

**EASTERN AREA PLANNING COMMITTEE
20TH NOVEMBER 2019**

UPDATE REPORT

Item No: (2) **Application No:** 19/01544/FULEXT **Page No.** 41-67

Site: Land to the West of Dorking Way, Calcot, Reading

Planning Officer Presenting: Michael Butler

Member Presenting: N/A

Parish Representative speaking: Mary Bedwell

Objector(s) speaking: Simon Collard

Supporter(s) speaking: N/A

Applicant/Agent speaking: Julia Mountford, Carmelle Textor, Rob O'Carroll, Dan Humphreys, Jon Williams, Ed Clarke, Phil Brown, Des Hobson

Ward Member(s): Councillor Peter Argyle
Councillor Richard Somner

1. Additional Consultation Responses

Public representations:	<p>One additional letter of support from a local resident seeking affordable homes – the application will provide this so it is very welcomed.</p> <p>In addition, following a consultation exercise undertaken by the applicant (not the Council), a total of 22 additional notes of support have been received to the application from local residents, based upon the need for the additional affordable dwellings.</p>
Holybrook Parish Council (amended plans):	<p>Still object to the application. Concerns based upon too high a density on site, fewer homes would be far preferable. Site layout is incongruous and out of character with the existing to the north. Also very concerned about future traffic levels, particularly at the junction. Do not wish to see the traffic calming features removed. Noise and air pollution will be serious problems for the new residents on site. This will be bad for health. Should have an acoustic fence at least. The reduction by one dwelling does not allay our concerns.</p>

Natural England:	No objections raised to the application. LPA should follow standing advice on the application re protected species etc.
Council's Ecologist:	<p>Having considered the proposed ecological mitigation plan in detail, particularly regarding the two active badger setts on the site, conditional permission is recommended.</p> <p>Before the works commences the existing badger setts will need to be closed (under licence from the Natural England) and an artificial sett created (a location for this has been agreed in the very southern portion of the site). Time must be allowed for the vegetation around the new sett to establish and give seclusion for the badgers. This new location is away from where the footpaths that any dog walkers and other user groups are likely to be using. Overall there is a reduction in the area available for the badgers to forage in but through the actions prescribed in the management plan, the ecology report and associated updates it is believed that the enhancements will offer increased feeding opportunities both in frequency, quantity and variety throughout the year.</p>

2. Clarification of points raised during the committee site visit

Noise – On the Committee site visit a query was raised about the effectiveness or otherwise of an acoustic fence being constructed along the site perimeter. This is currently not being advocated by your officers. The applicant's acoustic consultant has noted the following:

“A noise barrier was of course considered from the outset as a potential primary noise control measure. The topography of the site is complicated – at the boundary with the Motorway it is much lower than the carriageway, which would necessitate an impractically large barrier to provide site benefits, or would require location of the barrier on the Highways land, immediately adjacent to the carriageway. The situation adjacent to the slipway is more pronounced as it rises.

Noise assessment and site design therefore progressed with no roadside barrier. Appropriate buffer zones were maintained away from the motorway, with the design of the site continually reviewed throughout the planning and consultation process to provide external noise levels in amenity areas in line with best practice guidance and policy. Appropriate facade design will enable suitable internal noise levels within dwellings as detailed within the acoustic design statement.”

As set out in the agenda report, the Council's Environmental Health service has recommended conditional approval.

Highways and open space – The applicant has confirmed in writing that it is their intention to seek adoption of all roads capable of adoption, and that the public open space will be transferred to the Council under the terms of the Section 106 legal agreement.

Overhead lines – The applicant has confirmed that the overhead power lines will be removed. This is a matter of the statutory undertaker, not the planning authority.

Plot 17 – It should be noted that plot 17 is a coach house (flat) with no adjoining external amenity space allotted to it. Whilst this does not strictly comply with the Council's Quality Design SPD on such matters, having regard to the fact that considerable other public open space is available across the application site, and the fact that the purchaser will be fully aware of this fact, this arrangement is considered acceptable for a single dwelling.

3. EIA Procedural Matters

The revised application documents have been sent to the Government's (MHCLG) National Planning Casework Unit to comply with the EIA Regulations. The recommendation is subject to no objections/adverse comments being raised by this body. The recommendation has been updated accordingly.

4. Updated Recommendation

The recommendation is amended as follows:

To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to:

- (a) The conditions listed in the agenda report and update sheet (below); and
- (a) The completion of a Section 106 Legal Agreement by 31st January 2020 (or such longer period that may be authorised by the Head of Development and Planning, in consultation with the Chairman or Vice Chairman of the Eastern Area Planning Committee); and
- (b) No objections being received from the Ministry of Housing, Communities and Local Government's National Planning Casework Unit by 16th December;

OR, if a Section 106 Agreement is not completed, to REFUSE PLANNING PERMISSION for the reasons listed in the agenda report.

2 **Approved plans (amended)**

The development hereby permitted shall be carried out in accordance with the drawings listed in the Amended Drawing Register dated 11/11/2019, reference 014807-BEL-TV.

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

7. **Noise mitigation (amended)**

No dwelling shall be first occupied until the noise mitigation measures as set out in the Clarke Saunders report (reference AS9765.190214.ADS Revision B, dated 23/10/19) have been provided in full. The noise mitigation measures shall be retained and maintained thereafter.

Reason. To protect future residents from road noise. In accordance with the NPPF, Policy CS14 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

20. **Landscaping (additional)**

No development shall take place until a detailed scheme of landscaping for the site has been 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. A pre-commencement condition is required because the detailed landscaping scheme will be site-wide and so needs to be considered at the outset.

21. **Tree protection (additional)**

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan Tree Protection Plan ref: 1149-KC-XX-YTREE-TPP01 Rev D dated 18th September 2019. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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.

22. **Arboricultural site supervision (additional)**

No development (including any ground clearance, tree works, demolition or construction) shall take place until details of all tree protection monitoring, and site supervision by a suitably qualified tree specialist shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

23. **Tree retention (additional)**

The measured identified in the Tree Survey and Impact Assessment (ref: 1149-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevC dated September 2019) shall be implemented in full and works carried out in accordance with the Assessment. No changes shall be made to the works unless amendments have been submitted to and approved in writing by the Local Planning Authority and shall include details of any changes to 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.

24. **Permitted development restriction for extensions (additional)**

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, alterations, or other development which would otherwise be permitted by Schedule 2, Part 1, Class A of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site in the interests of respecting the character and appearance of the surrounding area, and to ensure adequate separation distances are maintained between dwellings within the development. 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 (June 2006).

25. **Ecological mitigation (additional)**

The ecological mitigation measures identified in the report by EPR dated the 19th November 2019 (version 1) shall be fully implemented concurrent with the development of the site.

Reason: To ensure protected species are conserved, in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026, and the NPPF.

26. **Construction Environmental Management Plan (additional)**

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not take place without the full implementation of the CEMP, and the incorporating of all measures prescribed therein. As a minimum the CEMP shall include:

- (a) Risk assessment of potentially damaging construction activities;
- (b) Identification of biodiversity protection zones;
- (c) Practical measures to avoid and reduce impacts during construction;
- (d) The location and timing of sensitive works to avoid harm to biodiversity features;
- (e) The times during construction when professional ecologist supervision is required;
- (f) Responsible persons and lines of communication;
- (g) The role and responsibilities of the ecological clerk of works or similarly competent person;
- (h) Use of protective fences, exclusion barriers and warning signs

Reason: To conserve and enhance local biodiversity. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because the CEMP must be adhered to throughout the construction phase.

27. **Landscape and Ecological Management Plan (additional)**

No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not take place without the full implementation of the LEMP, and the incorporating of all measures prescribed therein. As a minimum, the LEMP shall include:

- (a) Measures required in connection with the approved badger and ecological enhancement plan, together with associated landscaping;
- (b) Landscaping of approved buffer zones and sustainable drainage features;
- (c) Landscaping of the public open spaces within the site;
- (d) Maintenance arrangements for all areas of landscaping.

Reason: To ensure the conservation and enhancement of local landscape and biodiversity assets affected by the proposed development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because the LEMP must be adhered to throughout the construction phase.