

# DRAFT

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

## WESTERN AREA PLANNING COMMITTEE MINUTES OF THE MEETING HELD ON WEDNESDAY, 19 JUNE 2024

**Councillors Present:** Phil Barnett (Chairman), Clive Hooker (Vice-Chairman), Antony Amirtharaj, Paul Dick, Denise Gaines, Nigel Foot, Tony Vickers and Howard Woollaston

**Also Present:** Jake Brown (Principal Planning Officer), Samuel Chiverton (Zoom Host), Gareth Dowding (Principal Highways Engineer), Bob Dray (Development Manager), Cheyanne Kirby (Senior Planning Officer), Ben Ryan (Clerk) and Beth Varcoe (Solicitor).

**Apologies for inability to attend the meeting:** Councillor Adrian Abbs

### PART I

#### 1. Minutes

The Minutes of the meeting held on 20 March 2024 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the following amendment:

- Paragraph 73 should note that Councillor Barnett had concerns with the retail store in relation to the stores in the nearby retail park.

The Minutes of the meetings held on 24 April 2024 and 9 May 2024 were approved as a true and correct record and signed by the Chairman.

#### 2. Declarations of Interest

Councillor Clive Hooker declared an interest in Agenda Item 4(1), as he had been lobbied on the matter 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 Howard Woollaston declared an interest in Agenda Item 4(1), as he had been a Member of the Western Area Planning Committee that decided the previous application, 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.

The Chairman declared an interest in Agenda Item 4(1), as he had spoken to the parties involved with the application, 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.

The Chairman declared an interest in Agenda Item 4(3), as he was a Member of the Newbury Town Council and Greenham Parish Council planning committees that approved the application, 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 Nigel Foot declared an interest in Agenda Item 4(3), as he was a Member of the Newbury Town Council Planning Committee that approved the item, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable

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pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Tony Vickers declared an interest in Agenda Item 4(3), as he was a Member of Newbury Town Council and had proposed for the development to be approved in 2009, 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.

### 3. Schedule of Planning Applications

#### (1) Application No. and Parish: 24/00491/FUL East Garston

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 24/00491/FUL in respect of the demolition of the existing structurally compromised cottage and provision of a replacement cottage, with provision for access and related landscaping at Greengates, Front Street, East Garston.
2. Ms Cheyanne Kirby 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 recommended that the Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.
3. In accordance with the Council's Constitution, Deana Carpenter, Parish Council representative, Lindsey Mason, objector, Howard Porter, applicant/agent, and Councillor Hooker, Ward Member addressed the Committee on this application.

#### Parish/Town Council Representation

4. Ms Carpenter addressed the Committee, her full representation can be viewed here: <https://www.youtube.com/watch?v=fAhQEXtlzgY>

#### Member Questions to the Parish/Town Council

5. Members asked questions of clarification and were given the following responses:
  - The setting back of the cottage would change the aesthetic of the village and its current position encouraged cars to slow down.
  - Objectors would withdraw their concerns if the access route was in the same position as the temporary route.

#### Objector Representation

6. Ms Mason addressed the Committee, her full representation can be viewed here: <https://youtu.be/fAhQEXtlzgY?t=1616>

#### Member Questions to the Objector

7. Members asked questions of clarification and were given the following responses:
  - Multiple windows would overlook Ms Mason's property and infringe on her privacy.
  - The conditions put on the kerb and the hedge would be difficult to enforce long term.

#### Applicant/Agent Representation

8. Mr Porter addressed the Committee, his full representation can be viewed here: <https://youtu.be/fAhQEXtlzgY?t=2130>

#### Member Questions to the Applicant/Agent

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9. Members asked questions of clarification and were given the following responses:

- The appeal for the previous application was still in process.
- The existing access could be improved, and the existing wall needed to be protected, which was why the applicant opted for the left-hand access.
- Most tiles on the roof were not reusable.

### **Ward Member Representation**

10. Councillor Hooker addressed the Committee, his full representation can be viewed here: <https://youtu.be/fAhQEXtlzgY?t=2636>

### **Member Questions to the Ward Member**

11. Members asked questions of clarification and were given the following response:

- The new application added an additional 2.5 metres to the property, towards the access.

### **Member Questions to Officers**

12. Members asked questions of clarification and were given the following responses:

- If the hedge was to be conditioned, enforcement notices could be actioned if it was overgrown and then West Berkshire Council (The Council) could cut it to an appropriate size.
- The public benefit of the application outweighed the potential low-level harm outlined by the Conservation Officer.
- Paragraph 6.13 of the report aimed to be a best possible case and the condition would allow the Council to control the type of bricks used.
- Highways were satisfied with the proposed access as it improved an existing access.

### **Debate**

13. Councillor Hooker opened the debate by stating there was an appeal in process over the previous application and proposed there should be a deferral until the appeal had been considered. The Councillor explained that the deferral would be advantageous due to time pressures. The proposal found no seconder.

14. Councillor Tony Vickers argued that as time had already been spent considering the application it made no sense to defer the item and waste more time.

15. Mr Bob Dray cautioned Members against deferral as the Local Planning Authority had a duty to assess applications before them.

16. Councillor Vickers noted the impact on the street scene, privacy, and access issues. The Councillor acknowledged the applicant's attempt to address the objector issues and expressed that some of the concerns were at odds with each other. Councillor Vickers stated that the privacy concerns did not weigh up against the improvements to the highway, which he saw as crucial to protect residents from harm.

17. Councillor Antony Amirtharaj agreed that the application was flawed, however argued that if the application was approved with strong conditions, such as on the box hedge, it would be a better application than one that might be won through appeal.

18. Councillor Howard Woollaston expressed that he was reluctant to approve the application, however after considering officers' views on the sightlines he feared that it was the best possible outcome.

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19. Councillor Denise Gaines was sad to see that the existing building had to be demolished and was keen to see every piece of reusable material on the site re-used. The Councillor explained that as she understood the reasons for the placement of the access, she was prepared to accept the proposal.
20. Mr Dray explained that condition nine could be amended to directly refer to condition six.
21. Councillor Woollaston proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report and the alteration to condition nine to reference condition six. This was seconded by Councillor Vickers.
22. Councillor Paul Dick argued that the change to the street scene was disappointing and the infringement on the neighbour's privacy was not a minor issue to be ignored.
23. The Chairman invited Members of the Committee to vote on the proposal by Councillor Woollaston, seconded by Councillor Vickers, to grant planning permission. At the vote the motion was carried.

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

### Conditions

1.	<p><b>Commencement of development</b></p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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).</p>
2.	<p><b>Approved plans</b></p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Construction Method Statement Dated February 2024 received 4<sup>th</sup> April 2024;          CMS Site Plan received 10<sup>th</sup> April 2024;          Location Plan 210343-01 received 11<sup>th</sup> March 2024;          Tree Survey, Arboricultural Impact Assessment and Tree Constraints Plan 22.1549 Rev A Dated February 2024 received 11<sup>th</sup> March 2024;          SuDS Statement 3908 Rev C dated June 2023 received 11<sup>th</sup> March 2024;          Verge and eave details 210343-12 received 11<sup>th</sup> March 2024;          Proposed Plans 210343-15 Rev C received 31<sup>st</sup> May 2024.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p><b>Brickwork</b></p> <p>Existing bricks, which are to be removed as part of the proposal, shall be reused in the proposed works. Where the use of new/reclaimed bricks are required to be used where insufficient numbers of salvageable bricks are available, no development shall take place until a sample of the new/reclaimed brick has been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.</p> <p>Reason: To ensure that the materials are appropriate to the special</p>

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	<p>architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
4.	<p><b>Roof details</b></p> <p>No works shall take place to the roof until full details of the eaves, fascia, verges and ridge, at a minimum scale of 1:20, have 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 details.</p> <p>Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
5.	<p><b>Doors and windows</b></p> <p>No new external doors and windows shall be fitted until working drawings (scale 1:20, 1:10, 1:5, half or full size etc.) fully detailing the new / or replacement windows and/or external doors (cross sections for full glazing bars, sills, heads etc.) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved specification and retained thereafter.</p> <p>Reason: To ensure that the proposed works can be affected without detriment to the special architectural and historic interest of the heritage assets and to ensure a satisfactory appearance to the development and to comply with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
6.	<p><b>Materials</b></p> <p>No above ground development shall take place until a schedule of all materials and finishes visible external to the building have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site or by arrangement with the Planning Officer. All materials incorporated in the work shall match the approved samples.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
7.	<p><b>Services</b></p> <p>No above ground development shall take place until details of services visible external to the building, to include, drainage pipework (including soil vent pipe terminations) and accessories, rainwater goods, boiler flues, extract vent grilles, meter cupboards, external lighting etc. have been submitted to and approved in writing by the Local Planning Authority. Thereafter the new or modified external services shall be installed in accordance with the approved details.</p> <p>Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>

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8.	<p><b>New Brickwork</b></p> <p>All new facing brickwork (including the main dwelling and the front boundary wall), including works of making good, shall match the existing brickwork in terms of bricks (size, colour and texture); mortar (mix, colour and texture); joint profile; and bond.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
9.	<p><b>Roof Tiles</b></p> <p>Existing roof tiles from the main roof, which are to be removed as part of the proposal, shall be reused in the proposed works. Where insufficient numbers of salvageable roof tiles are available, new handmade/reclaimed roof tiles to match the existing roof tiles shall be used.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
10.	<p><b>EVCP</b></p> <p>The dwelling shall not be occupied until details of an electric vehicle charging point has been submitted to and approved in writing by the Local Planning Authority. 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 vehicle.</p> <p>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).</p>
11.	<p><b>CMS</b></p> <p>The development shall be carried out in accordance with the approved Construction Method Statement and site set-up plan.</p> <p>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).</p>
12.	<p><b>Vis Splays</b></p> <p>The dwelling shall not be occupied until the visibility splays at the access have been provided in accordance with drawing number Proposed Plans 210343-15 Rev C received 31<sup>st</sup> May 2024. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.</p> <p>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)</p>

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13.	<p><b>Parking</b></p> <p>The dwelling shall not be occupied until the vehicle parking and turning space have been surfaced and provided in accordance with the approved plan(s). The parking and turning space shall thereafter be kept available for parking at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
14.	<p><b>Temporary access</b></p> <p>The temporary vehicular access(es) at the site shall be stopped up on completion of works and be reinstated to the satisfaction of the Local Planning Authority.</p> <p>Reason: In the interest of road safety and highway maintenance. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
15.	<p><b>SUDS</b></p> <p>The development hereby permitted shall be undertaken in accordance with the SuDS Statement 3908 Rev C dated June 2023 received 11<sup>th</sup> March 2024. The strategy and maintenance measures described in the statement shall be implemented in full before the development is brought into use. Thereafter the drainage measures shall thereafter be carried out and retained in accordance with the approved details.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; 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 (June 2006) and SuDS Supplementary Planning Document (Dec 2018).</p>
16.	<p><b>Bat Surveys and Mitigation</b></p> <p>Prior to the commencement of development (including site clearance), updated bat emergence/return to roost surveys shall be carried out and the results shall be submitted to and approved in writing by the Local Planning Authority. The number of emergence surveys required shall be dependent on an updated assessment of bat roosting potential based on evidence from updated external and internal inspections for potential roosting features. If bats are confirmed to be roosting, a bat mitigation strategy along with measures to enhance the sites for bats shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required due to the original survey work needing to be repeated because the survey data being out of date before commencement of development and to confirm the continued absence of a protected species or</p>

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	to establish the status of a mobile protected species that might have moved, increased or decreased within the site.
17.	<p><b>Construction Environmental Management Plan (biodiversity)</b></p> <p>No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:</p> <ul style="list-style-type: none"> <li>a) Risk assessment of potentially damaging site clearance and construction activities;</li> <li>b) Identification of ‘biodiversity protection zones’;</li> <li>c) Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts to protected species during site clearance and construction (may be provided as a set of method statements);</li> <li>d) The location and timing of sensitive works to avoid harm to biodiversity features;</li> <li>e) The times during site clearance and construction when specialist ecologists need to be present on site to oversee works;</li> <li>f) Responsible persons and lines of communication;</li> <li>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;</li> <li>h) Use of protective fences, exclusion barriers and warning signs.</li> </ul> <p>The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the site clearance and construction period in accordance with the approved details.</p> <p>Reason: To ensure that any adverse environmental impacts of development activities are avoided or suitably mitigated in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.</p>
18.	<p><b>Ecological Enhancements</b></p> <p>Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with provision of generous native species planting where possible. The approved details will be implemented and thereafter retained.</p> <p>Reason: To minimise impacts on and provide net gains for biodiversity in accordance with the requirements of the NPPF and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
19.	<p><b>Lighting Design</b></p> <p>No external lighting shall be installed to the dwelling until a “lighting design strategy for biodiversity” has been submitted and approved in writing by the local planning authority. The strategy shall:</p> <ul style="list-style-type: none"> <li>a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and</li> <li>b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or</li> </ul>



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	<p>having access to their breeding sites and resting places.</p> <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these 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.</p> <p>Reason: Bats 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.</p>
20.	<p><b>Ecological Enhancements</b></p> <p>The dwelling shall not be occupied until details of biodiversity enhancement measures have been submitted to and approved in writing by the Local Planning Authority. Such measures shall include the installation of bat and bird nesting boxes along with provision of generous native species planting. Thereafter, the dwelling shall not be occupied until the measures have been installed/constructed in accordance with the approved detail.</p> <p>Reason: To 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.</p>
21.	<p><b>AIA, Tree Survey and Method Statement</b></p> <p>The Tree Survey, Arboricultural Impact Assessment and Tree Constraints Plan 22.1549 Rev A Dated February 2024 received 11<sup>th</sup> March 2024 shall be implemented in full and tree protection measures and works carried out in accordance with the Assessment. No changes shall be made to the works unless amendments have been submitted to and approved in writing by the Local Planning Authority and shall include details of any changes to the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies ADPP1, ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
22.	<p><b>Soft Landscaping</b></p> <p>The dwelling shall not be occupied until a detailed soft landscaping scheme 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 (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</p>

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	<p>the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.</p>
23.	<p><b>Hard Landscaping</b></p> <p>The dwelling shall not be 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. 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.</p> <p>Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. 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), and Quality Design SPD.</p>
24.	<p><b>Permitted development restriction (extensions)</b></p> <p>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, AA, B and C of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To prevent the overdevelopment of the site and 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 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD (June 2006).</p>
25.	<p><b>Obscure glazing of windows</b></p> <p>The bathroom window at first floor level in the south-east elevation shall be fitted with obscure glass before the dwelling hereby permitted is occupied. The obscure glazing shall be permanently retained in that condition thereafter.</p> <p>Reason: To prevent overlooking of adjacent properties, in the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy</p>

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	CS14 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (2006) and House Extensions SPG (July 2004).
26.	<p><b>Permitted development restriction (windows/dormers)</b></p> <p>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 on the south-east elevation of the dwelling hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To prevent overlooking of adjacent properties, 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), Quality Design SPD (2006) and House Extensions SPG (July 2004).</p>

### (2) **Application No. and Parish: 22/01899/FUL, Enborne Row, Wash Water**

24. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 22/01899/FUL in respect of the change of use of land for 2 Gypsy/Traveller pitches comprising the siting of 1 mobile home, 1 touring caravan, and the proposed erection of 1 dayroom per pitch at Land West Of Pumping Station, Enborne Row, Wash Water.
25. Ms Kirby 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 Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.
26. In accordance with the Council's Constitution, Chris Garrett, Parish Council representative, Edward Evelegh and Alex Pearce, objectors, Peter Brownjohn, applicant/agent, and Councillor Dennis Benneyworth, Ward Member, addressed the Committee on this application.

#### **Parish/Town Council Representation**

27. Mr Garrett addressed the Committee, his full representation can be viewed here: <https://youtu.be/fAhQEXtlzgY?t=5821>

#### **Member Questions to the Parish/Town Council**

28. Members asked questions of clarification and were given the following response:
- Mr Garrett had not experienced flooding at the site.

#### **Objector Representation**

29. Mr Evelegh and Mr Pearce addressed the Committee, their full representation can be viewed here: <https://youtu.be/fAhQEXtlzgY?t=6116>

#### **Member Questions to the Objector**

30. Members asked questions of clarification and were given the following response:

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- The Ecological Surveyor for the application only assessed the site on one evening, which was why they did not find anything.

### **Applicant/Agent Representation**

31. Mr Brownjohn addressed the Committee, his full representation can be viewed here: <https://youtu.be/fAhQEXtlzgY?t=6647>

### **Member Questions to the Applicant/Agent**

32. Members asked questions of clarification and were given the following response:

- a. The site was outside of settlement boundaries as the cost of land was cheaper outside settlement boundaries and land inside settlement boundaries usually went to housing.

### **Ward Member Representation**

33. Councillor Benneyworth addressed the Committee, his full representation can be viewed here: <https://youtu.be/fAhQEXtlzgY?t=7122>

### **Member Questions to the Ward Member**

34. Members did not have any questions of clarification.

### **Member Questions to Officers**

35. Members asked questions of clarification and were given the following responses:

- Paragraph 5.24 of the report set out the Council's need for Gypsy and Traveller pitches.
- The Council must maintain a five-year supply of pitches for Gypsies and Travellers.
- Planning Policy had conducted calls for Gypsy and Traveller sites and the sites offered were considered sub-standard.
- The stop notice was temporary, and enforcement would not take place until the application decision had been provided.
- The site in the application was not an allocated site, but policy CS7 stated, where sites fulfilled the relevant criteria for Traveller and Gypsy pitches in the countryside, the application would be considered.
- National policy aimed to avoid sites for Gypsies and Travellers that were secluded for inclusion and sustainability reasons. The application site was not considered isolated based on previous appeal decisions.
- Conditions could be applied to the number of families per pitch; however the Committee would need a planning reason for it and the same for the granting of personal permission.
- Planning Officers believed that there was no need for a contamination condition, however Members could condition the matter.
- The application was retrospective due to the change of use that occurred, but there were proposed works that were to be carried out.
- The two buildings were occupied.

### **Debate**

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36. Councillor Woollaston opened the debate by stating he was uneasy with the application due to its retrospective nature, position of the site and the potential for further development.
37. Councillor Vickers believed the 'system' did not help Traveller communities, making the acquisition of land difficult. The Councillor expressed that national policy needed to be readdressed.
38. Councillor Hooker expressed distaste for the retrospective nature of the application and stated that the applicant should have applied for planning permission in the first instance.
39. Councillor Amirtharaj sympathised with the applicant stating he felt the Committee may have been too harsh and believed that they should look at the application from the viewpoint of what would be in the best interest for the family. The Councillor sympathised with the Parish Council's viewpoint but argued that the development would have been lawful if it went through the proper process.
40. Councillor Dick felt the application was cynical but recognised the need for Gypsy and Traveller sites. The Councillor noted the sites' location outside the settlement boundary, weak enforcement and the need to balance competing interests. Councillor Dick suggested temporary planning approval due to the need for such sites in the short term.
41. Councillor Foot acknowledged the difficult nature of the retrospective planning application, however understood the difficulties facing such communities.
42. Councillor Vickers argued there had been sufficient negotiation from the applicant and that the Committee should go with the application.
43. Councillor Hooker felt that the site was impressive but asked for a condition around land testing.
44. Councillor Vickers argued there was no need for a land testing condition as Officers were satisfied. The Councillor also believed that there were no grounds for a temporary condition.
45. Councillor Woollaston asked for the number of plots to be conditioned and it was confirmed to already be the case.
46. Councillor Gaines offered support for the land testing condition.
47. Councillor Foot proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report, update report and the inclusion of a land contamination test condition. This was seconded by Councillor Vickers
48. The Chairman invited Members of the Committee to vote on the proposal by Councillor Foot, seconded by Councillor Vickers to grant planning permission. At the vote the motion was carried

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

1.	<p><b>Commencement of development</b></p> <p>Within 3 months of the date of this decision, works shall be completed to bring the development in accordance with the approved plans.</p> <p>Reason: The existing development on site does not accord with the</p>
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	approved plans, and therefore remedial works are required.
2.	<p><b>Approved plans</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:  Proposed Site Plan J004098-DD-03 Rev A received 8th August 2022;  Proposed Day Room Plans J004098-DD-04 received 8th August 2022;  Location Plan J004098-DD-01 Rev A received 8th August 2022;  Proposed Section and Levels J004098-DD-05 received 8th August 2022;  Supporting Statement received 8th August 2022;  Landscape and Visual Impact Assessment received 7th February 2023;  Flood Risk Assessment dated May 2023 received 24th May 2023;  Surface Water Drainage Strategy received 31st May 2023;  Biodiversity Metric received 12th February 2024;  Ecological Impact Assessment dated February 2024 received 12th February 2024.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p><b>Materials</b></p> <p>The materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.</p> <p>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), and Supplementary Planning Document Quality Design (June 2006).</p>
4.	<p><b>Parking</b></p> <p>Within 3 months of the date of this decision notice the vehicle parking spaces for each pitch shall be completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking shall be kept available for parking and manoeuvring (of private cars and/or private light goods vehicles) at all times.</p> <p>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.</p>
5.	<p><b>EA</b></p> <p>Within 3 months of the date of this decision, the development shall be carried out in accordance with the submitted flood risk assessment compiled by Flume Consulting Engineers, referenced 1292, revision 2 and dated May 2023 and the following mitigation measures it details:</p> <ul style="list-style-type: none"> <li>- There shall be no development on site in Flood Zone 2 or Flood Zone 3 all in accordance with Figure 3 on page No 5.</li> </ul>

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	<p>- There shall be no raising of existing ground levels on site in Flood Zone 2 or Flood Zone 3 all in accordance with paragraph 2 of page No 5.</p> <p>The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: In line with the requirements of paragraph 167 of the NPPF, to reduce the risk of flooding to the proposed development and future occupants for the lifetime of the proposed development. To prevent an increase in flood risk elsewhere by ensuring that the flow of flood water is not impeded, and the proposed development does not cause a loss of flood plain storage. To prevent obstruction to the flow and storage of flood water, which would lead to an increase in flood risk elsewhere.</p>
6.	<p><b>Ecology</b></p> <p>All further works shall be carried out strictly in accordance with the details submitted in the ecological impact assessment:</p> <ul style="list-style-type: none"><li>- Section 1.6 Surface water drainage strategy of the Ecological impact assessment (February 2024, DJOGS Limited).</li><li>- Section 1.7 Landscape and Ecological enhancement scheme of the Ecological impact assessment (February 2024, DJOGS Limited).</li><li>- Section 5.2 Mitigation measures and residual effects of the Ecological impact assessment (February 2024, DJOGS Limited).</li><li>- Section 6.2 Recommendations; Essential of the Ecological impact assessment (February 2024, DJOGS Limited).</li><li>- Section 6.2 Recommendations; Desirable, where applicable, of the Ecological impact assessment (February 2024, DJOGS Limited).</li></ul> <p>Reason: To avoid adverse impacts to legally protected species during site clearance and construction in accordance with the requirements of the NPPF to minimise impacts on biodiversity.</p>
7.	<p><b>External lighting</b></p> <p>No external lighting shall be installed at the site 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 at the site except in accordance with the above strategy.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
8.	<p><b>Maximum pitches</b></p> <p>At no time shall more than 2 pitches be provided on the application site.</p> <p>Reason: To prevent the overdevelopment of the site and maintain good amenity for occupants. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire</p>

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	Core Strategy 2006-2026
9.	<p><b>Occupation restriction</b></p> <p>The site hereby permitted shall not be occupied at any time other than by Gypsies and Travellers, as defined in the revised Planning Policy for Traveller Sites of December 2023.</p> <p>Reason: To comply with policy CS7 in the West Berkshire Core Strategy 2006-2026, and to maintain a supply of pitches.</p>
10.	<p><b>Day rooms</b></p> <p>The dayrooms hereby permitted shall only be used for purposes ancillary and/or incidental to the pitches upon which they are sited.</p> <p>Reason: To prevent the overdevelopment of the site and maintain good amenity for occupants. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026.</p>
11.	<p><b>Contamination</b></p> <p>Within 3 months of the date of this decision*, an investigation into any contaminated land shall be carried out and a report submitted to the Local Planning Authority (LPA) for approval. The report shall:</p> <p>(a) Include an investigation and risk assessment. A report of the findings shall: identify the nature and extent of any contamination on the site (irrespective of its origin); include an assessment of the potential risks to human health, property, and the environment; and include an appraisal of remedial options, and proposal of preferred option(s).</p> <p>(b) Include a remediation scheme* which ensures that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.</p> <p>(c) Include a monitoring and maintenance scheme* to ensure the long-term effectiveness of the proposed remediation, and the provision of reports on the same that shall be submitted to and approved in writing by the LPA.</p> <p>(d) Be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice.</p> <p>Thereafter, any approved remediation scheme and/or monitoring and maintenance measures shall be carried out within 3 months* of the date of approval of the scheme/measures, and in accordance with the approved details. Two weeks written notice shall be given to the LPA prior to the commencement of any remediation scheme. Within 4 months of the date of approval of the scheme/measures, a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.</p> <p>(* Unless otherwise agreed in writing by the LPA)</p>



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<p>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 National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
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### (3) Application No. and Parish: 23/01100/RESMAJ, Greenham

49. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 23/01100/RESMAJ in respect of the application for approval of Reserved Matters following Outline Approval 14/03109/OUTMAJ - Section 73: To vary condition 32: No more than 250 dwellings shall be completed prior to the completion and opening to traffic of a new bridge, to 421 dwellings. Of approved reference 09/00971/OUTMAJ for redevelopment of Newbury Racecourse to provide new and enhanced leisure, racing, administrative and visitors facilities; new hotel and hostel; replacement children's nursery; permanent retention of the Mill Reef Stand; replacement maintenance buildings, yard and workshops; replacement golf club house and apartment, floodlit driving range and remodelling of golf course; up to 1,500 dwellings at Newbury Racecourse, Racecourse Road, Newbury.

50. Mr Jake Brown 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 Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.

51. In accordance with the Council's Constitution, Suzanne Hyde, objector, Georgina Mortimer, applicant/agent, and Councillor Phil Barnett, Ward Member addressed the Committee on this application.

#### Objector Representation

52. Ms Hyde addressed the Committee, her full representation can be viewed here: <https://www.youtube.com/watch?v=fAhQEXtlzgY>

#### Member Questions to the Objector

53. Members asked questions of clarification and were given the following response:

- If there was to be a space provided for community events the objector would like to see a public club house or exercise space.

#### Applicant/Agent Representation

54. Ms Mortimer addressed the Committee, her full representation can be viewed here: <https://www.youtube.com/watch?v=fAhQEXtlzgY>

#### Member Questions to the Applicant/Agent

55. Members asked questions of clarification and were given the following responses:

- The number of spaces for the car club were calculated in partnership with Enterprise.
- There was no community centre proposed within the Section 106 Agreement.

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- One block would be social rented, one block would be shared ownership and one block was to be shared private ownership and shared ownership.
- Changes to the plans were made due to the need to reduce the carbon footprint, the implementation of new regulations and the increased cost of concrete.
- Heating would be supplied by gas boilers combined with photovoltaic (PV) panels.
- Some dwellings would come with disabled parking; however the applicant was unsure whether visitor parking would.

### Ward Member Representation

56. Councillor Barnett addressed the Committee, his full representation can be viewed here: <https://youtu.be/fAhQEXtlzgY?t=12166>

### Members Questions to Ward Member

57. Members did not have any questions of clarification.

### Continuation of meeting

58. In accordance with the Council's Constitution, Part 3, point 10.8, the Committee supported the Chairman's motion that the remaining business could be concluded by 10.30pm, and therefore continued with Agenda Item 4(3).

### Member Questions to Officers

59. Members asked questions of clarification and were given the following responses:

- The application was assessed against current policy, however the application was a reserved matters application, so some aspects had been dealt with in the outline matters stage.
- Community facilities needed to be implemented in the section 106.
- There were two play areas available that had already been developed and this was seen as sufficient.
- Blocks B, C and part of B2 were made up of affordable housing.
- Management companies had difficulties managing mixed tenure blocks.

### Debate

60. Councillor Dick 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 Woollaston.

61. The Chairman invited Members of the Committee to vote on the proposal by Councillor Dick, seconded by Councillor Woollaston, to grant planning permission. At the vote the motion was carried.

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

### Conditions

1. Link between reserved matters and outline

This approval relates solely to the reserved matters referred to in condition 1 of the outline planning permission granted on 5 February 2015 under application reference 14/03109/OUTMAJ. Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions applied to that outline planning permission.

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Reason: For the clarity and the avoidance of doubt. The reserved matters cannot be considered separately from the permission to which they relate, and the conditions applied on that outline permission are still applicable.

### 2. Approved plans

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

- Site Layout Plan (with the exception of soft landscaping), drawing number SL.01 Rev B received on 2 May 2024.
- Parking Strategy Layout Plan, drawing number PSL.01 Rev B received on 2 May 2024.
- Location Plan, drawing number LP.01 Rev A received on 5 March 2024.
- Affordable Housing Layout Plan, drawing number AGHL.01 Rev A received on 5 March 2024.
- Dwelling Material Layout Plan, drawing number DML.01 Rev A received on 5 March 2024.
- Refuse Site Layout Plan, drawing number RSL.01 Rev A received on 5 March 2024.
- Flat Block – A1 Elevations Plan, drawing number FB-A1.e Rev A received on 5 March 2024.
- Flat Block – A1 Proposed Floor Plan, drawing number FB-A1.p Rev A received on 5 March 2024.
- Flat Block – A1 Roof Plan, drawing number FB-A1.rp Rev A received on 5 March 2024.
- Flat Block – A2 Elevations Plan, drawing number FB-A2.e Rev A received on 5 March 2024.
- Flat Block – A2 Proposed Floor Plan, drawing number FB-A2.p Rev A received on 5 March 2024.
- Flat Block – A2 Roof Plan, drawing number FB-A2.rp Rev A received on 5 March 2024.
- Flat Block – B1 Elevations Plan, drawing number FB-B1.e Rev A received on 5 March 2024.
- Flat Block – B1 Proposed Floor Plans – Sheet 1, drawing number FB-B1.p1 Rev A received on 5 March 2024.
- Flat Block – B1 Proposed Floor Plans – Sheet 2, drawing number FB-B1.p2 Rev A received on 5 March 2024.
- Flat Block – B1 Roof Plan, drawing number FB-B2.rp Rev A received on 5 March 2024.
- Flat Block – B2 Elevations Plan, drawing number FB-B2.e Rev A received on 5 March 2024.
- Flat Block – B2 Proposed Floor Plans – Sheet 1, drawing number FB-B2.p1 Rev A received on 5 March 2024.
- Flat Block – B2 Proposed Floor Plans – Sheet 2, drawing number FB-B2.p2 Rev A received on 5 March 2024.
- Flat Block – B2 Roof Plan, drawing number FB-B2.rp Rev A received on 5 March 2024.
- Flat Block – C Elevations Plan, drawing number FB-C.e Rev A received on 5 March 2024.
- Flat Block – C Proposed Floor Plans, drawing number FB-C.p Rev A received on 5 March 2024.
- Flat Block – C Roof Plan, drawing number FB-C.rp Rev A received on 5 March 2024.
- Flat Block – D Elevations Plan, drawing number FB-D.e Rev A received on 5 March 2024.
- Flat Block – D Proposed Floor Plans, drawing number FB-D.p Rev A received on 5 March 2024.

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- Flat Block – D Roof Plan, drawing number FB-D.rp Rev A received on 5 March 2024.
- Flat Block - D - Cycle Store Floor Plans and Elevations, drawing number FB-D\_CS.pe Rev A received on 5 March 2024.
- Flat Block – G Elevations (Sheet 1 of 2) Plan, drawing number FB-G.e1 Rev A received on 5 March 2024.
- Flat Block – G Elevations (Sheet 2 of 2) Plan, drawing number FB-G.e2 Rev A received on 5 March 2024.
- Flat Block – G Proposed Floor Plans, drawing number FB-G.p Rev A received on 5 March 2024.
- Flat Block – G Roof Plan, drawing number FB-G.rp Rev A received on 5 March 2024.

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

### 3. Cycle Storage/Parking

No dwelling within each apartment block shall be first occupied until cycle parking/storage facilities for that apartment block 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 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).

### 4. Vehicle Parking

No dwelling within each apartment block shall be first occupied until the vehicle parking (including visitor and unallocated parking spaces) and turning spaces have been surfaced, marked out and provided for each apartment block in accordance with the Parking Strategy Layout Plan, drawing number PSL.01 Rev B received on 2 May 2024. The car club parking space shall be surfaced, marked out and provided in accordance with the Parking Strategy Layout Plan, drawing number PSL.01 Rev B received on 2 May 2024 prior to the first occupation of apartment block D. The parking and turning spaces shall thereafter be kept available for parking of vehicles at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### 5. Protection from external noise

No dwelling shall be first occupied until external noise mitigation measures have been provided in accordance with the Planning Noise Assessment produced by Noise Solutions Ltd dated 7 February 2024 and received on 5 March 2024.

The noise mitigation measures shall be retained and maintained thereafter.

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Reason: To protect future residents from noise from the railway and other external noise sources. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Quality Design SPD.

### 6. Electric vehicle charging points

No dwelling within each apartment block shall be first occupied until electric vehicle charging points have been provided for that apartment block in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. 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 Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

### 7. Refuse Storage

No dwelling within each apartment block shall be first occupied until a storage area for refuse and recycling receptacles (and collection areas if necessary) has been provided for that apartment block in accordance with the approved plans for that apartment block.

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).

### 8. Layout and design standards

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

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

### 9. Delivery hours

No deliveries (including collection of waste) shall be accepted or despatched from the commercial units on the ground floor of block A1 outside the following hours:

Mondays to Fridays: 07:30 to 18:00

Saturdays: 08:30 to 13:00.

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

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Vehicle engines [and refrigeration units] shall be switched off during deliveries, and no engine idling shall be permitted.

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### 10. Customer opening hours

The commercial premises located on the ground floor of block A1 shall not be open to customers outside of the following hours:

07:00 to 22:00 Monday to Saturday

08:00 to 17:00 on Sundays and Bank Holidays.

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### 11. Permitted uses within Class E

The Local Centre 4 unit on the ground floor of block A1 shall be used for Use Class E(a) only and for no other purpose, including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Local Centre 1, 2 and 3 units on the ground floor of block A1 shall be used for Use Classes E(a), E(b), E(c), E(e), or F2(b) only and for no other purpose, including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). This restriction shall apply notwithstanding any provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure the provision of at least one local retail facility as required by Policy CS2 and CS11 of the Core Strategy. The proposed commercial premises are located below residential apartments and has been assessed on the basis of the uses proposed. Any other Class E use would need to be assessed to ensure the impact on neighbouring properties and provision of parking is acceptable. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP2, CS2, CS9, CS11 and CS13 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).

### **Informatives**

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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 secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.
  
2. Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.
  
3. Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.
  
4. 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 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](mailto:building.control@wokingham.gov.uk), or visit: [www.wokingham.gov.uk/building-control](http://www.wokingham.gov.uk/building-control)

*(The meeting commenced at 6.30 pm and closed at 10.16 am)*

**CHAIRMAN** .....

**Date of Signature** .....