

**WESTERN AREA PLANNING COMMITTEE
ON 25TH SEPTEMBER 2019**

UPDATE REPORT

Item No: (2) **Application No:** 19/01850/FULD **Page No.** 19 - 39

Site: Land to the North of 4 and South of 8 Edgecombe Lane, Newbury

Planning Officer Presenting: Derek Carnegie

Member Presenting: N/A

Parish Representative speaking: Councillor Gary Norman

Objector(s) speaking: Simon Middleton

Supporter(s) speaking: N/A

Applicant/Agent speaking: Gary Marshall
Kate Cooper

Ward Member(s): Councillor Jeff Beck
Councillor Jeff Cant

Update Information:

Further objections have been raised since the committee report was published:

- Changes to the red line on the eastern boundary;
- The visibility splays at the access cannot be achieved;
- Concerns that residents on Edgecombe Lane would not have legal rights of access over the widened part of the lane. A condition for legal rights of the lane is requested;
- Swept path analysis appears inaccurate.

Case Officer's response to the following objections:

- The letters of objection with regards to the visibility splays were forwarded to the Highway Officer. The Highway Officer conducted their own site visit. The Highway Officer has confirmed that the sight lines for the access will be acceptable.
- It is acknowledged that the residents in Edgecombe Lane are concerned with whether they will have a legal right of way over the sections of widened access and lane. Rights of access is a civil

matter between the affected parties which the Council would not be party to. The Council is therefore unable to place conditions on the planning application to grant legal rights of access.

- It is recommended that an additional condition is applied for a Construction Method Statement this includes providing details for deliveries relating to construction. This would ensure that Highway Officer is satisfied that deliveries would not have an impact on highway safety before development commences. A condition for details of temporary parking and turning (condition 9) has already been recommended which will ensure the Highway Officer is satisfied with the impact of construction vehicles on highway safety. The wording of the Construction Method Statement condition is as follows:

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. 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;*
- (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*

Thereafter the construction works shall incorporate and be undertaken in accordance with the approved statement.

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 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Recommended additional condition:

It is considered necessary to ensure the width of the lane is retained and therefore it is recommended a condition is applied to remove permitted development rights for fences, boundary walls etc. along Edgecombe Lane. The proposed wording of the condition is as follows:

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 gates, fences, walls or other development which would otherwise be permitted by Schedule 2, Part 2, Class A shall be carried out along Edgecombe Lane, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the narrowing of the lane to protect highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

DC

