)

All received with the application validated on 9th May 2018 unless otherwise specified.

Reason: To ensure that the development is carried out in accordance with the submitted details in accordance with the National Planning Policy Framework, policies ADPP1, ADPP5, CS 13, CS 14, and CS 19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, Supplementary Planning Document: Quality Design 2006.

3. Materials as specified

The materials to be used in the development hereby permitted shall be as specified on the plans and the application forms unless alternative materials are first submitted to and approved in writing by the local planning authority.

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, Policies ADPP 1, ADPP 5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance House Extensions (July 2004).

4. Hours of Work (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 be 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: To safeguard the living conditions of adjacent occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

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, 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).

6. Schedule of materials for access road

No development above ground level shall take place until a schedule of materials to be used in the access road and car park areas has been submitted to and approved in writing by the Local Planning Authority. The materials should be permeable. This condition shall apply irrespective of any indications as to these matters which have been

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detailed in the current application the use shall not commence until the access and car park has been constructed in accordance with the approved schedule.

Reason: To ensure that the appearance of the access is appropriate to the character of the area and will not affect highway 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).

7. Vehicle passing area

No dwelling shall be occupied until the vehicle passing area shown on drawing 2152/P1-03 rev C (received by e-mail dated 5th December 2018) is provided in accordance with the approved details prior to any further use of the site.

Reason: To ensure the private drive is provided with adequate passing spaces/areas, in order to reduce the likelihood of vehicles reversing into the highway which would adversely affect road safety and the flow of traffic in accordance with 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).

8. Unforeseen Contamination

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

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. In accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

9. Landscaping

No development above ground level shall commence until full details of all soft and hard landscaping, including means of enclosure have been submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full before the dwellings hereby approved are first occupied, unless an alternative timescale is first agreed.

The details shall include the treatment of hard surfacing and means of enclosure (and materials to be used), a schedule 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 landscaping within the first planting season following the completion of the development;
- b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species;
- c) The completion of all hard surfacing and means of enclosures, before first occupation.

Thereafter the approved scheme shall be implemented in full.

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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 Core Strategy July 2006-2026.

10. External lighting (details required)

No external lighting shall be erected/installed on the site until full details have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved scheme before the buildings hereby permitted are occupied. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development. To protect the amenities of adjoining land users and the character of the area. The area is unlit at night and benefits from dark night skies. Inappropriate external lighting would harm the special rural character of the locality. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADDP5, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

11. Drainage Strategy

The development hereby approved shall be carried out in accordance with the Approved Drainage Strategy Issue 4 (Cole Easdon) dated October 2018 (received by e-mail dated 24th October 2018) and e-mail from agent dated 23rd October 2018.

No dwelling shall be occupied until the strategy has been constructed, the measures shall be installed and thereafter maintained and kept in full working order in accordance with the report and manufacturers specifications and instructions for the lifetime of the development hereby approved.

All sewage package treatment plans and drainage fields should be a minimum of 20 metres away from the River Lambourn, with drainage fields maintaining a buffer of adequate height above the groundwater.

Reason: To ensure that the surface and foul water from the development is managed and does not harm the sensitive ecology of the River Lambourn SSSI and SAC or protected species within the locality. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

12. Ecology Mitigation (implement)

The development hereby approved shall be carried out in accordance with the Phase I and Phase II Protected Species Survey (PV Ecology dated 23rd February 2018, October 2016 and November 2017). The required EPS Licence shall be obtained and all mitigation measures shall be implemented in full, unless alternative details are required as part of the EPS Licence process.

Reason: To ensure the protection of species, which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

13. Spoil

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No development resulting in demolition of buildings or removal of spoil shall commence on site until full details of how spoil arising from the development will be used and/or disposed of 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 the spoil from the site.
- d) Include a timescale for the spoil removal and associated works.

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 any raising of ground levels on the site will not harm the character and amenity of the area or amenity of neighbouring land uses. In accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

14. PD Rights Extensions

Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no additions or extensions to the dwelling, shall be built or ancillary buildings or structures erected within the curtilage, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the over-development of the site, to safeguard the amenities and visual character of this rural area within the AONB. In accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

15. PD Rights Fencing and Other Means of Enclosure

Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no fences, walls or other means of enclosure shall be erected on the boundaries of the site, unless approved as part of other conditions attached to this permission or permission in writing has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To safeguard the amenities and visual character of this rural area within the AONB. In accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

Informatives

HI 3 Damage to footways, cycleways and verges

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

HI 4 Damage to the carriageway

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

Environmental Health Informative

Property is on a Private Water Supply

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The applicant shall ensure the private water supply for the house/development complies with the Private Water Supplies (England) Regulations 2016. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to West Berkshire Council Environmental Health in line with the above regulations.

Waste Management

The collection point for refuse and recycling from the new dwellings and with the existing farm house is on the public highway at Elton Lane.

CIL Liability

The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

NPPF

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

PROW

I10) The applicant is advised that this planning permission does not in any way allow the Public Right of Way to be obstructed at any time during the course of the development.

I12) The applicant is advised that this planning permission does not in any way allow the Public Right of Way to be obstructed at any time during the course of the development.

I13) Nothing connected with either the development or the construction must adversely affect or encroach upon the Public Right of Way, which must remain available for public use at all time. Information on the width of the PROW can be obtained from the PROW Officer.

I14) The applicant is advised that the Rights of Way Officer must be informed prior to the laying of any services beneath the Public Right of Way.

I15) Where the ground levels adjacent to the path are to be raised above the existing ground levels, a suitable drainage system must be installed adjacent to the Public Right of Way, to a specification agreed with the Local Authority, prior to development commencing.

I16) The applicant is advised to give the Local Authority 21 days prior notice to the development commencing. Before the applicant starts, the Local Authority must obtain from the applicant a written undertaking that they will meet any costs incurred by the

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Authority in the repair of the surface of the Public Right of Way, as a result of construction traffic using the route.

119) No alteration of the surface of the Public Right of Way must take place without the prior written consent of the Rights of Way Officer.

(The meeting commenced at 6.30 pm and closed at 7.46 pm)

CHAIRMAN

Date of Signature