

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 4 OCTOBER 2023

Councillors Present: Alan Macro (Chairman), Richard Somner (Vice-Chairman), Jeremy Cottam, Ross Mackinnon, Geoff Mayes, Justin Pemberton, Vicky Poole and Clive Taylor

Also Present: Sharon Armour (Principal Lawyer - Planning & Governance), Michael Butler (Principal Planning Officer), Stephen Chard (Zoom Host), Gareth Dowding (Principal Engineer (Traffic and Road Safety)), Gemma Kirk (Senior Planning Officer), Bryan Lyttle (Planning Policy, Infrastructure & Place Manager), Lewis Richards (Planning Officer) Benjamin Ryan (Clerk), Simon Till (Development Control Team Leader) and Cheryl Willett (Senior Planning Officer)

Apologies for inability to attend the meeting: Councillor Paul Kander

PART I

36. Minutes

The Minutes of the meeting held on 5 July 2023 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the following amendments:

- Councillor Jane Langford was in attendance.
- Councillor Vicky Poole's declaration of interest should state Nigel Toon not Nigel Hopes.
- Paragraph 12, bullet point 5 should note 11:00pm, not 11:45pm.

In regard to item 35(2), Councillor Poole highlighted, on Councillor Paul Kander's behalf, that fire regulations had not been included in the conditions. However, it was explained that this was a Building Regulations issue, and the conditions could not be changed as they had been issued.

37. Declarations of Interest

Councillor Richard Somner declared an interest in Agenda Item 4(3), as he was known to Mr Wale (supporter of the application), by virtue of the fact that he had a very minor interest in Mr Wale's business but had held no discussions on the application. He therefore reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Ross Mackinnon declared an interest in Agenda Item 4(1), as he had received an extensive briefing as the Council was the landowner but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Mackinnon declared an interest in Agenda Item 4(3), as he had had met with the applicant to discuss the planning process in his capacity as Ward Member but he had formed no view on the application. He therefore reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

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Councillor Vicky Poole declared an interest in Agenda Item 4(1), as she had hosted a Councillor surgery on the matter to help understand the views of local residents in her Ward. However, she would be considering the item with an open mind. Councillor Poole reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

38. Schedule of Planning Applications

(1) **23/01552/REG3, Four Houses Corner Caravan Site, Reading Road, Ufton Nervet**

[Item starts at 7 minutes into the recording.](#)

1. Mr Simon Till introduced the item by stating that West Berkshire Council (the Council) and its officers fully recognised the tragic events surrounding the death of PC Harper in 2019. Mr Till expressed, on behalf of the Council, the deepest sympathy with all those effected by this tragedy.
2. He explained that while objections had been raised on the application as a result of this tragedy, the purpose of the item was to only consider the planning merits of the application.
3. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 23/01552/REG3 in respect of the proposal to replace the existing permanent 18 pitch Gypsy caravan site with a new 17 permanent pitch Gypsy caravan site. Each pitch was to consist of a hard standing area large enough for two twin axle caravans, car parking for two vehicles and a 30 sq. m amenity building consisting of a kitchen/dayroom, bathroom, separate WC, and utility area. In addition to the amenity buildings a recycle storage facility, children's play area and sewerage treatment plant were to be located within the site.
4. Mr Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Development Control Manager be authorised to grant planning permission, subject to the conditions outlined in the main and update reports.
5. Ms Cheryl Willett explained that the Council had to maintain a five-year supply of caravan pitches for travellers and that this site would contribute to the legally required number of pitches. If the Council did not meet the required plots, they could be forced to accept a planning application for a less favourable site.
6. In accordance with the Council's Constitution, Mr Graham Bridgman, Parish Council representative, Ms Margaret Baxter, adjacent Parish Council representative, Ms Deborah Adlam, objector, Mr Bill Bagnall, applicant, and Councillor Nick Carter, Ward Member, addressed the Committee on this application.

Parish Council Representation

7. Mr Graham Bridgman in addressing the Committee raised the following points:
 - The Council had not followed policy in properly consulting the local community, and it was stressed that as the site was remote, so too was the site notice.
 - Mr Bridgman questioned how many individuals the site could house, as although there were 17 pitches, these would home multiple residents.

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- That the application had not had a full sustainable drainage systems (SuDS) consultation and that the site was an area that struggled with flooding.
- That the site could benefit from CCTV.

Member Questions to the Parish Council

8. Members did not have any questions of clarification.

Adjacent Parish Council Representation

9. Ms Margaret Baxter in addressing the Committee raised the following points:

- That it was a controversial application.
- Due process had not been followed, as there had been no consultation.
- There was confusion over how many residents could be on the site, and this needed to be clarified, due to concerns that there could be more residents.
- It was incorrect to suggest that the site had no history of flooding.
- There were questions over how the site would be managed going forward, would access to the site be via vehicle only, what preparations were there for sewage and waste disposal, and what would be the extent of light pollution?

Member Questions to the Adjacent Parish Council

10. In response to Members' questions, Ms Baxter advised that:

- It was the District Council's responsibility to consult the residents.
- The increase in the number of people on site could impact the Detailed Emergency Planning Zone (DEPZ).
- Flooding of the area happened regularly and to a considerable level.

Objector Representation

11. Ms Deborah Adlam in addressing the Committee raised the following points:

- That the community was haunted by the events surrounding PC Harper's death and his memory should be protected.
- The residents should know who would be staying at the site.
- The site was supposed to be just women and children, and this was not the case.
- There was a history of damaged property around the site.
- There was a history of misbehaviour at the site and that there were concerns over the safety of Police Officers who would have to police the site.

Member Questions to the Objector

12. Members did not have any questions of clarification.

Applicant Representation

13. Mr Bill Bagnall in addressing the Committee raised the following points:

- That the site had been established for 14 years.
- In 2016 the site was seen as run-down and no longer fit for purpose.
- The site satisfied the UK Health Security Agency requirements.
- The access to the site and turning circle met highways requirements.

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- The road network would not have street lighting and was limited to the access bell mouth and for the waste/recycling area.
- Flooding was addressed by formal drainage proposals that were not previously addressed on the site.
- Occupation numbers would be limited by the physical space and the single utilities hookup provided with each plot.
- The Council would formally manage the site.

Member Questions to the Applicant

14. In response to Members' questions, Mr Bagnall advised that:

- A maximum number of residents could not be provided as it would require going into confidential information.
- There was a meeting in 2018 with the emergency services, where the access to the site was discussed and it was found to be agreeable, however, it was noted that the one entrance into the site was not ideal.
- The lease agreements were related to adults and dependants on the site.
- The plots would be based on top of raised hardstanding and a sub-base of crushed hardcore. The design of the site would result in extreme levels of water being directed off-site.
- The Housing Team were in regular dialogue with the traveller community.
- The Council would have to improve the path between Burghfield Common and the site.
- There would be lighting at the entrance and in the bin store area, but the site itself would be dark.

Ward Member Representation

15. Councillor Nick Carter in addressing the Committee raised the following points:

- Government guidance suggested that local authorities should encourage closer integration of travellers with the wider community.
- The Ward Member sympathised with the family of PC Harper.
- The individuals responsible for PC Harper's death did not live on the site.
- That the site was appropriate for the suggested use and any other suggested site would ultimately fail.
- Residents of the site were consulted on the application and did not suggest they needed a foot path.
- That the Parish Council could have conducted its own consultation and that Ward Members had done their own form of consultation.
- The design of the site was in line with others around the country.

Member Questions to the Ward Member

16. In response to Members' questions, Councillor Carter advised that:

- The Parish Council were informed of the application but did not consult residents, however the Ward Member agreed the consultation still needed to take place.

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- The Design and Access statement stated that it was intended to undertake a consultation, but this did not happen.
- Former residents of the site had been consulted.

Member Questions to Officers

17. In response to Members' questions, officers clarified the following points:

- That Policy C1 referenced housing development, and the application was not for a housing development.
- That there would be a betterment of SuDS in any event, as the site would be on a gravel plateau and was within flood zone one.
- That planning officers would not overrule other officers; however, decisions were made on balance. The Drainage Officer did give his opinion, but planning officers must use their judgement and deploy a proactive approach when resolving outstanding matters that the Council must fulfil. It was further noted that the Drainage Officer had control within the condition.
- That even though a consultation process may not have been followed it was important to focus on the planning merits of the case. Developers did not always follow the planning process thoroughly, although this was disappointing, it was not a reason to refuse the application.
- If permission was granted, the applicant would have to consult the SuDS officer and development of the site would not be able to commence until the officer was satisfied.
- Planning officers could have recommended a maximum occupancy; however, it would have been difficult to provide an appropriate number and to enforce. There was also nothing to suggest there should be a maximum limit put in place.

Debate

18. Councillor Somner opened the debate by highlighting that he understood the personal aspect of the application, but that this should have no bearing on the decision. The Councillor expressed that the policies raised came down to interpretation and the SuDS had been detailed clearly within the report pack. Finally, Councillor Somner recognised that the lack of consultation was less than optimal, however he was unsure whether it had not happened at all and whether a consultation would be of any value to the Committee.
19. Councillor Poole argued that the surface water from the site made the road particularly dangerous but was particularly concerned that she did not fully understand the impact of the SuDS.
20. Councillor Jeremy Cottam echoed concerns over the flooding. The Councillor also believed that an upper limit of residents could be applied as the DEPZ controls would have limits for the shelters.
21. Councillor Mackinnon commented on the emotional nature of the site and emphasised that this added to the need for proper consultation with the public.
22. Councillor Clive Taylor agreed that the application needed a full consultation with residents.

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23. Councillor Poole proposed to defer the application until there had been a full consultation and a full review by the SuDS Officer. This was seconded by Councillor Mackinnon
24. The Chairman invited Members of the Committee to vote on the proposal by Councillor Poole, seconded by Councillor Mackinnon to defer the application. At the vote the motion was carried.

RESOLVED that the item be deferred until there had been a full SuDS review and full public consultation by the applicant, not the LPA.

39. 23/00879/FUL, 6A Victoria Road, Mortimer Common

Item starts at 1 hour and 56 minutes into the recording.

25. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 23/00879/FUL in respect of the relocation of the approved commercial kitchen extractor vent at 6A Victoria Road, Mortimer Common.
26. Lewis Richards introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Development Control Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.
27. In accordance with the Council's Constitution, Mr Graham Bridgman, Parish Council representative, and Councillor Nick Carter, Ward Member, addressed the Committee on this application.

Parish Council Representation

28. Mr Graham Bridgman in addressing the Committee raised the following points:

- The Parish Council had no objection to the relocation of the extractor fan and that the proposal should improve the issues with the smell and noise.

Member Questions to the Parish

29. Members did not have any questions of clarification.

Ward Member Representation

30. Councillor Nick Carter in addressing the Committee raised the following points:

- That the issue of the smell was raised with the Parish Council and was dismissed, because it was not considered a planning matter and it was stated that the odour had allegedly dissipated after two days, which was untrue.
- Questions were raised over why the original filter did not remove the odour and whether the extractor fan was fit for purpose.

Member Questions to the Ward Member

31. Members did not have any questions of clarification.

Member Questions to Officers

32. The Committee was informed that if the issues with smell persisted, Environmental Health would get involved.

Debate

33. Councillor Somner opened the debate by expressing that this application aimed to fix the pre-existing issues.

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34. Councillor Somner proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Cottam.
35. The Chairman invited Members of the Committee to vote on the proposal by Councillor Somner, seconded by Councillor Cottam to grant planning permission. At the vote the motion was carried.

RESOLVED that the Development Control Manager be authorised to grant planning permission subject to the following conditions:

Conditions

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

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

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

Site Location Plan received on 26/04/2023

220930-AE100 – Approved Site Block Plan received on 26/04/2023

220930-AP101 – Proposed Floor Plan received on 26/04/2023

220930-AP201 – Amended Proposed Elevation received on 20/09/2023

220930-AP202 – Amended Proposed Elevation received on 20/09/2023

220930-AP903 – Kitchen Extractor Detail received on 26/04/2023

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

3. The materials to be used in the development hereby permitted shall be as specified on the proposed elevation plans. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

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 (2023), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy GD5 of the Stratfield Mortimer Neighbourhood Development Plan 2017, Supplementary Planning Document Quality Design (June 2006), and the Town/Village Design Statement for Stratfield Mortimer 2007.

4. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to: 7:30 am. to 6:00 pm. on Mondays to Fridays, 8:30 am. to 1:00 pm. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: To safeguard the amenities of surrounding occupiers. This condition is imposed in accordance with the National Planning Policy Framework (2023), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS4 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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5. The commercial use (Use Class E) shall not be open to customers outside the following hours, 07:30- 23:00 on any day.

Reason: To safeguard the amenities of surrounding occupiers. This condition is imposed in accordance with the National Planning Policy Framework (2023), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. The development hereby approved shall not be brought into use until the fume extraction and filtration equipment have been installed at the premises in accordance with submitted Drawing No. AP903 'Kitchen Extractor Details' dated 30/09/2022 by Studio Noi and in accordance with the details submitted in emails from Fetdah Cura to Erica Myers dated 4 July 2023 (14:27) and 5 July 2023 (13:51). The equipment shall thereafter be retained, operated and maintained in its approved form and in accordance with the manufacturer's recommendations for so long as the use hereby permitted remains on site.

Reason: To ensure that no nuisance or disturbance is caused to the occupiers of neighbouring properties. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Informative

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

40. 22/01953/FULD, Reservoir (covered), Bishops Road, Tutts Clump

[Item starts at 2 hours and 12 minutes into the recording.](#)

36. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 22/01953/FULD in respect of a revised application for demolition of former water pumping station reservoir, associated plant and buildings, replacement with detached 5-bed dwelling with integral garage.
37. Gemma Kirk introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was unsatisfactory in planning terms and officers recommended that the Development Control Manager be authorised to refuse planning permission for the reasons listed in the main and update reports.
38. In accordance with the Council's Constitution, Mr Andrew House, Parish Council representative, Mr Tim Wale, supporter, Mr Tony Thorpe, agent and Councillor Mackinnon, Ward Member, addressed the Committee on this application.

Parish Council Representation

39. Mr House in addressing the Committee raised the following points:

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- The site would be in line with the rest of Bishop's Road.
- The site had passed the point of intended use.
- The development would not harm the Area of Outstanding Natural Beauty (AONB)
- There were policies that the development did not adhere to, however the Parish Council found the application acceptable.
- The application would include screening that would have a visual benefit and was an opportunity to clean up a segment of the Parish, which was out of keeping with the area.
- This would increase CIL and Council Tax revenue for the Council.

Member Questions to the Parish Council

40. In response to a Member question, Mr House explained that he was unsure on how long the pumping station had been there, however it was longer than 65 years.
41. The Committee heard that the Parish Council was unanimous in its decision to support the application.

Supporter Representation

42. Mr Wale in addressing the Committee raised the following points:
- 100 years ago, the pumping station was built with water board employees expected to live on site. This was changed when Thames Water acquired the site 20 years ago and removed the final worker from the site. Finally, the site was decommissioned ten years ago.
 - The site was bought by a constructor who dug up the plot, however this was later sold due to other commitments and the soil remains displaced.
 - The application should be accepted on its own merits as the site had little potential for other uses and it would only be rejected on a technicality.

Member Questions to the Supporter

43. Members did not have any questions of clarification.

Agent Representation

44. Mr Thorpe in addressing the Committee raised the following points:
- Policy C1 was not designed for unique circumstances, such as where the site was an existing developed brown field site with two row frontages and a corner site.
 - Approval of the policy would not undermine policy C1 as the site was unique.
 - There were no objections to the scheme.
 - The pre-existing buildings were ugly and should be replaced.
 - The pre-application phase was initially positive, however this changed for an undisclosed reason.

Member Questions to the Agent

45. Members did not have any questions of clarification.

Ward Member Representation

46. Councillor Mackinnon in addressing the Committee raised the following points:
- He had called in the application due to the local support.

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- That the application was an example where attending the site visit was valuable to the Committee.

Member Questions to the Ward Member

47. Members did not have any questions of clarification.

Member Questions to Officers

48. In response to Members' questions, officers advised of the following points:

- That in the proposal the brick-built tank was to be partially removed as shown on the Block Plan.
49. That the definition of frontage was in line with the appeal history definition.
50. It was explained that the Sui Generis categorisation of the site left limited option for permitted development.
51. Mr Till explained to the Committee that a future application for a different proposal would depend on what it was for and the policies that applied in terms of that application. There may be scope for development under a different policy e.g rural business and the land was brownfield. However, the application before Committee was for residential development which was contrary to policy.
52. The site could be converted to residential (exception in Policy C1- conversion of redundant buildings) and then hypothetically it would be more acceptable to demolish and then rebuild on the site.

Debate

53. Councillor Cottam opened the debate by suggesting that the Committee should be worried about setting precedents even though the application looked reasonable.
54. Councillor Mackinnon argued that the application came down to interpretation of the policy and that was why the Committee existed and that the case should be looked at with regards to what was at the site already.
55. Councillor Somner stressed the need to look at the application as an exception and that the Inspectorate most likely agreed that the previous application was turned down based on the Council's policy, but the policy did not cater to Tutts Clump's unique circumstances and that the application would improve the area.
56. Councillor Taylor highlighted the unanimous decision by the Parish Council and that the Inspector's decision was for a previous application.
57. Councillor Poole stated that this would be a situation where going against policy would be in the best interest of the site.
58. Councillor Mayes was surprised by the size and complexity of the site but agreed that this occasion required a decision that was against policy.
59. Councillor Cottam expressed concern over Members stating they were going against policy and encouraged the Committee to state they were interpreting policy differently from Officers.
60. Councillor Somner proposed to reject Officer's recommendation and grant planning permission.
61. The Chairman clarified with Councillor Somner that the proposal was for conditional permission and advised that the Committee should propose reasons for recommending conditional approval.

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62. Councillor Somner proposed the reason for granting planning permission was betterment of the streetscene. This was seconded by Councillor Mackinnon.
63. Conditions were proposed by Ms Kirk if the committee were minded to grant planning permission.
64. The Chairman requested a Construction Method Statement condition be included.
65. Sharon Armour clarified with Councillor Somner that the reason for the proposal for conditional approval was that this was an exception to policy because the material considerations outweighed the policy.
66. The Chairman invited Members of the Committee to vote on the proposal by Councillor Somner, seconded by Councillor Mackinnon to grant planning permission. At the vote the motion was carried.

RESOLVED that the Development Control Manager be authorised to grant planning permission subject to the following conditions:

Conditions

1. Commencement of development:

The development hereby permitted shall begin not later than three years from the date of this decision.

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

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

- (i) Drawing 22/39/07 A (Site Location Plan) received on 15.08.2022;
- (ii) Drawing 22/39/08 B (Proposed Site Plan) received on 15.08.2022;
- (iii) Drawing 22/39/01 A (Proposed Ground Floor Plan) received on 15.08.2022;
- (iv) Drawing 22/39/02 A (Proposed First Floor Plan) received on 15.08.2022;
- (v) Drawing 22/39/03 A (Proposed Second Floor Plan) received on 15.08.2022;
- (vi) Drawing 22/39/04 A (Proposed Roof Plan) received on 15.08.2022;
- (vii) Drawing 22/39/05 A (Proposed Front and Side Elevations) received on 15.08.2022;
- (viii) Drawing 22/39/06 A (Proposed Rear and Side Elevations) received on 15.08.2022;
- (ix) Drawing 22/39/09 A (Existing Buildings & Proposed Site Sections) received on 15.08.2022;
- (x) Drawing 22/39/10 A (Proposed Visibility Splays) received on 15.08.2022;
- (xi) Arboricultural Assessment & Method Statement (Mark Welby, MW.21.1128.AIA, 31 August 2022) received on 31.08.2022;
- (xii) Drawing MW.21.1128.TS (Mark Welby: Tree Survey) received on 15.08.2022;
- (xiii) Arboricultural Memo (Mark Welby, MW.21.1128.Memo, 2 March 2023) received on 03.03.2023;
- (xiv) Landscape Design and Management Statement (Draffin Associates, August 2022) received on 07.09.2022;
- (xv) Drawing 848/01 (Draffin Associates, Landscape Proposals) received on 07.09.2022;
- (xvi) Ecological Assessment (GS Ecology, ECO2981, 21 January 2022) received on 15.08.2022;
- (xvii) Reptile Survey Report (GS Ecology, ECO2981, 04 May 2023) received on 09.05.2023.

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

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3. Schedule of materials

The dwelling hereby approved shall not be constructed above foundation level until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

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 CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C1 and C3 of the Housing Site Allocations DPD (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

4. Surfacing arrangements at access

No development shall take place until details of the surfacing arrangements for the vehicular access to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access for a distance of 5.0 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest 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). A pre-commencement condition is required because these details are required during the construction of the dwelling. Agreed: 11.10.2023.

5. Arboricultural Supervision

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place. Agreed: 11.10.2023.

6. 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) Wheel washing facilities;

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- (f) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (h) Hours of construction and demolition work;

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. Agreed: 11.10.2023.

7. 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: Insufficient details accompany the application and details of spoil are required 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 CS14 and CS19 of the West Berkshire Core Strategy (2006-2026). A pre commencement condition is required because spoil may arise throughout development. Agreed: 11.10.2023.

8. Ground and Finished Floor Levels

No development shall take place until details of the proposed ground levels (including the levels of the partial retention of the mound), 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 (there is a lack of clarity with the partial retention of the mound), and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006). Agreed: 11.10.2023.

9. Drainage Strategy

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 planning, design and implementation of sustainable

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drainage methods (SuDS) should be carried out in accordance with the Non-Statutory Technical Standards for SuDS (2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document December (2018) with particular emphasis on green SuDS that provide environmental/biodiversity benefits and water re-use

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (2006) and SuDS Supplementary Planning Document (2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place. Agreed: 11.10.2023.

10. Land Contamination

No development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 4 have been complied with, unless otherwise agreed in writing with the Local Planning Authority.

1. Site Characterisation

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

(ii) an assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;

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

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

2. Submission of Remediation Scheme

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

3. Implementation of Approved Remediation Scheme

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

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

4. Long Term Monitoring and Maintenance

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

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

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

Reason: 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 applied in accordance with the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Saved Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required to ensure that adequate investigation and a suitable remediation and/or monitoring is agreed before it may be implemented throughout the demolition and/or construction phase. Agreed: 11.10.2023

11. Unforeseen Land Contamination

Should any unforeseen contamination be encountered during the development and/or construction activities, the developer shall inform the Local Planning Authority immediately. The development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until investigation/remedial/protective works deemed necessary by the LPA are carried out to agreed timescales and approved by the LPA in writing. Unless otherwise agreed in writing by the LPA, the development shall not be occupied until any approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the LPA upon completion of the development.

Reason: To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to human health or the environment. This condition is applied in accordance with paragraphs 174, 183, 184 of the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

12. Arboricultural Method Statement

Construction shall not be carried out, except in accordance with the Arboricultural Assessment and Method Statement (MW.21.1128.AIA, 31st August 2022) received on 31.08.2022. Protective fencing shall be implemented and retained intact for the duration of the development in accordance with approved details. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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Reason: To ensure the protection of trees identified for retention at the site in accordance with the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

13. Reptile Precautionary Method Statement

Construction shall not be carried out, except in accordance with the precautionary method statement within 4.3 of the Ecological Assessment: Reptile Survey (04/05/2023) by GS Ecology, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure no harm to native and protected species. This condition is in accordance with the NPPF and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

14. Biodiversity Enhancements

The development hereby permitted shall not be occupied until bird boxes and bat boxes/bricks has been installed/constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: The application site is immediately adjacent to a Biodiversity Opportunity Area and there are insufficient details to demonstrate that opportunities to maximise biodiversity has been taken. The condition would ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

15. Obscure Glass

The windows at first floor level in the north-west elevation shall be fitted with obscure glass and the windows are not openable below 1.7 metres above the finished floor level (in accordance with 22/39/05 A) before the dwelling hereby permitted is occupied. The windows shall be permanently retained in that condition thereafter.

Reason: To prevent overlooking of adjacent properties/land, in the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (2006).

16. Visibility Splays

The dwelling shall not be first occupied until visibility splays have been provided in both directions at the access onto Bishops Road in accordance with 22/39/10 A received on 15/08/2022 (splays of 2.4 metres x 43 metres to the north and 2.4 metres x 21 metres to the south). Thereafter the visibility splays shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.

Reason: To ensure there is adequate visibility at the access, in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

17. Vehicle Parking

The dwelling shall not be first occupied until vehicle parking and turning space have been completed in accordance with the approved plans (including any surfacing arrangements

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and marking out). Thereafter the parking and turning space 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).

18. Cycle Parking

The dwelling shall not be first occupied until cycle parking facilities have been provided in accordance with the approved drawings. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the adequate provision of cycle and motorcycle parking facilities. 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).

19. Electric Vehicle Charging Point

The dwelling shall not be occupied until an electric vehicle charging point has been provided in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

20. Set back of access gates

Any gates to be provided at access where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least 5.0 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).

21. Soft landscaping

All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme (Drawing 848/01 and Landscape Design and Management Statement (Driffin Associates, August 2022) received on 07.09.2022) within the first planting season following completion of building operations or first occupation of the new 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.

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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.

22. External Lighting Strategy

No external lighting shall be installed on the hereby approved dwelling or within its curtilage until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, isolux contour diagram(s), an operation strategy (e.g. details of timed operation), and specifications all lighting to ensure that 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 on the hereby approved dwelling or within its curtilage except in accordance with the above strategy.

Reason: To conserve the dark night skies of the North Wessex Downs AONB and to ensure the conservation and enhancement of biodiversity assets. 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.

23. Review of ecology measures (validity)

If the works in the precautionary method statement within 4.3 of the Ecological Assessment: Reptile Survey (04/05/2023) by GS Ecology have not taken place within 3 years from the date of the planning permission, the approved ecological measures secured through Condition 13 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 reptile species and (ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. 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: To ensure the conservation and enhancement of biodiversity at the site. This applied in accordance with the NPPF, Policy CS17 of the West Berkshire Core Strategy (2006-2026).

24. Ancillary use of garage and annexe

The garage and annexe hereby permitted shall not be occupied at any time other than for purposes ancillary and/or incidental to the residential use of the hereby approved dwelling.

Reason: The creation of a separate planning unit would conflict with the strategy for the location of new development, and be unacceptable in the interests of ensuring a

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sustainable pattern of development. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5 and CS1 of the West Berkshire Core Strategy (2006-2026), and Policy C1 of the Housing Site Allocations DPD (2006 2026).

Informatives

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

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

3 This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

4 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

5 Conditions nos. 4-10 impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful.

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

7 Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2000 (as amended), and the grant

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of planning permission does not imply that such approval will be given. You are advised to consult with Building Control Solutions (the Local Authority Building Control service for West Berkshire provided in partnership by Wokingham Borough Council) before works commence. Call: 0118 974 6239, email: building.control@wokingham.gov.uk, or visit: www.wokingham.gov.uk/building-control

8 You are reminded of your duties under the Party Wall Act 1996. You are legally required to tell your neighbour if you want to: (1) build on or at the boundary of your two properties, (2) work on an existing party wall or party structure, or (3) dig below and near to the foundation level of their property. Your neighbours can't stop you from making changes to your property that are within the law, but they can affect how and when your works are carried out. Procedures under this Act are separate from the need for planning permission and for building regulations approval and you may feel it expedient to seek your own advice on this matter. Further guidance is available at: <https://www.gov.uk/party-walls-building-works/work-tell-your-neighbour-about>

9 You should note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside of your control. If such works are required it will be necessary for you to obtain the landowners consent before such works commence. This permission granted by the Council in no way authorises you to take such action without first obtaining this consent.

10 The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or highwaysassetmanagement@westberks.gov.uk should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

11 The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge arising during building operations.

12 The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

13 In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority. Written approval would be obtained from the Asset Manager, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD or highwaysmaintenance@westberks.gov.uk

14 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.

15 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will

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undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

16 Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. [https://www.thameswater.co.uk/developers/larger-scale developments/planning-yourdevelopment/working-near-our-pipes](https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes)

17 Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

18 There is a Thames Water main crossing (or close to) the development site which may/will need to be diverted at the Developer's cost or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

19 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. [https://www.thameswater.co.uk/developers/larger-scale developments/planningyourdevelopment/working-near-our-pipes](https://www.thameswater.co.uk/developers/larger-scale-developments/planningyourdevelopment/working-near-our-pipes) Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk.

(The meeting commenced at 18:00 and closed at 21:05)

CHAIRMAN

Date of Signature