

Supplemental Items for Eastern Area Planning Committee

Wednesday, 9th March, 2022 at 6.30 pm
in Second Floor Meeting Area Council
Offices Market Street Newbury

Part I

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2. **Minutes : Item to follow**

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To approve as a correct record the Minutes of the meetings of this Committee held on 19 January 2022 and 26 January 2022.

Sarah Clarke

Service Director (Strategy & Governance)

For further information about this/these item(s), or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on

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EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 19 JANUARY 2022

Councillors Present: Graham Bridgman (Substitute) (In place of Tony Linden), Alan Law, Royce Longton, Ross Mackinnon, Alan Macro (Vice-Chairman), Geoff Mayes, Graham Pask (Chairman) and Richard Somner

Also Present: Stephen Chard (Democratic Services Manager), Bob Dray (Development Control Team Leader), Paul Goddard (Team Leader - Highways Development Control), Bryan Lyttle (Planning & Transport Policy Manager), Kim Maher (Solicitor), Lydia Mather (Principal Planning Officer), Gareth Ryman (Principal Ecologist) and Shiraz Sheikh (Service Lead - Legal & Democratic)

Apologies for inability to attend the meeting: Councillor Tony Linden and Councillor Keith Woodhams

PART I

30. Declarations of Interest

All Councillors declared an interest in Agenda Item 3(1), 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.

31. Schedule of Planning Applications

(1) Application No. & Parish: 19/00113/OUTMAJ - Land East of Pincents Lane, Tilehurst

(All Councillors declared that they had been lobbied on the item. Councillor Graham Bridgman advised of lobbying material he had received within the past five working days which he had disregarded as it was not received within the statutory time period.)

(Councillors Geoff Mayes, Graham Pask and Royce Longton declared a personal interest in Agenda Item 3(1) by virtue of the fact that they were members of the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT). As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(Councillor Geoff Mayes declared a personal interest in Agenda Item 3(1) by virtue of the fact that he was a member of the Campaign to Protect Rural England (CPRE). As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Richard Somner declared a personal interest in Agenda Item 3(1) by virtue of the fact that he was known to many of the public attendees present at the meeting; he had received communications relating to the site in his capacity as Executive Member for Planning; he was formerly the Ward Member for this part of the District and was a current Member of the Parish Council, as well as being a local resident; and he lived in the local area. He had however not been involved in any lobbying activity and would be reviewing the application with an open mind. As his interest was personal and not prejudicial or a

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disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

The Committee considered a report (Agenda Item 3(1)) concerning Planning Application 19/00113/OUTMAJ in respect of a hybrid application: outline for up to 165 dwellings on the western part of the site and a 450sqm (GIA) of floor space building in use class E to be offered initially to provide a community healthcare hub under use E(e) and excluding use E(g); engineering operations on the area covered by the outline application to create suitable gradients for internal site roads and development platforms for the residential development; and full application for change of use of the eastern part (8ha) of the site for use as public parkland, to be protected from development in perpetuity. All matters expect for access to the site are to be reserved. Matters for which detailed approval are sought are: the detailed design of the vehicular access to the site from Pincents Lane and associated turning area, the location of emergency vehicular access to the site and the locations of pedestrian and cycling accesses to the site.

(Councillor Graham Pask proposed to suspend standing orders to permit groups of speakers to speak for up to ten minutes rather than the regulation five minutes. The proposal was seconded by Councillor Alan Macro and approved by the Committee. It was also agreed that questions of clarification could follow the officer presentations.)

Member Questions to the Planning Officer

Lydia Mather, Principal Planning Officer, presented the report to Members and in conclusion stated that overall it was considered that the benefits of the planning application outweighed the adverse impacts and therefore the recommendation was for approval subject to the conditions and the completion of a Section 106 Agreement. Ms Mather then provided the following points of clarification in responding to questions from Members:

- She confirmed that the access for emergency vehicles could be achieved from the north of the site as well as from the south.
- Councillor Mayes sought clarification for the increase in Reading Borough Council's housing need. Bryan Lytle said it was part of the Government response to the housing numbers; the top 20 urban areas in the country were given additional housing growth by the Government and the Reading figure was for the urban area of Reading which included West Berkshire and Wokingham as well as Reading.
- With reference to the cycle way, Councillor Mayes asked whether it had been requested by the local population or whether it was a proposal of the Council. Lydia Mather advised it had formed part of the proposal by the applicant and the transport policy consultation response was that it would be a benefit because it would link to the wider cycle network into Reading and towards Theale.
- With regard to the rising main in the south-west corner of the site, Councillor Mayes asked if there would be a permanent road from that pond up to the pump in the north part of the site. Lydia Mather said Thames Water had conditions about proximity to the strategic water main and the Local Highway Authority had stated where it would need to go under some internal roads, further details of which would be required. Currently, the access was under consideration, there was a primary route which it did cross and the other internal roads would be considered under reserved matters as part of the layout but that Thames Water requirements would be complied with.
- Councillor Bridgman asked whether the claimed path had been put forward as a proposed public footpath for long-term usage in the round of claiming of public footpaths that was undertaken in previous years. Lydia Mather confirmed it had been

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claimed because of the use for 20 years and whilst no formal decision had yet been made by the Council under its Public Rights of Way, Officers had welcomed that it would be formalised under this application.

- In terms of policy compliance, Lydia Mather advised that the proposal met with policy CS1 of the Core Strategy, i.e. 'Strategic sites and broad locations identified on the Core Strategy Key Diagram'. The proposed site fell under a broad location for development within ADPP4 for the Eastern Area.

Member Questions to the Highways Officer

Paul Goddard, Highways Development Control Team Leader, presented the highways aspects of the report to Members. In conclusion, Mr Goddard advised Members that the key issue that needed to be considered was whether the increased traffic figures in the report for 165 dwellings was severe enough to warrant objection to the planning application. Mr Goddard's view and the view of the Highways' Officers was that the figures were not severe enough to warrant a refusal. Mr Goddard then provided the following points of clarification in responding to questions from Members:

- Mr Goddard clarified that the figures stated were based on all 165 dwellings being privately owned. The figures did not take into account that some of the 165 dwellings might be affordable or retirement dwellings but if they had been calculated on that basis, it was likely the figures would show even less of an increase.
- Reference was made to paragraph 6.47 of the report which stated that '*on balance highway officers do not consider the increases to be sufficient to raise objection to 165 dwellings*' and the question was asked what would be the exact number of houses that highways officers would be happy to make a *strong* recommendation rather than an *on balance* recommendation. Traffic modelling suggested that 265 dwellings was unacceptable. Mr Goddard said the use of the words 'on balance' were because Highways Officers were aware that there were congestion issues at times in that location, for example public holidays, and there was a recent incident before Christmas after a car broke down, but that overall the impact of the development should not be severe and this was a *strong* recommendation from Highways.
- Concern was raised in relation to a potential pinch point. Paragraph 6.26 of the report made reference to the Government's 'Manual for Streets' which stated that "*if an authority or developer wishes to reduce the running carriageway width to below 3.7 m, they should consult the local Fire Safety Office*". The report clarified that consultation had taken place with the Royal Berkshire Fire and Rescue Service and no objections were raised with regard to the access width. However, Councillor Law asked how this reconciled with the comment made by the Fire and Rescue Service contained earlier in the report '*The Head of Facilities, Fleet & Equipment advised of an objection with regard to the implications on the immediate road network of Pincents Lane and the A4 Bath Road, access/egress junction to Sainsburys, other retail outlets and businesses off Pincents Lane. The additional traffic and knock-on effects to the immediate road network will pose an increased risk to responding officers*'. Mr Goddard said no reference had been made in this statement to any pinch point but that this referred to the additional traffic impact from this development on the network of Pincents Lane and the A4. Mr Goddard did not have the consultation to hand but said that the Royal Berkshire Fire and Rescue Service did not normally object to dimensions or physical layouts at this stage unless it looked immediately difficult but would consider them further at building control stage.
- With regard to Pincents Lane, the update sheet indicated that, assuming a car was 5 metres long, the longest queue would be 70 cars which was felt to be unacceptable to Councillor Mayes. Mr Goddard said that an allowance of 5.5 metres was in fact

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made for each car to allow for the length of the vehicle and a space in front of it which made the length of the queue even longer. It was accepted that at times the existing queues in that location were extensive and the question before Committee was did the proposed application indicate the queues would be even longer and be objected to. Mr Goddard's view was that for an additional 165 dwellings any objection was not warranted on this issue.

In accordance with the Council's Constitution, Ms Jacky Major and Councillor Clive Taylor, Parish Council representatives, Councillor Mary Bedwell and Councillor Claire Tull, Adjacent Parish Council representatives, Ms Ailsa Claybourn, Mr Simon Collard, Ms Joan Lawrie and Alok Sharma MP, objectors, Mr Chris White, supporter, and Ms Isobel Ballsdon and Mr Mike Bodkin, applicant/agent, addressed the Committee on this application.

Parish Council Representation

Ms Jacky Major and Councillor Clive Taylor in addressing the Committee raised the following points:

- The land upon which the proposed development would be sited enjoyed public rights of way and was used by the public for recreation, exercise and as a place to unwind.
- In planning law, the Development Plan was the starting point for determination of planning applications. It was felt that the Officer's report misrepresented planning policy.
- The site lay outside of any settlement boundary, policy ADPP1 of the Core Strategy confirmed that only appropriate limited development of the countryside would be allowed.
- Policy ADPP4 set out the spatial strategy of the eastern area identifying that development would take place within existing commitments, infill and allocations made through the plan-led process.
- Policy CS1 made clear that new homes would primarily be developed on suitable, previously developed land or on allocated sites. This application was not for an allocated site nor was it a previously developed or infill site. As the site was outside the settlement boundary and in the open countryside, development would only be acceptable in exceptional circumstances under policy C1 and the site did not meet the exceptions listed.
- Development of the site was contrary to current planning policy and should be refused.
- The broad area for the eastern part of the district which was identified in the Core Strategy and referred to in the committee report was a broad area of search within which sites would be shortlisted and then assessed for their suitability to be allocated through the plan-led process. It was never the case that this area was seen as an area where speculative applications would be considered as acceptable and this could be confirmed from the detail in the Core Strategy. Additionally, the Council could demonstrate the required five year supply of housing land and was performing strongly in the Government's latest housing delivery test figures. There was no justification therefore to approve a speculative application that was contrary to policy.
- Previous applications for this land, of which there had been many, had all been objected to. At the last and most significant application in 2011, the Secretary of State, when considering the development, concluded that although the proposal would provide a range of housing including affordable units, plus facilities and

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services, it sat outside the current settlement boundary and within open countryside where policies of restraint applied and within which it would cause substantial harm. It was felt that the proposed development would cause more harm than in previous years. Due to the pandemic and the realisation of the climate emergency, residents had come increasingly to appreciate the importance of open and accessible green spaces, particularly those that were close to where people lived.

- This land was used throughout the year and during recent lockdowns its usage increased considerably as local people found it a place of wild beauty in which to exercise.
- Traffic considerations had been a major factor in considering this application due to traffic congestion on Pincents Lane and particularly at the junction of the A4. Clearly the reduction of housing units to 165 would lessen the likelihood of frequent congestion but it should be noted that there had been occasional and severe congestion on Pincents Lane at weekends and more so on Bank Holidays, so much so that it had often attracted media coverage.
- Pincents Lane led to the Fire and Rescue Service, the Porsche headquarters, Dunelm and IKEA and their associated car parks as well as a business park and trading estate which only had 50% occupancy currently. If the empty units became occupied that would further add to the congestion on Pincents Lane and at the A4 junction. There was also the prospect of further housing at Pincents Manor where there was a proposal for 50 affordable units on a brownfield site which was immediately opposite the greenfield site on the proposed application.
- The access road into the development would be single lane only due to the pinch point caused by the existing buildings and boundaries of neighbouring land. The emergency access from the north involved coming down a steep single track, which was a winding lane with limited passing points. There was no side pavement for pedestrians or cyclists and the land was not gritted (in inclement weather) as vehicles could not easily turn around. The emergency access provision in the proposal remained a concern.
- Reducing the site to 165 houses removed all the 1 and 2 bedroom flats which would have held the most appeal to first-time buyers which most affected those on the lowest income.
- None of the 200 supporters of the development had submitted new letters of support during the last consultation period though many of them would have wanted access to affordable and lower priced homes.
- Tilehurst Parish Council was seeking to have much of the development land designated as local green space. Consultations with the land owner were underway and the Parish Council was of the view that this land met many of the criteria for such a designation. West Berkshire Council was urged to defer any planning decision until this designation was determined.
- There had been no agreement on access points to Tilehurst Parish Council's Calcot recreation ground.
- The development of a horse grazing field impacted on the rural and equestrian economy and recreation of the area.
- NHS GP services would be impacted by the development. The nearest GP surgery in Royal Avenue had been closed for some time and the second nearest surgery in Theale was some considerable distance away.

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- Local schools might struggle to accept new students. One school in the immediate area had been advised in the last few months that they physically had no more space available.
- The development would further erode the strategic gap between Tilehurst, Calcot and Theale.
- Noise from the M4 was very apparent and constant in the area of the site to be built on. Even if the housing could be sound-proofed, sitting in the garden would not be a pleasant experience.
- There had been a huge volume of objections to the proposal with over 3,000 letters of objection received which outweighed letters of support by 15 to 1. Alok Sharma's opinion survey of 2019 in which over 700 responses were received, showed that 70% opposed any large development.
- Tilehurst, Holybrook and Theale Parish Councils all objected to the proposal with Tilehurst conducting a residents' survey to which 950 replied and which showed overwhelming opposition to any further housing development in the area.
- Two months ago a discussion session had taken place with over 40 young people who made up the School Council at Little Heath School during which one of those young people asked what would be done to stop the building of houses on Pincents Hill in order to protect the wildlife of that area.

Member Questions to the Parish Council

- In response to a Member question, Councillor Taylor said that whilst the emerging Tilehurst Development Plan had a requirement to have a further 175 houses built, a decision had been taken to not currently nominate any sites for this to take place. It was for West Berkshire Council to identify sites that the Parish Council would comment on and either object to or support as part of the process.

Adjacent Parish Council Representation

Councillor Mary Bedwell in addressing the Committee raised the following points:

- The Parish Council robustly challenged why this application to build on a greenfield site had been recommended for approval. The site had never been allocated by the DPD and was not listed in policy SP14.
- There was a presumption against development outside of settlement boundaries and this development was probably not needed for the Council to achieve its building target.
- The Prime Minister had pledged no more building on greenfield sites.
- The CPRE had stated that local authorities should delay making decisions until revised planning policy was issued.
- A climate emergency had been declared by West Berkshire; why therefore did developments that harmed what little natural environment that was left and overloaded the already saturated infrastructure be recommended for approval.
- The Environmental Health Officer's comments regarding noise levels above the World Health Organisation's levels were particularly concerning in that air conditioning would be needed in most of the houses because gardens would be too noisy to allow windows to be open in hot weather.
- Green spaces were vital to combat climate change with established woodland and hedgerows being of greater value than new.

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- The reduction in the number of units had not altered the design of the access. Full and proper design of the access was not possible when so much of the development was not designed and left in the nebulous world of reserved matters.
- The site entrance must be measured accurately by Highways Officers. If proven to be smaller than the measurements on the plan the response from the Royal Berkshire Fire and Rescue Service needed to be revisited and verified. The minimum acceptable width to allow safe passage for a fire appliance was 3.7m and any new development would be expected to achieve this width in order to allow adequate fire appliance access. If a fire appliance was too big then how would bulldozers enter and exit the site as well as buses, removal lorries and deliveries on pallet trucks. The access had not changed in size, shape or form and the Highways Officer had originally deemed this unsuitable and had recommended refusal. It was not acceptable for emergency services to face additional challenges. The risk of people dying because they could not be rescued in time was unacceptably high. Access from the north of the site did not address or mitigate this.

Councillor Claire Tull in addressing the Committee raised the following points:

- Plans and proposals were scrutinised carefully in respect of design and function. In this case there were many conditions which related to reserved matters which demonstrated that building on this valuable green site was not acceptable.
- If the development was approved, there would be a solid built environment from Tidmarsh roundabout to Reading. Was it West Berkshire's strategy to hand over the eastern area to Reading? This greenfield site should have no bearing whatsoever on Reading's inability to fulfil its target.
- There seemed to be no limit to the saturation levels to be inflicted and endured in the area on a frequent basis. The reality, knowledge and experience of residents was consistently ignored.
- The community hub was a misnomer with no knowledge of what services would actually be provided and it was not believed that 165 houses could sustain such a building. Users, practitioners and deliveries would come from off-site and would have a severe impact on traffic and parking within the site. The change from class D1 to E would open up the use of the building to a greater number of non-residential uses including commercial and retail. Could Officers confirm that this had been properly modelled for all variances for environmental impact? The acoustic report had not addressed this so it was doubtful that the traffic modelling had done so either.
- There were an extraordinarily high number of conditions on the whole site in order to achieve a recommendation for approval and Officers had recommended 'on balance'. It was felt that the application was clearly out of balance.
- The Parish Council strongly urged rejection to the application due to the number of objections from Holybrook and Tilehurst's 2,750 residents, the Prime Minister's call for no more building on greenfield sites, the CPRE objection, the question of the actual width of the access and the number of conditions applied.

Members had no questions to ask of the adjacent Parish Council.

Objector Representation

Alok Sharma MP in addressing the Committee raised the following points:

- He had been involved since 2008 in supporting local residents against development on this very valuable green space.

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- There had been five rejected planning applications and two appeals on the site since 1987 which indicated that the site was unsuitable for development.
- The Secretary of State had been asked to call in this application and Mr Sharma understood the Council had confirmed it would not issue a decision notice until Ministers had decided whether a call in was appropriate.
- In terms of the reasons for objection, granting planning permission would be contrary to local planning policy and to the NPPF.
- The proposed development was outside of the Tilehurst settlement boundary and the current DPD still had five years left to run.
- The revised NPPF continued to make clear that the starting point of decisions was the Development Plan which meant that this proposal was premature. West Berkshire Council was able to demonstrate a five year housing supply which did not include the proposed Pincents Hill site.
- The Royal Berkshire Fire and Rescue Service had objected to the proposal and their comments needed to be taken into consideration, in particular with regard to access to the development.
- In conclusion, Alok Sharma requested that the Committee reject the application.

Ms Ailsa Claybourn in addressing the Committee raised the following points:

- The site should be developed for biodiversity and not for profit.
- It was a unique site, a naturally rewilded mosaic of habitat which supported a stunningly rich biodiversity which had been acknowledged by the Developer's Ecologists. At least six species of endangered birds bred on Pincents Hill. The proposed development would destroy their habitat and cause long-term serious disturbance through building work, noise and light pollution and by hundreds of new residents and their pets.
- The Developer's mitigation and compensation proposal would not make up for the destruction of what was currently one of the best areas of biodiversity in Berkshire.
- Pincents Hill delivered on many counts a wild, un-built on, open green space. GPs prescribed nature walks for cases of depression and hypertension, Pincents Hill provided scope for such walks.
- West Berkshire's own Environment Strategy stated 'we must protect threatened species and safeguard and enhance our landscape and its environmental value' and protecting Pincents Hill would deliver on this.
- Earlier this month, Defra had announced funding of up to £800M a year to support rewilding projects but Pincents Hill was already delivering this.
- In December 2021, the RSPB added the Greenfinch to the red list of birds of conservation concern meaning Greenfinches were close to extinction. Pincents Hill was a hot-spot for Greenfinches with flocks of up to 25 breeding and feeding there.

Ms Joan Lawrie in addressing the Committee raised the following points:

- If this planning application was to go to the Secretary of State for a decision, some of the issues would be the National Planning Regulations, the Council's own policies, the landscape value, the previous planning applications and appeals, with the reasons for refusal and dismissal, the public interest and many other matters such as access and traffic.

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- Two years ago it was stated that the site was a strategic gap between settlements as stated in the Government's NPPF and should not be built on. As a strategic gap, the site lay outside of any settlement boundary. The application ignored ADPP1 and ADPP4 of the Core Strategy which set out the spatial strategy for the eastern area. This stated that development should take place through existing commitments, infill and allocations made through the planning-led process.
- Policy CS1 made it clear that new homes would primarily be developed on suitable, previously developed land or on an allocated site. The application was not for an allocated site neither was it on previously developed or an infill site. As the site was outside the settlement boundary and in the open countryside, development was only acceptable in exceptional circumstances, a matter which had already been covered.
- With regard to IKEA and its proximity to the site, there had been a three hour delay at New Year as there was every Bank Holiday and there had been a five hour delay some years ago. If this development was approved, how would people be able to reach their homes at such times when the roads were totally blocked? If IKEA had a technical fault with its barriers, as had frequently occurred in the past, and significantly delay people who were trying to get home or get to work.

Mr Simon Collard in addressing the Committee raised the following points:

- At the Conservative Party Conference held in October, the Prime Minister stated that no new building would take place on greenfield sites or AONB, both of which applied to the land at Pincents Hill.
- Since 26 September 2020, there had been only 4 letters of support but 2,800 letters of objection to proposed developments on the site.
- The report talked about permission being granted if the Section 106 Agreement was completed by 1 April 2022. However, there was currently no development and this was a requirement of the S106.
- The GP surgery at Theale Medical Centre currently had 11,000 patients on the register and were already over-burdened so could not accommodate new residents to the area.

Members had no questions to ask of the objectors.

Supporter Representation

Mr Chris White in addressing the Committee raised the following points:

- There was currently not enough affordable housing available for the growing population in Tilehurst.
- A lot of the objections to the proposal had been made by people not resident in the area including some objections which had been made from people who lived overseas.
- Mr White was unable to live close to family members due to unaffordability in the area.

Members had no questions to ask of the supporter.

Applicant/Agent Representation

Mr Mike Bodkin in addressing the Committee raised the following points:

- The proposal under consideration sought less than 25% of the original number of units proposed and less than 40% of the site would be developed.

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- 22 acres of permanent public parkland would be provided.
- The Agent/Applicant had worked with Officers over a period of nearly ten years to provide the best scheme possible.
- The landscape grounds for refusal had been addressed with regard to the previous application for 750 units by working closely with landscape advisors to understand the concerns and address them by containing the development within less sensitive areas of the site.
- A long process of listening to the community, the Parish Council and neighbourhood planning group had been undertaken in attempt to address the concerns raised regarding how to provide homes, open space and how to provide facilities that would support the local area.
- A public exhibition had taken place in the summer of 2018, prior to the submission of the application, at which two-thirds of those attending had been supportive of the approach. Following this exhibition the number of proposed units had been reduced and included a health hub in order to respond to concerns expressed by local residents.
- Over 200 letters had been received in support of the application.
- In 2016, the site was going to be allocated in the Housing Site Allocations DPD for 285 homes but was withdrawn at the last moment as Councillors felt that the prudent approach was to wait for completion of IKEA to gain a full picture of the transport situation. That full and accurate picture was now available which had been set out in the report. All three relevant Highways Authorities – National Highways, West Berkshire Council and Reading Borough Council – had confirmed that the traffic levels now proposed for the 165 new homes did not raise any material concerns.
- If this application was approved, the Saturday PM peak in traffic was modelled to generate a further 19 vehicle movements each way on Pincents Lane which compared to 600 trips in each direction generated by the other uses, which accounted for around 3% of traffic in that time period. With around 7,200 trips across the network, the proposed increase was well within the average weekly fluctuations to IKEA. It was to be questioned whether six vehicles, at the very worst during the peak hour, from time to time, created a severe impact on the highway network.
- The Fire and Rescue Service had submitted two responses; one on behalf of the statutory regulation fire safety unit who had raised no objection whilst the objection that had been raised was from the corporate property services function.
- The sustainable location of the site had been recognised and it was clear that there was no possibility of a severe impact on the highway network.
- Adequate access to the site could be made which was compliant with Manual for Streets with the widths quoted so no highway grounds for refusal existed.
- The Council's HELAA assessment of February 2020 noted the suitability of the site for residential development provided that landscape, highways and other technical considerations were addressed.
- Officer recommendation for approval recognised that these technical matters had been addressed successfully and as stated, the published draft new Local Plan required at least 175 new homes be developed within the locality.
- The Parish Council had acknowledged that the strategically required number could not be accommodated elsewhere within the existing built up area.

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- Given the lack of other sites in the eastern area, the edge of settlement location and the sustainability of the site it was highly likely that the site would be allocated in the emerging new Local Plan.
- Granting consent would underpin housing delivery requirements whilst the delayed new Local Plan was produced, examined and adopted and would also provide a more sustainable source of supply in comparison to other long term strategic allocations and urban extensions elsewhere. It would also reflect West Berkshire's continuing requirement to meet the national housing delivery test.
- Bringing the site forward now would offer two major early benefits; an immediate and significant biodiversity enhancement as well as securing public access for more than half of the application site.
- A 10% minimum biodiversity net gain would be secured through the section 106 agreement as compared to a diminishing environmental quality due to lack of management of the site which had been recognised by independent ecology advisors. The 10% minimum net gain was measured from the existing baseline of the entire site and that approach had been signed off by both the Council's Ecologist and the local Wildlife Trust.
- Legal public access was currently restricted to public rights of way across the site but it was guaranteed that a new public parkland of 900 hectares (22 acres) would be provided, protected in perpetuity from development, owned and managed according to arrangements to be discussed with local communities and the Parish Council and agreed with West Berkshire Council.
- The delivery of 66 new affordable homes for local people was much needed after a backlog of delivery in the Council area. The Council's own figures showed that across the last 16 years a net annual average of 114 affordable units had been delivered. Target delivery for the last 3 years equated to 187 units per annum so that was a shortfall of 73 units per annum.
- The housing mix which was submitted had been illustrated. The new homes would add to local choice and price competition delivering, in part, specialist housing for older people and for those wishing to self-build to high energy standards.
- Working from West Berkshire's figures in 2020 – 350 individuals and two groups on the self-build register with about 26 completions per annum – this development would provide approximately seven months' supply of self-build homes.
- The healthcare hub was included in response to public request. The facility would firstly be offered to the CCG, then to private sector healthcare providers and, after four years, other alternative uses would be sought.
- As well as the delivery of the hub and badly needed market and affordable housing, it was believed that the proposed development was an opportunity to deliver a substantial new public resource in the parkland by working in partnership with the Council and others to open up more public access to green space which would be protected in perpetuity from development and with a management plan in place to guarantee the biodiversity net gain.
- Officers had noted these changes, recognised conformity with the Local Plan and recommended that consent should be granted and it was hoped that Members would accept this recommendation.

Member Questions to the Applicant/Agent

Whilst Mr Bodkin had stated there were no Highways grounds for refusal of the application, paragraph 7.2 of the report stated that the development '*would nevertheless cause additional queues in a location which already experiences them particularly at peak times. Significant adverse weight is given to this impact*'. Councillor Mackinnon asked how both those statements could be true. Mr Bodkin believed the information contained within that paragraph was an overestimation of impact and felt that significant adverse weight should not be attributed to six additional cars at a maximum on a Saturday afternoon peak. The test in NPPF was of severe highway impact and in the view of Mr Bodkin this proposal did not constitute a severe highway impact and there were no highway grounds for refusal.

Councillor Bridgman made the point that the Council was not only meeting, but exceeding, its housing delivery test without this site. Mr Bodkin agreed with this and commended the Council in its level of progress. However, he added that in order to keep meeting its targets the Council required a supply of sites in the pipeline. The proposed site would provide a useful addition to the pipeline.

Whilst Mr Bodkin had stated that this site was to be allocated under the HSA DPD but that it did not go forward because of concerns over highways, Councillor Bridgman suggested that Officers removed it before it ever reached Members so that when the DPD was presented to Members for debate, it did not include this site and therefore to say that it was to be allocated misunderstood the nature of Member's involvement in the allocation of sites through the HSA DPD. In terms of the DPD, Mr Bodkin agreed that it had not come forward to Members for decision. There had been a statement of common ground signed between Officers and the site promoters that stated that the site was considered to be suitable in all respects other than the potential concern over highway access.

Mr Bodkin had referenced the HELAA recognising the site and Councillor Bridgman invited him to comment on the position that the HELAA's relevance came into being in the emerging Local Plan and not in the current Local Plan so this was somewhat in advance of decisions by Council yet to be taken. Mr Bodkin acknowledged that the HELAA was in the context of the emerging new Local Plan which indicated that Officers believed that all the technical considerations had been successfully addressed. With regard to prematurity, Mr Bodkin said the tests of prematurity under the NPPF were now very high where an application could only be considered to be premature if it undermined the delivery of a plan as a whole. It was considered that a very modest 165 units would not be prejudicial to the delivery of the emerging new Local Plan.

With regard to the health hub, Councillor Somner said there had been no commitment or intention from any healthcare provider that they would take up on that possibility. Mr Bodkin said discussions had taken place immediately prior to submission of the application with the CCG and at that time there wasn't felt to be a need for the facility. It was proposed that in the heads of terms in any section 106 agreement there would be a 'waterfall' approach; for the first two years to re-enter into discussions with the CCG, then to discuss with private healthcare operators and after 4 years, other alternative uses would be sought. Councillor Somner pointed out that the CCG would be disappearing as an entity within the next few months.

In answer to a Member query, Mr Bodkin reiterated that the site was owned by two land owners; 86% of it was owned by a subsidiary of what was now U&I PLC which had recently been acquired by Land Securities. The site had formerly been a 9-hole play and pay golf course, but in recent years it had not been managed. The remaining 14% was owned by a local family and was used for grazing horses.

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Mr Bodkin said the proposal included the delivery of 40% affordable housing. Whilst he could not speculate on affordability he said the most active developers in the market in the current area were affordable housing providers. One of these had recently expressed an interest in providing more than 40% affordable housing on the site and Mr Bodkin advised that the Section 106 Agreement would seek to safeguard the right to deliver more than 40% affordable housing.

Ward Member Representation

Councillor Jo Stewart in addressing the Committee as Ward Member raised the following points:

- She thanked all of the Officers who had been involved in the many conversations and meetings, and for providing responses to the many questions that had been raised. Officers should be recognised for the huge amount of work involved with regard to this application.
- Councillor Stewart said she thought it was essential that she represented the views of the people most affected by the proposed development. This was an important area for local residents.
- With regard to access to the site, Councillor Stewart said she had concerns about the pinch points. Experience had led her to believe that not all drivers would sit patiently to access width restrictions or pinch points. This was a safety concern when considering pedestrians, including students from Little Heath School, used the area which would be affected by increased amounts of traffic. Councillor Stewart questioned the modelling where it showed that while there were potentially 600 new dwellings in the area which included Theale, Tilehurst and Calcot – excluding the proposed 165 houses at Pincents Hill – wait times had been reduced.
- The report was unclear on whether the Fire and Rescue Service had objected to the proposal and questions should be asked as to the statement made that this development would pose an increased risk to responding officers.
- Residents had stated that access to this piece of rewilded land during lockdown had not only improved their sense of wellbeing but had also given them regular access to a greenfield space in which they could increase their physical activity without having to drive to another location. If the development was to be approved, then reducing the natural area to a small area of managed parkland seemed to be against the Council's Environment Strategy. Placing houses, people and road networks on a major site with the increasing noise and pollution that would ensue would harm or deter species currently thriving there.
- With regard to the health hub building, it was almost impossible to register with a GP practice in Tilehurst or Theale. Many residents had to travel into Reading to access GP and dental services. She questioned how families moving into new developments would be able to access medical services.

Councillor Tony Linden in addressing the Committee as Ward Member raised the following points:

- The objection by the Royal Berkshire Fire and Rescue service had been approved by the Chief Fire Officer, the Deputy Fire Officer and Chairman of the Fire Authority.
- Thames Valley Police said that during times of heavy traffic flow, the response of emergency services was likely to be compromised and detrimental to public safety. Councillor Linden said he hoped the Committee listened to the views of the public, the local MP, local objectors, the two Parishes who had contributed to the meeting as well as Theale Parish Council and moved to refuse the application.

Members had no questions to ask of the Ward Members.

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Member Questions to Officers

Looking at the current Local Plan, and the HSA DPD previously referred to, and including the 45 dwellings at Hawkswood, the HSA DPD brought forward 280 dwellings within the eastern urban area. One of those sites – Stoneham Farm – was originally put in for 15 houses but had now turned into a 64 bed care home so should therefore be removed from the total number. Councillor Bridgman calculated that 333 dwellings had been delivered, or were planned to be delivered, which excluded the 45 dwellings at Hawkswood as well as the 64 bed care home. Did Officers accept that so far as the current Local Plan to 2026 was concerned, that this area of West Berkshire was meeting its delivery requirement?

Bryan Lyttle said in terms of the current Local Plan, the Core Strategy and the HSA DPD, the area was meeting its delivery requirement. However, the Core Strategy was produced in 2012 and arguments existed among developers that it was not NPPF compliant and that the housing need number was not in alignment with the standard methodology. This viewpoint was not accepted by the Council. There was a current housing year land supply at 7.1 years and the housing delivery test was 1.17. The importance of the delivery test was if that number fell below 1, then the Council would have to publish a statement on how that would be addressed and if that number fell below 0.8 then there was an automatic presumption in favour of any planning application.

Councillor Bridgman referred to comments that planning policy made in relation to the application for 265 houses and debate between ADPP1, ADPP4, CS1 and C1. The site could only be considered an exception in relation to C1. However, the site did not meet the exceptions listed so the development of the site for 265 homes was contrary to current planning policy and would undermine strategy. The report referenced the emerging Local Plan and the Tilehurst Neighbourhood Emerging Plan and stated that little weight was to be given to both plans. If that was the case, Councillor Bridgman queried whether the comments that were made in February 2019 for 265 homes applied just as much to the previous application as to this application.

Mr Lyttle said that since the comments from the Planning Policy team were first made, there had been changes in national policy in terms of the NPPF, the introduction of the Government's Levelling Up Agenda and clarification from the neighbourhood planning group that they no longer wished to allocate the site following the Regulation 19 consultation. The position now with the new Local Plan was if this site did not come forward it would have to be reconsidered prior to the Regulation 19 going out.

Developers had regularly been advised that the Council was policy-led and it had been made clear in relation to policy C1 that development outside settlement boundaries would be opposed. It was queried why the Council was moving away from that stance. Mr Lyttle said that in 2012, the Core Strategy proposed that the settlement of Pangbourne should be both in the AONB spatial area and also in the eastern urban area. However, the Planning Inspector insisted that Pangbourne be placed into the AONB and therefore could not contribute to any development numbers that were placed in the eastern urban area. To help alleviate this, the Inspector had stated that the broad location be inserted into policy C1 to give a degree of flexibility to the eastern urban area to increase housing numbers. It was for this reason that the Officer's report stated while there was a contradiction, on balance the area specific policies overcame concerns.

Councillor Macro's understanding was that the current housing numbers did not include the Lakeside site in Theale. A reserved matters application had recently been submitted for 296 homes on that site which should therefore mean that this figure should go in the housing supply figures if the application was approved. Bob Dray clarified that Lakeside was committed development in the Local Plan and by the time the HSA DPD was

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adopted it had planning permission so it had been factored into the housing numbers for the Core Strategy. Lakeside was not currently in the five year supply because of delays in implementation but would be included when the development progressed.

Referring to the comments made by the Drainage Officer regarding sustainable drainage systems, it was stated that the original drainage strategy on the 265 homes was not sustainable because they were planning to pump surface water from the bottom of the site up to the top where it would discharge into a sewer. The same system was proposed to be used for this proposal but it was not clear why it was acceptable now when it had previously been considered unsustainable. Lydia Mather agreed there had been particular concerns with the scheme for 265 homes. A revised flood risk assessment and drainage strategy was submitted with further information which did still include the mains riser but the Local Flood Authority had accepted that it was feasible, albeit not ideal, and they required further information in conditions as part of the reserved matters on the layout.

Councillor Law sought clarification from Officers on the accuracy of the statement made by the applicant about prematurity which stated that prematurity was only a factor if the development threatened the integrity of the Local Plan. Bob Dray said prematurity was refusing an application because it would undermine an emerging plan being worked on. However, such a refusal would need to be evidenced. At this stage it was considered that this would carry relatively limited weight as national policy had been tightened up to make it very difficult to reject an application on prematurity grounds. They would seldom be justified unless it was at a very late stage in the plan making process.

Councillor Law asked whether the broad area was consistent with the NPPF. Bryan Lyttle said it was consistent in terms of an area of search whereby it would be a broad area for sites to come forward as part of the call for sites process.

Councillor Mayes asked if there was an alternative to using a rising main as he had not seen a design which showed where the water would go if it was not pumped from the bottom of the site to the top. Lydia Mather said the Local Flood Authority had accepted the rising main on the basis that they felt it had been demonstrated there was no alternative method.

Bob Dray clarified earlier points raised about the highway impact in questions to the applicant, by referring to the planning balance outlined in the report. An adverse impact weighing against the proposal included the paragraph that stated '*whilst the impact on the road network of Pincents Lane would not be severe the development would nevertheless cause additional queues in a location which already experiences them particularly at peak times. Significant adverse weight is given to this impact*'. The term 'severe impact' in the NPPF was a specific policy for when planning permission was refused on highways traffic grounds which was different from the weight given to the planning balance.

In response to a Member question, Lydia Mather confirmed that the emergency services would have access to the whole of Pincents Lane and not just via the emergency access using the master key.

Debate

In response to the points raised by objectors, Councillor Bridgman said unless the Council had robust planning policies and an adequate five year land supply, developers would have a free for all regardless of the views of interested parties. Robust planning policies had to be in place and the emerging Local Plan already anticipated that Tilehurst would need 175 houses that would have to be built somewhere. They might well be proposed for this site, in which case if this application did not proceed any further, it was

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likely to come back in another form under the emerging policy and therefore objectors should be encouraged to think about where new houses should be built in the area. The new emerging Local Plan was precisely that; the Council had not decided yet what the plan would say and where the housing identified in that plan would go. What had been decided was the HSA DPD and it was agreed that this area of the district had already delivered far more housing plus a substantial care home assuming all approved planning applications were built out. Therefore, the eastern urban area would provide the district with the housing it required under the current Local Plan. This site fell outside of the settlement boundary. In a conflict between policy CS1 and policy C1, the latter was the preferred option. Councillor Bridgman advised therefore that he would be voting to refuse the application.

Councillor Macro said it was accepted that on occasion there was severe congestion along Pincents Lane, the A4 and occasionally onto the M4. If further housing was built in this area and congestion was increased, it would have a detrimental effect on people who needed to get to the airport or the hospital being held up for many hours. Councillor Macro queried whether the traffic modelling database had taken into account the fact that travelling to local schools involved travelling up very steep hills which was likely to mean that most parents would not walk their children up the hill but would travel by car which would increase traffic at peak times. Councillor Macro said he had severe doubts about the traffic model because the figures stated that in the AM peak, the traffic on Pincents Lane from IKEA to the A4 was predicted to go *down* from 90 seconds to 74 seconds.

Councillor Macro said he had concerns about process. If this site had been put forward in the HSA DPD it would have been consulted on twice which would have given people the opportunity to object to it when the planning application came in. If the application had been put forward in the new emerging Local Plan it would already have gone to consultation and again in the summer. If the application had been put in the Neighbourhood Development Plan it would have gone to referendum. Councillor Macro was concerned that residents had lost the opportunity to take part in any consultation on the site.

Councillor Macro said that a system which relied upon pumping surface water from the bottom of a site up to the top of the site could not be regarded as sustainable and the Drainage Officers had been concerned about maintenance of the system. The idea of a sustainable drainage system was that it did not contribute to flooding and it was not known where the water would go once it reached the surface sewer located at the top of the site as proposed in this application.

Councillor Macro added that in terms of the number of houses being delivered, there were another 104 in Theale so there was quite a large number being supplied in the eastern area.

Councillor Law stated that he believed some development of this particular land was acceptable in principle. The questions were when and the number of houses. This plan was not an allocated site within either the Core Strategy or the DPD, the details of the emerging Local Plan had not yet been agreed because Regulation 19 had not been reached and therefore the application was premature. With regard to the number of houses, concerns remained in relation to access to the site. Councillor Law said that although emergency services had not objected, neither had they expressed positivity towards the proposal and by the nature of the NPPF, it was asking for positive agreement to issues such as pinch points, not just lack of objection. Concern had been noted during site visits by both the pinch points and the area between the old hotel and IKEA where there were lots of cars parked on one side because people were working in offices in the area. This exacerbated the pinch points. The traffic modelling stated that there would be

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several occasions throughout the year when residents would not easily be able to get out into the main traffic or to get back into the site.

Councillor Somner added his thanks to Officers for the volume of work undertaken with regard to this application and stated that he trusted their judgement and accepted the positions they had put forward. Councillor Somner said he had lived in the area for 54 years and was very familiar with Pincents Hill and the problems associated with travelling up and down the hill. He did not think the modelling allowed people to appreciate the level of traffic that built up around the area or the gravity of the situation with people sitting in traffic or trying to navigate away from IKEA. With regard to obstruction on Pincents Lane, most mornings, from as early as 7.30am, there was a queue of cars parked on the road belonging to people working in the area.

Councillor Bridgman proposed refusal against Officers' recommendation to grant planning permission for the following reasons:

1. In breach of policy C1 of the current Local Plan
2. Prematurity in relation to the proposed Local Plan
3. On grounds of insufficiency of the proposed access

The proposal for refusal was seconded by Councillor Law.

Bob Dray advised Members against including prematurity in the refusal reason. As explained earlier, the prematurity argument could not be considered until it was at a very late stage and the process had at least reached the Regulation 19 stage.

Councillors Bridgman and Law agreed to remove prematurity as a refusal reason.

Paul Goddard asked for more specifics in relation to including access to the site as a reason for refusing the planning application. Councillor Macro gave the view that it was less to do with access but more about traffic levels. He was not convinced that the development would not have a severe impact on traffic in the immediate neighbourhood.

Councillor Pask said he shared the concerns raised about the traffic in peak times.

Councillor Law said the access was not suitable on a large number of days throughout the year and he questioned how a housing development could be approved in an area that was effectively landlocked during peak times.

Councillor Somner said the pinch point needed to be considered as a matter of safety above everything else.

Bob Dray clarified his understanding from Members on the access concerns. He understood that there were two strands to the concerns around access; safety in terms of the pinch points both at the access and between the hotel and IKEA, and the severe traffic volumes at peak times.

Paul Goddard said it was the prerogative of Members if they considered the impact of 165 dwellings to be severe in terms of traffic. He was of the view that if there wasn't already a pinch point then he would probably recommend one as it was needed to slow the traffic down in consideration of the users of Pincents Lane such as pedestrians and horse riders. Mr Goddard felt there was sufficient room to provide adequate width for a pinch point in compliance with Manual for Streets.

Councillor Bridgman amended his proposal to refuse planning permission as follows:

1. Breach of policy C1.
2. The severe highway impact on the existing road network impacting on the future occupants of the development.

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The proposal was seconded by Councillor Law and unanimously agreed by all Members of the Committee.

RESOLVED that the Service Director Development and Regulation be authorised to refuse planning permission for the following reasons:

1. The proposed development for up to 165 houses is not on land identified as suitable for residential development. The application site is located outside of a defined settlement boundary, below the settlement hierarchy, and where there is a presumption against residential development. The site is not land that has been allocated for residential development. The proposed development is not for rural exception housing, to accommodate rural workers, or limited infill within a closely knit cluster of 10 or more dwellings. As such the proposed development is contrary to policy C1 of the Housing Site Allocations DPD 2006-2026 and the National Planning Policy Framework.
2. The proposed access along Pincents Lane is not suitable to serve the proposed development. At peak times the existing congestion along Pincents Lane is such that it would have an unacceptable impact on the access to and egress from the site on the proposed residents of the development and therefore on highway safety and the flow of traffic. As such the proposed development is contrary to policy CS13 of the West Berkshire Core Strategy 2006-2026 and the National Planning Policy Framework.
3. The application fails to provide an appropriate planning obligation to mitigate the impact of the development with regard to affordable housing, housing for older people, custom and self-build housing, community building, emergency vehicle access, public open space, public rights of way, sustainable travel, climate change and resilience measures. The District has a high affordable housing need and an affordability ratio above the national average as well as a high number of individuals seeking self-build plots. Public open space and upgrades to the public rights of way and increase in sustainable travel options are all required from the development, and there is a statutory duty on climate change. Without these planning obligations the proposed development conflicts with policies CS5, CS6, CS13, CS15, and CS18 of the West Berkshire Core Strategy 2006-2026, the Planning Obligations SPD and the National Planning Policy Framework.

(The meeting commenced at 6.30pm and closed at 9.50pm)

CHAIRMAN

Date of Signature

DRAFT

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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 26 JANUARY 2022

Councillors Present: Alan Law, Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro (Vice-Chairman), Geoff Mayes, Graham Pask (Chairman), Richard Somner and Keith Woodhams

Also Present: Jessica Bailiss (Policy Officer (Executive Support)), Michael Butler (Principal Planning Officer), Stephen Chard (Democratic Services Manager), Gareth Dowding (Principal Engineer (Traffic and Road Safety)), Bob Dray (Development Control Team Leader), Kim Maher (Solicitor) and Emma Nutchey (Principal Planning Officer)

PART I

1. Apologies

There were no apologies received.

2. Minutes

The Minutes of the meeting held on 17th November 2021 were approved as a true and correct record and signed by the Chairman, subject to the following amendment:

Item 26, Declarations of Interest: Councillor Richard Somner stated that he had given the following declaration of interest at the beginning of the meeting: He had been involved in conversations regarding the application (21/02112/FUL land at Lawrences Lane) due to his position as a Portfolio Holder at the Local Authority however, this would not influence his contribution at the meeting and he would take part in the debate on the item, but would abstain from the vote.

3. Declarations of Interest

Councillor Keith Woodhams declared an interest in Agenda Item 4(1) as he had campaigned against the development in his capacity as Ward Member and therefore predetermined the application. Councillor Woodhams reported that he would be leaving the meeting during the course of consideration of the matter.

4. Schedule of Planning Applications

(1) Application No. & Parish: 18/00964/FULEXT - Land South of Lower Way, Thatcham

(Councillor Keith Woodhams declared an interest in the item as he had campaigned against the application in his capacity as Ward Member. He stated that he would be leaving the meeting during the course of consideration of the matter and would take no part in the debate or voting on the matter. Councillor Woodhams left the meeting at 6.35pm.)

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The Committee considered a report (Agenda Item 4 (1)) concerning Planning Application 18/00964/FULEXT in respect of the erection of 91 residential dwellings together with associated infrastructure and landscaping.

Principal Planning Officer, Mrs Emma Nutchey, introduced the report and highlighted the key points.

In accordance with the Council's Constitution, Mr Simon Pike, Town Council representative, Ms Durber, objector, Mrs Laura Jackson, applicant and Councillor Jeff Brooks, Ward Member, addressed the Committee on this application.

Town Council Representation

Mr Simon Pike in addressing the Committee raised the following points:

- Thatcham Town Council objected to the application when it was first submitted in 2018 and this objection still stood.
- It was not felt that the application complied with West Berkshire Council's (WBC) planning policy HSA5 for the site or CS15 for energy efficiency. Policy CS15 stated that from 2016 residential development should be zero carbon in line with Government aspirations.
- In 2021 the Government had published building regulation amendments, which delivered a 30 percent improvement on the 2013 standard. These regulations were not yet in force but this would be a legal commitment.
- The report pack stated that the applicant was committed to a 20 percent reduction in CO2 emissions and this was insufficient in complying with policy CS15 in light of the new regulations.
- The energy statement, which was made available on 25th January 2022, made statements that were untrue regarding the viability of heat pumps.
- As WBC had declared a climate emergency it was expected that the critical policy CS15 should be applied in full.
- Policy HSA5 required a landscape buffer to the side of the site where the Thatcham Nature Discovery Centre was. The Landscape and Visual Impact Assessment (LVIA) had stated the buffer should include areas of woodland and be planted to a minimum width of 15 metres. It should include both tree and shrub species to provide a multi-layer vegetation screen to the proposed development.
- The plans showed a minimum separation distance of 15 metres between the boundary and the properties however, trees and shrubs would only be planted along the boundary with the remaining being grass and a footpath. In many places driveways intruded into this width. The planted width of the landscape buffer fell well short of the recommendation in the LVIA and did not comply with HSA5.
- Regarding cycling, policy HSA5 stated that pedestrian and cycle linkages were expected throughout the site that linked to the surrounding area. National cycle route NC4 passed along Lower Way. The off road route ended abruptly at the eastern end of the site. Both Thatcham Town Council and the West Berkshire Local Access Forum had proposed an alternative cycle route along the southern edge of the development. The report pack did not address this matter.

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- Mr Pike stated that the Department for Local Transport recommended that the minimum width for a cycle route was three metres and an absolute minimum of two metres at constraint. The proposed paths on the site were only 1.5 metres wide and were therefore too narrow to be considered cycle routes. The application did not comply with HSA5 regarding pedestrian and cycle linkages.
- Mr Pike stated that the Town Council were grateful for the changes to the application regarding the hedgerows joining Lower Way. The hedgerow to the east of the site was shown on the plans as being largely ornamental rather than native and there was no proposal for the planting of a native shrub buffer adjacent to it, which was recommended in the LVIA.
- If the Committee agreed that the landscape buffer was not in accordance to HSA5 it should refuse the application. Otherwise WBC should specify that the following amendments to conditions should be included:
 - Condition 34 should be amended to require a 30 percent reduction in carbon emissions.
 - Condition 13 should be amended or a new condition added that stated that the agreed specification of the paths should be suitable for cyclists.
 - The planting of a hedgerow and adjacent buffer on the eastern edge of the site should be agreed by WBC.
- It was assumed that the conditions would have normal caveats relating to permitted development rights associated with them.

Member Questions to the Parish Council

Councillor Geoff Mayes noted that Mr Pike had spoken about the footpath on the eastern end of the site and he understood that there was a services grass strip in that area. Councillor Mayes asked for clarification regarding what was in the grass strip. Mr Pike was unsure but was aware that there were some Thames Water pipes somewhere near the area however, could not confirm their exact position.

The Chairman noted the matters raised by Mr Pike and stated that he would ensure that these were addressed by planning officers before entering debate.

Objectors Representation

Ms Durber in addressing the Committee raised the following points:

- Ms Durber was representing the numerous residents that had previously commented on the planning application since 2018. They were not happy with the field becoming a housing estate and would lose the beautiful view across the field. They would be affected by the increased vehicle, cycle and foot traffic the development would bring, as well as by the increased strain on local facilities like access to GPs, nurseries and schools.
- Residents fully supported the points made by the Town Council regarding Carbon emissions; the landscape buffer around the site, pedestrian and cycle linkages; hedging within the curtilage of plots 5 to 10 and it was hoped that conditions would be amended or created to cover these points.
- Regarding traffic in reference to the Highways, an Automatic Traffic Count was conducted in 2016 which was modelled up to account for future traffic growth, it could

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not however take into account the subsequent extensive effect of the COVID-19 pandemic which rendered the data obsolete.

- WBC, having put in an extra lane on the final 30 metres of Lower Way acknowledged that the traffic volume had increased substantially. There was concern that the application would add further traffic from 91 homes when at peak times there was already a continuous stream of traffic with no breaks making it dangerous entering and exiting drives.
- There was added concern that traffic would massively increase on Paynesdown Road into Bourne Road if people wanted to exit Lower Way quickly using it as a rat run between Lower Way and the A4.
- It was felt that the Committee should request a new traffic survey that would then inform the local and national authorities enabling them to implement measures that would make living on and using Lower Way and the connecting road systems safer and bearable. It was suggested that consideration could be given to a 20mph speed limit being implemented before the application was decided.
- Although the north east of the site did not show an exit, it had no hedge so would swiftly become an exit due to; the proximity of the Public Footpaths; the closest exit to the town, bus stop and National Cycle route as well as the footpath opposite leading to another estate with a children's playground and walking / cycle route to the A4 Bath Road.
- The National Cycle route ended abruptly at this point and there was a dropped kerb making it the obvious place to cross. Objectors were concerned that there was no Toucan crossing when it had six possible exits for the new residents trying to cross Lower Way safely. Although this might be a Highway matter, it was asked that WBC review this again before a decision was made. It was suggested that a request could be made for a contribution from Section 106. Ms Durber asked if they had to wait for a serious accident or fatality before Highways and WBC reviewed the installation of a Toucan crossing.
- Regarding hedgerow removal and maintenance, Ms Durber stated that the residents would also like a condition added from the WBC Housing Allocation Policy GS1 that would ensure none of the hedges would be 'wrapped'. Also, that the developers would take note of the reminder in the Informative section on breeding birds in the Officer's report.
- Ms Durber stated that looking at the site plan, it could be seen that the southern boundary fence was shown but no other reference to it could be found. It was an old broken rusty barbed wire fence and there was concern for the safety of people using the public footpath next to it. Ms Durber asked that WBC look into the ownership and how the poor state of the fence was going to be addressed before the application was decided.
- Regarding sewage, residents that had lived in the area for several years would remember the installation of the large sewage pipe to the south of the field. When it was first connected there was a considerable leak, the ground had become saturated and sewage was seen on the surface. Although this had been rectified the boggy ground and smell had persisted in an area where people, children and dogs often

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played. Ms Durber asked if the Committee could provide assurance that there was no longer contamination or leakage before any decisions were made.

- Ms Durber asked what assurance there was that WBC would not allow further housing to be built to the west of the public footpath running north south, in several years' time when Thatcham was again asked to provide more housing.
- Ms Durber reported that when looking through the elevation drawings it had become apparent that Plots 24 and 25 had a 3-storey house, at the closest and highest point directly facing onto Lower Way. It was asked if the Committee could review the location of the tallest buildings, including plots 1 to 4 and ensure that they were positioned so that they did not intrude onto the existing houses on Lower Way.
- Residents hoped that the road names used on this estate would reflect its rural position on the edge of the town and Ms Durber asked if WBC would consider naming the roads after native British tree species.
- Ms Durber concluded that it was hoped that planning officers would make use of residents' local knowledge so the potential negative impacts of the development were minimised. It was felt the concerns raised by residents needed addressing before full planning permission was granted. Ms Durber stated that residents expected negotiations with the developer to continue, or failing that, additional conditions would need to be attached to the permission for this development.

Member Questions to the Objector

Councillor Richard Somner asked for clarification regarding Ms Durber's comments concerning traffic impact and the pandemic. Ms Durber reported that the pandemic had altered the way people worked, spent their leisure time and how they interacted with towns. Obtaining products was now often done via the internet, which had resulted in increased traffic. The impact of covid on traffic including extra deliveries and people staying local due to working from home was not a consideration in 2016 and would not have been accounted for in traffic modelling.

The Chairman stated that he would raise Ms Durber's points with planning officers.

Applicant Representation

Mrs Laura Jackson in addressing the Committee raised the following points:

- Mrs Jackson was a senior planning manager for the applicant Persimmon Homes. Mrs Jackson had been working closely with WBC planning officers to ensure proposals were acceptable.
- The site represented an extremely important development opportunity to Persimmon Homes and the applicant welcomed the Officer's recommendation for approval.
- The application had been the subject of an extremely detailed discussion process with Officers and statutory consultees over a period of four years to ensure it complied with all relevant planning policy requirements and was an appropriate form of development for the site.
- The merits of the proposed development had been clearly set out in the submitted application, documentation and Officer's report however, Mrs Jackson reiterated the following points:

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- The principle of development on the site was established by allocation under policy HSA5 of the adopted Housing and Site Allocations DPD, which formed part of the local adopted plan. The development therefore represented sustainable development of an allocated site.
- The development would make an important contribution to housing in the borough and the location had been determined as both sustainable and suitable for development.
- Extensive work had taken place to understand the hydrology of the area. The development site constituted two percent of the catchment area and Natural England had confirmed that it was satisfied that no hydrological impacts would arise as a result of the development and in particular the habitat of the Special Area of Conservation (SAC) near to the site would not be negatively impacted.
- A carefully considered layout and design approach had been proposed to ensure the principle of good design had been adhered to. The proposed development was sympathetic to its site and the surrounding area.
- There would be no adverse amenity issues that would result as a consequence of the proposed development. It had been demonstrated that the existing road network was able to accommodate the additional traffic.
- A detailed technical submission had been provided in terms of engineering matters and the drainage officer had been provided with a highly detailed and comprehensive design for surface water drainage. Only a few outstanding issues remained and these would be resolved by the conditions suggested. Thames Water had confirmed that it had capacity to deal with the water generated by the site.
- The scheme had also been designed to ensure compliance with highway standards and much of the new road layout would be built to adoptable standards under a Section 38 Agreement. Driveway areas would be privately managed by a management company. Established technical standards had been adhered to in terms of the entire road layout and therefore it was not felt that the additional condition suggested by Highways Officers was justified.
- The newly established footpath had been accommodated within the development and connections to existing pedestrian routes and the nature discovery centre to the rear were all provided within the proposal.
- The proposal would not result in significant harm to protected species and any impacts would be efficiently mitigated. It was being ensured that hedgehogs, bats and birds could move safely across the site.
- Regarding energy efficiency, Mrs Jackson stated that the scheme was compliant with adopted policies and this was detailed clearly within the planning report.
- Important landscape features would be retained as part of the proposal including the hedgerows to the northern and eastern boundaries. The existing trees to the south of the site and the required 15 metre buffer would be retained. The scheme had been designed with the landscape designer's full acknowledgement.

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- The public open spaces would be retained in perpetuity and would be secured through a Section 106 Agreement.
- In conclusion, Mrs Jackson felt that it had been demonstrated through the technical submission that an appropriate layout for the site could be achieved and the development would relate well to existing developments in Thatcham. The Committee was urged to support the Officer's recommendation.

Member Questions to the Applicant

Councillor Alan Law queried if he had correctly heard a challenge to the suggested traffic and highways condition and asked for clarification on this. Mrs Jackson stated that she had not challenged the condition however, the condition that was suggested by highways officers did not form part of the recommendation because planning officers did not consider it necessary. It was not a matter for the planning department to consider. Councillor Law commented that he would seek further clarification from Officers later in the discussions.

Councillor Mayes stated he had two questions, one of which was regarding the un-adopted road surfaces to the northern part of the site. There were two that were non adoptable and he felt as they were supplying a large number of houses it would be preferable that these were adoptable so that refuse vehicles could enter the areas. Secondly regarding surface water, Councillor Mayes noted that there were two or three areas that not yet been concluded with West Berkshire Water Engineers and he queried what these were. Ms Jackson referred to Councillor Mayes first question and responded on the assumption that he was referring to the private drives. There were three cul-de-sac areas and they were not inter connected. They were a key part of the design of the site to ensure an appropriate character was provided for the setting. Refuse distances were adhered to in the design. Mrs Jackson felt that making it a singular adopted road would detract from what the layout sought to achieve. The layout had been discussed and agreed with Officers.

Regarding Councillor Mayes second question, Ms Jackson stated that she was not a drainage engineer and therefore had limited detail however, confirmed that an extensive consultation process had taken place with WBC Drainage Officers and the LLFA. The issues that remained were small, for example the location of manholes and discussions about long term management and maintenance, all of which were being processed by a top consultant team. They were matters of detailed technical design, which were not planning considerations. The principles of the drainage scheme had been agreed and established with WBC Drainage Officers.

Councillor Ross Mackinnon referred to comments made on energy efficiency and noted that Mrs Jackson had stated that the scheme was fully compliant with the energy efficiency requirements. Councillor Mackinnon drew attention to section 7.3 of the report on page 34, which stated 'while not fully compliant with CS15 of the Core Strategy' and asked Mrs Jackson to clarify the contradiction. Mrs Jackson stated that she believed the scheme was in accordance with policy CS15 through showing a 10 percent carbon reduction and this was detailed in the energy and sustainability statement, which had been submitted to Officers. Mrs Jackson suggested the point was raised with planning officers. Councillor Mackinnon noted that the same paragraph stated that carbon emissions would be reduced by 22.3 percent below Building Control standards per year, which was more than the 10 percent referred to. Councillor Mackinnon stated that he would raise the contradicting statements regarding energy efficiency with Officers later in the discussion.

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Councillor Tony Linden noted questions regarding fire hydrant provision, which had been raised by the Royal Berkshire Fire and Rescue Service and he also noted that there should be no development between a water main. Mrs Jackson stated that she was of the understanding that there was a condition included concerning fire hydrants. Regarding Councillor Linden's second point, Ms Jackson confirmed that there was a water main running along the southern boundary of the site and this had been accommodated in the proposed development. Easements had been accounted for and was why there was a 15 metre buffer.

Ward Member Representation

Councillor Jeff Brooks in addressing the Committee raised the following points:

- He referred to Ms Durber's comments regarding the local residents' disquiet and reported that there had been a major campaign to avoid the site being included in the Development Plan Document (DPD). The residents were distressed and disappointed that the site had ended up in the DPD, which had resulted in the planning application being put forward.
- Councillor Brooks highlighted that because the site was in the agreed DPD it would be developed. If the current application was not supported then other planning applications or an adapted version would be submitted. He felt it was important to provide this clarity to local residents for the avoidance of doubt in case anyone thought development could be avoided. He hoped this clarity would help residents understand the position the Council was in.
- Councillor Brooks stated that he was thankful that none of the hedge would fall within gardens. The hedge would do an effective job along the Lower Way Road, of masking the site and with a well maintained fence would provide a good barrier to the development and assist residents in coming to terms with it.
- Councillor Brooks felt that Mr Pike and Ms Durber had raised some very good points and he would be interested to hear how these were picked up by Officers.
- He asked the Chairman to agree with him that the site was a site for development and therefore the planning application alone was what required consideration.

Member Questions to the Ward Member

The Chairman thanked Councillor Brooks for the valuable point he had raised regarding development of the site and reiterated that the site was within the adopted Local Plan.

There were no questions raised by Members.

Member Questions to Officers

Councillor Mackinnon referred to his earlier question to Mrs Jackson regarding the compliance to CS15 and asked the Planning Officer to comment on this. Mrs Nutchey reported that Policy CS15 from 2016 sought for residential sites to deliver renewable energy on site and a zero carbon scheme. The application was accompanied by an energy statement, which would ensure the applicant committed to a 20 percent reduction in carbon dioxide emissions. The application did not fully comply with CS15 however, the applicant recognised the policy and had sought to deliver some renewables on site. Solar panels on dwellings would help to deliver a reduction in carbon dioxide. Mrs Nutchey added that it was important when thinking about the application from a planning perspective that it had been pending from some years and interpretation of the policy had changed in this time. Focus had been given to other environmental benefits that could be

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provided by the scheme and there was detail contained within the report regarding financial contributions for ecological improvements off site. Although the application was not strictly compliant to Policy CS15, a balanced view had been taken that took into account other environmental and ecological benefits.

Councillor Mackinnon referred to Mr Pike's comments regarding the width of the proposed cycle lane being too narrow and asked for comments from Officers on this. Mrs Nutchey reported that there was currently one definitive footpath on the site and this extended from Lower Way along the southern boundary. There were other well used routes on the site however, they did not form definitive public rights of way. The proposal would provide a number of different linkages through the site and formalise some of the informal connections. A public right of way could be used by bicycles if the landowner permitted this however, it might not be three metres wide as required. It was important to be mindful that there was an existing cycle path along the southern edge of Lower Way, which would not be impacted by the development.

Councillor Somner stated that he had raised the issue of the pandemic impacting on traffic for clarification purposes. He agreed that increased deliveries was an increased pattern caused by the pandemic however, felt that that the impact of this was counteracted by virtue of the fact that people were not travelling to offices as they were previously. Councillor Somner asked for Mr Gareth Dowding's comments on this point. Mr Dowding stated that a number of traffic surveys had been carried out during the pandemic to provide an understanding of the impact on traffic flow and speeds. A 35 percent reduction in traffic volume had been seen however, there had been a slight increase in traffic speeds. Monitoring of traffic had continued and currently traffic volume was still not up to the level it was at prior to the pandemic. The pandemic had altered the am and pm peak hours and peaks were not as severe. Traffic was more spread out throughout the day and appeared to be lighter in volume. The majority of traffic was reduced because people were working from home. So although the pandemic had changed traffic volumes it had not changed in a way that would affect the recommendation from Highways Officers.

Councillor Alan Law thanked Councillor Brooks for raising the point that development of the site in principle had already been agreed. Councillor Law stated that as part of the DPD 85 houses had been agreed for the site and the application proposed 91 houses. Councillor Law queried how significant Officers regarded the six extra houses and what weight had been given to this. Mrs Nutchey stated that the policy set out an approximate figure, which had been calculated by looking at the constraints of the site. The proposal before the Committee was a detailed planning application and an assessment had been made of all the constraints and technical issues. It had been demonstrated that the site could accommodate the six additional units without any harm caused. The increase was therefore not considered to be an issue.

Councillor Macro referred to points raised regarding energy consumption. Section 7.3 of the report detailed that the development aimed to reduce carbon emissions by 22.3 percent however, Councillor Macro's understanding was building control standards were changing. Councillor Macro queried if the 22.3 percent was on top of what was set out in current building control standards. Secondly, regarding the hedge to the east of the site, it had been stated that this hedge could not be reinforced due to services. As there were two sides to a hedge Councillor Macro queried if the other side could be reinforced. In response to Councillor Macro's first question regarding emissions in relation to building control standards, Mrs Nutchey stated that the application had been assessed against the building regulations 2013, which were the current regulations. Regarding the hedge, Mrs Nutchey stated that there were services along the eastern boundary which had impacted on the type of landscaping that could be secured. The existing native hedge

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was part of current landscaping, which framed the site and it would be retained at an approximate height of three metres. There was not scope to plant on the opposite side because it defined the site boundary and to do so would involve planting outside of the application site and on a public right of way.

Councillor Macro referred to building regulations and commented that the 22.3 percent figure was useless because on June 2022 the building control regulation was going to be changed. Regarding reinforcement of the hedge Councillor Macro understood the services ran down the application site side of the hedge, which he felt was unusual.

Councillor Geoff Mayes referred to the boundary on the eastern edge of the site and believed the strip needed to be grass due to services requiring access. This would prevent solid planting in the area. Councillor Mayes queried what services required access. Mrs Nutchey confirmed that the services ran within the application site however, could not recall if it was for water or electric. The principal point was that because access was required landscaping was limited. Councillor Mayes referred to the effluent going into the pool at the western end of the site and queried where the pool would discharge water to. Mrs Nutchey confirmed that the water would be run off water, which would collect in the infiltration basin within the open space and then be discharged to a stream on the western edge of the site towards the nature reserve.

Councillor Somner asked for clarity on the additional highways condition from Officers. Mr Dowding stated that the reason for the additional condition was to ensure that the Local Authority ended up with a road, footways and a site that was built to an adoptable standard. Until a Section 38 was signed by the developer, there was no guarantee that adoptable standard would be met. As there was no mechanism to ensure it was signed as part of conditions the Highways Department was requesting it be added. Mr Bob Dray stated that he understood the concerns of Highways Officers however, when looking at the test for applying a condition in this instance it was not considered necessary because it was felt that there was other legislation that covered the matter. Planning Officers were content that it was not a fundamental issue and therefore it was suggested that if the application was approved then it should be delegated to Officers to resolve the issue and if necessary apply a condition.

The Chairman asked Mrs Nutchey if she had any further points that she wished to raise. Mrs Nutchey referred to comments regarding the southern boundary and the planting buffer. The boundary to the south was well established by trees and the proposal sought additional planting to infill any gaps and provide screening. The LVIA that accompanied the application was based on an assessment of the scheme that had been presented and whilst it was not a belt of planting it provided a continual edge around the development and filtered views of the site. Ms Nutchey added that the layout had been designed to reflect the sensitivity of views from the south. A design led approach had been taken to mitigate the impact on views.

Mr Dray reassured the Committee in reference to Councillor Mayes point regarding surface water flowing into the stream. It was a sensitive ecological area and there had been negotiations with Natural England regarding such matters.

Debate

Councillor Law commended the Officer's report and that the site visit had been well managed. As already stated the Committee was not expected to consider the principle of development as this had already been established. He had raised concerns about the extra houses proposed however, the explanation on this from Officers had been comprehensive and satisfactory. There had been cases in the past where applications had proposed numbers, which were double what had been agreed for a site and this was

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unacceptable. The role of the Committee was to consider the detail of the application and Councillor Law stated that he appreciated that between the site visit and the Committee meeting, the applicant had listened to some of the comments made at the site visit and removed the hedge along the northern boundary from the gardens of several of the properties so that it is entirely outside of the residential curtilage. This demonstrated the comprehensive work that had been carried out. Councillor Law proposed that the Officer recommendation to grant planning permission be supported.

Councillor Law added the caveat that the Officers recommendation was in two parts and the second part stated that if a Section 106 Agreement was not secured then planning permission should be refused. Councillor Law stated that 37 affordable houses had been agreed for the site and he urged Officers to not negotiate on this number. Officers would have the power to refuse planning permission if the Section 106 was not sufficient and therefore Councillor Law was happy to propose the Officer's recommendation.

Councillor Mackinnon seconded the proposal by Councillor Law. He understood the concerns of local residents however the Committee was not tasked with debating the principle of development. Councillor Mackinnon felt it was a good application in that parking standards were met, no major highways issues had been identified and flooding risk was low. He acknowledged the site was not zero carbon however, the energy efficiency gains were welcome. On balance the application merited approval in his view.

Councillor Macro highlighted that Councillor Brooks had campaigned very heavily against the site being in the Local Plan. Councillor Macro stated that he was disappointed regarding the energy efficiency issue. The report stated that it was 22.3 percent below building control standards however, this was meaningless as the building control standards were going to require energy saving in excess of this. Councillor Macro stated that due to this point he was minded to vote against the Officer recommendation.

Mr Dowding stated that if the Committee was minded to approve the application, he wanted to check if this would include the delegation in regards to the additional highways condition. Mr Dowding also asked if the Committee would consider requesting a Section 38 Agreement as well as a Section 106 Agreement. Councillor Law stated that he was happy to include these points in his proposal and Councillor Mackinnon agreed.

Councillor Mayes stated that he had noted in the report that Thames Water could not provide potable water for more than 50 percent of the site and development might need to be delayed until more water and pipes could be supplied. Secondly regarding the northern boundary of the site, Councillor Mayes noted that the hedge had been removed from adjacent properties within the boundary of the housing area. He queried who would maintain the hedge and the fencing. The Chairman reminded Councillor Mayes that the Committee was in debate rather than questions however, agreed to allow Officers to clarify the points raised. Mrs Nutchey reported that a management company would manage the areas of open space around the site. Regarding Thames Water, Mrs Nutchey reported that there were some conditions relating to the need for surveys and connections to be done prior to commencement and she understood that the applicant had already discussed these points with Thames Water. Mrs Nutchey confirmed that the trigger in the condition was that there should be no occupation beyond the 50th dwelling until confirmation was provided. Further work was required to demonstrate compliance with the remaining part of the condition. Mrs Nutchey understood that conversations concerning this were advanced between the applicant and Thames Water. The condition could not be removed because further information was expected from Thames Water. The Chairman noted that the matter was being conditioned to ensure it happened. Mrs Nutchey agreed that this was correct.

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Councillor Somner echoed points raised regarding the quality of the report and application. He understood local residents' views towards the site however, the level of detail in the conditions meant that there was a good level of control over the development to ensure it brought some benefit to the area.

Councillor Mackinnon raised a point of order. There were clear regulations on when representations could be made to the Committee to influence Members. Councillor Mackinnon was concerned that some speakers had made comments in the chat area of Zoom during the course of the debate. Councillor Mackinnon felt that this needed to be looked in to outside of the meeting to avoid it happening in the future. The Chairman highlighted that the issue was already in-hand and would be discussed after the meeting.

Mr Dray clarified the proposal and what was being recommended to ensure Members were clear. The proposal was to accept the Officer recommendation for approval as per the committee report and update sheet. In addition to this it was proposed that there should be delegation to Officers to resolve the request from Highways to impose a condition. He was satisfied that what was being suggested by Highways could be resolved through conditions. The Officer recommendation did not necessitate a change to the S106 Heads of Terms. Councillor Law was of the view that an amendment to the Section 106 had been requested by Mr Dowding and this was what he had agreed to. Councillor Law queried why this could not happen.

Mr Dray answered that it was not felt that it was necessary in planning terms and it was felt that the matter could be dealt with through conditions if necessary. Councillor Law was satisfied if the issue could be dealt with through conditions.

The Chairman invited Members to vote on the proposal by Councillor Law, seconded by Councillor Mackinnon. At the vote the motion was carried.

RESOLVED that the Service Director of Development and Regulation be authorised to grant planning permission subject to the following conditions:

Conditions

1. Commencement of development

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 and documents

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Planning Drawings

Site Location Plan drawing number P16-0191_23 Rev. B.

Site Layout drawing number P16-0191_12 Rev. U

House Type Pack P16.0191_15F, July 2019

Plans and Elevations:

Plot 28 drawing number P16-0191_15_10-WPLTH3520A

Apartment Type B drawing number P16-0191-15-21E

Apartments LTH 748 Type B drawing number P16-0191-15-21E

Bin Store Plots 1-4 drawing number P16-0191_17 Rev. A

Bin Store Plots drawing number 52-55 & 73-80 Rev. A

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Bin/Cycle Store drawing number Plots 84-87 Rev. A
Cycle Store Plots drawing number 52-55 & 73-80 Rev. B
Single/Twin Carport: Plans and Elevations drawing number P16-0191_16
Rev. A
Materials Plan drawing number P16-0191_18 Rev. E
Parking Assessment Plan drawing number P16-0191_13 Rev. G
Garden Assessment Plan drawing number P16-0191_14 Rev. H
Building Heights drawing number P16-0191_20 Rev. B
Tenure Plan drawing number P16-0191_28 Rev. D
Enclosure Details drawing number P16-0191_25

Landscape Drawings and Documents:

Landscape Masterplan drawing number P16-0191_21 Rev. I
Detailed Public Open Space Landscape Proposals number P16-0191_22
Rev. H
Detailed on Plot Landscape Proposals P16-0191-26 Rev E
Tree Pit Details P16-0191-34
Landscape and Ecological Management Plan by Pegasus ref: P16-0191-33D
Tree Protection Plan drawing number 8661-KC-XX-YTREE-TPP02REVA
DATED Feb 2018
Tree Constraints Plan drawing number 8661-KC-XX-YTREE-TCP01Rev0
Tree Survey and Impact Assessment by Keen Consultants ref 8661-KC-XX-
YTREE Rev C, dated March 2018

Highway Drawings and Documents:

Proposed Access Arrangements drawing number 16141/001 Rev. G
Swept Path Analysis Large Refuse Vehicle drawing number 16141/TK01
Rev. F
Swept Path Analysis Fire Tender drawing number 16141/TK02 Rev. D
Swept Path Analysis Private Car drawing number 16141/TK03 Rev. D
Visibility Splay Requirements drawing number 16141/003 Rev. D
EVCP Plan P16-0191-35
Proposed Road Lighting and Illuminance Layout by Nick Smith Associates
drawing reference 2474-D-01-B
Lighting Report by Nick Smith Associates reference 2474-SD-Rev B
Transport Assessment by Milestone Transport Planning dated June 2021
Travel Plan by Milestone Transport Planning dated April 2018

Ecological Documents:

Bat Activity Survey 2017 by The Ecology Partnership, September 2017
Bird Breeding Bird Survey by The Ecology Partnership, August 2016
PEA and Protected Species Assessment by The Ecology Partnership,
September 2017
Biodiversity net Gain Calculator and maps dated 10.08.2021
Invertebrate Survey by the Ecology Partnership dated August 2016
Reptile Survey by The Ecology Partnership dated September 2017
The Ecology Partnership, Ecological Enhancement Strategy, May 2019
The Ecology Partnership, Report to inform Habitat Regulations Assessment
Screening Assessment, July 2019

Other Documents:

Planning Statement, Pro Vision, March 2018

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Design and Access Statement P16-0191_09 Rev. E
Archaeology Desk Based Assessment by Thames Valley Archaeology Services dated September 2016
Phase I Desk Study by Soils Limited reference 15766/DS September 2016
Phase II Ground Investigation Report by Soils Limited reference 15766/GIR October 2016
Soil Gas Monitoring Letter from Soils Limited dated 20th February 2017
Additional Investigations letter from Soils Limited dated 3rd November 2017
Gravel Pit Overlain on Site Layout drawing
Gravel Pit Capping Areas, drawing number THA-SD-001 Rev.A Nov 2021
Capping Details drawing number THA-SD-002 Rev.A Nov 2021
Energy Statement 29th November 2021 Southern Energy Consultants

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

3. Samples of materials

No development shall take place until samples and an accompanying schedule of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. 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. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

4. Finished floor levels

No development shall take place until details of the finished floor levels of the dwellings hereby permitted in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land and to ensure suitable drainage from the site. A pre-commencement condition is necessary as the levels need to be determined from the outset. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

5. Boundary treatments

Plot number 11-91 shall not be occupied until the boundary treatment for that property has been constructed in accordance with the details shown on the Enclosures Plan drawing number P16-0191_24 Rev. A, the Enclosure Details drawing number P16-0191_25 and the drawing titled Landscape Masterplan drawing number P16-0191_21 Rev. I which shows the wildlife permeable fencing. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed

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design of this development. Measures are also necessary to incorporate biodiversity in and around the development. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 and CS17 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

Additional boundary treatment condition

6. Plot numbers 1-10 shall not be occupied until details of the boundary treatment for that property have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full in accordance with the approved details. The approved details shall show the hedge adjacent to Lower Way to be outside of the residential curtilage of these properties and all the fencing shall be designed to be permeable to wildlife. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development. Measures are also necessary to incorporate biodiversity in and around the development. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 and CS17 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

7. Hard surfaces

No development above ground level shall take place until a plan detailing the materials for the block paving and areas of hardstanding within the gardens has been submitted to and approved in writing by the Local Planning Authority. The block paving shall be laid so that it is permeable where possible. The hard surfacing shall be completed in accordance with the approved scheme before dwellings hereby permitted are occupied or in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The approved hard surfacing shall thereafter be retained.

Reason: In the interests of visual amenity. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS13 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

8. Plots 28 and 72 – removal of PD rights for additional windows

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 windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed at first floor level or above in the east facing elevations of plots 28 and 72 hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: In the interests of the privacy and amenity of number 16 Lower Way. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026)

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and Supplementary Planning Document Quality Design (2006).

9. Remove PD rights for extensions to plots 5 and 6

With respect to plots 5 and 6 only, 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, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C or E 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: Ground remediation works have been approved within the site to remove an area of contamination. The measures have been approved with the Local Planning Authority however if new foundations were dug this could be disturbed and as such special construction measures would need to be employed were the approved dwellings extended by future occupiers. This condition is applied in accordance with the National Planning Policy Framework and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

10. Construction method statement

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full in accordance with the approved details and retained until the development has been constructed. Any deviation from this Statement shall be first agreed in writing with the Local Planning Authority. The statement shall provide for:

- (a) Phasing of any construction works;
- (b) The parking of vehicles of site operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials used in constructing the development;
- (e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- (f) Wheel washing facilities;
- (g) Measures to control the emission of dust and dirt during construction;
- (h) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (i) Lorry routing and potential numbers;
- (j) Delivery time to avoid school opening and closing times;
- (k) Details of any temporary lighting required during the construction phase.

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed as a pre-commencement condition as it seeks to mitigate the impact of construction works in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

11. Electric vehicle charging points

The dwellings hereby permitted shall not be occupied until the EVCP as shown on drawing P16-0191-35 have been provided. A 7kw charging point shall be provided for each house with one 22kw charging point for each block of flats. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

12. Footway/cycleway provision

The dwellings hereby permitted shall not be occupied until details of the dropped kerbs and tactile paving to be constructed at:

- (a) the existing uncontrolled crossing situated adjacent to the site's north-east corner and
- (b) where the footway joins the turning head between plots 1 to 4 and plots 53 to 56

have been submitted to and approved in writing by the Local Planning Authority and thereafter constructed in accordance with the approved details. Any statutory undertaker's equipment or street furniture located in the position of the footway / cycleway shall be re-sited to provide an unobstructed footway / cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

13. Parking and turning

No dwelling shall not be first occupied until vehicle parking and turning spaces for that dwelling have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private 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 applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

14. Access construction before development

Unless otherwise agreed in writing by the Local Planning Authority, the vehicular, pedestrian and cycle accesses and associated engineering operations shall be constructed in accordance with the approved drawings as the first development operation.

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Reason: To ensure that the access into the site are constructed before the approved buildings in the interest 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).

15. Cycle parking/storage

No dwelling shall be first occupied until cycle parking/storage facilities for that dwelling have been provided in accordance with the approved drawings. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

16. Refuse Storage

No dwelling shall be occupied until a storage area for refuse and recycling receptacles (and collection areas if necessary) has been provided for that dwelling in accordance with the approved details. These facilities shall be retained for this purpose thereafter.

Reason: To ensure that there is adequate refuse and recycling storage facilities within the site, to ensure safe and adequate collection in the interests of highway safety and local amenity. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and the West Berkshire Quality Design SPD (Part 1, Section 2.13).

17. Visibility splays before development

No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

18. Travel Plan

The Travel Plan by Milestone Transport Planning dated April 2018 shall be implemented from the date the first property is occupied. It shall be reviewed and updated if necessary within 6 months of first implementation. After that the Travel Plan shall be annually reviewed and updated and all reasonable practicable steps made to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.

Reason: To ensure the development reduces reliance on private motor

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vehicles and provides the appropriate level of vehicle parking. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policy P1 of the Housing and Site Allocations Development Plan Document and Supplementary Planning Document Quality Design (June 2006).

19. Fire hydrants

No development shall commence until details of suitable private fire hydrants, or other suitable emergency water supplies have been submitted to and approved in writing by the Local Planning Authority and thereafter constructed in accordance with the approved details prior to the occupation of the first dwelling.

Reason: For the safety of future residents in the event of a fire. This condition is imposed in accordance with the guidance contained with the National Planning Policy Framework and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

20. Thames Water

There shall be no occupation beyond the 50th dwelling until confirmation has been provided that either:

- (a) all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
- (b) a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues. This is required in accordance with the guidance within the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy 2006-2026.

21. Landscaping

Within the first planting season following the completion of building operations / first occupation of the new dwellings (whichever occurs first), all landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including drawing entitled Detailed On Plot Landscape Proposals (approved drawing P16-0191_26 Rev E) and supported by the Landscape and Ecological Management Plan reference P16-0191-33D. Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

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Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

22. Tree protection

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 number 8661-KC-XX-YTREE-TPP02REVA DATED Feb 2018 and supported by the tree report by Keen Consultants ref 8661-KC-XX-YTREE Rev 0, dated march 2018. Within the fenced areas 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 National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy (2006-2026).

23. Ecological mitigation

All ecological measures and works shall be carried out in accordance with the details and timescales contained in the Lower Way, Thatcham, Landscape and Ecological Management Plan November 2020, reference P16-0191_33D.

Reason: To enhance biodiversity across the development in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the guidance within the National Planning Policy Framework.

24. Bat and bird boxes

No works shall progress beyond slab level until full details, to include elevational drawings have been submitted to show the location of the bird nest and bat roosting features, to include bird and bat boxes or bricks on and around new buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter no dwelling hereby approved shall be occupied until the approved biodiversity enhancement measures have been implanted in full in accordance with the approved details

Reason: This condition is necessary as the LEMP specifies the number of bat and bird boxes to be provided and their approximate location is shown on the Landscape Masterplan however it is not clear where they will be positioned within the buildings or how high up in the trees. To enhance biodiversity across the development in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the guidance within the National Planning Policy Framework.

25. Update ecology surveys

If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 1 year from the date of the planning permission, the approved ecological measures secured

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through Condition number 22 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of bats and other protected species and (ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to works continuing on site. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

IMPORTANT: If any protected species are identified in the new surveys that were not previously known to be on site, and are likely to be harmed by the development, then a protected species licence might be required before works can commence. Advice should be sought from Natural England and/or a suitably qualified ecologist.

Reason: This condition is required as the ecological survey work accompanying this application is already more than 3 years old. As such further survey work may be necessary to ensure the approved mitigation measures are appropriate for the site. The condition is imposed in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the guidance within the National Planning Policy Framework.

26. Lighting Design Strategy

All external lighting shall be installed in accordance with the specifications and locations set out in the Lighting Report by Nick Smith Associates reference 2474-SD-Rev B and as shown on the Proposed Road Lighting and Illuminance Layout by Nick Smith Associates drawing reference 2474-D-01-B and shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Bats and birds are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

27. Protection of breeding birds during construction

No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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Reason: To ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

28. Construction Environmental Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of "biodiversity protection zones".
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- (d) The location and timing of sensitive works to avoid harm to biodiversity features.
- (e) The times during construction when specialist ecologists need to be present on site to oversee works.
- (f) Responsible persons and lines of communication.
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction. To enhance biodiversity across the development in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the guidance within the National Planning Policy Framework.

29. Hours of work (construction)

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

30. Contamination

The dwellings hereby approved shall not be occupied until the site remediation works have taken place in accordance with the following

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documents:

- (a) Phase I Desk Study by Soils Limited reference 15766/DS September 2016
- (b) Phase II Ground Investigation Report by Soils Limited reference 15766/GIR October 2016
- (c) Soil Gas Monitoring Letter from Soils Limited dated 20th February 2017
- (d) Additional Investigations letter from Soils Limited dated 3rd November 2017
- (e) Gravel Pit overlay drawing
- (f) Gravel Pit Capping Areas, drawing number THA-SD-001 Rev.A Nov 2021
- (g) Capping Details drawing number THA-SD-002 Rev.A Nov 2021

The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority.

Following completion of remediation measures identified in the approved remediation scheme and prior to occupation, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is attached in accordance with the National Planning Policy Framework and Policy OVS.5 of the West Berkshire Local Plan (1991-2006 Saved Policies 2007).

31. Piling

No piling or any other foundation designs using penetrative methods shall be used other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling at this site could potentially mobilise shallow contamination into the underlying chalk principal aquifer. This risk would need to be assessed and addressed. This condition is attached in accordance with the guidance within the National Planning Policy Framework and Policy OVS.5 of the West Berkshire Local Plan (1991-2006 Saved Policies 2007).

32. Drainage

No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. The approved strategy shall thereafter be implemented in full in accordance with the approved plans/details.

Reason: The detailed drainage of the site is a fundamental part of the design and its implementation will form some of the initial site works it is therefore essential these details are agreed prior to work commencing. The information is requested in accordance with Policy CS16 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

33. Drainage verification report

No occupation of dwellings shall take place until a verification report is carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), and has been submitted to and approved in writing by the Local Planning Authority. This shall include: plans and details of any key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) documented photographic records and post-completion CCTV surveys for the main sewer and details of any management company managing the SuDS measures thereafter.

Reason: The detailed drainage of the site is a fundamental part of the design and without the implementation of the approved strategy there could be adverse flood risks. The information is requested in accordance with Policy CS16 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

34. Archaeology

No development or site works shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded in accordance with the guidance within the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

35. Carbon emissions

The scheme will deliver a 20.3% reduction in carbon emissions per annum compared to the Part L1a baseline standard set by Building Regulations (2013). No development beyond damp proof course level shall take place until details of the solar photovoltaics (to include plans to show the location of the buildings and which elevations the cells are to be attached to and details of the appearance of the cells along with a specification of the other

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measures to be adopted as outlined in the Energy Strategy) have been submitted to and approved in writing by the Local planning Authority. Thereafter no dwelling shall be occupied until the approved measures to be installed in that dwelling have been implemented in full in accordance with the approved details.

Reason: To help deliver a reduction in carbon emissions in accordance with Policy CS15 of the West Berkshire Core Strategy 2006-2026 and the National Planning Policy Framework.

Heads of Terms for Section 106 Agreement

1. Affordable housing

- 40% on-site affordable housing which equates to 37 units. 26 of which shall be social rented and 11 shall be shared ownership.

2. Public open space

- Provision of public open space and the establishment of a management company to carry out the long term management and maintenance of the open space.

3. Wildlife

- Provision of an off site habitat strategy contribution and recreational impact mitigation contribution alongside the provision of a contribution towards the preparation of new homeowners packs providing information on the Nature Discovery Centre and other relevant informative print materials.

Refusal Reasons ***in the event the legal agreement is not completed in time.***

1. Planning obligation

The application fails to provide a Section 106 planning obligation to deliver necessary infrastructure and mitigation measures, including:

- (a) To deliver 40% on-site affordable housing, 37 units, without which the proposal would be contrary to the National Planning Policy Framework, Policy CS6 of the West Berkshire Core Strategy 2006-2026, and the Council's adopted Planning Obligations SPD.
- (b) Provision of public open space and the establishment of a management company to carry out the long term management and maintenance of the open space within the development, without which the development would be contrary to the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy 2006-2026, Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Council's adopted Planning Obligations SPD.
- (c) Provision of an off site habitat strategy contribution and recreational impact mitigation contribution alongside the provision of a contribution towards the preparation of new homeowners packs providing

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information on the Nature Discovery Centre and other relevant informative print materials without which the development would be contrary to the National Planning Policy Framework, Policy CS17 of the Core Strategy 2006-2026 and the Council's adopted Planning Obligations SPD.

Informatives

1. Proactive statement

The Council have sought to work proactively with the applicant to produce a scheme which meets with the policies within the Local Plan and National Planning Policy Framework to deliver a sustainable form of development. Extensive negotiations have been undertaken to find solutions to the issues raised during the consideration of the application.

2. CIL

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

3. Construction / Demolition Noise

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.

4. Advice to applicant – dewatering

The Environment Agency note that dewatering may take place on this site. Please be aware that this may now require an abstraction license. These can take up to 3 months to determine. We would advise that you consult the Environment Agency at the earliest possible stage.

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. The dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk:

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www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction

5. **Informative on breeding birds**

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

6. **Street naming and numbering**

Please complete and online street naming and numbering application form at <https://www.westberks.gov.uk/snn> to obtain an official postal address(s) once development has started on site. Applying for an official address promptly at the beginning of development will be beneficial for obtaining services. Street naming and numbering is a statutory function of the local authority.

(2) **Application No. & Parish: 21/02012/FULMAJ - Land at West Lodge, Basildon**

(Councillor Woodhams rejoined the meeting at 7.51pm).

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 21/02012/FULMAJ in respect of the demolition of existing dwelling, erection of replacement dwelling.

Principal Planning Officer, Michael Butler, introduced the report and highlighted the key points.

In accordance with the Council's Constitution, Mr Matthew Miller, agent and Councillor Alan Law, Ward Member, addressed the Committee on this application.

Agent Representation

Mr Miller in addressing the Committee raised the following points:

- Mr Miller was a chartered planner speaking on behalf of the applicant.
- The application constituted a resubmission following a refused application for a replacement dwelling.
- Since the refusal, work had gone in to revising the scheme and adjusting the proposal to overcome the areas of concern. Firstly the proposal had been reduced in volume and bulk. It was now a proportionate replacement to the existing built form.
- Various technical reports had been provided in reference to the previous refusal reasons.

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- Mr Miller stated that whilst there had been some debate regarding whether the existing boat house should be included within the volume of the replacement bulk built form, even when including the boat house the proposal was not disproportionate in terms of bulk and massing.
- There would be a noticeable reduction in hard standing and an increase in soft landscaping.
- The proposal was of high quality bespoke design and it would complement its surroundings particularly in comparison to the existing dwelling. The existing dwelling had limited design merit as it had a corrugated metal roof, which was visible from the A329 to the south.
- The improved appearance of the proposal and the fact that it would be set back from the A329 would result in an improved relationship to the Area of Outstanding Natural Beauty (AONB).
- Mr Miller stated that Members who attended the site visit would have seen the site from view points across the river however, it was considered that the view point from the A329 was also critical as the road experienced a high volume of foot fall. The proposal would improve the attractiveness from this view. The proposal would be set back and with the existing wall would mean the proposal would have limited visibility.
- Views from across the river were observed on the site visit during the winter. In summer months when planting was in bloom there would be significant screening of the proposal from the river view point. The proposal would result in a positive character impact.
- Whilst the CPRE had objected to the proposal due to visual harm, it had been demonstrated that the proposal would not be imposing to a harmful extent.
- Mr Miller stated that Members at the site visit would have also seen that the proposal would be located on a downward slope towards the river. This changing site level had been factored into the submission through the provision of detailed landscape and tree structure management information, to be further supplemented by condition.
- Mr Miller did not consider the existing residential curtilage to cover the entirety of the plot, in his professional view the proposed curtilage constituted a reduction from the existing situation. This would offer further benefit in reducing harm to the countryside and setting.
- No objections had been raised by residents or the neighbouring parish council, including those in South Oxfordshire.
- A comment of support had been received by a neighbour for the proposal stating that it would create an overall visual improvement to the existing.
- The proposal would also create a more energy efficient and sustainable dwelling in comparison to the existing by accommodating modern methods of construction compared to the aged existing dwelling.
- Regarding highway safety the proposal was a replacement dwelling with the same number of bedrooms proposed and with adequate parking/access arrangements.

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- Construction traffic along the A329 would be regulated through the necessary management plans.
- Regarding residential amenity there were significant separation distances to the neighbouring dwellings.
- Matters including flooding, ecology and archaeology had all been addressed factoring in the vicinity of the development to the river. The applicant was in agreement to the conditions proposed.
- In conclusion the application fully accorded with planning policy as a sustainable development that protected the integrity, character and beauty of the AONB and countryside location. It was requested that permission be granted.

Member Questions to the Agent

Councillor Alan Law noted from the Officer's report under section 6.12 that the footprint was just under 60 percent of the existing dwelling. Councillor Law stated that Mr Miller had caused doubt in his mind regarding what the footprint of the existing dwelling was and queried if it was the house plus the boat house or the house alone. Mr Miller stated that the figure of 60 percent was in relation to the existing dwelling only. The figures referred to by Mr Miller in his representation incorporated outbuildings that were present on the site. The overall point was that when considering the overall volume, floor space and bulk the proposal was a proportionate replacement and this was evident from comparison plans. Mr Butler stated that this was a point of technical disagreement between the Officer and the applicant's agent. The Planning Authority did not accept that the boat house should be included in the residential curtilage of the dwelling. It sat within the red line and needed to be conditioned but was not within the curtilage. The policy was clear in Mr Butler's view that only outbuildings within the actual residential curtilage could count towards the proportionality tests and in the Officer's view the boat house sat outside of this. Mr Butler stated that the important point was the proportionality in relation to the visual impact in terms of harm was acceptable in the Officer's view.

Councillor Law felt that he had not received a clear answer to this question and asked if the 60 percent detailed in the report was based on the dwelling and not any of the other ancillary buildings. The Chairman reminded Councillor Law that it was currently the time for raising questions for the agent and that he could raise his question again at the end of this section of the meeting.

Councillor Geoff Mayes raised some queries regarding the existing house. He queried if the existing property helped support the wall that ran alongside the road. Mr Miller stated that he could not offer an expert construction view however, what was proposed would not change the wall.

In response to Councillor Law's question concerning the 60 percent figure, Mr Butler stated that this figure was based on the dwelling only.

Ward Member Representation

Councillor Law in addressing the Committee raised the following points:

- He had called the application in because the site sat within an extremely sensitive area and every application along the river in the past had been a Committee decision.
- The main issues included the size and proportionality of the proposal. An application submitted for the site a year previously had been considered by

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Officer's to be disproportionate. The current Case Officer considered the current proposal to be proportionate. Councillor Law stated that he was undecided regarding the application.

- Councillor Law disagreed with the Officer's view that the proposal would not have a greater visual impact than the current dwelling. Councillor Law felt that it would have a greater visual impact however, whether this visual impact was positive or negative was yet to be decided.
- Councillor Law felt that it was important to view the site from the river. He highlighted that there were lots of tree stumps and quoted from the Tree Officer that in 2018 a number of mature trees had been felled on the application site. Councillor Law stated that prior to 2018 you could not see much of the current dwelling due to a number of substantial trees. He noted from the plans that whilst a number of trees were going to be replanted they would not be replanted in front of the house to shield the view from the Thames Path and therefore there would be a different impact in terms of the proposal.
- Councillor Law noted from the report that the Officer's recommendation was on balance. Neither Goring nor Basildon Parish Councils had objected to the application. Councillor Law felt that general opinion regarding the application was split. The CPRE had objected on the grounds that the proposal would have a negative visual impact.
- Councillor Law stressed that it was an important site that would have an influence on future applications in the area along the river.
- Councillor Law reiterated that he was undecided regarding the application. Regarding proportionality, if the proposal had been marginally smaller Councillor Law stated that he would be minded to approve the application. He looked forward to hearing the views of other Members on the Committee.

Member Questions to the Ward Member

The Chairman asked for the slide to be reshown, which showed the view looking west across the Thames. He asked if Councillor Law agreed with him that the top of the roof of the proposed new dwelling would sit just at the bottom edge of the windows of the current dwelling shown. Councillor Law agreed that it would. The new proposed house was set lower and the ridge was exactly where Councillor Pask had indicated.

Member Questions to Officers

Councillor Richard Somner requested some clarity regarding the boathouse. He felt that given the area it would be fairly normal to have a boat house and it seemed a shame to remove it. He queried if removing the boat house formed part of what had to be done or if it had been offered as something that could be done and sought views on this point. Mr Butler stated that it was considered that the boat house was outside of the curtilage however, it was within the red line and therefore was in control of the applicant and should be conditioned to be demolished. It was fairly dilapidated and was in close proximity to the Thames. Mr Butler reported that any reduction in built space was of visual benefit.

Councillor Tony Linden asked if approval of the application would rule out in the future a boat house being placed in the location where one currently stood. Mr Butler stated that anyone could put in a planning application, which would be considered on its merits.

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Councillor Mayes queried if Officers had investigated the structure of the wall and the terrace area in front of the house. He queried if it would remain stable when the existing house was removed. Mr Dray stated that in the context of the application it was not a material planning consideration and would fall under building regulations. Mr Butler agreed with Mr Dray and added that because it was a retaining wall the Highways Authority would retain control of it.

Debate

Councillor Linden stated that he had looked at the application and his personal view was that he agreed with the Officer's recommendation and was in support of the application.

Councillor Somner stated that he understood why Councillor Law was undecided about the application. Councillor Somner had used google maps to obtain different views of the site and he felt that the proposal would be an improvement to what currently stood on the site. Although the proposal would be imposing, it was possible that what would be gained included more greenery and a better view of the wood at the opposite side of the road. He understood that it was an on balance decision however, in Councillor Somner's view the proposal would offer an improvement.

Councillor Alan Macro stated that the current dwelling was an unattractive 1970s building in a prominent position and the proposal would replace this with something large but was more attractive and in a lower position. Councillor Macro was therefore minded to support the Officer recommendation. Councillor Macro added that he had some concerns about the access to the site due to the visibility to the north being poor however, he understood that to improve this would involve demolishing the high wall which could not happen.

The Chairman stated that he had been at the site visit and although he concurred with Councillor Macro that the view from the access was not ideal, Members had been told clearly that this was a proposal for a replacement dwelling. The access was adequate for the current dwelling and therefore adequate for the proposed replacement. Mr Gareth Dowding concurred with this comment.

The Chairman stated that he understood why the application had been called in and this was because the proposal stood within one of the best views in West Berkshire across the Goring Gap. He felt that was proposal was an improvement and he found himself leaning towards supporting the Officer's recommendation.

Councillor Geoff Mayes asked if it would be practical to live in the old house whilst the new one was being built. Mr Butler confirmed that this was not a planning consideration.

Councillor Law stated that he had listened to the views of other Members and based on these proposed that the Officer recommendation be approved. This was seconded by the Chairman. At the vote the motion was carried.

RESOLVED that the Service Director of Development and Regulation be authorised to grant planning permission subject to the following conditions:

1. Commencement of development

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. Demolition of existing dwelling

Within six months of the substantial completion or first occupation of the

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replacement dwelling hereby permitted (whichever date is the earlier), or within an alternative timescale agreed in writing with the Local Planning Authority, the existing dwelling on the site [West Lodge] shall be demolished entirely to the satisfaction of the Local Planning Authority and the land restored in accordance with the landscaping details approved pursuant to this application.

Reason. To ensure two dwellings do not remain on site, contrary to Policies ADPP1, ADPP5 and CS1 of the West Berkshire Core Strategy, Policies C1 and C7 of the Housing Site Allocations DPD 2006-2026, and the NPPF.

3. Approved plans

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Drawings prefixed 20-J3387, numbers 101, 102, 103, 107, 108, 109. BCP, C101. RCP. PSCP. All by Ascot Design.

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

4. Domestic permitted development rights restriction

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, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A to H 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 and maintain a coherent design for the development in this sensitive location, in the interests of respecting the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006).

5. Permitted development rights restriction (means of enclosure)

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 means of enclosure which would otherwise be permitted by Schedule 2, Part 2, Class A of that Order shall be erected, constructed, or materially altered without planning permission being granted by the Local Planning Authority on an application made for that purpose. This restriction excludes any development expressly permitted by this permission, and does not prevent repairs or replacements (in full or in part) that do not materially affect the external appearance of any gate, fence, wall or other means of enclosure.

Reason: To prevent the erection of such development which may have an adverse impact on the rural character and appearance of the area, or fail to conserve the open landscape of the AONB. This condition is applied in

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accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006).

6. Archaeological investigation

No development including site clearance shall take place within the application area until a Stage 1 written scheme of investigation (WSI) for a programme of archaeological work has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the WSI no site clearance work or development shall take place other than in accordance with the agreed WSI, which shall include:

- (a) The Statement of significance and research objectives, the programme and methodology of archaeological site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- (b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting archaeological material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 205 of the 2021 National Planning Policy Framework and is in accordance with the requirements of Policy CS19 of the West Berkshire Local Plan (2006-2026). A pre-commencement condition is required because the archaeological investigations will need to take place throughout demolition and construction activities.

7. Lighting strategy (AONB/Ecology)

No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.
- (c) Include isolux contour diagram(s) of the proposed lighting.
- (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.

No external lighting shall be installed within the application site except in accordance with the above strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, and to conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

8. Construction Method Statement

No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:

- (a) A site set-up plan during the works;
- (b) Parking of vehicles of site operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials used in constructing the development;
- (e) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
- (f) Temporary access arrangements to the site, and any temporary hard-standing;
- (g) Wheel washing facilities;
- (h) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (i) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (j) Hours of construction and demolition work;
- (k) Hours of deliveries and preferred haulage routes.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of 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, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

9. Tree protection scheme

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior

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written agreement of the Local Planning Authority.

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 National Planning Policy Framework, and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

10. Electric vehicle charging points (approved plans)

The replacement dwelling shall not be first occupied until an electric vehicle charging point has been provided in accordance with the approved plans. Thereafter, the charging point shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

11. Demolition, Construction and Traffic Management Plan

The development shall be carried out in accordance with the submitted Demolition, Construction and Traffic Management Plan, Draft 2 dated 13th September 2021.

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, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

12. Parking (approved plans)

The replacement dwelling shall not be first occupied until vehicle parking and turning spaces have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private 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 applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

13. Gates set back

Any gates to be provided at the existing access to the highway, where vehicles will enter or leave the site, shall open away from the adjoining

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highway and be set back a distance of at least 5 metres from the edge of the highway.

Reason: In the interest of road safety and to ensure that vehicles can be driven off the highway before the gates are opened. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

14. Ecology SMP

The development hereby permitted shall not be carried out except in strict accordance with the recommendations made in the Site Management Plan of August 2021 by Elite Ecology.

Reason: To conserve protected species and other ecological assets on the site in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026, and the National Planning Policy Framework.

15. Soft landscaping

No development or other operations shall commence on site until a detailed soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new dwelling/final demolition of the existing dwelling (whichever occurs first). 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 this completion of the approved soft 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: Landscaping is an integral element of achieving high quality design. 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 the Quality Design SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; and landscaping measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

16. Hard landscaping (prior approval)

No development shall take place until a hard landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development. The replacement dwelling hereby permitted shall not be first occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. Details shall include how the hard

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landscaping incorporates the demolished dwelling into the overall scheme.

Reason: Landscaping is an integral element of achieving high quality design. 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 the Quality Design SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; and landscaping measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

17. Ground levels and finished floor levels

No development shall take place until details of existing and proposed ground levels, and finished floor levels of the dwelling have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commenced because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006). A pre-commencement condition is required because the ground levels will need to be determined before construction takes place.

18. Spoil

No development shall take place until details of how all spoil arising from the development will be used and/or disposed 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 all spoil from the site (that is not to be deposited);
- (d) Include timescales for the depositing/removal of spoil.

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 ground levels are not raised in order to protect the character and amenity of the area. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP5 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because spoil may arise throughout development.

19. Materials

The construction of the dwelling shall not take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the development hereby permitted, have been submitted

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to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the approved materials will be used throughout construction.

(3) Application No. & Parish: 21/01835/FUL - Jackaways Cottage, White House Green, Sulhamstead, Reading

This item was withdrawn.

(The meeting commenced at 6.30 pm and closed at 8.33 pm)

CHAIRMAN

Date of Signature