

Notice of Meeting



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Western Area Planning Committee Wednesday 19 July 2017 at 6.30pm in the Council Chamber Council Offices Market Street Newbury

Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Further information for members of the public

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Council Chamber, Market Street, Newbury between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148

Email: planapps@westberks.gov.uk

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

Any queries relating to the Committee should be directed to Jo Reeves on (01635) 519486 Email: joanna.reeves@westberks.gov.uk

Date of despatch of Agenda: Tuesday 11 July 2017



Agenda - Western Area Planning Committee to be held on Wednesday, 19 July 2017
(continued)

To: Councillors Howard Bairstow, Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Hilary Cole, Billy Drummond, Adrian Edwards, Paul Hewer, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing

Substitutes: Councillors Jeanette Clifford, James Cole, James Fredrickson and Mike Johnston

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 7 - 28
To approve as a correct record the Minutes of the meeting of this Committee held on 28th June 2017.
3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Schedule of Planning Applications**
(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: 17/00223/FULEXT Land on north and east side of Pyle Hill, Greenham** 29 - 48

Proposal: Erection of 71 dwellings with associated access roads and car parking, pedestrian access and parking with landscaping.

Location: Land on north and east side of Pyle Hill, Greenham

Applicant: David Wilson Homes

Recommendation: **The Head of Development and Planning be authorised to GRANT conditional planning permission, subject to the first completion of a s106 planning obligation.**



Agenda - Western Area Planning Committee to be held on Wednesday, 19 July 2017
(continued)

- (2) **Application No. and Parish: 17/00597/FULD and 17/00598/LBC2 The Malt Shovel, Upper Lambourn, Hungerford, Berkshire** 49 - 64

Proposal: Change of use and conversion of public house into 1 and 2 bedroom flats.

Location: The Malt Shovel, Upper Lambourn, Hungerford, Berkshire

Applicant: Mr R. McCabe

Recommendation: **The Head of Development and Planning be authorised to grant planning permission**

Items for Information

5. **Appeal Decisions relating to Western Area Planning Committee** 65 - 72
Purpose: To inform Members of the results of recent appeal decisions relating to the Western Area Planning Committee.

Background Papers

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Andy Day
Head of Strategic Support

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



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Agenda Item 2.

DRAFT

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 28 JUNE 2017

Councillors Present: Howard Bairstow, Jeff Beck, Paul Bryant (Vice-Chairman), Jeanette Clifford (Substitute) (In place of Adrian Edwards), Hilary Cole, James Cole (Substitute) (In place of Dennis Benneyworth), Billy Drummond, Anthony Pick, Garth Simpson and Virginia von Celsing

Also Present: Michael Butler (Principal Planning Officer), Rachel Craggs (Principal Policy Officer (Equalities)), Gareth Dowding (Senior Engineer (Developers Scheme)), Emma Nutchey (Principal Planning Officer), Gary Rayner (Development Control Manager) and Shiraz Sheikh (Acting Legal Services Manager)

Apologies for inability to attend the meeting: Councillor Dennis Benneyworth, Councillor Adrian Edwards and Councillor Clive Hooker

Councillor Absent: Councillor Paul Hewer

PART I

7. Minutes

(Councillor Paul Bryant in the Chair)

The Minutes of the meetings held on 9 May 2017 and 17 May 2017 were approved as true and correct records and signed by the Chairman, subject to the inclusion of the following amendment:

Page 1, Councillors Present: add Councillor Billy Drummond.

8. Declarations of Interest

Councillors Jeanette Clifford, Anthony Pick and Billy Drummond declared an interest in Agenda Items 4(1) and 4(2) 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.

9. Schedule of Planning Applications

(1) Application No. and Parish: 17/00158/COMIND, Greenham

- (Councillors Jeanette Clifford and Anthony Pick declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were Members of Newbury Town Council and had been present at the planning meeting when the item was discussed. As their interest was personal and not an other registrable or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*
- Councillor Billy Drummond declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a Member of Greenham Parish Council and had been present at the meeting when the item was discussed. As his interest was personal and not an other registrable or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*

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3. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/00158/COMIND in respect of the construction of a new one form of entry single-storey primary school, south of the existing Newbury College.
4. Councillor Jeff Beck joined the meeting at 6.35 pm and it was agreed by Members that as the meeting had only just started, he would be able to take part in the debate and vote on this item.
5. Emma Nutchey introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. She drew the Committee's attention to the six additional conditions in the Update Sheet. In conclusion, the report detailed that the proposal was acceptable and a conditional approval was justifiable. Consequently, officers recommended the Committee to grant planning permission.
6. In accordance with the Council's Constitution, Greg Bowman, Bill Bagnell and Andy Vernon, applicant/agent and Councillor Billy Drummond, Ward Member addressed the Committee on this application.
7. Bill Bagnell in addressing the Committee raised the following points:
 - The application was the conclusion of 20 months of hard work and it was a wonderful opportunity to provide a first class facility in exceptional surroundings.
 - The children would be able to experience the extraordinary rural environment with a dipping pond in close proximity to Newbury.
8. Councillor Hilary Cole requested reassurance that stringent fire prevention measures had been incorporated in the internal design of the building and in the external aluminium cladding. Bill Bagnell advised that in normal circumstances, the design would be put through a testing procedure and if sprinklers were recommended, a cost benefit exercise would be undertaken. However, sprinklers were included in this scheme as they were required by the Department for Education, unless a good reason could be shown not to do so. Andy Vernon added that the aluminium cladding bore no relation to the cladding used at Grenfell Tower and would only be used on the outer layer of the roof, on top of the steel under layer.
9. Councillor Paul Bryant enquired whether there was an assumption from Central Government that sprinklers were installed in new schools and Bill Bagnell confirmed this was the case unless they were cost prohibitive.
10. Councillor Anthony Pick referred to point 6.4.20, which related to parking for parents and asked if this condition had been articulated. Bill Bagnell responded that the parking was sufficient for a one form entry school and the presumption was that as the school expanded, so would the parking, which was indicated on the plan.
11. Councillor Pick further enquired about the inclusion of a condition relating to a dropping off point for the children. Bill Bagnell advised that this was covered by Condition 27, which provided for a 'kiss and drop' tarmac area, where school staff would be stationed to meet the children and escort them into school.
12. Councillor Pick continued by asking whether there would still be pedestrian access from Newbury College once the link road had been implemented, since some parents were likely to use this as a short cut. Bill Bagnell replied that there would be nothing to stop parents from doing this and he did not consider it would be a problem.
13. Councillor Garth Simpson questioned whether any modelling had been undertaken into the capacity of the 'kiss and drop' point and added that if it was a double gang, it would probably have capacity for only 24 cars. He questioned whether Newbury

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College would tolerate parents parking at the College in the afternoon as they were likely to want to socialise at this time. He, therefore, proposed the inclusion of a condition to retain the area above the football pitch in order to accommodate additional parking.

14. Bill Bagnell explained that the 'kiss and drop' point worked on a continuous system of moving traffic and would need to be managed by school staff. He had reviewed systems at schools elsewhere and it worked as long as it was managed by the school. Councillor Simpson suggested a discussion took place with St Finian's School, who operated a similar system.
15. Councillor Billy Drummond questioned the cost of the temporary road, as he was aware that the link road would cost £4M. Bill Bagnell assured him that the cost of the temporary road would be considerably less and was estimated to be in the region of £100-120,000. This was because it would not require a wearing course as its function would cease when the link road was built. Consequently the temporary road would be built to a high enough standard for highways purposes and its usage would allow the time required for the link road to be constructed, as it would be a major piece of work.
16. Councillor Howard Bairstow queried the maximum capacity of the school, which Greg Bowman confirmed was 210 children with 26 nursery places, although there would be scope for further increases if necessary.
17. Councillor Bairstow then enquired which areas the school would serve and he was advised it would serve the Newbury area, but it was not being built to accommodate children from the proposed Sandleford development.
18. Councillor Bairstow further enquired whether the school would be associated with any others and Greg Bowman stated that initially the Headteacher from Theale Green School would be taking on the headship.
19. Councillor Beck questioned the effect of the development on the extant consent for a conference centre at the college, as it would be in close proximity to the new access road. Bill Bagnell reassured him that the new school would not affect the conference centre as it would not utilise any of the land proposed for this scheme. Neither would it prejudice the provision of sustainable drainage for the college.
20. Councillor Bryant wondered if the wooden cladding to be used on the exterior of the building was a fire risk. He was reassured by Andy Vernon that it was not a fire risk and close attention had been given to the both the internal and external design.
21. Councillor Billy Drummond in addressing the Committee raised the following points:
 - He was very supportive of the new school.
 - Too many children were being driven to school elsewhere, due to lack of provision in the area.
22. Councillor Pick expressed alarm at the information provided in points 6.4.11 and 12, which suggested that the school would have a severe impact on local traffic. Gareth Dowding assured him that the predictions relating to traffic flow and queues related to when the school was fully operational, by which time it was anticipated that the A339/Monks Lane scheme would be in place to allow for this. He added that they had allowed two years to build the link road to enable the improvements to start before the school was at full capacity.
23. Councillor Pick further enquired about the operation of the traffic lights on the link road and Gareth Dowding advised it would be a fully signal controlled junction for

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traffic, cyclists and pedestrians, negating the need for u-turns. It would also allow access to the Household Waste Recycling Centre.

24. Councillor Pick suggested that consideration was given to a pedestrian crossing at the eastern end of Monks Lane for children to cross following the increase in traffic. Gareth Dowding explained that this would be taken into account when the improvement scheme for Monks Lane was considered and children could currently use the crossing at Rupert Road.
25. Councillor Virginia von Celsing noted that it was a good design and she expressed her thanks to the architect. Consequently she proposed that the Committee accepted the officer's recommendation to grant planning permission. This was seconded by Councillor Hilary Cole.
26. Councillor Beck expressed his view that the Council should be commended for the work it had undertaken to bring forward this school.
27. Councillor Pick added that he was happy to support the application in principle but he was worried that if there was a miscalculation with the traffic predictions, it could lead to traffic jams on the A339.
28. Councillor Simpson echoed the earlier comments made by Members regarding the design and expressed his concern regarding the drop off and pick up system. He suggested that perhaps the A339 should be widened to include a lay-by.
29. Councillor Beck asked if a condition could be added to ensure the school monitored the traffic accessing the site. Emma Nutchey confirmed that this could be incorporated into the travel plan. Gary Rayner voiced his support for this proposal and added that it would fit well in the travel plan, where there was no chance of it being overlooked.
30. The Chairman invited the Members to vote on Councillor von Celsing's proposal, seconded by Councillor Hilary Cole, to approve planning permission. At the vote the motion was carried unanimously.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions:

Conditions

1. 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. The development hereby approved shall be carried out in accordance with drawing title numbers:

- Site Location and Existing Site Plan drawing number PL 002 rev. 3 with respect to the Location Plan only. The Site Plan shown on this drawing is superseded.
- Proposed Site Plan drawing number PL003 rev. 5
- Proposed ground Floor drawing number PL004 rev. 1
- Roof Plan drawing number PL005 rev.
- Sections drawing number PL007 rev. 1
- Elevations drawing number PL006 rev. 1
- Proposed road layout drawing number 010 rev. A
- Site Sections PL010 rev. 1
- Tree Retention & Protection Plan drawing number LLD919/04 rev. 04

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- Landscape Master Plan Strategy drawing number LLD919/03 rev. 13 with respect to boundary treatments only
- Site External Lighting Services Layout drawing number P15228-E97-00-01 rev. 12
- Hard Surface Treatments drawing number LLD919-05 rev. 01

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

3. No development shall take place until details of the finished floor levels for the buildings hereby permitted along with levels details for the roads and ground levels across the site as a whole are submitted. The information should show the proposed levels in relation to the existing ground levels and must be approved in writing by the Local Planning Authority before any works take place. 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. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

4. No development shall take place until full details of how all spoil arising from the development will be used and/or disposed of 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 (not to be deposited) from the site;
- (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 imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

5. The school hereby approved shall not be brought into use until the boundary treatments, to include external boundaries around the site and internal boundaries within the site, have been erected in accordance with the details shown on drawing number LLD919/03 rev.13 titled Landscape Masterplan Strategy. The boundary treatment shall thereafter be retained in accordance with the approved details.

Reason: The boundary treatments are an important element in the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

6. Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning Authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the Local Planning Authority shall be carried out to agreed timescales and approved by the Local Planning Authority in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.

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Reason: In order to protect the amenities of future users of the site in accordance with Policy OVS.5 of the WBDLP and the guidance within the National Planning Policy Framework.

7. No plant as specified below shall be installed on the building until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (a) written details concerning any proposed air handling plant, chillers or other similar building services including:
 - (i) the proposed number and location of such plant as well as the manufacturer's information and specifications
 - (ii) the acoustic specification of the plant including general sound levels and frequency analysis under conditions likely to be experienced in practice.
 - (iii) the intended operating times.
- (b) calculations showing the likely impact of noise from the development;
- (c) a scheme of works or such other steps as may be necessary to minimise the effects of noise from the development;

The building shall not be used until written approval of a scheme under (c) above has been given by the Local Planning Authority and works forming part of the scheme have been completed.

Noise resulting from any other plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142, at a point one metre external to the nearest noise sensitive premises.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy OVS5 of the WBDLP and Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

8. No construction works shall take place outside the following hours:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and no work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

9. The school shall not be taken into use until the playing fields within the school site have been provided in accordance with a construction and management plan that has first been submitted to and approved in writing by the Local Planning Authority. The plan shall provide for:

- (a) A detailed scheme which ensures that the playing field will be provided to an acceptable quality (in terms of soil structure, drainage, cultivation and other associated operations), informed by a detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field;
- (b) Any community use arrangements;
- (c) A programme of implementation.

The land shall thereafter be provided and maintained in accordance with the approved plan.

Reason: To ensure the quality of the pitches is satisfactory, in accordance with Policy CS18 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

10. The school hereby approved shall not be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel

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Plan shall be implemented as approved on commencement of the use as a school and its provisions shall continue to be implemented thereafter.

Reason: To ensure the efficient function of the site and to promote sustainable forms of transport. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

11. The school hereby approved shall not be brought into use until full details of the cycle and scooter parking and storage spaces have been submitted to and approved in writing by the Local Planning Authority. The school shall not be brought into use until the cycle and scooter parking and storage spaces have been provided in accordance with the approved details and the spaces shall be retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle and scooter storage spaces within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

12. Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree retention and protection plan identified on approved drawing numbered LLD919/04 rev. 04. 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.

13. No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by 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 objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

14. No trees, shrubs or hedges shown as being retained on tree retention and protection plan number LLD919/04 rev. 04 shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that die, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

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.

15. Prior to the school being brought into use, a detailed Landscaping Scheme and accompanying Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include an implementation programme, management responsibilities and maintenance schedules for a minimum period of 5 years following the completion of the planting. The scheme shall also ensure that any

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trees, shrubs or plants that die, become seriously damaged or diseased within five years of this development shall be replaced in the following year by plants of the same size and species.

The Landscaping Scheme and Landscape Management Plan shall be implemented in full in accordance with the approved details and timescales.

Reason: A soft Landscaping scheme titled 'Landscape Master plan Strategy' has been submitted with the planning application. The basis of this scheme is acceptable however further details of the planting mix and management of the area between the woodland and the pitch are required 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.

16. 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 accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works
- (h) Delivery times to avoid Newbury college opening and closing times
- (i) A surface water drainage scheme and associated implementation plan for the road providing access for construction traffic.

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 (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

17. Prior to the new access from the A339 being brought into use, the applicant shall enter into a Legal Agreement to secure a contribution of £142,872 towards highways mitigation works.

Reason: To ensure adequate mitigation to accommodate additional traffic on the A339. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026),

18. The access road from the A339 shall comply with the Local Planning Authority's standards in respect of road / cycleway / footway design and vehicle parking and turning provision. The road / cycleway / footway design should be to a standard that is adoptable as public highway. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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19. The school hereby approved shall not be brought into use until full details of the proposed access serving the school via Newbury College has been submitted to and approved in writing by the Local Planning Authority. The school shall not be brought into use until the proposed access serving the school via Newbury College has been provided in accordance with the approved details and then retained for this purpose at all times until it is required to be stopped up in accordance with condition 25.

Reason: To ensure that the access via Newbury College into the site is constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

20. Within one year of the school opening, details of the temporary turning areas at ends of the access road at each stage of the A339 access shall be submitted to and approved in writing by the Local Planning Authority. The turning heads shall be provided at each stage of completion of the access road in accordance with the approved drawing(s). The turning heads shall then be removed when required for further completions of the access road.

Reason: To provide suitable turning space in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

21. Within one year of the school opening, details of a method for stopping up (to all motor vehicles) the temporary vehicular access serving the school via Newbury College, at a location south of Newbury College, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that access by pedestrians and cyclists is not impeded. Upon completion of the access road onto the A339, the temporary vehicular access serving the school via Newbury College shall be stopped up in accordance with the approved details.

Reason: In the interest of avoiding excessive traffic congestion upon the Monks Lane/Newtown Road Roundabout. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

22. Within one year of the school opening, details of the proposed access into the site from the A339 to the western boundary shall be submitted to and approved in writing by the Local Planning Authority. This will include wider sections to 7.0 metres to allow on street car parking. Appropriate road markings and waiting restrictions and other measures to ensure low vehicle speeds fronting the school shall also be provided. Within two years of the school opening, the vehicular, pedestrian and cycle access via the A339 and associated engineering operations shall be constructed in accordance with the approved drawing(s).

Reason: To ensure that the A339 access into the site is constructed before the school intake increases beyond an acceptable level capable of being served via the Newbury College access in the interest of highway safety and in the interest of avoiding excessive traffic congestion upon the Monks Lane / Newtown Road Roundabout. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

23. No development shall take place until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. This will include additional drop off parking within the site. Such details shall show how the parking spaces are to be surfaced and marked out. The use shall not

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commence until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or 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 which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

24. No development shall commence until full details of the location of electric charging points for plug-in vehicles and associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The school shall not be brought into use until the charging points have been delivered in accordance with the approved details and shall remain available for the purpose of charging electric vehicles in association with the school.

Reason: To ensure the development provides for the use of ultra low emission vehicles by users of the development. This condition is imposed in accordance with Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD and policies LTP SC3, LTP P3 and LTP K5 all of the Local Transport Plan for West Berkshire (2011-2026).

25. No development shall take place until full details of a route for construction vehicles via the existing Newbury College access into the site of the proposed school have been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the route for construction vehicles shall be provided in accordance with the approved drawings.

Reason: To ensure that the access for construction traffic is provided in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

26. The access serving the school via Newbury College shall not be brought into use until a surface water drainage scheme for the proposed access serving the school via Newbury College has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate 'sustainable urban drainage' (SUDS) methods and attenuation measures, to restrict run-off from the site to no more than the equivalent greenfield rate, based on a 1 in 100 year storm plus 40% for possible climate change. The scheme shall also include measures to prevent any contamination from entering the soil or groundwater and an associated maintenance plan.

The approved drainage scheme shall be implemented in accordance with the approved details before the proposed access serving the school via Newbury College is first brought into use or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The drainage scheme shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding and to improve and protect water quality and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core

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Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

27. Within one year of the school opening, a surface water drainage scheme for the proposed access into the site from the A339 to the western boundary shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate 'sustainable urban drainage' (SUDS) methods and attenuation measures, to restrict run-off from the site to no more than the equivalent greenfield rate, based on a 1 in 100 year storm plus 40% for possible climate change. The scheme shall also include measures to prevent any contamination from entering the soil or groundwater and an associated maintenance plan.

The approved drainage scheme shall be implemented in accordance with the approved details before the vehicular, pedestrian and cycle access via the A339 is first brought into use or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The drainage scheme shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding and to improve and protect water quality and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

28. No development shall take place until details of sustainable drainage measures to manage surface water within the site of the new school building have been submitted to and approved in writing by the Local Planning Authority.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse (the attenuation basin) at no greater than Greenfield run-off rates;
- d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- e) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- h) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- i) Include a SuDS management and maintenance plan for the lifetime of the development;

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- j) Provide details of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and where the flows exit the site both pre-development and post-development;
- k) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the wider Newbury College site, existing school and businesses that currently outfall to the attenuation basin in order to demonstrate the basin has sufficient capacity to accept the additional run-off from the development site based on a 1 in 100 year storm +40% for climate change without creating flood risk downstream of the basin;
- l) Provide evidence to demonstrate that access to the attenuation basin is possible for any plant and machinery that may be required for future maintenance of the attenuation basin.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the school hereby approved is first brought into use or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage 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.

29. The development hereby approved shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal by RSK dated October 2016 and the Bat Emergence Survey by Lizard Landscape Architecture dated 26th May 2016.

Reason: To ensure the works do not impact on any protected species in the event they are found during construction works in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026).

The decision to grant Planning Permission has been taken having regard to the policies and proposals in the National Planning Policy Framework, South East Plan Regional Spatial Strategy for the south east of England 2009 West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991 -2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, supplementary planning guidance notes; and in particular guidance notes and policies:

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

1. The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.

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2. The above Permission may contain pre -conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, “ *Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*” . This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.

3 This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.

4. 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.

5 In relation to Tree T02, the applicant is asked to give consideration to retaining the trunk of the tree on site in as large a section as possible to allow it to decay naturally for the local wildlife.

6 With respect to condition 20, Construction Method Statement (CMS), a CMS has been submitted however details of spoil removal and the creation of bunds are considered unacceptable. It also states that deliveries will take place between 7:30am and 6:00pm Monday to Friday. Highways require that deliveries are restricted to avoid school times and peak hours. A surface water drainage scheme is also required to be included under part (i) of the condition. As such a new CMS is required.

(2) Application No. and Parish: 16/03334/FULD, Cromwell Road, Newbury

1. *(Councillors Jeanette Clifford and Anthony Pick declared a personal interest in Agenda Item 4(2) by virtue of the fact that they were Members of Newbury Town Council and had been present at the planning meeting when the item was discussed. As their interest was personal and not an other registrable or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.*
2. *Councillor Billy Drummond declared a personal interest in Agenda Item 2 by virtue of the fact that he was a Member of Greenham Parish Council and had been present at the meeting when the item was discussed. As his interest was personal and not an other registrable or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*
3. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 16/03334/FULD in respect of the development of the site for seven dwellings with associated access and landscaping.
4. Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion, the report detailed that the proposal was acceptable and a conditional approval was justifiable. Consequently, officers recommended the Committee grant conditional planning permission.
5. In accordance with the Council’s Constitution, Sian Williams, objector, Lee Battersby, applicant/agent and Councillor Jeff Beck, Ward Member addressed the Committee on this application.

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6. Sian Williams in addressing the Committee raised the following points:
- She resided at 5 Edgecombe Lane.
 - It might appear that with a lower number of houses on the development, planning permission should be granted, but there were other issues to consider.
 - There would be a great impact on 7a Edgecombe Lane, which would have no privacy.
 - The close proximity of the access road to Orchard Close was a concern. The distance of one metre had been agreed when two metres had been recommended. The vehicles using this road would cause noise and pollution and they did not know the height of the road.
 - There was a risk of flooding as over winter water had been seen running over the pavement.
 - A semi-permeable road surface had been included in the original planning application but had now been removed.
 - The forward visibility splays had been reduced to two metres in one direction.
 - The previous planning application had included a larger vehicle turning circle. Whilst she acknowledged that the Manual for Streets was only guidance, British Standards indicated that reversing should take place in a straight line and not round a corner, which would be required with the smaller turning circle.
 - There was a risk of damage to the ecology on the site as damage had already been caused to the trees and from the burning of industrial waste.
 - There was a risk of damage to the wild life on the site and she requested confirmation that the transportation of reptiles would occur between March and September.
7. Lee Battersby in addressing the Committee raised the following points:
- He endorsed the main points included in Michael Butler's report.
 - They had tried to overcome all the previous concerns raised by the Council and officers.
 - When comparing this planning application with the previous one, there were very few differences with the layout of the road. In addition, the same conditions were included in relation to stabilisation, so they were not proposing anything different.
 - With regard to the proximity of the access road to 7a Edgecombe Lane, it would pass by the flank wall. This was considered to be acceptable as it was not possible to expect open space around the whole house and this had been discussed at length with planning officers.
 - The houses on the original planning application would have been higher and so there would have been more overlooking. As a result, the original construction costs had not been economic, which was why they had reduced the number from twelve to seven.
 - They would accept a condition stipulating that an ecology officer was appointed to oversee any future development of the open space and he assured the Committee that this area would not be abandoned.
 - He was glad that there was acceptance of the condition relating to SUDS, which was the same as in the previous application.

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- The visibility splay was also the same as in the previous application.
 - In conclusion, they had undertaken a considerable amount of work on the planning application in order to produce the right scheme with a better design. Consequently, he believed it would have less impact on the local amenity than the previous one.
8. Councillor Jeff Beck explained that he had had previous experience of developers setting up management companies and then going into liquidation. He, therefore, asked what safeguard the applicant could provide to ensure the open space was maintained for a period of time. Mr Battersby stated that they were not developers and the likelihood was that the site would be sold, so he suggested a condition was included in relation to this. He added that a management company was usually set up in order to manage common ground, but he was not in a position to guarantee this.
9. Councillor Beck enquired about the surfacing of the internal highway. Mr Battersby advised that the materials used would have to be permeable, would be agreed with the local authority and would be conditioned.
10. Councillor Jeff Beck in addressing the Committee raised the following points:
- It was generally accepted in the local area that some development would take place on this site.
 - This was a low density development and residents should be thankful for this.
 - He suggested that Members addressed the issue about the management of the open space during the debate.
 - He noted that there had been a concern in relation to flooding but the SUDS officer had now withdrawn the objection and he would like to know what the objection was.
 - He was concerned that if there was a different opinion between the SUDS and planning officers, planning would take precedence. The planning officer's report had mentioned that the access road might not be adopted because of flooding, which would be unacceptable. However the Update Sheet had allayed his concerns.
 - Therefore, when all this was taken into account, he felt that the application should be approved although he had sympathy with the residents of Orchard Close due to their close proximity to the access road.
11. Councillor Anthony Pick noted that the wording in point 6.3.3 about whether the access road would be adopted was unclear. Michael Butler explained that the SUDS officer had not been aware of the earlier planning consent and now that he had received information from the applicant's agent, he was satisfied on this point.
12. Councillor Pick further enquired if the access road would be adopted, to which Michael Butler replied that this was largely irrelevant from a planning perspective. However, it was important that the developer built out the site as set out in the conditions and the road must comply with the SUDS condition and therefore, the drainage issues would be satisfactorily concluded. Gareth Dowding added that it was not possible to force a developer to offer a road up for adoption, but it would have to be built to the required standard.
13. Councillor Pick went on to ask whether the impact of the development on 7a Edgecombe Lane had been considered. Michael Butler responded that best practice

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dictated that there should be 10.5 metres between the flank elevation and an adjoining property rear elevation and in this case it would be 11 metres. He noted that officers were aware there would be some impact on adjacent properties and Members would have to decide on the level of harm that would be caused. He further added that residents were lucky to have had the benefit of the open space until this point.

14. Councillor Paul Bryant queried that if the conservatory had been added to 7a Edgcombe Close after it had been built, whether they should be taking it into account. Michael Butler confirmed that the existence of the conservatory was a material consideration that should be taken into account by Members.
15. Councillor Bryant went on to ask if the open space had not been included in the density, whether it would still be considered a low density development and Michael Butler advised that this was the case.
16. Councillor Bryant then enquired about the recommended distance between the highway and adjacent properties as set out in the Manual for Streets. Gareth Dowding reiterated that this was only guidance and it was acceptable for the distance to be either 1 or 1.5 metres.
17. Councillor Beck noted that there was no condition relating to the maintenance of the open space or the effect of the development on the ecology. Michael Butler assured him that condition 2 would cover the maintenance of the open space as the development had to be carried out in accordance with the submitted plans. Condition 16 related to the ecology, however he reminded Members that the planning permission would be transferable to another developer.
18. Councillor Garth Simpson expressed his concern regarding noise impact on 25 Orchard Close and asked if an additional metre could not have been put between them. Gareth Dowding pointed out that this layout was the same as the previous one that had been approved. Michael Butler added that he had been the case officer for the previous application and the impact of noise had been carefully examined at the time. The traffic generated by this planning application would be less as there were fewer houses.
19. In considering the above application Councillor Pick expressed his disappointment at the lack of affordable housing on the development and he hoped that the Council would develop a policy in relation to this.
20. Councillor Bryant expressed his sympathy with Councillor Pick's view but advised that the Council was constrained by the legislation in relation to the results from viability assessments.
21. Councillor Pick questioned whether it would be possible for the Council to secure a better development for this site and as he did not think this would be possible, he proposed that the Committee approve the planning application. This was seconded by Councillor Virginia von Celsing.
22. Councillor Simpson asked if this could be conditional on the inclusion of an acoustic fence. Councillor Hilary Cole interjected that as traffic noise 'bounced', whatever was put in to mitigate it would move it to another area and so there would be no benefit from an acoustic fence.
23. The Chairman invited the Members to vote on Councillor Pick's proposal, seconded by Councillor von Celsing, to approve planning permission. At the vote the motion was carried unanimously.

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RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions:

Conditions

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against the advice in the DMPO of 2015 should it not be started within a reasonable time.

Amended plans

2. The development must be carried out in accord with the amended plans received on the 9th February 2017 - plan number DP.110c dated 24.10.16, Plan numbers DP.101, 102, 103 and 104, plus plan number DP.111B.

Reason: To ensure the development is built as approved to clarify the permission.

Materials

3. No development shall commence until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policy C1 in the Adopted HSADPD of May 2017.

Hours of work

4. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing shall be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accord with saved policy OVS6 in the WBDLP 1991 to 2006.

Contamination

5. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until points 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

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(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

d) Reporting of Unexpected Contamination

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 in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

If required:

e) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

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This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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 in accord with the NPPF.

Refuse storage

6.No development shall take place until details of the provision for the storage of refuse and recycling materials for the dwellings have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall be retained for this purpose thereafter.

Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

CMS

7.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 accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

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 (March 2012), 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).

Road layout

8. The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision and the Developer to enter into a S278/S38 Agreement for the adoption of the site. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Visibility splays

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9. No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the site 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 (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Parking

10. No dwelling shall be occupied until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or 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 imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Cycle parking

11. No dwelling shall be occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Fencing - trees

12. Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan Tree Protection Plan rev E dated November 2016. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

Watching brief

13. No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by 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 objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

Tree protection

14. No trees, shrubs or hedges shown as being retained on tree survey Tree Protection Plan rev E dated November 2016 shall be pruned, cut back, felled, willfully damaged or

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destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

SUDS

15. 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. These details shall:

- a) Incorporate the implementation of Sustainable Drainage Methods (SuDS) to provide attenuation to greenfield run-off rates and volumes;
- b) Be informed by a full ground investigation survey, details of which shall be included within the submission;
- c) Include construction drawings, cross-sections and specifications of all hard surfaced areas within the site;
- d) Include the storage capacity for the proposed surfacing materials based on a 1 in 100 year storm +30% for climate change;
- e) Provide benefits, where possible, such as water quality, biodiversity and amenity.

The sustainable drainage measures shall be implemented in accordance with the approved details before any of the dwellings hereby permitted are occupied. The sustainable drainage measures shall be maintained in the approved condition thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

Cms

16. No development shall take place until the works identified in the J Taylor updated construction mitigation method statement for protected species dated November 2016, have been implemented in full, and maintained during the construction phase to the satisfaction of the LPA.

Reason: To ensure the protection of any species on the site, in accord with policy CS17 in the Core Strategy for West Berkshire dated 2006 to 2026.

INFORMATIVE:

1. 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.

2. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a

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need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

10. Appeal Decisions relating to Western Area Planning Committee

Members noted the outcome of appeal decisions relating to the Western Area.

Shiraz Sheikh informed the Chairman that the information on the appeal decisions was for information only and should not provide an opportunity for a debate.

(The meeting commenced at 6.30 pm and closed at 8.26 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(1)	17/00223/FULEXT Greenham Parish Council.	9 th May 2017.	Erection of 71 dwellings with associated access roads and car parking, pedestrian access and parking with landscaping. Land on north and east side of Pyle Hill, Greenham. David Wilson Homes

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/00223/FULEXT>

Ward Member(s):

Councillor Drummond
Councillor Bartlett

Reason for Committee determination:

The Council has received in excess of 10 letters of objection.

Committee Site Visit:

20th June 2017.

Recommendation.

The Head of Development and Planning be authorised to GRANT conditional planning permission, subject to the first completion of a s106 planning obligation.

Contact Officer Details

Name:

Michael Butler

Job Title:

Principal Planning Officer

Tel No:

(01635) 519111

E-mail Address:

michael.butler@westberks.gov.uk

1. Site History

126373/minmaj. Gravel extraction. Refused 1986.

16/01286/screen. Opinion re. Environmental Impact Assessment. Closed June 2016.

2. Publicity of Application

Site notice displayed 15th February 2017. Expiry on 8th March 2017.

Advertised in the NWN on 23rd February 2017.

Amended plans site notice. Erected on the 6th June 2017. Expiry on the 20th June 2017.

3. Consultations and Representations

Greenham Parish Council	Objection. Overdevelopment, access problems, loss of amenity. Loss of green space. Damage to ancient hedge. Particular concern with the location of the new access so close to the primary school.
Newbury Town Council	Objection. The number of dwellings noted in the policy was 65 but this application is for 71 - thus an overdevelopment.
Highways	Generally content with the proposed access and the proposed internal site layout. Content with the increase in traffic generation caused by the development in terms of impact on the total highway network, during peak periods. Conditional permission recommended with appropriate s278 works to be completed, along with the Travel Plan.
Education	The additional impact on education created by the new occupants will be adequately mitigated by the CIL charges made. No s106 obligation required for additional funding.
Planning Policy	The application complies in principle with the policy designation of HSA4 in the HSADPD - The Inspector at the Local Plan Inquiry has now officially confirmed [inter alia] this housing allocation and the Local Plan was formally adopted on 9 th May 2017 by Council. The decision maker will need to take into account the acceptability or not of the rise of 6 dwellings over and above the allocated number of 65.
Housing	It is anticipated that 40% of the dwellings will be for affordable purposes in accord with policy CS6 in the Core Strategy as adopted. This equates to 28 dwellings [rounded down]. This will need to be achieved via a s106 obligation. 20 units for social rent, 8 shared ownership
Tree Officer	Conditional permission is recommended. Amended landscaping plan is requested but this can be conditioned. Larger native tree species should be planted on site and shading analysis of specific dwellings is requested. Amended plans to be submitted.
Natural England	No objections. The impact on the local ancient woodland and the nearby SSSI must be properly assessed by the Council. Standing advice needs to be adhered to.
Thames Water	A pre-development condition to be applied re. waste water infrastructure to ensure no overflow of capacity. In addition no objections on surface water run off.
Environment Agency	No objections to the application.

Fire and Rescue Service	No objections but a condition should be applied if the application is approved to provide fire hydrants on the application site.
Archaeologist	Conditional permission.
Waste Services	Conditional permission is recommended.
Public Open Space	Commuted sum of £28,100 is required.
Ecologist	Conditional permission is recommended.
BBOWT	Object to the application. On the grounds that there will not be a net gain in biodiversity on the application site, and there is a lack of information on the potential impact upon the Greenham and Crookham Common SSSI. Also upon the West Wood ancient woodland LWS adjacent the application site to the north. It is suggested that a 30m buffer zone be set out between the new housing and the woodland adjacent. Comments awaited on amended plans.
SuDS	Initially objected to the proposal on drainage grounds and potential pollution issues. The whole layout should be moved to the south to improve the SuDs situation. Amended plans received. No objections. Conditional permission is recommended.
Public Representations.	26 objection letters received. Concerned about poor drainage on the site leading to flooding, impact on local ecology, impact on public right of way, impact on local infrastructure, in particular the local schools, impact on local highways capacity at peak periods, detrimental impact on local road safety, visual impact, air quality concerns, overdevelopment of the site, contrary to policy HSA4, loss of green space, increased urban sprawl. In addition, loss of local views and no future guarantee that the remaining open space on the site will be that in perpetuity. Deeds of covenant can be overridden. Systematic and cumulative overdevelopment of south east Newbury to its overall detriment. The land should not be built upon but remain an open space between Newbury and Greenham. Amended plans. One further letter of objection on the grounds once more of the principle of the development. An additional letter also received regarding the method in which open land adjacent the site could actually be retained in perpetuity—or not.

4. Policy Considerations

National Planning Policy Framework 2012.

National Planning Practice Guidance 2014.

West Berkshire Core Strategy 2006 to 2026.

HSADPD November 2015. Policies GS1 and HSA 4 - land off Greenham Road.

Policies ADPP1, CS1, CS4, CS6, CS13, CS14, CS16, CS18, and CS19.

5 Description of development.

- 5.1.1 The gross site area of the application proposed is 3.33ha which includes the buffer area to the north and south, and the public open space to the south. This equates to an overall gross density of 21.3 plots per ha. The net site area is 1.84ha resulting in a net density of 38.6 plots per ha.
- 5.1.2 The application proposal comprises 71 dwellings, 40% of which will be for affordable purposes. This equates to 28 dwellings. The total units will comprise 22 No. 2 bed houses, 25 No. 3 bed houses and 16 No. 4 bed houses, with 8 No. 1 bed flats. The sole vehicle access will be taken off Pyle Hill to the west of the site. In terms of access there will be an internal loop road through the site, which, whilst proposed to be adopted, will be designed so as to result in slow moving traffic in the "estate". Each new dwelling will have its own individual curtilage / garden area, with associated parking on site. The number of garage spaces will be 17, allocated parking at 156, with 20 additional visitor spaces in the red line area. In addition there will be 4 unallocated visitor parking spaces. This results in a total of 197 spaces meaning a total ratio of 2.53 spaces per new dwelling when the garage spaces are excluded – as required by the newly adopted policy P1 in the HSADPD. Car ports are however permitted. This was the subject of further amended plans post the Committee site visit, and relevant parties have been duly consulted/ notified of this change.
- 5.1.3 The Committee, from the site visit, will be aware that woodland abuts the application site to the north. This is ancient woodland and also a designated local wildlife heritage site. Given the ecological importance of this habitat, in accord with the policy HSA4 in the Local Plan, a buffer strip of a minimum of 20m is identified to the east between the new housing and the woodland. In addition this buffer strip is increased to over 30m to the north in places. This strip of land will also include the existing definitive right of way [footpath] through the application site from Pyle Hill to the east. Via amended plans, which have been reconsulted upon, this width of buffer strip has been increased. In addition the designated public open space to the south will include a local area of play for the public. The land further to the south towards Water Lane will remain open agricultural land, retained by the present landowner.
- 5.1.4 The design of the new dwellings is traditional vernacular with most dwellings being two storey with pitched roofs, although a few are to be 2.5 storey with rooms in the roof. Materials will also be traditional, with facing Berkshire red brick, tile, [slate grey and farmhouse red, with some breckland brown].

5.2 Environmental Impact Assessment Regulations.

- 5.2.1 The Council was required to undertake a screening opinion on whether the proposal would require an Environmental Statement to be submitted with the application. On the 6th June 2016 it was confirmed that an application for 65 dwellings would not require an ES. It is confirmed in this report that officers' view remains the same for the additional 6 dwellings proposed in the current application site. In addition the application has not been advertised as a departure from the Development Plan, since the site is now formally allocated in the now adopted Local Plan.

6. Consideration of the application.

The application will be examined under the following issues.

- 6.1 - Policy
- 6.2 - Highways impact
- 6.3 - Landscape impact
- 6.4 - Ecology.
- 6.5 - Other issues.eg flood risk.

6.1 - Policy

- 6.1.1 Policy GS1 in the Local Plan identifies how planning applications should be progressed on allocated sites. This application is slightly unusual in that two separate applications have been submitted under policy HSA4 – namely this one and application 16/00669/fulext for 157 dwellings on land to the west. This was resolved to be approved by this Council subject to the completion of a s106 obligation, but was subsequently found to be invalid. Consequently a fresh application will be submitted shortly, it is understood. The reason for the two distinct applications under HSA4 is because of two different landowners. Secondly it is noted in GS1 that an integrated water supply and drainage strategy should be submitted with each application, in order to ensure that a] there is sufficient capacity in the local network to sustain sewerage facilities and water supply, and b] any increase in off site run off will not be ecologically harmful, nor indeed increase any possible rise in local flooding. Such reports have been submitted in the application pack, and notwithstanding the concerns of the Council's SUDS team, it is considered that the application still complies with the policy designation and is physically capable of implementation, and occupation. Policy GS1 also highlights the transport plans which will need to be submitted with any application - this has been done and highways issues will be considered in a later section. In addition a landscape and visual impact assessment must be submitted - this has been done - see section 3. Finally ecological issues must be carefully examined and this is covered in section 4.
- 6.1.2 The sole minor “discrepancy” between the submitted application and the policy HSA4 is that site NEW047C should have “approximately” 65 dwellings. Clearly 71 dwellings is just over 9% more than this. However 65 is not an upper limit in the policy, and by having an additional 6 dwellings, the Council will achieve two additional affordable units. In addition the overall density change is just 3.1 units per ha from 35.4 to 38.6. This is not considered to be harmful in any way and will make more effective use of land, ultimately.
- 6.1.3 In terms of the modifications made by the Inspector on the submitted HSADPD, the only alterations was that the overall site area of the whole allocation under HSA4 [not just this site] be reduced from 8.5ha to 7.7ha and no noise and air quality assessment was required to be submitted with any application. This has not impacted on the consideration of NEW047C.
- 6.1.4 In terms of the detail of HSA4, it notes [inter alia] that access should be from Greenham Road, an application should be informed by an extended Phase 1 habitat survey, together with further surveys, a full land contamination assessment to be submitted, and a Transport Assessment to be submitted. This has been done. In addition, a minimum buffer of 15m should lie between the development site and the west wood, the central part of the site should be public open space, forming a coherent location for a bio diversity corridor. The application has, in the officers' opinion, achieved all of these points successfully. That is, notwithstanding the continuing objection from BBOWT, both Natural England and the Council's Ecologist have not raised any objection to the application - highways are recommending conditional permission and environmental health have also recommended conditional permission [re. the potential contaminated land issue].
- 6.1.5 Overall, it is clear to officers that the principle of additional housing on this greenfield site has already been accepted by the Council, so this is not now a matter for the Committee to reconsider at this stage in the planning process. The Committee rather are required to consider matters of detail in this full application, to ensure these are acceptable.
- 6.1.6 In terms of policy ADPP1, the application is compliant, since it adjoins an existing settlement boundary of Newbury - which will be revised in due course should this application be approved. Policy ADPP2 in the housing section identifies a number of smaller extensions to the urban area – of which this is one. Policy CS4 is the next relevant policy in that it relates

to an appropriate housing mix for developments. It notes that outside the town centre, densities of between 30 and 50 units per ha should be achieved. The application does this and also incorporates a mix of dwellings which is deemed acceptable in terms of the area's prevailing character. For affordable housing, under policy CS6, the 40% greenfield rate is accepted by the applicants. No viability is prayed in aid to reduce the number to be provided. Policy CS13 deals with transport issues and this is considered separately in that section. It is important that the location of the site is sustainable having regard to access to main facilities such as schools and shops: this is clearly the case here with for example a primary school being opposite the application site. Policy CS14 considers design principles. Officers believe that both the design, massing and scale of the dwellings with garages is acceptable, as is the overall layout. This will create a new built form which will be attractive in terms of local street scenes and, by keeping nearly all of the units to two storeys, will not be harmful visually [in terms of prominence] in the wider environment. Policy CS16 corresponds to flooding issues – this is a matter for the final section in this report. Similarly policy CS17 examines biodiversity issues and this is considered in the ecology section. Policy CS18 is related to green infrastructure. [GI] The current landowner has permitted “unauthorised” access for some time for dog walkers etc so the site has become something of local informal public space. It is anticipated that once the application is built out [if approved] the public open space and ecological area will be available for not only the new occupants on the site, but also existing residents via the existing footpath. So whilst there is some loss of GI, this is not considered so harmful as to justify any refusal. Finally, policy CS19 considers the historic environment and landscape character. The section on landscape will cover this in part, but it is acknowledged that there are no heritage assets that will be harmed by the scheme, as acknowledged by the conditional permission recommended by the Council's Archaeologist.

6.2 Highways

- 6.2.1 This planning application has been submitted with a Transport Assessment (TA) submitted by Glanville.
- 6.2.2 The proposed vehicular and pedestrian access is on the northern side of the site. The TA includes details a speed survey taken on Greenham Road during September 2016. The 85th percentile speed recorded is just below 40 mph in both directions. Sight lines have therefore been designed for these recorded speeds. The access therefore complies with all standards regarding width and sight lines.
- 6.2.3 A cycle route and hourly bus services exist fronting the site, therefore the site is well connected for all modes of travel.
- 6.2.4 The highway officer is generally satisfied with the layout of the site, although it is considered that some of the block paving, the proposed speed tables and pinch points are somewhat superfluous. This is a detail that can be worked on further during the road adoption stage. The proposal complies with the new parking standards set alongside the Housing Site Allocations DPD.
- 6.2.5 To project traffic levels for the development, as is an often standard procedure, the Trip Rate Information Computer System (TRICS) was referred to, that obtained a rate of traffic generation. TRICS is a UK national database of traffic surveys covering many different land uses including residential. From TRICS, the following traffic projections have been made for the site:

Period	Arrive	Depart	Total
Weekday AM Peak (08.00 to 09.00)	12	27	38
Weekday PM Peak (17.00 to 18.00)	24	24	48

- 6.2.6 The highway officer considers that this projection to be sufficiently robust. In response to many of the letters of objection, it needs to be emphasised that this is not the total traffic flows that can be expected from the proposal, and vehicles do not all leave at once. This is only the traffic levels during the busiest hours during the AM and PM weekday peaks, and these are the periods when the traffic impact needs to be assessed.
- 6.2.7 There is concern regarding the additional traffic impact from the development particularly during the AM peak with the school opening. The proposal will generate an additional 27 cars to and from the north, with 9 cars to and from the south. In addition, there will be 22 cars to and from the recently submitted planning application 17/00196 /OUTMAJ for 157 residential units, if approved by the Council. This is an increase overall in traffic in the immediate vicinity of the site of 7.6 to 8.4%. In assessing this impact, highway officers have visited the area prior to school opening, and the area was as busy as expected. Parking for the school did take place in The Nightingales, Wallis Gardens and Westwood Road. However the busier Greenham Road was clear of parking throughout the visit. There is an existing signalised crossing to the north of The Nightingales that was in frequent use. Any traffic queuing at the crossing would however not take long to clear. At times traffic queues also built up at The Nightingales / Greenham Road junction, but again they did not last long. The development will certainly add traffic to this location, but from observations made on site, the view of the highway officer is that it could not be considered that the additional impact would be severe.
- 6.2.8 The TA also considered key junctions and links within the vicinity of the development site as follows:
Greenham Road / Water Lane;
Pinchington Lane / Greenham Road / Bury Bank Road;
Pinchington Lane / Haysoms Drive / Deadmans Lane; and,
Pinchington Lane / The Triangle.
- 6.2.9 The highway officer does not have any concerns regarding any of these junctions, but as with all developments in Newbury I do have concerns regarding the A339. There are a whole series of developments in Newbury, including Sandford Park. It can be said that this proposal is one of the smaller developments.
- 6.2.10 With all of these developments coming to Newbury, the highway authority is designing junction improvements schemes along the whole of the A339 from and including the A4 / A339 / B4009 Robin Hood Gyratory to the A339 / B4640 Roundabout. Funding from this development towards these improvement schemes can be obtained from the Community Infrastructure Levy (CIL).
- 6.2.11 Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.2.12 Highway Officers therefore conclude that the site complies with the NPPF and any impact should not be considered as a severe

6.3 Landscape impact.

- 6.3.1 The application has clearly come about due to the past allocation process in the Core Strategy/Local Plan. This original designation was in turn informed by a landscape assessment to ensure that if the allocation was finally approved the level of harm to the local landscape would not be do significant as to merit refusal. The applicants, in accord with the specific guidelines in policy HSA4 have submitted a landscape and visual impact assessment report to ensure that since the original scoping exercise was undertaken for the HSADPD, there have been no substantial physical or policy changes which would mean the landscape assessment becomes out of date.
- 6.3.2 Policy CS19 in the adopted Core Strategy seeks to ensure that the diversity and local distinctiveness of the character of the countryside in the District is where possible conserved and enhanced. Clearly it is self evident that new built form is unlikely to actually enhance a local landscape, but the important issue here is that the form of the new housing will not demonstrably harm the area.
- 6.3.3 There are a number of points for the Committee to bear in mind when considering the application. Firstly the site has no special designation although it did formally form part of the Gap between Newbury and Greenham pre 2012, before such policy protections were deleted. Secondly it does not form any part of a conservation area. Thirdly the only important asset is West Wood adjacent which is a WHS as noted. Fourthly the site is presently unmanaged grassland which is not in itself especially attractive. Next the height of the site in the south is about 115m AOD falling to about 110m AOD to the north. The plateau area to the south beyond the red line application site lies at 120m AOD. In addition, in examining the future potential visual impact of the application on the area, the Committee will need to bear in mind the further housing sites identified under HSA4 which when built [presumably] will themselves impinge upon the character and inherent value of the local area, and so visual setting of this particular site. Next, the applicants have submitted in their analysis of the area that it has a medium to high sensitivity to change in the future, but this recognises the fact that this particular LCA includes [for example] Greenham Common. It is still important however to the rural setting of south east Newbury as it stands, although its intrinsic scenic value is medium at best. This recognises that the function of the application site in visual terms is actually more important than its actual quality.
- 6.3.4 Accordingly, by ensuring that the housing portion of the red line site is set as low as possible to the north, so avoiding the higher plateau area which by definition is more sensitive change due to its elevation, and with the natural screening afforded by the mature hedgerow to be retained on the east side of Greenham Road [about 20m will have to be removed for visibility splays] and the strong boundary screening afforded by West Wood, to the north, the overall impact of the housing on the skyline will be acceptable. There will of course be a clear impact on users of the public right of way however. Accordingly the applicants' LVIA concludes that there should be no reason to reject the application on the grounds of adverse visual impact, and so the scheme is not considered to be contrary to the aims of policy CS19 in the Core Strategy. What officers do not resile from however is that inevitably a degree of harm will arise due to the 71 dwellings with associated works as proposed, so affecting the current setting of south east Newbury, but this setting and nature in any event has been diminished by the new Greenacres scheme just completed, and by the prospective housing allocations made under HSA4. The application is thus considered to be acceptable in landscape / visual terms.
- 6.4. Ecology.
- 6.4.1 The Council has policy CS17 in the Core Strategy to consider in regard to the ecological assessment of this proposal, in addition to the advice on planning and ecological issues in both the NPPF and NPPG. In addition the Standing Advice from Natural England and the NERC Act of 2006 in relation to Habitats and Species of Principal Importance is also pertinent.

- 6.4.2 The applicants, as required by the guidelines set out in policy HSA4, have submitted a comprehensive ecology study by BSG. The study has examined the local populations of protected species on the application site, which includes bats, dormice, great crested newts [terrestrial phase only] breeding birds, badgers and reptiles. The survey results are set out in those reports. The recommendations are that with a) the 15m buffer strip to the north of the building proposed to West Wood and b) the new ecological mitigation area surrounding the built form, with appropriate future management and monitoring, there should be no long term harm to the species populations identified. Indeed these conclusions are supported by both the Council's Ecologist and Natural England.
- 6.4.3 However BBOWT initially objected to the application as first submitted. This was based on the following: the 15m buffer to West Wood should be extended to 30m to protect the ancient woodland, the impact of the new occupants of the housing upon Greenham Common should be mitigated through an additional s106 contribution [not CIL] and a net gain in biodiversity will not be achieved on the application site. In addition if the application is permitted by the Council appropriate conditions should be applied regarding future light pollution and a reptile mitigation strategy.
- 6.4.4. The Council has now received amended plans which have been duly reconulted upon. The response of BBOWT will be reported on the update sheet. The buffer strip has now been substantially increased to West Wood, close to 30m in places. In addition the applicant's agents have responded in writing to the BBOWT objections, noting that firstly that there is no precise justification for an additional off site payment via a s106 obligation to mitigate the potential harm that might occur on Greenham Common. They refer to para 204 of the NPPF in this regard. The case officer concurs with this point, noting that the CIL charges will include such an offset /ecological impact contribution. In addition, BBOWT are worried about an overall net loss in local biodiversity should the development proceed. It is accepted that 2.1ha of species poor grassland will be developed, but in recognition of this, the remaining land will be improved via species rich grassland, plus new hedgerows. It is also recognised that over time the advent of gardens on the red line site will in themselves produce a degree of bio diversity. In addition, the applicant has confirmed that the "blue land" to the south of the application site will be set aside, for ecological habitat purposes, which will assist the biodiversity matrix position, which is in dispute [at the time of writing] between BBOWT and the applicant's ecologist. Notwithstanding this disagreement, Council officers remain firmly of the view that the application should still be considered favourably. The update sheet should include further information on this matter.

7.0 Conclusion

7.1.1 The application before Committee has now been accepted in principle by the Council, given that it is an identified part of policy HSA4 in the now adopted HSADPD. This application is considered to comply with the allocation details, for the reasons set out in this agenda report.

7.1.2 All planning applications are required to be determined in accord with the three sustainability tenets in the NPPF. In economic terms the application should be supported, given that not only will the local construction economy be boosted during the build out phase, but the introduction of approximately 170 new residents in the town will increase local expenditure considerably. In addition the CIL charges are identified as being approximately £387,000.

Secondly, the application should be supported in social terms, as the introduction of an additional 28 affordable units will certainly be of benefit to those in local housing need. Finally, the environmental impacts are more finely balanced. There will clearly be some highways impact arising from the new housing upon the local road network, and there will be a degree of additional visual impact caused by the new housing on the open land. There will, to a degree be some ecological impact as highlighted above. However, balanced against this is the ongoing need for new housing in sustainable locations in the District, which must be addressed.

7.1.3 Given the strong reasons to support the application, identified above, the application is duly recommended for approval, subject to the first completion of the required s 106 obligation, and the conditions proposed to be attached.

8. Recommendation.

The Head of Development and Planning be authorized to GRANT Conditional Planning Permission subject to the first completion of a s106 planning obligation. That obligation to deliver the 28 affordable homes and the commuted sum of £28,100 for the public open space maintenance, plus the relevant s278 highways works. The s106 obligation to also include the inclusion of the blue land to the south for future ecological/habitat purposes.

CONDITIONS.

Time limit.

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against the advice in the DMPO of 2015, should it not be started within a reasonable time.

Materials.

2. No development shall commence until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policy C1 in the adopted HSADPD of May 2017.

Fire hydrants.

3. No development shall commence until a scheme indicating the provision of new fire hydrants on the site has been submitted to and approved in writing by the LPA. The scheme shall not be occupied until such time as the hydrants are laid out on site in accord with the approved scheme.

Reason: In the interests of public safety in accord with NPPF advice.

Archaeology.

4. No development 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. Such an approach follows the guidance set out in paragraph 141 of the National Planning Policy Framework.

Hours of working.

5. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to: 7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accord with saved policy OVS6 in the WBDLP 1991 to 2006.

Contamination.

6. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

o human health,

o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

o adjoining land,

o groundwaters and surface waters,

o ecological systems,

o archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The

scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

4. Reporting of Unexpected Contamination

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 in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

If required:

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason (common to all): 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.

Ecology.

7. Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Mitigation and Management Plan (BSG, December 2016) unless otherwise agreed in writing by the Local Planning Authority. All mitigation, compensation and enhancement features shall be permanently retained and maintained.

Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 17 of the West Berkshire Core Strategy Development Plan Document 2012.

Landscaping.

8. No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed

numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

- a) Completion of the approved landscape scheme within the first planting season following completion of development.
- b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

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

Arboricultural Method Statement

9 No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

Watching brief.

10. No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by 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 objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

Tree works.

11. No development or other operations shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by 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 objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

Management plan.

12. No development or other operations shall commence on site until a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 3 years has been submitted to and approved in writing by the Local Planning Authority. 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.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

Landscape scheme.

13. No development or other operations shall commence on site until details of the maintenance of the proposed landscape scheme have been approved in writing and shall include an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

- (a) Details of soil preparation, plant protection, watering and weeding.
- (b) Any trees shrubs or plants that die, become seriously damaged or die within five years of this development shall be replaced in the following year by plants of the same size and species.

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

Drainage strategy.

14. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. This shall include details of how the SUDS measures are to be maintained and managed by both the sewerage undertaker and any private management Company after completion. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed"

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accord with the advice in the NPPF of 2012.

Amended plans .

15. The development shall be carried out in strict accord with the amended plans as identified in the list of revised documents received on the covering letter from the applicant dated the 26th June 2017.

Reason. To ensure clarity in the permission in accord with the advice in the DMPO of 2015.

Construction Method Statement

16 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 accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works
- (h) Timing of deliveries

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 (March 2012), 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).

Layout and Design Standards

17 The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. The road and footpath design should be to a standard that is adoptable as public highway. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Visibility splays onto Greenham Road

18 No development shall take place until visibility splays at the proposed access onto Greenham Road have been provided in accordance with drawing number 8160567/6101 received on June 28th 2017. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Visibility splays within the site

19 Visibility splays of 2.4 metres by 25.0 metres shall be provided adjacent plot 5 in accordance with drawing number H5365/PL/01 received June 28th 2017. 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 (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Parking and turning

20 No dwelling shall be occupied until the vehicle parking and/or turning space provided for it has been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or 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 imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Access construction before development

21 No development shall take place until details of the proposed vehicular access, footway access, footway widening fronting the site and dropped kerbs and tactile paving over Greenham Road have been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the vehicular and pedestrian access and associated engineering

operations shall be constructed in accordance with the approved drawing(s).

Reason: To ensure that the access(es) 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 (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

Cycle storage

22 No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the cycle parking and storage space for the dwelling has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Schedule of materials for access roads

23 No development shall take place until a schedule of materials to be used in the access and car park area has been submitted to and approved in writing by the Local Planning Authority. The materials should be permeable. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application the use shall not commence until the access and car park has been constructed in accordance with the approved schedule.

Reason: To ensure that the appearance of the access is appropriate to the character of the area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Travel Plan

24 No development shall take place until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented from the development first being brought into use. It should 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 vehicles and provides the appropriate level of vehicle parking. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

INFORMATIVE:

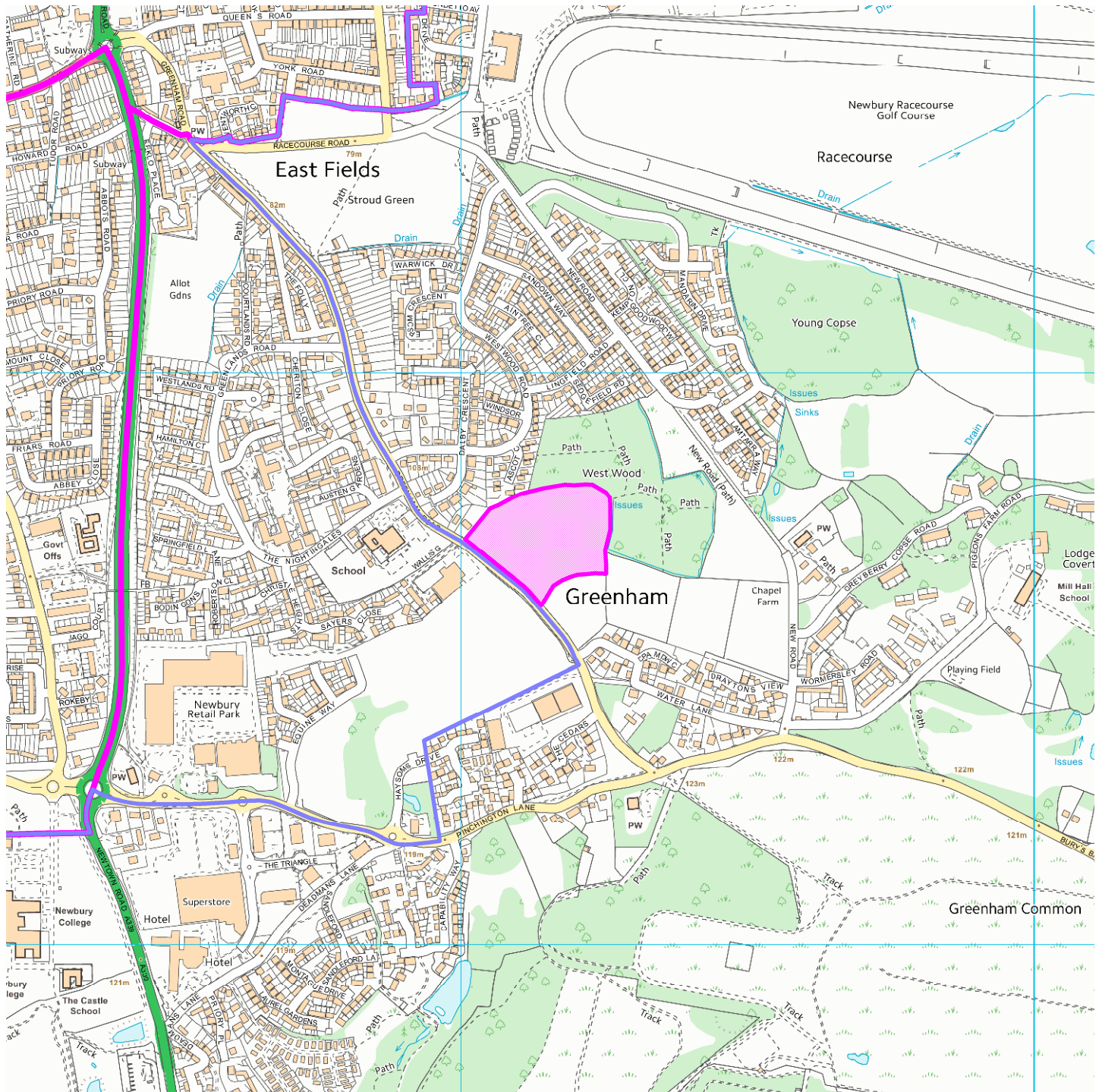
- 1 The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You 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

- 2 This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.
- 3 This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the ****. You are advised to ensure that you have all the necessary documents before development starts on site.

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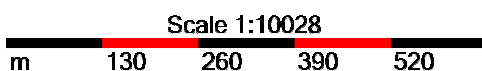
Map Centre Coordinates :

Scale : 1:10027

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	13 June 2017
SLA Number	0100024151



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Agenda Item 4.(2)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(2)	17/00597/FULD 17/00598/LBC2 Lambourn	28 April 2017	Change of use and conversion of public house into 1 and 2 bedroom flats. The Malt Shovel, Upper Lambourn, Hungerford, Berkshire. Mr R. McCabe.

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/00597/FULD>

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/00598/LBC2>

Recommendation Summary: **The Head of Development and Planning be authorised to grant planning permission**

Ward Member(s): Mr A.G. Lundie
 Mr. A.G. Jones

Reason for Committee Determination: Petition of more than 20 signatories

Committee Site Visit: 13 July 2017

Contact Officer Details

Name: Ms L Mather
Job Title: Senior Planning Officer
Tel No: (01635) 519111
E-mail Address: Lydia.mather@westberks.gov.uk

1. Site History

Application Number	Decision Status	Date Case opened	Date Case Closed	Proposal
77/07646/ADD	APPROV		15.03.1978	Alterations to bars and beer store extension car park extension with new garage for tenant
00/57577/FUL	APPROV		25.10.2000	Extension to public house to form bedrooms and restaurant and replacement kitchen store and wc
00/01206/LBC	APPROV	3rd November 2000	09.01.2001	Extension to Public House to form bedrooms, restaurant, replacement kitchen, store and WC.
03/01874/LBC	RETURN	27th August 2003	11.01.2005	Replace existing windows for new due to rotting double glazed, timber.
05/00377/FUL	WITHDR	15th February 2005	24.03.2005	Extensions and alterations to an existing Inn to provide accommodation and restaurant.
05/00378/LBC	WITHDR	15th February 2005	24.03.2005	Extensions and alterations to an existing Inn to provide accommodation and restaurant.
05/01235/FUL	REFUSE	31st May 2005	25.07.2005	Extensions and alterations to an existing Inn to provide accommodation and restaurant.
05/01603/LBC	REFUSE	13th July 2005	22.09.2005	Extensions and alterations to an existing Inn to provide accommodation and restaurant.
15/00893/FUL	APPROV	31st March 2015	03.07.2015	Retrospective in part - Re-roof and part re-built beer cellar.
15/00895/LBC2	APPROV	17th April 2015	03.07.2015	Retention in part - Re-render front elevation. The main roof over the existing building was re-tiled with existing tiles and new hipped end similar to existing flat roof to beer store replaced. New door to beer store. New door to main entrance and side entrance to be fitted. Six new external lights fitted.
16/02023/FULD	WITHDR	20th July 2016	03.10.2016	Proposed change of use and conversion of Public House (A4 use) to 6 dwellings (C3 use).

2. Publicity of Application

Press Notice

Site Notice Expired: 6 April 2017

3. Consultations and Representations

Lambourn

Parish Council:

No objection. Comment that the Parish Council regret that there has been no concerted effort to continue the business. Concern expressed that the external appearance of the building is maintained and that the parking for the building is restricted to the car park.

Highways:

Amendments requested to the car parking and visibility splays. Following receipt of amended plans no objection raised subject to conditions on vehicle parking, cycle storage, and construction method statement.

Environmental Health:

No objections.

Waste Management:	Amendments requested to bin store area. Following receipt of amended plans no objection raised subject to condition.
Housing Strategy:	1 unit required as affordable housing via a Section 106 legal agreement.
Conservation:	Amendments requested regarding details of specific internal works required. Following receipt of additional plans no objections subject to condition.
Environment Agency:	Objection for lack of flood risk assessment. Flood risk assessment subsequently received. Objection maintained subject to raising of finished floor levels above the 1% annual probability flood level and 35% allowance for climate change level.
Public Rights of Way:	Objection. Comment: Lambourn Footpath 10 is on the opposite side of the road. The Lambourn Valley Way (a WBC Promoted Route long distance route spurring off the Ridgeway National Trail) follows nearby Byway 25 Fulke Walwyn Way & its continuation past the pub and onto Uplands Lane. There is also an alternative LVW route using Byway 65 to the north of this area. So PROW usage in this area would be expected to be greater than other equivalent areas. The presence of country pubs along these routes has many benefits for users and is deserving of protection where possible.
Land Drainage:	No comments received.
Ramblers' Association:	No comments received.
North Wessex Downs AONB:	No comments received.
Correspondence:	<p>Petition of objection with 34 signatures.</p> <p>3 letters of objection.</p> <p>Summary of matters raised:</p> <ul style="list-style-type: none"> • Loss of public house and its contribution to the race horse industry locally and visitors. • Loss of public house as local facility for residents. • Harm to character and appearance of the area from the residential use. • Inadequate design and access statement. • Continued viability of public house. • Community desire to find an owner to retain the public house. • Inability of future residents to obtain house insurance due to the location in a flood zone.

4. Policy Considerations

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

- 4.2 The statutory development plan comprises:
- The West Berkshire Core Strategy 2006-2026
 - The Housing Site Allocation Development Plan Document 2017
 - The West Berkshire District Local Plan Saved Policies 2007
 - The South East Plan 2009 Policy in so far as Policy NRM6 applies
 - The Replacement Minerals Local Plan for Berkshire 2001
 - The Waste Local Plan for Berkshire 1998
- 4.3 The following Core Strategy policies carry full weight and are relevant to this application:
- National Planning Policy Framework Policy
 - Area Delivery Plan Policy 1: Spatial Strategy
 - Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty
 - CS 1: Delivering New Homes and Retaining the Housing Stock
 - CS 5: Infrastructure Requirements and Delivery
 - CS 6: Affordable Housing
 - CS 9: Location and Type of Business Development
 - CS 10: Rural Economy
 - CS 11: Hierarchy of Centres
 - CS 13: Transport
 - CS 14: Design Principles
 - CS 16: Flooding
 - CS 17: Biodiversity and Geodiversity
 - CS 18: Green Infrastructure
 - CS 19: Historic Environment and Landscape Character
- 4.4 The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:
- C1: Location of New Housing in the Countryside
 - C4: Conversion of Existing Redundant Buildings in the Countryside to Residential Use
 - P1: Residential Parking for New Development
- 4.5 The saved policies of the West Berkshire District Plan carry due weight according to their degree of conformity with the National Planning Policy Framework. The following saved policies are relevant to this application:
- TRANS.1: Meeting the Transport Needs of New Development
 - OVS.5: Environmental Nuisance and Pollution Control
- 4.6 As the Malt Shovel public house is a listed building the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant.
- 4.7 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework 2012
 - The Planning Practice Guidance Suite 2014
 - Manual for Streets

- 4.8 In addition the following locally and regionally adopted policy documents are material considerations relevant to this application:
- The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019
 - Lambourn Parish Plan
 - Supplementary Planning Guidance: Public Houses 2000

5. Description of Development

- 5.1 There are 2 applications. A full application for the change of use of the Malt Shovel public house to 6 flats of 1 and 2 bedroom units. The other is a listed building consent for the conversion works to the building.
- 5.2 4 flats are proposed on the ground floor, 2 on the first floor. Two of the units would be 2 bedroom, the remainder 1 bedroom. The internal works are mainly removal of bar fittings and the introduction of some partitioning in flat 4 of the original core of the building.
- 5.3 Externally a new entrance would be created for flat 2, and the replacement of the existing flat roof over the beer store is proposed to the building. The existing car park will be partly retained for 11 car parking spaces and amenity areas both communal and private for the ground floor units. A bin enclosure is proposed adjacent to the existing access.

6. Consideration of the Proposal

- 6.1 The Council has a Supplementary Planning Guidance document on public houses outlining the criteria against which applications involving the loss of a public house are to be assessed. These are:
- (1) Whether it would have an adverse effect on the local character, diversity and amenity of the area;
 - (2) Whether it can be demonstrated that alternative public house provision exists;
 - (3) Evidence exists that the loss of the public house would comprise an unacceptable decline in the standard of community services for locals and visitors;
 - (4) Whether it can be demonstrated that the public house is no longer economically viable and that all reasonable attempts have been made to sell or let the building as a public house at a realistic prices for no less than 6 months;

EFFECT ON LOCAL CHARACTER

- 6.2 Upper Lambourn is a village with no defined settlement boundary. It also has a Conservation Area which this site falls within. The building is Grade II listed.
- 6.3 Under policy C1 of the Housing Site Allocation DPD new housing outside of settlement boundaries would not normally be permitted. However, there are exceptions to this including conversions of existing buildings. As the proposal is for conversion without any extension it does represent an exception under policy C1.
- 6.4 Policy C4 of the Housing Site Allocation DPD is specific to conversions of existing buildings. In terms of its criteria the building is structurally sound and capable of conversion without substantial rebuilding, extension or alteration. There would be a

satisfactory level of amenity space for the proposed flats. The conversion retains the character, fabric and historic interest of the building itself.

- 6.5 Policy C4 includes criteria on impact on rural character; and whether the residential curtilage would be visually intrusive, have a harmful effect on the rural character of the site, or its setting in the wider landscape. There will be little change in terms of the bulk and mass of the existing building. There are minimal external alterations required to convert the building. The Conservation Officer does not consider the conversion to detrimentally impact on the heritage assets of the building itself or its setting in the Conservation Area. The overall plot size that the building is set within will not be enlarged by the change of use, and alterations to boundary treatments and landscaping can be controlled by condition. Similarly a condition would be considered necessary for external lighting details. Being within an Area of Outstanding Natural Beauty ADPP5 identifies dark night skies as a characteristic to be retained. Numerous, bright and upward pointing lights would be out of keeping with this. It is therefore expected that only the minimum external lighting necessary to ensure residents safety should be provided and those should be downward pointing with motion sensors.
- 6.6 The change of use itself will have an impact on the rural character. The pattern of movement to and from the building will more likely be during morning and evening commuting times, as well as potentially the school run. The pattern of movement with a trading public house would be a potentially greater number of overall people around the lunchtime and dinner time periods, and into the evening. Rather than a fairly featureless car park to the public house, this area will become more domesticated in terms of formalised parking and some garden/private amenity landscaping.
- 6.7 Whilst the residential impact differs from that of the commercial public house impact, it is not considered that the overall change in character resulting from the change of use would be harmful on the rural character of the area or the setting of the Conservation Area. As such the application is considered to meet the first part of the SPG on Public Houses and the criteria of policy C4 of the Housing Site Allocations DPD that relate to the character of the area.

ALTERNATIVE PUBLIC HOUSE PROVISION AND VIABILITY/MARKETING

- 6.8 With regard to parts (2) and (4) of the SPG on Public Houses an independent 3rd party viability assessment was recently provided by the applicant, having been prepared by reputable and experienced consultants. The assessment utilises the CAMRA test criteria. It finds that whilst there is no alternative public house provision in Upper Lambourn, there is provision in Lambourn nearby. In terms of the viability of the public house from the information submitted there was a historic lack of viability under a previous owner/tenancy, and details of the lack of business more recently. The public house was on the market for 6 months through a reputable agency. The report conclusion is that due to the location of the pub away from other tourist attractions for passing or destination trade, and the population size of Upper Lambourn as its immediate client base, neither are sufficient for it to be a viable enterprise.
- 6.9 The objections to the application include assertions that the public house has been viable in the recent past and that it contributes to the local race horse industry for

those employed by it locally and visitors to it. From the information that is available and has been assessed by the viability appraisal it would seem that the contribution the racing industry has made to the public house has not been sufficient to maintain its viability. On this basis parts (2) and (4) of the SPG on Public Houses is considered met.

- 6.10 In terms of policy C4 of the Housing Site Allocations DPD the building is required to be genuinely redundant and the change of use not to result in a subsequent request for a replacement building. The public house is understood to have recently ceased trading. The business was on the market for 6 months prior to the application submission. The viability assessment concludes that the public house is not economically viable and that further investment into the building itself would not address this.
- 6.11 Whilst the building is not currently redundant (in that it remains capable of being used as a public house), as there is no reasonable prospect of it being economically viable it is considered to effectively mean that the building would be redundant as a public house. The finding that a public house in this location is unlikely to be economically viable is also considered to mean that a request for a replacement public house is unlikely. As such this criteria of policy C4 is considered met.

EFFECT ON AMENITY, COMMUNITY SERVICES AND LOSS OF PUBLIC HOUSE

- 6.12 The second part of (1) and part (3) of the Public House SPG relate to the impact of the loss of the public house as a community asset. As the only public house and community asset of Upper Lambourn the loss of the Malt Shovel would have an adverse impact on the community as a base for community services. This has been raised in the petition and separate objections to the application.
- 6.13 Both the Council's SPG and the National Planning Policy Framework at paragraph 70 resist the loss of public assets such as public houses. In this respect the application conflicts with the SPG and national guidance. In terms of the NPPF paragraph 70 states that planning policies and decisions should,
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- 6.14 The public house as a community facility enables residents to meet in a shared public space. The day to day needs of the residents are otherwise not met in Upper Lambourn. Lambourn is the nearest service village with a wider range of services. As the assessment finds the public house to be economically unviable refusing planning permission would not necessarily bring the public house back into operation; it is likely the public house would be lost in any event. As such the application is not considered to represent an 'unnecessary loss'.
- 6.15 The objections to the application include comments on the contribution the public house makes to the local race horse industry including for short term accommodation. It is not known what the exact demand for this bed and breakfast service is. From the assessment it would seem that the demand from the local race horse industry and that of local residents has not been sufficient to ensure the viability of the public house, and/or this demand is being met elsewhere.

- 6.16 Reference was made in the objections to the application of the desire of the community to save the public house. As far as the Council is aware no dialogue has been entered into by the local residents with the applicant with a view to taking on the public house as a community asset. A number of local residents objected to the previous application which was withdrawn. Following the withdrawal of the application the public house was put on the market for sale/let.
- 6.17 The register of assets of community value held by the Council and published on its website does not include the Malt Shovel. Nor is an application to have the public house registered on the Council's website. Under the Localism Act being on the register of assets of community value allows the local community a right to bid when the asset comes up for sale. The first application appears not to have triggered an application to have the public house registered as an asset of community value to enable the local community a right to bid when it subsequently went on the market for sale.
- 6.18 The Council's Public Rights of Way Officer objects to the loss of the public house in close proximity to a number of public rights of way. Whilst the change of use would not impact the public rights of way itself in terms of harm to its use or enjoyment, its presence on a promoted public right of way route contributes to the amenity of its users. The public house therefore supports the protection of the districts local green infrastructure under Core Strategy policy CS 18. It does appear however that ant passing trade that is generated, is of insufficient benefit to the trading position as a whole.
- 6.19 No comments were received from the Ramblers' Association so it is not known how frequently those who use the public rights of way utilise the public house. Again, the viability assessment indicates that the level of business generated is not sufficient to ensure the viability of the public house.
- 6.20 The Lambourn Valley Way promoted route map on the Council's website indicates two other public houses in nearby Lambourn. There is therefore alternative provision within a relatively short distance. It is therefore considered unlikely that the loss of the Malt Shovel would in itself cause significant harm to the overall enjoyment of users of the longer routes and the shorter routes would not necessarily be affected by the presence or otherwise of a public house.

LISTED BUILDING AND CONSERVATION AREA

- 6.21 The Malt Shovel is a Grade II listed building and within the Conservation Area of Upper Lambourn. A heritage impact assessment was submitted with the application. The Council's Conservation Officer requested additional plans and information on the historic fabric of the building and what elements would be affected by the conversion works. The additional information and plans overcame this concern and the Conservation Officer has recommended listed building consent be granted subject to conditions. The Conservation Officer did not raise an objection of the change of use on the setting of the Conservation Area. As such the application is in accordance with CS 19 of the Core Strategy in terms of its impact on heritage assets.

FLOODING

- 6.22 The site is within flood zone 3 and as such a flood risk assessment is required. An objection also raised concern that future residents would find it difficult to obtain house insurance due to being within a flood zone.
- 6.23 The Environment Agency commented on the flood risk assessment that was subsequently provided. In order to remove their objection the internal floor level on the ground floor needs to be raised above the 1% annual probability flood level with at least a 35% allowance for climate change level, or if not possible (for example where this would result in inadequate head room) the floor levels raised as high as possible and incorporate further flood resilience and resistant measures to account for the shortfall. This will require existing and proposed ground and finished floor levels, as well as demonstrating safe access and egress above the 1% annual probability flood level.
- 6.24 This matter has not been addressed at the time of writing and as such a condition is proposed to achieve this prior to commencement of development. The proposed measures will be subject to consultation with the Environment Agency, the Council's Land Drainage team, and the Conservation Officer where the works affect the fabric of the listed building.

AFFORDABLE HOUSING

- 6.25 Policy C6 of the Core Strategy requires on site provision of affordable housing. This application would provide between 5 and 9 units and as such 20% affordable housing provision is required under the policy. This equates to 1 unit.
- 6.26 The Council's Housing Strategy advised that they would require the affordable unit for social rent. They provided a list of social housing providers and stated that alternatively the Council may be interested in purchasing the affordable unit once the change of use is complete.
- 6.27 The Council has an adopted SPD on Planning Obligations which sets out that affordable housing is separate from the Community Infrastructure Levy, which is also payable on this development, and is to be secured by Section 106 agreement. As the policy has a sliding scale on the amount of provision required the single unit is considered fairly and directly related to the development. The Council's Housing Strategy consultation response set out the demand for affordable housing across the district and the number on the register who have expressed a preference for Lambourn.
- 6.28 The Council's legal services have been recently instructed to undertake a Section 106 agreement to secure the affordable housing unit. Should the Committee determine to grant planning permission this would be subject to the completion of a Section 106 agreement.

OTHER MATTERS

- 6.29 Amended plans were received to address Highways issues regarding the layout and sizing of the parking spaces and the location of the bin store to enable safe collection. The proposal as amended would be in accordance with TRANS.1 of the

Local Plan, CS13 of the Core Strategy and P1 of the Housing Site Allocations DPD. This is subject to amended plans on an outstanding matter on the car parking layout and for the parking and bin store to be provided prior to the flats being occupied. Furthermore, a construction method statement for contractors parking and storage of materials during the conversion works is also required, directed at removing contractor parking from the highway.

- 6.30 As the proposed change of use and conversion involves new residential development the flats are subject to the Community Infrastructure Levy. As the site is within the Area of Outstanding Natural Beauty area of the district the rate is £125 (which is index linked since adoption) per m² of gross internal area.

7. Planning Balance and Conclusion

- 7.1 Starting with the matters that weigh against the proposal is the social loss of the public house as a community facility. In particular that the Malt Shovel is the only community facility in Upper Lambourn. The viability assessment finds the public house not economically viable and unsustainable by the local population and race horse industry. There are other public houses and day to day services in Lambourn a relatively short distance away. The site is also within flood zone 3 where there is a greater environmental risk of flooding, although there are mitigation measures to minimise the risk of flooding to people and property.
- 7.2 In terms of the matters that weight in favour of the proposal is the social and economic provision of 6 new dwellings, one of which would be affordable for social rent. This would contribute towards the Council's housing supply for new dwellings in the AONB by conversion of an existing building. Whilst new dwellings would not normally be acceptable in a location which is outside of a settlement boundary there is an exception for conversions. The other social and environmental matters are the site is capable of achieving the required shared amenity space, car parking, and bin store. Furthermore, the conversion works and change of use would conserve the heritage asset of the listed building and ensure its continued use.
- 7.3 Taking account of the social, environmental and economic factors of sustainable development overall the benefits of the scheme are considered to outweigh the adverse impacts. On balance the proposal would constitute sustainable development and is recommended for conditional approval.

8. Full Recommendation

The Head of Development and Planning be authorised to grant Listed Building Consent to application number 17/00598/LBC2 and to grant Planning Permission to application number 17/00597/FULD subject to the completion, within 2 months of the date of committee, of a Section 106 agreement to secure the provision of a unit of affordable housing on site in accordance with Policy CS 6 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document: Planning Obligations. The respective permission to be subject to the following conditions:

LISTED BUILDING CONSENT CONDITIONS:17/00598/LBC2

1. The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. This listed building consent relates only to work described on the drawings/and/or/in the documents identified below:

Drawing number RM/12 received on 3 March 2017,
Drawing numbers RM/09, RM/N/01, RM/10, RM/N/02, RM/11 received on 10 April 2017,
Drawing number RM/02 received on 12 June 2017,
Heritage Statements received on 10 April 2017.

No work shall be carried out other than in accordance with the above drawings and documents.

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building. This condition is imposed in accordance with Policies CS 14 and CS 19 of the West Berkshire Core Strategy 2006-2026, and the National Planning Policy Framework 2012.

3. All works of making good and repair to the retained fabric, whether internal or external, shall be finished to match original/adjacent work with regard to the methods used and to materials, colours, textures and profiles.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework 2012 and Policies CS 14 and CS 19 of the West Berkshire Core Strategy 2006-2026.

4. The development hereby permitted shall be carried out in a proper workmanlike manner appropriate to the age and character of the building and using traditional materials and techniques except where the use of modern materials and techniques has specifically been approved by the Local Planning Authority.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework 2012 and Policies CS 14 and CS 19 of the West Berkshire Core Strategy 2006-2026.

5. Unless such work is clearly and specifically referred to on drawings or other documents hereby approved, no existing features of architectural or historic interest such as doors, linings, shutters, panelling, cornicing, decorative plasterwork, floorboards, skirting, fireplaces, lath and plaster ceilings, wattle and daub panels shall be altered, replaced or removed until a written description of the steps to be taken has been submitted to and approved by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework 2012 and Policies CS 14 and CS 19 of the West Berkshire Core Strategy 2006-2026.

6. No development shall take place until details of all new windows and/or external doors have been submitted to and approved in writing by the Local Planning Authority. The details shall include materials and finishes, at a minimum scale of 1:20 and 1:2. The windows//doors shall be installed in accordance with the approved details.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework 2012 and Policies CS 14 and CS 19 of the West Berkshire Core Strategy 2006-2026.

FULL PERMISSION:17/00597/FULD

1. 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. The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below:

- (i) RM/12 received on 3 March 2017;
- (ii) RM/11, RM/N/01, RM/N/01, RM/09, RM/10 received on 10 April 2017;
- (iii) RM/02 received on 12 June 2017
- (iv) Heritage statement received on 10 April 2017.

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

3. No dwelling shall be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing (to incorporate the use of a porous material to any hard surfaced areas), and boundary treatments, and materials to be used, a schedules of plants (noting species, plant sizes and proposed numbers/densities), an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- a) completion of the approved landscaping scheme within the first planting season following the first occupation of one or more of the dwellings or in accordance with a programme submitted to and approved in writing by the Local Planning Authority as part of the details submitted for this condition; and
- b) any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development/of the completion of the approved landscaping scheme shall be replaced in the next planting season by plants of the same size and species; and

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

4. No dwelling shall be occupied until details of the external lighting to be used in the areas around the building and on site have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the external lighting has been installed in accordance with the approved scheme. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development and the character of the area. The area is unlit at night and benefits from dark night skies. Inappropriate external lighting would harm the special rural character of the locality. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policies CS 14 and CS 19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

5. No development shall take place until details of the internal floor levels of the change of use hereby permitted in relation to existing and proposed internal floor levels have been submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate the proposed internal floor levels will be raised above the 1% annual probability flood level (with at least a 35% allowance for climate change level). Where it is justified this cannot be achieved the floor levels shall be raised as high as possible and incorporate flood resilience and resistant measures to account for the shortfall. No dwelling shall be occupied until the development has been completed in accordance with the approved internal floor levels and flood mitigation measures.

Reason: To reduce the risk of flooding to people and property on a site located within flood zone three. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policies CS 14 and CS 16 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

6. No dwelling shall be occupied until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. No dwelling shall be occupied until the vehicle parking and turning spaces/areas, and bin stores, have been provided in accordance with the approved details. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or 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 which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.

7. No dwelling shall be occupied until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.

8. 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 accordance with the approved details. The statement shall provide for:
- (a) The parking of vehicles of site operatives and visitors
 - (b) Loading and unloading of plant and materials
 - (c) Storage of plant and materials used in constructing the development
 - (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
 - (e) Wheel washing facilities
 - (f) Measures to control the emission of dust and dirt during construction
 - (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

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 2012, Policies CS5 and CS13 of the West Berkshire Core Strategy 2006-2026, Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.

17/00597/FULD & 17/00598/LBC2

The Malt Shovel, Upper Lambourn, Hungerford



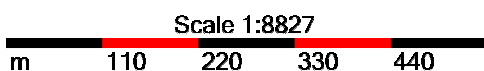
Map Centre Coordinates :

Scale : 1:8826

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Organisation	West Berkshire Council
Department	
Comments	
Date	10 July 2017
SLA Number	0100024151



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Agenda Item 5.

APPEAL DECISIONS WESTERN AREA-COMMITTEE

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Rec.	Decision
SPEEN 16/03201/HOUSE Pins Ref 3172884	Castle View Station Road Speen Mr and Mrs G Loakeimidis	Erection of double garage with ancillary accommodation.	Del Refusal	Dismissed 22.6.17
COMPTON 16/00624/FULD Pins Ref 3160603	North East Of North Wing High Elms, Aldworth Road, Compton Mr G Weller	Erection of a single dwelling house to replace existing outbuildings/workshops.	Del Refusal	Dismissed 29.6.17
NEWBURY 16/01821/FULD Pins Ref 3169321	1 Northbrook Street Newbury Delaport Investments (Henley) Limited)	Change of Use from B2 office space to C3 residential dwellings. Internal alterations to create five studio style flats on first, second and third floor	Del Refusal	Allowed 5.7.17

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SPEEN 16/03201/HOUSE Pins Ref 3172884	Castle View Station Road Speen Mr and Mrs G Loakeimidis	Erection of double garage with ancillary accommodation.	Del Refusal	Dismissed 22.6.17
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COMPTON 16/00624/FULD Pins Ref 3160603	North East Of North Wing High Elms, Aldworth Road, Compton Mr G Weller	Erection of a single dwelling house to replace existing outbuildings/workshops.	Del Refusal	Dismissed 29.6.17
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NEWBURY 16/01821/FULD Pins Ref 3169321	1 Northbrook Street Newbury Delaport Investments (Henley) Limited)	Change of Use from B2 office space to C3 residential dwellings. Internal alterations to create five studio style flats on first, second and third floor	Del Refusal	Allowed 5.7.17
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