

Supplemental Items for Eastern Area Planning Committee

Wednesday, 26 April, 2023 at 6.30 pm
in Council Chamber, Council Offices
Market Street, Newbury

Part I

Page No.

- (1) Application No. and Parish: 23/00072/RESMAJ, Stratfield
Mortimer

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Sarah Clarke.



Supplemental Items

Eastern Area Planning Committee to be held on Wednesday, 26 April 2023 (continued)

- Proposal:** Approval of reserved matters following Outline Permission 19/00981/OUTMAJ [Section 73: Variation of condition 6-approved plans of approved application 17/03004/OUTMAJ: This outline application comprises two parts: Part a) The erection of 110 dwellings including affordable housing, public open space and associated landscaping with all matters reserved other than access and layout; Part b) The erection of a 3FE Infant School and 900sq m GP surgery (Use Class D1) with shared parking area with all matters reserved other than access.] Matters seeking consent: Landscaping.
- Location:** Land south of Tower Gardens, Mortimer.
- Applicant:** TA Fisher and Sons Limited.
- Recommendation:** The Director of Development and Regulation be authorised to GRANT conditional approval.

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 e-mail: executivecycle@westberks.gov.uk / jessica.bailiss@westberks.gov.uk

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West Berkshire
C O U N C I L

**EASTERN AREA PLANNING COMMITTEE
DATED 26th April 2023**

UPDATE REPORT

This report sets out the running order for tonight's Committee meeting. It indicates the order in which the applications will be heard, the officer presenting and anyone who has registered to speak either in favour or against the application.

Those people attending to take part in the pre-arranged Public Speaking sections are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.

Any additional information that has been received since the main agenda was printed will be contained in this report. It may for instance make reference to amended plans and further letters of support or objection. This report must therefore be read in conjunction with the main agenda.

The report is divided into four main parts:

- Part 1 - relates to items not being considered at the meeting,
- Part 2 - any applications that have been deferred for a site visit,
- Part 3 - applications where members of the public wish to speak,
- Part 4 - applications that have not attracted public speaking.

Part 1	N/A
Part 2	N/A
Part 3	Item(1)23/00072/RESMAJ Land South Of Tower Gardens, The Street, Mortimer Common Pg no.21-46
Part 4	N/A

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EASTERN AREA PLANNING COMMITTEE

26 APRIL 2023

UPDATE REPORT

Item No: (1) **Application No:** 23/00072/RESMAJ **Page No.** 21-46

Site: Land South Of Tower Gardens, The Street, Mortimer Common

1. Registered Speakers

Please refer to List of Speakers provided under separate cover.

2. Additional Consultation Responses

Public representations:	Nil received.
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3. Ongoing Maintenance and Management of the Proposed Retaining Wall

The agenda report noted at paragraph 6.9 that Officers were exploring the ongoing management and maintenance of the proposed retaining wall and that it was anticipated, as per the recommendation, that it would be subject to a S106 planning obligation.

Having taken further advice a S106 is required where the retaining wall is site specific infrastructure. This could be a deed of variation to the original S106 or a unilateral undertaking by the applicant as an additional S106.

It is understood from the applicant that the retaining wall would be insured and is guaranteed for 60 years. There is an annual cost for the inspection fee in the region of £250. This can be secured in the S106 as a commuted sum.

It is understood from correspondence from the applicant that the intention is for the retaining wall to be overseen long term as part of the transfer of ownership of the public open space. The definition of public open space can be amended to include the retaining wall and update the associated plan.

It is understood the Parish Council has expressed a potential interest in taking on the management of the public open space. The existing S106 associated with the outline permission allows for this transfer but it is not a requirement for the Parish Council to take it on.

4. Site Levels

Site levels of the dwellings were raised at the Committee site visit. The outline permission and existing reserved matters approval for phase 2 (this part of the development) have been reviewed. To confirm the ground and floor levels for the dwellings which back on to the proposed retaining wall have not been set.

The plans submitted with this application include topographical information on the existing and proposed ground and floor levels. As noted in paragraph 6.7 of the agenda report this

information is considered to provide an indication of the levels, particularly for the gardens, and a condition is recommended for further information for all of the plots with regard to the levels and gradients. This can be amended to include the finished floor levels.

5. Phase 3 and Access to Public Open Space

Following an enquiry from the committee site visit it is noted that in phase 3 (not subject to this application) there is a proposed footpath which will access the public open space, so residents of the plots in this phase 2 part of the site will be able to access the public open space from this location.

Following another enquiry from the site visit it is noted that there will be a small degree of additional retaining wall associated with the phase 3 application and this will be considered by officers in the processing of that application. It forms no part of the analysis of this application and it would not join this proposed retaining wall; it would be further away to the side of the phase 3 part of the site.

6. Updated Recommendation

The recommendation remains as set out in the agenda committee report, including being subject to a S106, and subject to the following amended condition.

3.	<p>Topographical Details</p> <p>Notwithstanding the levels details shown on the plans no development works to the retaining wall or the dwellings of plots 51 to 58 in phase 2b shall commence until a topographical survey with relevant sections of phase 2 of the approved scheme has been submitted to and approved in writing by the Local Planning Authority. The topographical and sections details shall include: finished floor levels; gardens of each plot which back on to the retaining wall; and the public open space area to the south where affected by the retaining wall. Each of the aforementioned dwellings shall not be occupied until the dwelling and associated garden has been provided in accordance with the approved details.</p> <p>Reason: To ensure that the garden sizes of the approved plots meet the criteria for garden areas in the SPD of 2006 on Quality Design and ensure the gradients of the rear gardens are acceptable in providing a useable private amenity space. This condition is applied in accordance with policy CS14 in the West Berkshire Core Strategy 2006-2026 and the Quality Design SPD and the National Planning Policy Framework.</p>
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