Supplemental Items for Western Area Planning Committee

Wednesday 21st February 2024 at 6.30 pm in Council Chamber, Council Offices Market Street Newbury

Page No.

4. Schedule of Planning Applications

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(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).

(1) Application No. and Parish: 23/00397/OUTMAJ - Bath Road,

9 - 16

Speen, Newbury

Proposal:

Section 73 - Application for Removal or Variation of Condition following Grant Planning Permission17/02092/OUTMAJ - Hybrid planning comprising outline planning an application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.

Location:

Covered Reservoir, Bath Road, Speen, Newbury

Applicant:

David Wilson Homes (Southern)

Recommendation:

To delegate to the Development Manager to



Supplemental Items

Western Area Planning Committee to be held on Wednesday, 21 February 2024

(continued)

GRANT PLANNING PERMISSION subject to conditions

(2) Application No. and Parish: 22/01235/RESMAJ - Bath Road, 17 - 24

Speen, Newbury Proposal:

Application for Approval of Reserved Matters following Outline Approval 17/02092/OUTMAJ - Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land] Reserved matters approval for the erection of 93 homes, with associated open space and other infrastructure. Matters to be considered: Access, Appearance, Landscaping, Layout and Scale

Location: Covered Reservoir, Bath Road, Speen, Newbury

Applicant: David Wilson Homes (Southern).

Recommendation: To delegate to the Development Manager to

GRANT RESERVED MATTERS APPROVAL

subject to conditions.

(3) Application No. and Parish: 23/00373/RESMAJ - Land Off, 25 - 30

Lambourn Road, Speen Newbury

Proposal: Approval of reserved matters following Outline

Permission 17/02093/OUTMAJ (Outline planning application for up to 14 dwellings and associated works - all matters reserved except access.) Matters seeking consent: Appearance, Landscaping, Layout

and Scale

Location: Land Off, Lambourn Road, Speen

Newbury

Applicant: David Wilson Homes (Southern)

Recommendation: To delegate to the Development Manager to

GRANT RESERVED MATTERS APPROVAL

subject to the conditions listed below.



Supplemental Items

Western Area Planning Committee to be held on Wednesday, 21 February 2024 (continued)

Application No. and Parish: 23/02915/FUL - Battery End Hall, 31 - 32 Battery End, Newbury, RG14 6NX

Proposal: One 4 bed two storey dwelling with parking, cycle

and refuse storage.(Re-submission of Approval 19/00995/FULD without any amendments)

Location: Battery End Hall

Battery End Newbury RG14 6NX

Applicant: Prudential Properties

Recommendation: The Service Director Development and Regulation

be authorised to grant Planning Permission subject

to conditions

(5) Application No. and Parish: 23/01916/HOUSE - Birkdale, The 33 - 34

Ridge, Cold Ash, RG18 9HT

Proposal: Erection of a single timber shed to the western side

of the property

Location: Birkdale, The Ridge, Cold Ash

RG18 9HT

Applicant: Mr Martin Sutherland

Recommendation: That the Service Director of Development and

Regulation be authorised to APPROVE conditional

permission.

Sarah Clarke

(4)

Service Director (Strategy & Governance)

Yarah Clarke

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

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



Supplemental Items Western Area Planning Committee to be held on Wednesday, 21 February 2024 (continued)

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format or translation, please contact Sadie Owen on telephone (01635) 519052.





WESTERN AREA PLANNING COMMITTEE DATED 21.02.2024

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) 23/02379/COND 23/00397/OUTMAJ, The Covered Reservoir, Speen

Item (2) 22/01235/RESMAJ, The Covered Reservoir, Speen Item (3) 23/00373/RESMAJ, The Covered Reservoir, Speen Item (4) 23/02915/FUL, Battery End Hall, Battery End, Newbury

Item (5) 23/01916/HOUSE, Birkdale, The Ridge, Cold Ash

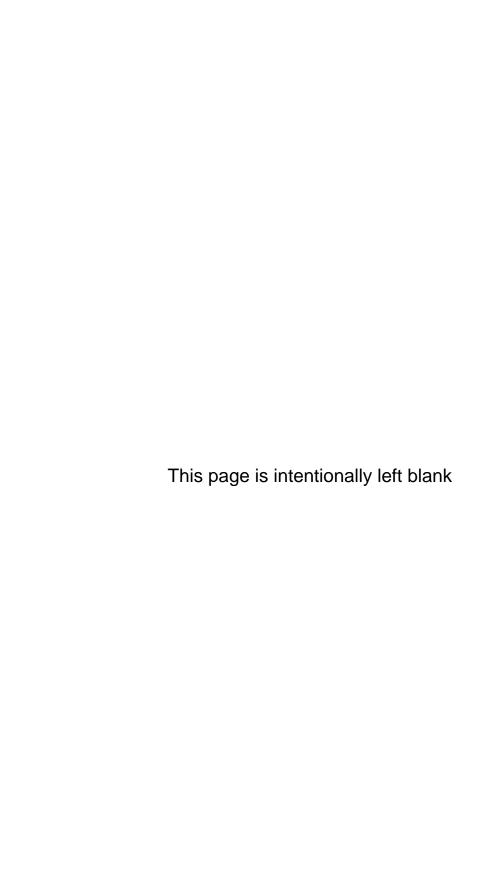
Pages 111-129 Pages 131-139

Pages 27-65

Pages 67-91

Pages 93-109

Part 4 N/A



WESTERN AREA PLANNING COMMITTEE 21 FEBRUARY 2024 UPDATE REPORT

Item No: (1) Application No: 23/00397/OUTMAJ Page No. 27-65

Site: Covered Reservoir, Bath Road, Speen, Newbury

1. Registered Speakers

Please refer to List of Speakers provided under separate cover.

2. Additional Consultation Responses

Highway Authority comments

Since the publication of the committee report, a consultation response has been submitted by the Council's Highways Officer. The full response may be viewed with the application documents on the Council's website, using the application reference. A summary of the Highways Officer's consultation comments is outlined below:

- Pleased that the applicants are working with us (Highways) regarding the access onto the A4 and the potential accommodation of a cycle route.
- Instead of the approved access with the turn right lane being provided onto the A4 Bath Road, Highways are seeking that a financial contribution is provided for West Berkshire Council to provide works fronting the site on the A4 to accommodate a footway / cycleway along the southern side of the A4. This would then form a continuous route for pedestrians and cyclists from Stockcross into Newbury. Should any duration occur between the development commencing and the West Berkshire Council programming the works, it could be suggested that a temporary access be provided to serve the development. Should this be finalised between the Local highway Authority and the applicant, it is assuming that a further planning application would be required.

The conditions recommended by the Highways Officer are already attached to the list of conditions recommended within the committee report, these conditions are shown below:

- Electric Vehicle Charging Point (Condition 9)
- Cycle parking/storage (Condition 34)
- Parking/turning (Condition 54)

Ecology Officer comments

Since the publication of the committee report, a consultation response has been submitted by the Council's Ecology Officer. The full response may be viewed with the application documents

Item No: 1 Application No: 23/00397/OUTMAJ Page 1 of 7

on the Council's website, using the application reference. A summary of the Ecology Officer's consultation comments is outlined below:

Applications 22/01235/RESMAJ and 23/00397/OUTMAJ

- Both applications are informed and supported by the same suite of ecological surveys and reports – except that no updated Preliminary Ecological Appraisal (PEA) could be found that covers the site with full approval for the development of 11 residential units in the southeast corner of the site.
- The last field surveys undertaken in connection with the application were in February 2022. This survey findings are therefore on the cusp of becoming outdated and unreliable for the purposes of assessing ecological impacts and therefore an updated PEA based on updated field surveys is also required for these applications as a condition for both sites approved under the hybrid application.
- A significant concern for both applications is that the ecological surveys undertaken for protected species were mostly undertaken in 2016 and are therefore no longer reliable for the purposes of assessing and avoiding and mitigating impacts. The most recent field surveys undertaken in February 2022 described the habitats on site as being largely unchanged since the 2016 surveys.
- It is noted that with the exception of reptiles, no evidence of other protected species was found in the 2016 surveys.
- Many of the habitats and features previously identified as being of importance or potential importance for protected species are proposed to be retained within the submitted plans.
- For these reasons, it is advised that it is possible to make the updated protected species surveys a condition on planning approval should permission be granted.
 These updated surveys should include surveys for:
 - a) Badger.
 - b) Hazel dormouse.
 - c) Bats (preliminary roost assessment of trees and further surveys if the trees are assessed as having moderate to high potential for roosting bats and the trees will be impacted by the proposed development either during construction or operational phases); and
 - d) Breeding birds.
- No further surveys are required for great crested newts since recent surveys were carried out in April 2023 and concluded that there was no evidence of breeding in suitable waterbodies within 500metres of the application site.
- No further surveys are required for reptiles since a detailed precautionary methodology for the protection of the reptile population on site has been submitted and which can be made a condition of any planning approval.
- A Construction Environmental Management Plan (CEMP) has been submitted to fulfil Condition 24 of hybrid planning permission 17/02092/OUTMAJ. Overall the CEMP requires a number of amendments. These will need to also be informed by the further surveys required under the other Biodiversity conditions including the requirement for updated ecological surveys. The Council must receive and approve the revised CEMP prior to construction (including site clearance) commencing because it is required to inform the process of site clearance.
- Pro Vision Ecology has produced a Biodiversity Enhancement Plan (BEP) to fulfil Condition 28 of hybrid planning permission 17/02092/OUTMAJ. The plan outlines species-specific measures for enhancement of the site at Speen. This includes the installation of bat and bird boxes within the new dwellings; enhancement of existing

Item No: 1 Application No: 23/00397/OUTMAJ Page 2 of 7

- grassland and hedgerow habitat; and creation of new wet grassland areas within the new attenuation basins. The BEP needs to be updated to reflect the updated layout plans submitted in 2024.
- An updated Landscape and Habitat Management Plan (LHMP) dated January 2024 has been submitted with the most recent revisions to the submitted plans. The original LHMP was submitted to fulfil Condition 30 of hybrid planning permission 17/02092/OUTMAJ. This plan provides details of the habitats to be retained, created, and enhanced and the methods which will be used to deliver the habitat enhancement outlined in the BEP. The LHMP as currently submitted cannot be relied upon to successfully deliver the intended habitat creation and management and therefore must be substantially revised and amended. A condition is advised.
- There are no details of proposed methods for ensuring that artificial lighting of the new
 development will not adversely affect the current foraging and commuting patterns of
 the five species of bat found to be using the site during the bat activity surveys
 undertake in 2016. Updated bat activity surveys should inform the lighting strategy, a
 condition is recommended.

Following the consultation comments from the Council's Ecologist, condition 24 recommended in the committee report is amended as follows:

Construction Environmental Management Plan (CEMP)

Irrespective of any details submitted with the application, no development hereby permitted 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) a risk assessment of potentially damaging construction activities
- (b) Identification of biodiversity protection zones
- (c) Practical measures to avoid and reduce impacts during construction with special consideration on the protection of SSSI/SACs within the locality.
- (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 of the ecological clerk of works or similarly competent person
- (i) Any temporary lighting that will be used during construction
- (k) measures to ensure no altered hydrogeology will occur within the site or locality during construction
- (I) External lighting
- (m) The implementation of these measures prior to the commencement of development.
- (n) Use of protective fences, exclusion barriers and warning signs.

Item No: 1 Application No: 23/00397/OUTMAJ Page 3 of 7

The development shall not be constructed otherwise than in accordance with the approved CEMP.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application following the amendment to the layout. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

Condition 28 recommended in the committee report is amended as follows:

Biodiversity enhancements Plan

Irrespective of any details submitted with the application, no development shall commence on each phase until details of a scheme for the protection and enhancement of biodiversity (Biodiversity Enhancement Plan), including bat and bird boxes, use of native species in landscaping and incorporation of features beneficial to wildlife wherever possible within and around the perimeter of the site, together with details of the timing/phasing of the respective elements forming the scheme and proposed management arrangements, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be maintained in their approved condition for the lifetime of the development.

Reason: To achieve net gains in biodiversity, and to mitigate the impact on bat species. A precondition is required because insufficient details accompany the application. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

Condition 30 recommended in the committee report is amended as follows:

Landscape and Habitat Management Plan

Irrespective of any details submitted with the application, no development hereby permitted shall take place until a Landscape and Habitat Management Plan for the site for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure. The plan shall include long term design objectives, management responsibilities and maintenance schedules. The plan shall include any areas of existing landscaping including woodlands and also include any areas of proposed landscaping other than areas of private domestic gardens.

The content of the Landscape and Habitat Management Plan shall include the following.

- a) Description and evaluation of features to be created, restored and managed;
- b) Ecological trends and constraints on site that might influence management decisions;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions, together with a plan of management compartments;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Monitoring measures to demonstrate that the aims and objectives of management are being achieved including:

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- Identification of adequate baseline conditions prior to the start of development;
- Methods for data gathering and analysis;
- Location of monitoring and timing and frequency of monitoring;
- Responsible persons and lines of communication.
- i) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.

The Landscape and Habitat Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Landscape and Habitat Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

No dwelling hereby permitted shall be first occupied until the approved plan has been implemented and thereafter adhered to for the lifetime of the plan.

Reason: To ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure post-development including the long-term management of existing and proposed landscaping in accordance with the recommendations of the submitted ecological report. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework and Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026

Condition 39 recommended in the committee report is amended as follows:

Ecological mitigation and management measures review and ecology survey updates

Irrespective of any details submitted with the application, no development shall commence (including site clearance), until details of a review of the ecology survey updates, mitigation and management measures have been submitted to and approved in writing by the Local Planning Authority. The updated surveys shall inform the Construction Environmental Management Plan and Biodiversity Enhancement Plan secured by other conditions. 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 and/or distribution of:
 - (a) Habitats;
 - (b) Badgers;
 - (c) Bats;
 - (d) Hazel dormouse;
 - (e) Breeding birds.
- (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 approved ecological mitigation and management 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

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Authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

The rest of the conditions recommended by the Ecology Officer are already attached to the list of conditions recommended within the committee report:

- External Lighting (condition 27)
- Protected Species Licence (condition 40)

Speen Parish Council comments

Since the publication of the committee report, a consultation response has been submitted by the Speen Parish Council.

No further objections to those already previously raised by Speen Parish Council.

No additional representations have been received.

Following the submission of consultation comments from the Highways and Ecology Officers and discussions with the applicant, the travel plan and site levels have been removed from the approved plan and will be addressed by condition 10 and condition 5 respectively.

Condition 49 (Approved plans) recommended in the committee report is amended as follows:

Approved plans

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

Received 18 September 2023:

- Proposed Bath Road access 07733/SK/002 rev E
- Amended Drawing No: 0766-S73-1- 102 Revision A Planning Layout
- Amended Drawing No: 0766-S73-1-HTB Issue 4 House Type Booklet
- Amended Drawing No: 0766-S73-1-103 Revision A Street Scenes
- Amended Drawing No: 0766-S73-1-109 Revision A Garages

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

3. Additional Information

During the committee site visit, queries were raised by Members and residents. The queries raised during the committee site visit are addressed under the committee update report on application 22/01235/RESMAJ.

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Bath Road Access

Concerns were raised by Members and residents with regard to highway safety at the Bath Road access. Officers advised all resent that the Bath Road access was a matter already approved at outline stage.

4. Updated Recommendation

The recommendation remains for approval as set out in the agenda committee report, subject to the amended conditions in the committee update report.

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Agenda Item 4.(2)

WESTERN AREA PLANNING COMMITTEE 21ST FEBRUARY 2024

UPDATE REPORT

Item Application 22/01235/RESMAJ

No: (2) No: Page No. 67-91

Site: Covered Reservoir, Bath Road, Speen, Newbury

1. Registered Speakers

Please refer to List of Speakers provided under separate cover.

2. Additional Consultation Responses

Highway Authority comments

Since the publication of the committee report, a consultation response has been submitted by the Council's Highways Officer. The full response may be viewed with the application documents on the Council's website, using the application reference. A summary of the Highways Officer's consultation comments is outlined below:

- Gradients and levels were agreed at a meeting held with the applicant's highway consultants on 15th December 2023 along with much that follows.
- Tracking drawings have been provided for an emergency vehicle accessing the emergency access route from Station Road on drawing 12758/1130 (Rev P1) (Emergency Access drawing).
- Refuse, fire and vehicle tracking for the remainder of the site is provided on drawings 12758/1171-RM1 (Rev P1) and 12758/1172- RM1 (Rev P1) prepared by GTA and drawing 0766-RM1-105 prepared by Focus.
- Some of the manoeuvres for the emergency access onto Station Road look tight in
 places and the body of a fire appliance may overlap some of the verges slightly, but
 that this will not cause harm. Highways is satisfied with the DB32 fore appliance used
 for the swept paths which accords to sizes used by the Royal Berkshire Fire and
 Rescue Service.
- A footway connection has been added to the PROW. The adoptable turning head between plots 95 and 60 will provide a tarmac footpath, and beyond that a hoggin footpath will run north around the pond to connect to the PROW). This is shown on the planning layout DWG No. 0766-RM1-102 H. I appreciate this, but it is a long way from the original road link that was envisaged a decade ago. However, with the outline consent, as a potential solution to upgrade the whole route to Lambourne Road, a £100,000 sum is available to the Council to at least upgrade the Public Right of Way Speen 7/1 to adoptable standard for use by pedestrians and cyclists.
- The General Arrangement Plan prepared by GTA (drawing no. 12758/1120-RM1 (Rev P1) shows forward visibility splays as requested. Roads within the site should be designed to 32 kph (20 mph).
- Visibility splays at junctions have been designed for 48 kph (30 mph), which is above the required level. Forward visibility splays around bends have been designed for 30 kph (19 mph), which would be slightly below the required level, but only marginally in my view.

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- A tree pit detail and planting schedule has been provided for information purposes only.
 This suggests that the nine trees that are proposed in the adoptable highway are either
 Tilia cordata 'Greenspire' or Acer campestre 'Fastigiata'. These would be, as per our
 schedule, 3x Heavy Standard, clear stem 175 to 200 cm, minimum of 5 breaks, height
 350 to 425 cm and a girth of 14 to 16 cm. This can be finalised going forward.
- Some of the verges are very small areas in some locations and may be best being hard surfaced for maintenance purposes.
- Drop kerbs and tactile paving have been added and are shown on the Planning Layout and Site Levels & Contour Plan (drawing No. 12758/1121-RM1 (Rev P1). This seems to have been provided, but they may be a location missing fronting plot 67. This can be added going forward.
- Highways note the swept path diagrams for refuse vehicles. In a number of locations, the body of the vehicle may overlap some of the verges and footways, but I am of the view that this will not cause harm for a vehicle that will attend the site once a week.
- Some locations such as fronting plot 28, will need to ensure that the footway construction is adequate to support a refuse vehicle.
- Some locations, the ends of refuse vehicles protrude into private parking courts, but this shouldn't be an issue as any gates or structures near what will be public highway would need further planning consent.
- Highways have concerns regarding the swales within the service margins and the metal
 post and rail fences between them and alongside the carriageway. In any case, any
 structure should be at least 0.5 metres from the carriageway edge. This needs to be
 considered further working with SUDS. We have in any case applied conditions
 ensuring that roads are built to adoptable standards that could be used to amend this
 if required.
- There will be a pedestrian desire line within the open space alongside plots 12 and 23.
 Can this be secured?"

The details requiring further highway design including the potential pedestrian desire line within the open space between plots 12 and 23 can be secured through the Section 38 highway agreement and technical design requirement at condition 8 of the Section 73 application 23/00397/OUTMAJ.

Ecology Officer comments

Since the publication of the committee report, a consultation response has been submitted by the Council's Ecology Officer. The full response may be viewed with the application documents on the Council's website, using the application reference. A summary of the Ecology Officer's consultation comments is outlined below:

Applications 22/01235/RESMAJ and 23/00397/OUTMAJ

- Both applications are informed and supported by the same suite of ecological surveys and reports – except that no updated Preliminary Ecological Appraisal (PEA) could be found that covers the site with full approval for the development of 11 residential units in the southeast corner of the site.
- The last field surveys undertaken in connection with the application were in February 2022. This survey findings are therefore on the cusp of becoming outdated and unreliable for the purposes of assessing ecological impacts and therefore an updated PEA based on updated field surveys is also required for these applications as a condition for both sites approved under the hybrid application.
- A significant concern for both applications is that the ecological surveys undertaken for protected species were mostly undertaken in 2016 and are therefore no longer reliable for the purposes of assessing and avoiding and mitigating impacts. The most recent

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- field surveys undertaken in February 2022 described the habitats on site as being largely unchanged since the 2016 surveys.
- It is noted that with the exception of reptiles, no evidence of other protected species was found in the 2016 surveys.
- Many of the habitats and features previously identified as being of importance or potential importance for protected species are proposed to be retained within the submitted plans.
- For these reasons, it is advised that it is possible to make the updated protected species surveys a condition on planning approval should permission be granted. These updated surveys should include surveys for:
 - a) Badger.
 - b) Hazel dormouse.
 - Bats (preliminary roost assessment of trees and further surveys if the trees are assessed as having moderate to high potential for roosting bats and the trees will be impacted by the proposed development either during construction or operational phases); and
 - d) Breeding birds.
- No further surveys are required for great crested newts since recent surveys were carried out in April 2023 and concluded that there was no evidence of breeding in suitable waterbodies within 500metres of the application site.
- No further surveys are required for reptiles since a detailed precautionary methodology for the protection of the reptile population on site has been submitted and which can be made a condition of any planning approval.
- A Construction Environmental Management Plan (CEMP) has been submitted to fulfil Condition 24 of hybrid planning permission 17/02092/OUTMAJ. Overall, the CEMP requires a number of amendments. These will need to also be informed by the further surveys required under the other Biodiversity conditions including the requirement for updated ecological surveys. The Council must receive and approve the revised CEMP prior to construction (including site clearance) commencing because it is required to inform the process of site clearance.
- Pro Vision Ecology has produced a Biodiversity Enhancement Plan (BEP) to fulfil Condition 28 of hybrid planning permission 17/02092/OUTMAJ. The plan outlines species-specific measures for enhancement of the site at Speen. This includes the installation of bat and bird boxes within the new dwellings; enhancement of existing grassland and hedgerow habitat; and creation of new wet grassland areas within the new attenuation basins. The BEP needs to be updated to reflect the updated layout plans submitted in 2024.
- An updated Landscape and Habitat Management Plan (LHMP) dated January 2024 has been submitted with the most recent revisions to the submitted plans. The original LHMP was submitted to fulfil Condition 30 of hybrid planning permission 17/02092/OUTMAJ. This plan provides details of the habitats to be retained, created, and enhanced and the methods which will be used to deliver the habitat enhancement outlined in the BEP. The LHMP as currently submitted cannot be relied upon to successfully deliver the intended habitat creation and management and therefore must be substantially revised and amended. A condition is advised.
- There are no details of proposed methods for ensuring that artificial lighting of the new
 development will not adversely affect the current foraging and commuting patterns of
 the five species of bat found to be using the site during the bat activity surveys
 undertake in 2016. Updated bat activity surveys should inform the lighting strategy, a
 condition is recommended.

The conditions recommended by the Ecology Officer have been amended or added to the list of conditions under Section 73 application 23/00397/OUTMAJ. The recommended conditions relate to the entire site as shown on the approved Site Location Plan. The conditions have

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therefore not been duplicated on the Reserve Matters application. The conditions are recommended as follows under application 23/00397/OUTMAJ:

- Construction Environmental Management Plan (CEMP) (condition 24)
- External Lighting (condition 27)
- Biodiversity enhancements plan (condition 28)
- Landscape and Habitat Management Plan (condition 30)
- Ecological mitigation and management measures review and ecology survey updates (condition 39)
- Protected Species Licence (condition 40)

Environment Agency comments

Since the publication of the committee report, a consultation response has been submitted by the Environment Agency.

 Please take account of any conditions, informatives or advice that we provided in our response to the outline application when making your determination of this reserved matters application.

The Environment Agency recommendations remain secured through condition 35 (Contamination Risks (Environment Agency) of the outline permission. Condition 35 is also attached to application 23/00397/OUTMAJ as a compliance condition following approval of the condition under application 22/00878/COND5.

Environment Team comments

Since the publication of the committee report, a consultation response has been submitted by the Council's Environment Team. The full response may be viewed with the application documents on the Council's website, using the application reference. A summary of the consultation comments is outlined below:

"The applicant has stated the following in relation to CS15...

Point 10. A Sustainability Statement was requested to demonstrate compliance with Policy CS15 and the Council's Environment Strategy 2020-2030. We do not feel a statement is necessary given that Policy CS15 was considered at the outline stage, and any additional sustainability requirements should have been added as a planning condition at the time, and cannot be imposed at RM stage. A recent Written Ministerial Statement issued in December 2023 states that "the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations." The development will be delivered in line with the relevant Building Regulations, which are currently at 31% carbon reduction compared to 2013 regulations, and dwellings constructed beyond June 2026 will be built to the Future Homes Standard (c. 75-80% carbon reduction), also known as net zero ready.

With reference to the December 2023 Written Ministerial Statement, officers have reviewed and sought third party advice and our position is that Policy CS15 still applies to planning applications."

Officers agree with the applicant that as the sustainability position was considered at outline stage and it cannot be revisited at Reserved Matters. The original outline application 17/02092/OUTMAJ and the committee report considered sustainability and requirements accordant with Policy CS15 were not applied in the outline planning decision. The extant

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outline permission currently represents a viable fallback position for the applicant. For members' benefit an extract on sustainability from the outline committee report is shown below.

Sustainable construction

6.107 According to Core Strategy Policy CS15, new residential development will meet a minimum standard of Code for Sustainable Homes Level 6. However, the Written Ministerial Statement of 25th March 2015 withdraws the Code for Sustainable Homes. According to the Planning Practice Guidance, local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans. There is no current policy with the statutory development plan that is consistent with this guidance.

6.108 Core Strategy Policy CS15 also requires major development to achieve minimum reductions in carbon dioxide emissions from the use of renewable energy or low/zero carbon energy generation on site or in the locality. For residential development the policy requirement is zero carbon. Following the withdrawal of the Code for Sustainable Homes, the baseline for this assessment no longer exists for the residential element of the development, and as such compliance is not possible for practical reasons.

Officers consider that the sustainability aspects of the proposal can only be addressed through Building Regulations.

Speen Parish Council comments

Since the publication of the committee report, a consultation response has been submitted by the Speen Parish Council.

No additional objections to those already made

No additional representations have been received.

Following the submission of consultation comments from the Highways and Ecology Officers and discussions with the applicant, the Landscape and Habitat Management Plan and Ecological Technical Note – Land at Speen (Reply to Ecology Comments) have been removed from the approved plans condition 2 and will be addressed by separate conditions.

Approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans/documents.

Amended plans received on 10 January 2024:

- Planning Layout Drawing No 0766-RM1-102 H
- Housetype Booklet Drawing No 0766-RM1 HTB Issue 3
- Street Scenes Drawing No 0766-RM1-103-1 D
- External Works Drawing No 0766-RM1-104-1-G
- External Works Drawing No 0766-RM1-104-2-G
- External Works Drawing No 0766-RM1-104-3-G
- External Works Drawing No 0766-RM1-104-4-G

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- External Works Drawing No 0766-RM1-104-5-G
- External Detailing Drawing No 0766-RM1-106 C
- Adoption Plan Drawing No 0766-RM1-107 F
- Building Heights Plan Drawing No 0766-RM1-110 F
- Refuse Strategy Drawing No 0766-RM1-111 F
- Tenure Plan Drawing No 0766-RM1-112 F
- Phasing Plan Drawing No 0766-RM1-113 F
- EVCP Plan Drawing No 0766-RM1-115 C
- Parking Matrix Drawing No 240109
- Landscape General Arrangement Plan Drawing No 2099.10/03O Sheet 1
- Landscape General Arrangement Plan Drawing No 2099.10/04O Sheet 2
- Vehicle Tracking Drawing No 0766-RM1-105 F
- General Arrangement Plan Drawing No 12758/1120-RM1 (Rev P1)
- Highways Constraints Plan Drawing No 12758/1128 (Rev P1)
- Noise Impact Assessment Drawing No C10683 2.2
- Transport Assessment 50400733
- Transport Technical Note Increased Development Quantum 50400733
- Transport Technical Note 2 Response to WBC Comments 50400733
- Bath Road Access Plan Drawing No 0733/SK/002 (Rev E)
- Statement of Compliance Part 1 and 2
- Garages, Bin and Cycle Store Drawing No 0766-RM1-109
- Composite affordable housing plan Drawing No 0766-C-1000 D
- Oil easement plan Drawing No H8697/OP/001
- Great Crested Newts Technical Note 13.11.23
- Long Sections Drawing No 12758/1127-RM1 (Rev P1)
- Cross Sections Drawing No 12758/1125-RM1 (Rev P1)
- Road Section Key Plan Drawing No 12758/1129
- Detailed Ornamental Planting Plan No 2099.10/13C Sheet 1 of 4
- Detailed Ornamental Planting Plan No 2099.10/14C Sheet 2 of 4
- Detailed Ornamental Planting Plan No 2099.10/15C Sheet 3 of 4
- Detailed Ornamental Planting Plan No 2099.10/16D Sheet 4 of 4
- Structural Planting Plan Drawing No 2099.10/17C Sheet 1 of 2
- Structural Planting Plan Drawing No 2099.10/18D Sheet 2 of 2
- Emergency Access Design Drawing No 12758/1130 Rev P1
- Drainage Strategy Report 12758 Part 1
- Drainage Strategy Report 12758 12758 Part 2
- Drainage Strategy Drawing 12758/1122
- Refuse Tracking Drawing No 12758/1171-RM1 (Rev P1)
- Fire Tender Tracking Drawing No 12758/1172-RM1 (Rev P1)
- General Arrangement Plan Drawing No 12758/1120-RM1 (Rev P1)
- Site Levels & Contour Plan Drawing No 12758/1121-RM1 (Rev P1)
- Pond Details Drawing No 12758/1123

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

The Council currently has no development plan policy that prescribes national space standards for new residential development. Following discussions with the applicant and the Development Manager, condition 4 recommended within the committee report is amended such that only the affordable housing dwellings will be required to meet national space standards as requested by the Council's Housing Officers.

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Nationally described space standards

No above ground development shall take place until details of how the internal bed spaces and storage areas of the affordable housing dwellings only hereby permitted meet the national space standards as prescribed in the Technical housing standards – nationally described space standard – (Department for Local Communities and Government March 2015) (as amended). Thereafter the proposed affordable housing dwellings shall be completed in accordance with the approved details.

Reason: to ensure the proposed affordable housing dwellings meet national space standards and are well designed for occupation. This condition is applied in accordance with the National Planning Policy Framework, Technical housing standards — nationally described space standards, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

3. Additional Information

During the committee site visit, queries were raised by Members and residents. The queries raised during the committee site visit are addressed below:

Orientation of dwellings to the southeast at Cornwall Terrace and the new dwellings.

Members wished to know the orientation of the new dwellings in the southeast corner of the site. The proposed dwellings located to the southeast along Cornwall Terrace are plots 26, 27, 28 29, 30 and 31. These plots front face southwards towards Cromwell Terrace's rear elevations with a sufficient open space with a footpath between the Cromwell Terrace and new buildings. This is shown on the proposed layout plan as outlined below:



Drainage Ponds

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Members and residents queried how many ponds were proposed within the site. The larger 93 unit site will consist of 3No drainage ponds located to the north, southwest and southeast of the site away from residential properties. The drainage of the site is addressed at paragraphs 6.31 – 6.33. The Lead Local Flood Authority's officer raised no objections outlining the following consultation comments, repeated here in full for members:

"The below response is with regards to the central area of the wider site only and does not constitute a response to any of the other two applications associated with the development.

We are generally satisfied with the principles applied within the strategy and the calculations provided, along with the amendments and inclusions of a gravity network and green SuDS infrastructure. However, the discharge of the proposed surface water drainage network is into an existing ditch which would be subject to an Ordinary Watercourse Consent which has not been provided. Please can the applicant provide evidence of this application and approval to enable the recommendation of discharge of Condition 12."

Following the above comments from the Lead Local Flood Authority's officer, condition 12 under application 23/00397/OUTMAJ was amended to request the additional information.

Speen Design Statement

Members and residents queried whether the proposal considers the Speen Village Design Statement. The Speen Village Design Statement is listed at paragraph 5.2 of the committee report as a material consideration document in considering the application. In terms of the appearance, officers have considered the design of the development in the local context from paragraph 6.13 – 6.16 of the committee report as required by the Speen Village Design Statement. Further local context is addressed in terms of the scale from paragraph 6.25 – 6.28. With regard to materials, as the site is located partly within and adjacent to a conservation area, the condition 55 requiring the submission of details of materials for approval has been retained on application 23/00397/OUTMAJ.

4. Updated Recommendation

The recommendation remains for approval as set out in the agenda committee report, subject to the amended conditions in the update report.

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Agenda Item 4.(3)

WESTERN AREA PLANNING COMMITTEE 21ST FEBRUARY 2024

UPDATE REPORT

Item (3) Application No: 23/00373/RESMAJ Page No. 93-109

Site: Land Off Lambourn Road Speen Newbury

1. Registered Speakers

Please refer to List of Speakers provided under separate cover.

2. Additional Consultation Responses

Highway Authority comments

Since the publication of the committee report, a consultation response has been submitted by the Council's Highways Officer requesting additional information. The full responses may be viewed with the application documents on the Council's website, using the application reference. A summary of the Highways comments is outlined below:

- The car parking layout is generally acceptable, although in a few cases some of the spaces are some distance from the dwellings that they are to serve, but not enough in my view to object.
- Dropped kerbs and tactile paving should be provided where pedestrians are likely to crossroads including across the entrance to the site and across the road adjacent to plot 4. This could be secured by condition.
- Unfortunately, a hoggin material is not considered as a material that is appropriate.
 for an adoptable public highway. This could be resolved by conditions already applied at outline.

The condition requiring footway crossing places across the access from Lambourn Road and adjacent to plot 4 can be secured through the Section 38 highway agreement and technical design requirement.

The rest of the conditions recommended by the Highway Officer are already attached to the list of conditions attached to the outline planning permission 17/02093/OUTMAJ. The conditions are shown below:

- Parking/turning in accord with plans (condition 15)
- Electric Charging Point (condition 16)
- Cycle parking (Condition 17)

Ecology Officer comments

Since the publication of the committee report, a consultation response has been submitted by the Council's Ecology Officer requesting additional information. The full responses may be viewed with the application documents on the Council's website, using the application reference. A summary of the Ecology Officer's comments is outlined below:

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Application 23/00373/RESMAJ

- A significant concern for both applications is that the ecological surveys undertaken
 for protected species were mostly undertaken in 2016 and are therefore no longer
 reliable for the purposes of assessing and avoiding and mitigating impacts. This is
 acknowledged within the updated Preliminary Ecological Appraisal (PEA, March
 2023).
- The most recent field surveys undertaken in February 2022 described the habitats on site as being largely unchanged since the 2016 surveys and it is also noted that with the exception of reptiles, no evidence of other protected species was found in the 2016 surveys.
- Many of the habitats and features previously identified as being of importance or potential importance for protected species are proposed to be retained within the submitted plans.
- For these reasons, it is advised that it is possible to make the updated protected species surveys a condition on planning approval should permission be granted. These updated surveys should include surveys for:
 - a) Badger.
 - b) Hazel dormouse.
 - c) Bats (preliminary roost assessment of trees and further surveys if the trees are assessed as having moderate to high potential for roosting bats and the trees will be impacted by the proposed development either during construction or operational phases); and
 - d) Breeding birds.
- No further surveys are required for great crested newts since recent surveys were carried out in April 2023 and concluded that there was no evidence of breeding in suitable waterbodies within 500metres of the application site.
- No further surveys are required for reptiles since a detailed precautionary methodology for the protection of the reptile population on site has been submitted and which can be made a condition of any planning approval.
- No CEMP has been submitted in support of this application 23/00373/RESMAJ.
- The submitted Updated Preliminary Ecological Appraisal does provide some general recommendations at Section 5.0 Impacts and Mitigation. However, these are not detailed enough to provide assurance that site clearance and construction will not result in damage to or loss of important habitats or protected and priority species. Therefore, if the application is approved, a condition is recommended that a Construction Environmental Management Plan is submitted for approval.
- The Construction Environmental Management Plan required can be based around that submitted (but requiring amendments see above) in connection with applications 22/01235/RESMAJ and 23/00397/OUTMAJ.
- An updated Biodiversity Enhancement Plan (BEP) is required to be submitted and approved by the local planning authority.
- The Landscape and Habitat Management Plan as currently submitted cannot be relied upon to successfully deliver the intended habitat creation and management and therefore must be substantially revised and amended.
- A lighting strategy for the proposed development will be required.

Following the comments received from the consultees, the details secured further by separate conditions are removed from the approved plans conditions and the approved plans condition 2 is amended as follows:

Approved plans

Item No: 3 Application No: 23/00373/RESMAJ Page 2 of 6

The development hereby permitted shall be carried out in accordance with the following approved plans/documents.

Amended plans received on 13 September 2023:

- Drawing No: 0766-RM2-100 Topographical Survey
- Design Statement of Compliance Issue 2
- Drawing No: 0766-RM2-SK31 A Architectural Detailing
- Drawing No: 0766-RM2-HTB Issue 2 House type Booklet

Amended plans received on 10 January 2024:

- Drawing No: 0766-RM2-102 C Planning Layout
- Drawing No. 0766-C-1000 D Composite Planning Layout Showing Affordable Housing
- Drawing No: 0766-RM2-102 COL C Colour Planning Layout
- Drawing No: 0766-RM2-103 B Street Scenes
- Drawing No: 0766-RM2-107 B Adoption Plan
- Drawing No: 0766-RM2-110 B Building Heights
- Drawing No: 0766-RM2-111 B Refuse Strategy Layout
- Drawing No: 0766-RM2-112 B Tenure Plan
- Drawing No: 0766-RM2-113 B Phasing Plan
- Drawing No: 0766-RM2-114 A Boundary Treatments Plan
- Drawing No. 2099.10.07 Revision G Landscape General Arrangement Sheet
- Drawing No. 2099.10.19 Revision B Structural Planting Plan
- Drawing No. 2099.10.20 Revision B Ornamental Planting Plan
- GCN eDNA Technical Note 13.11.23 (Ref: Ecology 7929) Pro Vision
- General Arrangement Plan 12758/1120 RM 2 (Rev P1)
- Site Refuse Tracking 12758/1171 RM 2 (Rev P1)
- Fire Tender Tracking 12758/1172 RM 2 (Rev P1)
- Drainage Strategy Drawing 12758/1122
- Drainage Strategy Report Part 1 and 2
- Site Levels & Contour Plan 12758/1121-RM 2 (Rev P1)
- Pond Details 12758/1123
- Cross Sections 12758/1125-RM 2 (Rev P1)
- Road Sections Key Plan 12758/1129

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

Following the consultation comments from the Council's Ecologist, the conditions recommended by the Ecologist are not attached to the outline permission 17/02093/OUTMAJ. The below conditions will be added to the list of recommended conditions to the Reserve Matters:

Ecological mitigation and management measures review and ecology survey updates

Prior to the commencement of development (including site clearance), the ecological mitigation and management measures to be secured shall be reviewed and, where necessary, amended and updated. The updated surveys shall inform the Construction Environmental Management Plan and Biodiversity Enhancement Plan secured by other conditions. The review shall be informed by further ecological surveys commissioned to:

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- (i) establish if there have been any changes in the presence and/or abundance and/or distribution of:
 - (a) Habitats.
 - (b) Badgers.
 - (c) Bats.
 - (d) Hazel dormouse.
 - (e) Breeding birds.
- (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 approved ecological mitigation and management 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 the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

Protected Species Licence

If any protected species are identified in the updated surveys that were not previously confirmed to be on the application site and are likely to be impacted by the development in such a way that would be unlawful, then a protected species licence could be required before works can commence. In such an event, no works, including demolition or development shall be undertaken within the application site until the local planning authority has been provided with a licence granted by Natural England in accordance with Regulation 55 of the Conservation of Habitats and Species Regulations, 2017(as amended) to enable the proposed works to proceed lawfully in respect of bats. An updated bat scoping and bat emergence surveys shall be undertaken in accordance with best practice professional guidance to support the licence application to Natural England.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026

The rest of the conditions recommended by the Ecology Officer are already attached to the list of conditions recommended within the committee report as follows and do not require amending:

- Construction Environmental Management Plan (condition 33)
- Lighting strategy (condition 36)
- Biodiversity Enhancement Plan (condition 37)
- Landscape and Habitat Management Plan (condition 39)

The Council currently has no development plan policy that prescribes national space standards for new residential development. Following discussions with the applicant and the Development Manager, condition 4 recommended within the committee report is amended

such that only the affordable housing dwellings will be required to meet national space standards as requested by the Council's Housing Officers.

Nationally described space standards

No above ground development shall take place until details of how the internal bed spaces and storage areas of the affordable housing dwellings only hereby permitted meet the national space standards as prescribed in the technical housing standards – nationally described space standard – (Department for Local Communities and Government March 2015) (as amended). Thereafter the proposed affordable housing dwellings shall be completed in accordance with the approved details.

Reason: to ensure the proposed affordable housing dwellings meet national space standards and are well designed for occupation. This condition is applied in accordance with the National Planning Policy Framework, Technical housing standards — nationally described space standards, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

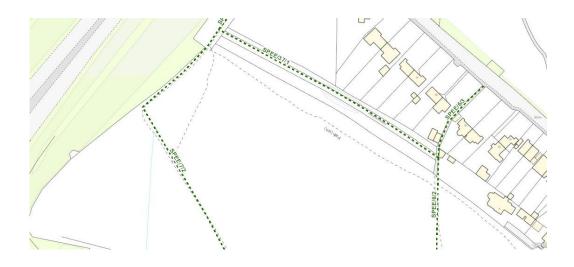
No additional representations have been received.

1. Additional Information

During the committee site visit, queries were raised by Members and residents. The queries raised during the committee site visit are addressed below:

Extent of public rights of way on the dismantled railway

During the site visit Members queried the extent of the public right of way on the dismantled railway. The applicant also emphasised that the dismantled railway and public rights of way is outside the application site. The public right of way network area, informal paths and the dismantled railway strip are shown on the map below.



2. Updated Recommendation

Item No: 3 Application No:

23/00373/RESMAJ

The recommendation remains for approval as set out in the agenda committee report, subject
to the amended conditions in the update report.

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WESTERN AREA PLANNING COMMITTEE 21 FEBRUARY 2024

UPDATE REPORT

Item Application

No: (4) No: 23/02915/FUL Page No. 111-129

Site: Battery End Hall, Battery End, Newbury RG14 6NX

1. REGISTERED SPEAKERS

Please refer to List of Speakers provided under separate cover.

2. ADDITIONAL CONSULTATION RESPONSES

Newbury Town Council:

Objection / comment:

On the same grounds as previous comments submitted for application 19/00995/FULD: Objection / comment: Members felt that is an overdevelopment of the area, and that the original hedge should be retained to protect the wildlife.

Ecology Officer comments

An updated recommendation from the Council's Ecologist will be forthcoming prior to the meeting.

3. ADDITIONAL INFORMATION

During the committee site visit, queries were raised by Members and residents relating to a number of matters which are addressed below:

Discrepancy on submitted plans.

Concerns were raised that the submitted plans do not properly reflect the relationship of the application site to the neighbouring property to the east, No. 23A.

This discrepancy is noted by Officers but having regard to Land Registry plans viewed by Officers they are satisfied that the proposed site plans and Land Registry plans do properly reflect the extent of the site being considered within this application. It is also the case that the application plans are identical to those approved under application 19/00995/FULD and those submitted under application 22/03007/FUL where Officers raised no concerns as to the same discrepancies.

It is noted that there is no requirement in planning law for application plans to accurately show buildings outside the site boundaries and Officers are satisfied that there is sufficient detail of the site itself to accurately describe and identify the works for purposes of determining the application.

Hedge Retention

Retention of the hedge along the western site boundary was also raised at the committee site visit but this matter is considered to be sufficiently covered in the Officers committee report where it is noted that the Council's Tree Officer was satisfied the hedge could be retained with an appropriately worded tree protection condition, which Members will note is included as Condition 3.

External amenity space.

The amount of external amenity space provided for the dwelling was queried at the committee site visit and Officers can confirm that the proposal provides 108 square metres of space which is greater than that recommended in the Quality Design SPD of 100 square metres for houses with 4 beds or greater.

4. UPDATED RECOMMENDATION

The recommendation remains as set out in the agenda committee report, subject to final comments from the Council's Ecologist.

Agenda Item 4.(5)

WESTERN AREA PLANNING COMMITTEE 21ST FEBRUAURY 2024 UPDATE REPORT

Item No: Application 23/01916/HOUSE Page No. 131-140

Site: Birkdale, The Ridge, Cold Ash RG18 9HT

1. Registered Speakers

Please refer to List of Speakers provided under separate cover.

2. No further updates

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