

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 26 JANUARY 2022

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

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

PART I

32. Apologies

There were no apologies received.

33. Minutes

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

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

34. Declarations of Interest

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

35. Schedule of Planning Applications

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

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

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

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

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

Town Council Representation

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

- Thatcham Town Council objected to the application when it was first submitted in 2018 and this objection still stood.
- It was not felt that the application complied with West Berkshire Council's (WBC) planning policy HSA5 for the site or CS15 for energy efficiency. Policy CS15 stated that from 2016 residential development should be zero carbon in line with Government aspirations.
- In 2021 the Government had published building regulation amendments, which delivered a 30 percent improvement on the 2013 standard. These regulations were not yet in force but this would be a legal commitment.
- The report pack stated that the applicant was committed to a 20 percent reduction in CO2 emissions and this was insufficient in complying with policy CS15 in light of the new regulations.
- The energy statement, which was made available on 25th January 2022, made statements that were untrue regarding the viability of heat pumps.
- As WBC had declared a climate emergency it was expected that the critical policy CS15 should be applied in full.
- Policy HSA5 required a landscape buffer to the side of the site where the Thatcham Nature Discovery Centre was. The Landscape and Visual Impact Assessment (LVIA) had stated the buffer should include areas of woodland and be planted to a minimum width of 15 metres. It should include both tree and shrub species to provide a multi-layer vegetation screen to the proposed development.
- The plans showed a minimum separation distance of 15 metres between the boundary and the properties however, trees and shrubs would only be planted along the boundary with the remaining being grass and a footpath. In many places driveways intruded into this width. The planted width of the landscape buffer fell well short of the recommendation in the LVIA and did not comply with HSA5.
- Regarding cycling, policy HSA5 stated that pedestrian and cycle linkages were expected throughout the site that linked to the surrounding area. National cycle route NC4 passed along Lower Way. The off road route ended abruptly at the eastern end of the site. Both Thatcham Town Council and the West Berkshire Local Access Forum had proposed an alternative cycle route along the southern edge of the development. The report pack did not address this matter.
- Mr Pike stated that the Department for Transport recommended that the minimum width for a cycle route was three metres and a minimum of two metres. The proposed paths on the site were only 1.5 metres wide and were therefore too narrow to be

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considered cycle routes. The application did not comply with HSA5 regarding pedestrian and cycle linkages.

- Mr Pike stated that the Town Council were grateful for the changes to the application regarding the hedgerows joining Lower Way. The hedgerow to the east of the site was shown on the plans as being largely ornamental rather than native and there was no proposal for the planting of a native shrub buffer adjacent to it, which was recommended in the LVIA.
- If the Committee agreed that the landscape buffer was not in accordance to HSA5 it should refuse the application. Otherwise WBC should specify that the following amendments to conditions should be included:
 - Condition 34 should be amended to require a 30 percent reduction in carbon emissions.
 - Condition 13 should be amended or a new condition added that stated that the agreed specification of the paths should be suitable for cyclists.
 - The planting of a hedgerow and adjacent buffer on the eastern edge of the site should be agreed by WBC.
- It was assumed that the conditions would have normal caveats relating to permitted development rights associated with them.

Member Questions to the Parish Council

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

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

Objectors Representation

Ms Durber in addressing the Committee raised the following points:

- Ms Durber was representing the numerous residents that had previously commented on the planning application since 2018. They were not happy with the field becoming a housing estate and would lose the beautiful view across the field. They would be affected by the increased vehicle, cycle and foot traffic the development would bring, as well as by the increased strain on local facilities like access to GPs, nurseries and schools.
- Residents fully supported the points made by the Town Council regarding Carbon emissions; the landscape buffer around the site, pedestrian and cycle linkages; hedging within the curtilage of plots 5 to 10 and it was hoped that conditions would be amended or created to cover these points.
- Regarding traffic in reference to the Highways, an Automatic Traffic Count was conducted in 2016 which was modelled up to account for future traffic growth, it could not however take into account the subsequent extensive effect of the COVID-19 pandemic which rendered the data obsolete.

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

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

Member Questions to the Objector

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

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

Applicant Representation

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

- Mrs Jackson was a senior planning manager for the applicant Persimmon Homes. Mrs Jackson had been working closely with WBC planning officers to ensure proposals were acceptable.
- The site represented an extremely important development opportunity to Persimmon Homes and the applicant welcomed the Officer's recommendation for approval.
- The application had been the subject of an extremely detailed discussion process with Officers and statutory consultees over a period of four years to ensure it complied with all relevant planning policy requirements and was an appropriate form of development for the site.
- The merits of the proposed development had been clearly set out in the submitted application, documentation and Officer's report however, Mrs Jackson reiterated the following points:
- The principle of development on the site was established by allocation under policy HSA5 of the adopted Housing and Site Allocations DPD, which formed part

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of the local adopted plan. The development therefore represented sustainable development of an allocated site.

- The development would make an important contribution to housing in the borough and the location had been determined as both sustainable and suitable for development.
- Extensive work had taken place to understand the hydrology of the area. The development site constituted two percent of the catchment area and Natural England had confirmed that it was satisfied that no hydrological impacts would arise as a result of the development and in particular the habitat of the Special Area of Conservation (SAC) near to the site would not be negatively impacted.
- A carefully considered layout and design approach had been proposed to ensure the principle of good design had been adhered to. The proposed development was sympathetic to its site and the surrounding area.
- There would be no adverse amenity issues that would result as a consequence of the proposed development. It had been demonstrated that the existing road network was able to accommodate the additional traffic.
- A detailed technical submission had been provided in terms of engineering matters and the drainage officer had been provided with a highly detailed and comprehensive design for surface water drainage. Only a few outstanding issues remained and these would be resolved by the conditions suggested. Thames Water had confirmed that it had capacity to deal with the water generated by the site.
- The scheme had also been designed to ensure compliance with highway standards and much of the new road layout would be built to adoptable standards under a Section 38 Agreement. Driveway areas would be privately managed by a management company. Established technical standards had been adhered to in terms of the entire road layout and therefore it was not felt that the additional condition suggested by Highways Officers was justified.
- The newly established footpath had been accommodated within the development and connections to existing pedestrian routes and the nature discovery centre to the rear were all provided within the proposal.
- The proposal would not result in significant harm to protected species and any impacts would be efficiently mitigated. It was being ensured that hedgehogs, bats and birds could move safely across the site.
- Regarding energy efficiency, Mrs Jackson stated that the scheme was compliant with adopted policies and this was detailed clearly within the planning report.
- Important landscape features would be retained as part of the proposal including the hedgerows to the northern and eastern boundaries. The existing trees to the south of the site and the required 15 metre buffer would be retained. The scheme had been designed with the landscape designer's full acknowledgement.
- The public open spaces would be retained in perpetuity and would be secured through a Section 106 Agreement.

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

Member Questions to the Applicant

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

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

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

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

Councillor Tony Linden noted questions regarding fire hydrant provision, which had been raised by the Royal Berkshire Fire and Rescue Service and he also noted that there should be no development between a water main. Mrs Jackson stated that she was of

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the understanding that there was a condition included concerning fire hydrants. Regarding Councillor Linden's second point, Ms Jackson confirmed that there was a water main running along the southern boundary of the site and this had been accommodated in the proposed development. Easements had been accounted for and was why there was a 15 metre buffer.

Ward Member Representation

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

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

Member Questions to the Ward Member

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

There were no questions raised by Members.

Member Questions to Officers

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

Councillor Mackinnon referred to Mr Pike's comments regarding the width of the proposed cycle lane being too narrow and asked for comments from Officers on this. Mrs Nutchey reported that there was currently one definitive footpath on the site and this

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extended from Lower Way along the southern boundary. There were other well used routes on the site however, they did not form definitive public rights of way. The proposal would provide a number of different linkages through the site and formalise some of the informal connections. A public right of way could be used by bicycles if the landowner permitted this however, it might not be three metres wide as required. It was important to be mindful that there was an existing cycle path along the southern edge of Lower Way, which would not be impacted by the development.

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

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

Councillor Macro referred to points raised regarding energy consumption. Section 7.3 of the report detailed that the development aimed to reduce carbon emissions by 22.3 percent however, Councillor Macro's understanding was building control standards were changing. Councillor Macro queried if the 22.3 percent was on top of what was set out in current building control standards. Secondly, regarding the hedge to the east of the site, it had been stated that this hedge could not be reinforced due to services. As there were two sides to a hedge Councillor Macro queried if the other side could be reinforced. In response to Councillor Macro's first question regarding emissions in relation to building control standards, Mrs Nutchey stated that the application had been assessed against the building regulations 2013, which were the current regulations. Regarding the hedge, Mrs Nutchey stated that there were services along the eastern boundary which had impacted on the type of landscaping that could be secured. The existing native hedge was part of current landscaping, which framed the site and it would be retained at an approximate height of three metres. There was not scope to plant on the opposite side because it defined the site boundary and to do so would involve planting outside of the application site and on a public right of way.

Councillor Macro referred to building regulations and commented that the 22.3 percent figure was useless because on June 2022 the building control regulation was going to be

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changed. Regarding reinforcement of the hedge Councillor Macro understood the services ran down the application site side of the hedge, which he felt was unusual.

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

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

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

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

Debate

Councillor Law commended the Officer's report and that the site visit had been well managed. As already stated the Committee was not expected to consider the principle of development as this had already been established. He had raised concerns about the extra houses proposed however, the explanation on this from Officers had been comprehensive and satisfactory. There had been cases in the past where applications had proposed numbers, which were double what had been agreed for a site and this was unacceptable. The role of the Committee was to consider the detail of the application and Councillor Law stated that he appreciated that between the site visit and the Committee meeting, the applicant had listened to some of the comments made at the site visit and removed the hedge along the northern boundary from the gardens of several of the properties so that it is entirely outside of the residential curtilage. This demonstrated the comprehensive work that had been carried out. Councillor Law proposed that the Officer recommendation to grant planning permission be supported.

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

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

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

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

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

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

Councillor Mackinnon raised a point of order. There were clear regulations on when representations could be made to the Committee to influence Members. Councillor Mackinnon was concerned that some speakers had made comments in the chat area of Zoom during the course of the debate. Councillor Mackinnon felt that this needed to be

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looked in to outside of the meeting to avoid it happening in the future. The Chairman highlighted that the issue was already in-hand and would be discussed after the meeting.

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

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

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

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

Conditions

1. Commencement of development

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Approved plans and documents

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

Planning Drawings

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

Site Layout drawing number P16-0191_12 Rev. U

House Type Pack P16.0191_15F, July 2019

Plans and Elevations:

Plot 28 drawing number P16-0191_15_10-WPLTH3520A

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

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

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

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

Bin/Cycle Store drawing number Plots 84-87 Rev. A

Cycle Store Plots drawing number 52-55 & 73-80 Rev. B

Single/Twin Carport: Plans and Elevations drawing number P16-0191_16 Rev. A

Materials Plan drawing number P16-0191_18 Rev. E

Parking Assessment Plan drawing number P16-0191_13 Rev. G

Garden Assessment Plan drawing number P16-0191_14 Rev. H

Building Heights drawing number P16-0191_20 Rev. B

Tenure Plan drawing number P16-0191_28 Rev. D

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Enclosure Details drawing number P16-0191_25

Landscape Drawings and Documents:

Landscape Masterplan drawing number P16-0191_21 Rev. I

Detailed Public Open Space Landscape Proposals number P16-0191_22 Rev. H

Detailed on Plot Landscape Proposals P16-0191-26 Rev E

Tree Pit Details P16-0191-34

Landscape and Ecological Management Plan by Pegasus ref: P16-0191-33D

Tree Protection Plan drawing number 8661-KC-XX-YTREE-TPP02REVA DATED Feb 2018

Tree Constraints Plan drawing number 8661-KC-XX-YTREE-TCP01Rev0

Tree Survey and Impact Assessment by Keen Consultants ref 8661-KC-XX-YTREE Rev C, dated March 2018

Highway Drawings and Documents:

Proposed Access Arrangements drawing number 16141/001 Rev. G

Swept Path Analysis Large Refuse Vehicle drawing number 16141/TK01 Rev. F

Swept Path Analysis Fire Tender drawing number 16141/TK02 Rev. D

Swept Path Analysis Private Car drawing number 16141/TK03 Rev. D

Visibility Splay Requirements drawing number 16141/003 Rev. D

EVCP Plan P16-0191-35

Proposed Road Lighting and Illuminance Layout by Nick Smith Associates drawing reference 2474-D-01-B

Lighting Report by Nick Smith Associates reference 2474-SD-Rev B

Transport Assessment by Milestone Transport Planning dated June 2021

Travel Plan by Milestone Transport Planning dated April 2018

Ecological Documents:

Bat Activity Survey 2017 by The Ecology Partnership, September 2017

Bird Breeding Bird Survey by The Ecology Partnership, August 2016

PEA and Protected Species Assessment by The Ecology Partnership, September 2017

Biodiversity net Gain Calculator and maps dated 10.08.2021

Invertebrate Survey by the Ecology Partnership dated August 2016

Reptile Survey by The Ecology Partnership dated September 2017

The Ecology Partnership, Ecological Enhancement Strategy, May 2019

The Ecology Partnership, Report to inform Habitat Regulations Assessment Screening Assessment, July 2019

Other Documents:

Planning Statement, Pro Vision, March 2018

Design and Access Statement P16-0191_09 Rev. E

Archaeology Desk Based Assessment by Thames Valley Archaeology Services dated September 2016

Phase I Desk Study by Soils Limited reference 15766/DS September 2016

Phase II Ground Investigation Report by Soils Limited reference 15766/GIR October 2016

Soil Gas Monitoring Letter from Soils Limited dated 20th February 2017

Additional Investigations letter from Soils Limited dated 3rd November 2017

Gravel Pit Overlain on Site Layout drawing

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Gravel Pit Capping Areas, drawing number THA-SD-001 Rev.A Nov 2021
Capping Details drawing number THA-SD-002 Rev.A Nov 2021
Energy Statement 29th November 2021 Southern Energy Consultants

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

3. Samples of materials

No development shall take place until samples and an accompanying schedule of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

4. Finished floor levels

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

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

5. Boundary treatments

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

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

Additional boundary treatment condition

- 6.** Plot numbers 1-10 shall not be occupied until details of the boundary treatment for that property have been submitted to and approved in writing by

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the Local Planning Authority and thereafter implemented in full in accordance with the approved details. The approved details shall show the hedge adjacent to Lower Way to be outside of the residential curtilage of these properties and all the fencing shall be designed to be permeable to wildlife. The approved boundary treatments shall thereafter be retained.

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

7. Hard surfaces

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

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

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

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed at first floor level or above in the east facing elevations of plots 28 and 72 hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

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

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

With respect to plots 5 and 6 only, Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C or E of that Order shall be carried out, without planning

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permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: Ground remediation works have been approved within the site to remove an area of contamination. The measures have been approved with the Local Planning Authority however if new foundations were dug this could be disturbed and as such special construction measures would need to be employed were the approved dwellings extended by future occupiers. This condition is applied in accordance with the National Planning Policy Framework and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

10. Construction method statement

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

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

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

11. Electric vehicle charging points

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

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National

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Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

12. Footway/cycleway provision

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

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

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

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

13. Parking and turning

No dwelling shall not be first occupied until vehicle parking and turning spaces for that dwelling have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

14. Access construction before development

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

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

15. Cycle parking/storage

No dwelling shall be first occupied until cycle parking/storage facilities for that dwelling have been provided in accordance with the approved drawings.

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Thereafter the facilities shall be maintained and kept available for that purpose at all times.

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

16. Refuse Storage

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

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

17. Visibility splays before development

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

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

18. Travel Plan

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

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

19. Fire hydrants

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

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

20. Thames Water

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

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

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

21. Landscaping

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

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

22. Tree protection

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection

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scheme identified on approved drawing number 8661-KC-XX-YTREE-TPP02REVA DATED Feb 2018 and supported by the tree report by Keen Consultants ref 8661-KC-XX-YTREE Rev 0, dated march 2018. Within the fenced areas there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

23. Ecological mitigation

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

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

24. Bat and bird boxes

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

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

25. Update ecology surveys

If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 1 year from the date of the planning permission, the approved ecological measures secured through Condition number 22 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of bats and other protected species and (ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result

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

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

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

26. Lighting Design Strategy

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

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

27. Protection of breeding birds during construction

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

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

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28. Construction Environmental Management Plan

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

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

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

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

29. Hours of work (construction)

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

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

8:30am to 1:00pm Saturdays;

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

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

30. Contamination

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

- (a) Phase I Desk Study by Soils Limited reference 15766/DS September 2016
- (b) Phase II Ground Investigation Report by Soils Limited reference 15766/GIR October 2016
- (c) Soil Gas Monitoring Letter from Soils Limited dated 20th February 2017

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- (d) Additional Investigations letter from Soils Limited dated 3rd November 2017
- (e) Gravel Pit overlay drawing
- (f) Gravel Pit Capping Areas, drawing number THA-SD-001 Rev.A Nov 2021
- (g) Capping Details drawing number THA-SD-002 Rev.A Nov 2021

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

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

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

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

31. Piling

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

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

32. Drainage

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

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

33. Drainage verification report

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

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

34. Archaeology

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

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

35. Carbon emissions

The scheme will deliver a 20.3% reduction in carbon emissions per annum compared to the Part L1a baseline standard set by Building Regulations (2013). No development beyond damp proof course level shall take place until details of the solar photovoltaics (to include plans to show the location of the buildings and which elevations the cells are to be attached to and details of the appearance of the cells along with a specification of the other measures to be adopted as outlined in the Energy Strategy) have been submitted to and approved in writing by the Local planning Authority. Thereafter no dwelling shall be occupied until the approved measures to be installed in that dwelling have been implemented in full in accordance with the approved details.

Reason: To help deliver a reduction in carbon emissions in accordance with

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Policy CS15 of the West Berkshire Core Strategy 2006-2026 and the National Planning Policy Framework.

Heads of Terms for Section 106 Agreement

1. Affordable housing

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

2. Public open space

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

3. Wildlife

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

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

1. Planning obligation

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

- (a) To deliver 40% on-site affordable housing, 37 units, without which the proposal would be contrary to the National Planning Policy Framework, Policy CS6 of the West Berkshire Core Strategy 2006-2026, and the Council's adopted Planning Obligations SPD.
- (b) Provision of public open space and the establishment of a management company to carry out the long term management and maintenance of the open space within the development, without which the development would be contrary to the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy 2006-2026, Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Council's adopted Planning Obligations SPD.
- (c) Provision of an off site habitat strategy contribution and recreational impact mitigation contribution alongside the provision of a contribution towards the preparation of new homeowners packs providing information on the Nature Discovery Centre and other relevant informative print materials without which the development would be contrary to the National Planning Policy Framework, Policy CS17 of the Core Strategy 2006-2026 and the Council's adopted Planning Obligations SPD.

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Informatives

1. **Proactive statement**

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

2. **CIL**

The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

3. **Construction / Demolition Noise**

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

4. **Advice to applicant – dewatering**

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

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

5. **Informative on breeding birds**

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the

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

6. Street naming and numbering

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

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

(Councillor Woodhams rejoined the meeting at 7.51pm).

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

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

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

Agent Representation

Mr Miller in addressing the Committee raised the following points:

- Mr Miller was a chartered planner speaking on behalf of the applicant.
- The application constituted a resubmission following a refused application for a replacement dwelling.
- Since the refusal, work had gone in to revising the scheme and adjusting the proposal to overcome the areas of concern. Firstly the proposal had been reduced in volume and bulk. It was now a proportionate replacement to the existing built form.
- Various technical reports had been provided in reference to the previous refusal reasons.
- Mr Miller stated that whilst there had been some debate regarding whether the existing boat house should be included within the volume of the replacement bulk built form, even when including the boat house the proposal was not disproportionate in terms of bulk and massing.
- There would be a noticeable reduction in hard standing and an increase in soft landscaping.
- The proposal was of high quality bespoke design and it would complement its surroundings particularly in comparison to the existing dwelling. The existing dwelling had limited design merit as it had a corrugated metal roof, which was visible from the A329 to the south.

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- The improved appearance of the proposal and the fact that it would be set back from the A329 would result in an improved relationship to the Area of Outstanding Natural Beauty (AONB).
- Mr Miller stated that Members who attended the site visit would have seen the site from view points across the river however, it was considered that the view point from the A329 was also critical as the road experienced a high volume of foot fall. The proposal would improve the attractiveness from this view. The proposal would be set back and with the existing wall would mean the proposal would have limited visibility.
- Views from across the river were observed on the site visit during the winter. In summer months when planting was in bloom there would be significant screening of the proposal from the river view point. The proposal would result in a positive character impact.
- Whilst the CPRE had objected to the proposal due to visual harm, it had been demonstrated that the proposal would not be imposing to a harmful extent.
- Mr Miller stated that Members at the site visit would have also seen that the proposal would be located on a downward slope towards the river. This changing site level had been factored into the submission through the provision of detailed landscape and tree structure management information, to be further supplemented by condition.
- Mr Miller did not consider the existing residential curtilage to cover the entirety of the plot, in his professional view the proposed curtilage constituted a reduction from the existing situation. This would offer further benefit in reducing harm to the countryside and setting.
- No objections had been raised by residents or the neighbouring parish council, including those in South Oxfordshire.
- A comment of support had been received by a neighbour for the proposal stating that it would create an overall visual improvement to the existing.
- The proposal would also create a more energy efficient and sustainable dwelling in comparison to the existing by accommodating modern methods of construction compared to the aged existing dwelling.
- Regarding highway safety the proposal was a replacement dwelling with the same number of bedrooms proposed and with adequate parking/access arrangements.
- Construction traffic along the A329 would be regulated through the necessary management plans.
- Regarding residential amenity there were significant separation distances to the neighbouring dwellings.
- Matters including flooding, ecology and archaeology had all been addressed factoring in the vicinity of the development to the river. The applicant was in agreement to the conditions proposed.
- In conclusion the application fully accorded with planning policy as a sustainable development that protected the integrity, character and beauty of the AONB and countryside location. It was requested that permission be granted.

Member Questions to the Agent

Councillor Alan Law noted from the Officer's report under section 6.12 that the footprint was just under 60 percent of the existing dwelling. Councillor Law stated that Mr Miller had caused doubt in his mind regarding what the footprint of the existing dwelling was and queried if it was the house plus the boat house or the house alone. Mr Miller stated that the figure of 60 percent was in relation to the existing dwelling only. The figures referred to by Mr Miller in his representation incorporated outbuildings that were present on the site. The overall point was that when considering the overall volume, floor space

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and bulk the proposal was a proportionate replacement and this was evident from comparison plans. Mr Butler stated that this was a point of technical disagreement between the Officer and the applicant's agent. The Planning Authority did not accept that the boat house should be included in the residential curtilage of the dwelling. It sat within the red line and needed to be conditioned but was not within the curtilage. The policy was clear in Mr Butler's view that only outbuildings within the actual residential curtilage could count towards the proportionality tests and in the Officer's view the boat house sat outside of this. Mr Butler stated that the important point was the proportionality in relation to the visual impact in terms of harm was acceptable in the Officer's view.

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

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

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

Ward Member Representation

Councillor Law in addressing the Committee raised the following points:

- He had called the application in because the site sat within an extremely sensitive area and every application along the river in the past had been a Committee decision.
- The main issues included the size and proportionality of the proposal. An application submitted for the site a year previously had been considered by Officer's to be disproportionate. The current Case Officer considered the current proposal to be proportionate. Councillor Law stated that he was undecided regarding the application.
- Councillor Law disagreed with the Officer's view that the proposal would not have a greater visual impact than the current dwelling. Councillor Law felt that it would have a greater visual impact however, whether this visual impact was positive or negative was yet to be decided.
- Councillor Law felt that it was important to view the site from the river. He highlighted that there were lots of tree stumps and quoted from the Tree Officer that in 2018 a number of mature trees had been felled on the application site. Councillor Law stated that prior to 2018 you could not see much of the current dwelling due to a number of substantial trees. He noted from the plans that whilst a number of trees were going to be replanted they would not be replanted in front of the house to shield the view from the Thames Path and therefore there would be a different impact in terms of the proposal.
- Councillor Law noted from the report that the Officer's recommendation was on balance. Neither Goring nor Basildon Parish Councils had objected to the application. Councillor Law felt that general opinion regarding the application was split. The CPRE had objected on the grounds that the proposal would have a negative visual impact.
- Councillor Law stressed that it was an important site that would have an influence on future applications in the area along the river.

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- Councillor Law reiterated that he was undecided regarding the application. Regarding proportionality, if the proposal had been marginally smaller Councillor Law stated that he would be minded to approve the application. He looked forward to hearing the views of other Members on the Committee.

Member Questions to the Ward Member

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

Member Questions to Officers

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

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

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

Debate

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

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

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

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

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the current dwelling and therefore adequate for the proposed replacement. Mr Gareth Dowding concurred with this comment.

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

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

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

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

1. Commencement of development

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Demolition of existing dwelling

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

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

3. Approved plans

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

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

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

4. Domestic permitted development rights restriction

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A to H of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and maintain a coherent design for the development in this sensitive location, in the interests of respecting the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19

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of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006).

5. Permitted development rights restriction (means of enclosure)

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no gates, fences, walls or other means of enclosure which would otherwise be permitted by Schedule 2, Part 2, Class A of that Order shall be erected, constructed, or materially altered without planning permission being granted by the Local Planning Authority on an application made for that purpose. This restriction excludes any development expressly permitted by this permission, and does not prevent repairs or replacements (in full or in part) that do not materially affect the external appearance of any gate, fence, wall or other means of enclosure.

Reason: To prevent the erection of such development which may have an adverse impact on the rural character and appearance of the area, or fail to conserve the open landscape of the AONB. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006).

6. Archaeological investigation

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

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

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

7. Lighting strategy (AONB/Ecology)

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

- (a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above

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species.

- (c) Include isolux contour diagram(s) of the proposed lighting.
- (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.

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

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

8. Construction Method Statement

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

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

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

9. Tree protection scheme

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

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Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework, and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

10. Electric vehicle charging points (approved plans)

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

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

11. Demolition, Construction and Traffic Management Plan

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

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

12. Parking (approved plans)

The replacement dwelling shall not be first occupied until vehicle parking and turning spaces have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

13. Gates set back

Any gates to be provided at the existing access to the highway, where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least 5 metres from the edge of the highway.

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

14. Ecology SMP

The development hereby permitted shall not be carried out except in strict accordance with the recommendations made in the Site Management Plan of

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August 2021 by Elite Ecology.

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

15. Soft landscaping

No development or other operations shall commence on site until a detailed soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new dwelling/final demolition of the existing dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; and landscaping measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

16. Hard landscaping (prior approval)

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

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; and landscaping measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

17. Ground levels and finished floor levels

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

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commenced because insufficient information accompanies the application, and the agreed details

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will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006). A pre-commencement condition is required because the ground levels will need to be determined before construction takes place.

18. Spoil

No development shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil from the site (that is not to be deposited);
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

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

19. Materials

The construction of the dwelling shall not take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the development hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

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

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

This item was withdrawn.

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

CHAIRMAN

Date of Signature