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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, 20 SEPTEMBER 2023

Councillors Present: Billy Drummond, Patrick Clark, Heather Codling, Carlyne Culver, Tony Vickers, Howard Woollaston, Paul Dick, Billy Drummond and Denise Gaines

Also Present: Sharon Armour (Principal Lawyer - Planning & Governance), Paul Goddard (Team Leader - Highways Development Control), Stephen Chard (Democratic Services Manager), David Cook (Clerk) and Bob Dray (Acting Development Control Officer)

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

PART I

4. Election of Chairman for the meeting

As the Chairman and Vice-Chairman had given their apologies Members were asked to elect a Chairman for the meeting.

Motion: Councillor Billy Drummond nominated Councillor Tony Vickers be Chairman for the meeting, this was seconded by Councillor Carlyne Culver.

The motion was **Resolved**.

5. Minutes

The Minutes of the meeting held on 23 August 2023 were approved as a true and correct record and signed by the Chairman.

Councillor Carlyne Culver raised that on page 16 members talked about the discharge of conditions, the Chairman confirmed that this would be discussed at the next PAG meeting.

6. Declarations of Interest

Councillor Howard Woolaston declared an interest in Agenda Item 4(1) as it related to his ward.

Councillor Carlyne Culver declared an interest in Agenda Item 4(2) as it related to her ward.

7. Schedule of Planning Applications

(1) Application No. and Parish: 23/00642/FUL, Cuckoo Copse, Lambourn Woodlands. Lambourn Parish

Councillor Howard Woolaston declared an interest in Agenda Item 4(1) as it related to his ward.

Item starts at 8 minutes and 7 seconds into the recording.

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1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 23/00642/FUL in respect of retrospective a two new storage bays utilising existing containers. To be used to house machinery and provide weatherproof cover for existing items within the yard. Martin Collins Enterprises Ltd, Cuckoo Copse, Lambourn Woodlands, Hungerford,
2. Mr Matthew Shepherd 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 Head of Planning and Development 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, Chris Harris Lambourn Parish Council representative, Bridget Jones, objector, addressed the Committee on this application.

Parish/Town Council Representation

4. Chris Harris had informed that the Parish Council had submitted a request for him to speak, the officers had no record of such request but as Members could recall at the site visit that the Parish Council had said they would be speaking, the Committee voted and resolved to allow Chis Harris to speak.

In addressing the Committee Chis Harris raised the following points:

- It was yet another retrospective planning application and he highlighted the sites planning history.
- The Parish Council objected the application.
- The Membury business area had a history of anti-social behaviour.
- The height of the construction was too high and impacted the local amenities.
- If a planning application had been submitted, then the issues could have been resolved via consultation.
- The structures were temporary and thus could be moved to a more suitable location on the site.

Objector Representation

5. Bridget Jones in addressing the Committee raised the following points:
 - Since she moved into the area in 2012 there had been many changes that had impacted on the quality of live for residents. Local residents tried to discuss any issues with businesses and Mr Collins had previously been responsive. This had not happened with this development.
 - The construction could be seen from the driveway. It was a 26 foot structure that dominated the site.
 - There was a history in the area of retrospective planning applications being accepted.
 - Her view would be interrupted for up to 6 months of the year and local trees in the area were dying, she wanted samples to see if this was due to water runoff from the construction.

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- The report said the containers were already on site, but they were in a different location.
- There seemed to be one rule for businesses and another for residents when it came to planning matters.
- She did not object to the construction but to its location and the impact of water drainage was having on local trees and flooding the front of her property.

Member Questions to the Objector

6. Members asked questions of the objector and were given the following responses:
7. The site was large and there was space to move the construction which would minimise its impact.
8. The Committee were informed that just today with the bad weather there had been water runoff into her driveway and that this was not an isolated instance.

Ward Member Representation

9. Councillor Howard Woollaston in addressing the Committee raised the following points:
 - The applicant was a well-respected employer.
 - This committee did not like retrospective applications, also the structure could have been located at a better position on the site.
 - As winter approached the visual impact would become more apparent.
 - He recommended either refusal of the application or amendments to the recommendation.

Member Questions to the Ward Member

10. Members asked questions of the Ward Member and were given the following responses:
 - He had not had a discussion with the applicant about the possibility of moving the construction to an alternative location on site.
 - Replacing the dying trees with new trees would be beneficial in screening the site.
 - The site was large enough to move the structures to another position.

Member Questions to Officers

11. Members asked questions of the Officers and were given the following responses:
 - The structures were below the existing tree line, was within existing boundaries, had limited impact from the public footpath and had limited impact on the AONB.
 - There was no impact on the quality of life of the surrounding area.
 - The ground was an existing gravel site.
 - Although the structures could be moved the application was for a permanent fixture.
 - The neighbouring property may have flooding in bad weather prior to the construction on the site.

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- Officers did not consider the proposed location as harmful therefore there had been no discussion about alternative locations on site.
- The tree officer had not indicated that there was any evidence that the structure had contributed to the death of trees.
- There was a standard condition regarding to SUDS.

Debate

12. The Chairman opened the debate by reminding members that although the Committee did not like retrospective planning applications they needed to focus on the application before them.
13. Councillor Codling mentioned that he had been on the site visit and understood the objector's concerns. He was not convinced that the structure should be moved as it was in the logical position on the site. He recommended that if it was possible that there should be a condition that the colour of the structure should remain as it was and that appropriate trees should be planted to provide year-round coverage.
14. Councillor Gaines said that as a substitute she visited the site today and could see the containers through the gates. She approved the possible condition of having evergreen trees.
15. Councillor Culver said that given how high the structure was she was concerned how any new tree planted as part of a condition would take to grow. She was also concerned about water run off and flooding.
16. Councillor Wollaston suggested that if approved a condition should be added about maintaining tree coverage.
17. Councillor Woollaston proposed refusal of officer recommendations and was seconded by Councillor Culver.
The Motion was put to the vote and **rejected**.
18. Councillor Codling proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report with the addition of tree screening to be supplied within three months and the decision delegated to the tree officer and that the colour of the structures should remain green to reduce the impact on amenities. This was seconded by Councillor Gaines.
19. The Chairman invited Members of the Committee to vote on the proposal by Councillor Codling, seconded by Councillor Gaines to grant retrospective planning permission. At the vote the motion was **carried**.

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

Conditions

	No condition on commencement is needed as the development is retrospective in nature.
1.	Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

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	<p>Site Location & Block Plans. Drawing number P4337.100 Proposed Plans & Elevations. Drawing number P4337.01</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
2.	<p>SUDS Incorporated into the Scheme</p> <p>The development of the site shall incorporate sustainable drainage techniques. These shall ensure that all surface water is contained within the site and that no surface water is directed to existing highway drains nor existing water courses unless through controlled attenuation. The sustainable drainage methods shall be maintained and operated in good working order in perpetuity.</p> <p>Reason: To ensure that the development does not create unsustainable surface water run-off or adversely affects important areas of bio and geo diversity in accordance with the National Planning Policy Framework and Policy CS16 and CS17 of the West Berkshire Core Strategy 2006 - 2026.</p>
3.	<p>Use restriction</p> <p>The development hereby approved shall be used for storage of equipment associated solely with the existing business on site and for no other purposes or business.</p> <p>Reason: It is considered necessary to restrict the use of the storage to the established business on site as it would be compatible with the existing use of the site to the benefit of the rural economy. This use would be considered compatibly with the site and the surrounding uses. This condition is recommended in accordance with the National Planning Policy Framework and ADPP1, CS9, CS10 of the West Berkshire Core Strategy 2006-2026</p>

Informatives

1.	<p>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.</p>
2.	<p>SUDS Informative Advice for the Applicant</p> <p>We would hope that consideration would be given to the use of SuDS features that provide a control of rainfall at source. This may include features such as water butts, rain gardens/ raised planters where a small volume of runoff would be contained for use in local irrigation. For more information on SuDS features, reference should be made to PolicyCS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document – Sustainable Drainage Systems (2018). Reference should also be made to the Environment Agency Standing Advice. Further information regarding SuDS can be found in C753 The SuDS Manual which is available for free online. We do not advise infiltration devices in areas where Clay is the underlying geology. To establish the underlying bedrock geology, reference should be made to the British Geological Survey (BGS) website. Where soakaways</p>

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are to be used please carry out an infiltration test prior to construction, investigate groundwater levels and always ensure there is an alternative to discharge surface water runoff from the site (i.e. connection to a watercourse, or surface water sewer) when conceptualising the proposal.
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The Chairman mentioned that the problems with traffic in and around Membury did need to be looked at.

(2) Application No. and Parish: 23/01686/FUL, Orchard Day Nursery, Everington Bungalow, Everington Hill, Yattendon. Yattendon Parish

Councillor Carolyne Culver declared an interest in Agenda Item 4(2) as it related to her ward.

Item starts at 56 minutes and 10 seconds into the recording.

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 23/01686/FUL in respect of a single storey extensions, Orchard Day Nursery, Everington Bungalow, Everington Hill, Yattendon.
2. Matthew Shepherd 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 report.
3. In accordance with the Council's Constitution, Councillor Bickman Smith Parish Council representative, Marian Spain, objector and Gareth Jones, agent, addressed the Committee on this application.

Parish/Town Council Representation

4. Councillor Bickman Smith, Yattendon Parish Council, in addressing the Committee raised the following points:
 - They were concerned that 17 trees had been felled on the site, they had provided a sound barrier from the M4 motorway.
 - The remaining walnut tree on the southwest boundary should be protected throughout the development. The tree did have a TPO and thus should not be harmed.
 - All existing conditions from the current planning application should be maintained.
 - They were concerned that the current septic tank, shared with neighbouring properties, was too old to meet current and increased demand. It was also located near to the River Pang and thus contamination could occur.
 - There was no mains water at the property. Water was obtained from a borehole which was shared by the neighbouring properties. Increased demand may not be met and the water was contaminated
 - The additional development appears to double the size of the footprint of the existing dwelling.

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- There was a 5-tonne weight limit on the bridge used to access the property. This will create issues with deliveries of materials to the site.

Member Questions to the Parish/Town Council

5. Members did not have any questions of clarification.

Objector Representation

6. Marian Spain in addressing the Committee raised the following points:
 - The application lacks details in regards to screening on the North and East Border.
 - The application lacks detail in regards to the boundary treatments and the steps taken to protect tree roots whilst foundations were carried out.
 - Was this an extension or new building.
 - The number of toilets and showers would increase because of this application putting pressure on available water and waste.
 - The property was accessed via a small bridge that was not suitable for large vehicles.
 - Concern raised in regard to the increase in size of the foot print and the impact this will have on the change to the character and design of the existing property in the AONB.
 - The bungalow is very close to Everington Cottage- two of the walls form the boundary between the two sites. There is not right of access from adjacent land for construction.
 - No landscaping should be removed on neighbouring sites
 - Felled trees should be replaced to screen from the noise of the M4.
 - The existing Cess pit was unlikely to be able to cope with sewage and wastewater given the large increase in the number of bathrooms.
 - The properties at Everington are served by a bore-hole which was under stress and residents had been told to boil water.
 - The proposed materials were not in keeping with the character of the area.
 - A new building would be better located on the large site.
 - There would be increased noise from the increase in residency.

Member Questions to the Objector

7. Members asked questions of the objector and were given the following responses:
 - The planting was on the objector's property and was there when they purchased the house.
 - The septic tank had to support the cottage and neighbouring property. They did not know how long it had been there, but they had concerns about the increased demand that would be made on it.
 - Given weight concerns about the bridge refuge trucks did not use it and bins were taken to the end of the drive.

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- There was no turning space or passing space gaining access.
- The septic tank was on the applicants site and they were obliged to empty and maintain it.
- She had concern about the possibility of the chimneys being removed as this would have a potential negative impact on the roof that was already in need of a inspection.

Agent Representation

8. Gareth Jones in addressing the Committee raised the following points:
- The application seeks planning permission for Change of use of the existing building from a day nursery to a residential dwelling and erection of extensions.
 - The property had already been granted a change of use from nursery to residential dwelling.
 - The proposal was a high quality design with material conditions.
 - The proposed extensions would be subservient in nature to the main building.
 - There would be no harmful impact on the surrounding area and screening had been proposed.
 - There had been no objections raised by the highways officer.
 - The current change of use would require vehicle access across the bridge.
 - The cutting down of trees did not require permission, however the applicant is happy to discuss re-planting as a condition.

Member Questions to the Applicant/Agent

9. In response to members question it was noted that the boundary fence already had planning consent.

Ward Member Representation

10. Councillor Carolyn Culver in addressing the Committee raised the following points:
- Concern had been raised about how close this property was to neighbouring properties.
 - Planting was on the neighbouring property and adding a fence would leave very little space between the fence on the building.
 - Concern about the septic tank and bore hole and would welcome an informative being added. The septic tank needed to be maintained and access available for neighbouring properties.
 - Concern about the cutting down of trees and protecting the Yew tree.
 - A condition about the bridge would be welcome. The extension would require large vehicles accessing the site and the bridge could be damaged.
 - If the bridge was damaged it would impact on all properties and not just the applicant.

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- Biodiversity net gain should use the baseline from January 2022. Specific tree planting should be included.
- The ecology report should be done again as it was a year old.
- Welcome that the conditions from the previous application had been included.
- Welcome the conditions about materials.
- EV charging point was welcome.
- Welcomed the conditions about lighting.

Member Questions to the Ward Member

11. Members did not have any questions of clarification.

Member Questions to Officers

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

- The septic tank was not a planning condition, but they could add an informative.
- A landscaping scheme would be required.
- Officers were content with the proposed size and layout, the extensions were subservient to the building. Percentage increase was no longer a planning consideration.
- All windows were currently on the property apart from the addition of a bathroom window.
- As the existing change of use had not occurred it was a planning technicality that the application was for the change in use and extension.
- A construction method statement could be secured to help protect the bridge.
- CS17 would be used for landscaping and biodiversity net gain until a new policy was introduced.

Debate

13. The Chairman opened the debate by saying that it was a large site and the building would have been better placed in another location, however the Committee had to consider what was before them.
14. Councillor Codley mentioned that the building and thus wall next to neighbouring property was already in existence and the proposed extensions were subservient to the building.
15. Councillor Culver said that the site was large and could accommodate the proposed building. She was concerned about the trees being felled, the bore hole and potential damage to the bridge so she would support additional conditions.
16. Councillor Gaines mentioned that there had been a lot of concern raised by the cease pit and the bore hole but they were not planning matters.
17. Councillor Dick proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report with addition of a structure management statement, informatives for the septic tank and bore hole and biodiversity enhancement and tree planting be included. This was seconded by Councillor Woolaston.

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18. 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 Service Director for Development and Regulation be authorised to grant planning permission subject to the following conditions:

Conditions

1.	<p>Commencement of development</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>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Location Plan Proposed Extensions Floor Plans Drawing number DK/1090/223 Rev B. Proposed Extensions Elevations Plans. Drawing number DK/1090/223 Rev CC Proposed Extensions Sections. Drawing number DK/1090/223 Rev D. Flood Smart Flood Risk Assessment Report Reference 77321R2.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Schedule of materials</p> <p>Prior to the Construction of the hereby approved extensions to the dwelling 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.</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), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).</p>
4.	<p>Electric Charging Point</p> <p>The extensions hereby approved shall not be occupied until details an of electric vehicle charging point has been submitted to and approved in writing by the Local Planning Authority. The charging points must be a minimum of 7kw.</p> <p>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.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 andCS14</p>

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	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 Plan1991-2006 (Saved Policies 2007).
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5.	<p>Landscaping</p> <p>No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include:</p> <ul style="list-style-type: none">• schedules of plants noting species, plant sizes and proposed numbers/densities• an implementation programme providing sufficient specifications to ensure successful cultivation of trees, shrub and grass establishment. <p>The scheme shall ensure;</p> <p>a) Completion of the approved landscape scheme within the first planting season following completion of development.</p> <p>b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; landscaping measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies ADPP1, (ADPP5 if within NWDAONB),CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
6.	<p>Tree protection scheme</p> <p>No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include:</p> <ul style="list-style-type: none">- a plan showing the location and type of the protective fencing.- All such fencing shall be erected prior to any development works.- At least 2 working day's notice shall be given to the Local Planning Authority that it has been erected.- It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority.- No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority. <p>Note 1: The protective fencing should be as specified in the BS5837:2012 at</p>

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	<p>Chapter 6 and detailed in figure 2.</p> <p>Note 2: Ground Protection shall be as paragraph 6.2.3.3. of the same British Standard.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> <p>Reason: Required to safeguard and to enhance its setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the NPPF and Policies ADPP1, ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
7	<p>Lighting strategy (AONB)</p> <p>No external lighting shall be installed to the extensions hereby approved 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 in the dwelling except in accordance with the above strategy.</p> <p>Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026</p>
8	<p>Obscure Glazing</p> <p>The window(s) at ground floor level in the north elevation shall be fitted with obscure glass to a level equivalent to Pilkington Level 3 or above before the use hereby permitted commences. The obscure glazing shall be permanently retained in that condition thereafter.</p> <p>Reason: 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 Quality Design SPD (2006).</p>
9	<p>Permitted Development Restrictions</p> <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place: Part 1 Class A - enlargement of the dwellinghouse, Part 1 Class AA- Enlargement of a dwelling house by construction of additional storeys, Part 1 Class B - additions to the roof, Part 1 Class C - any other alterations to the roof and Class E - outbuildings. No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission without the prior written permission of</p>

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	<p>the Local Planning Authority.</p> <p>Reason: To ensure adequate planning control over further development having regard to the sites location in the North Wessex Downs AONB and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policies C1, C3 and C4 of the Housing Sites Allocations DPD 2006 - 2026.</p>
10	<p>SUDS Incorporated into the Scheme</p> <p>The development of the site shall incorporate sustainable drainage techniques. These shall ensure that all surface water is contained within the site and that no surface water is directed to existing highway drains nor existing water courses unless through controlled attenuation. The sustainable drainage methods shall be maintained and operated in good working order in perpetuity.</p> <p>Reason: To ensure that the development does not create unsustainable surface water run-off or adversely affects important areas of bio and geo diversity in accordance with the National Planning Policy Framework and Policy CS16 and CS17 of the West Berkshire Core Strategy 2006 - 2026.</p>
11	<p>Flood Risk Assessment Recommendation Implementation</p> <p>The development hereby permitted shall be undertaken in accordance with the recommendations of the Flood Smart Flood Risk Assessment Report Reference 77321R2. The recommendations of the report shall be completed prior to the occupation of the extensions hereby approved.</p> <p>Reason: To ensure that the development is not at flood risk in accordance with the National Planning Policy Framework and Policy CS16 of the West Berkshire Core Strategy 2006 - 2026.</p>
12	<p>Biodiversity measures</p> <p>The development hereby permitted shall be undertaken in accordance with the recommendations of the Ecology Report undertaken by Cherryfield Ecology throughout the construction period of the development.</p> <p>The development hereby permitted shall not be occupied until the recommended mitigation in table 14 of the Cherryfield Ecology report have been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</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>

Informatives

1.	<p>Proactive</p> <p>This decision has been made in a positive way to foster the delivery of sustainable</p>
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	development having regard to Development Plan policies and available guidance to secure high quality appropriate development which improves the economic, social and environmental conditions of the area.
2.	<p>CIL</p> <p>The development hereby approved may result 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</p>
3.	<p>Protected Species</p> <p>Prior to the commencement of this proposal you are reminded that if there is any evidence of Protected Species on the site you must consider the implications of the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000 and comply with any necessary additional regulations and licences. For example, you must avoid taking, damaging or destroying the nest built or being used or egg of any wild bird as this would be an offence (with certain exceptions). You must also not intentionally or recklessly damage, destroy or block access to any habitat used by a protected species, such as bats, dormice, reptiles or any other species as listed in The Conservation of Habitats and Species Regulations 2010, Schedule 2 European Protected Species of Animals. Any licensing requirements are in addition to the requirements for planning permission and subject to a separate process. The following website gives further advice on this matter www.gov.uk/guidance/wildlife-licences</p>
4.	<p>Damage to footways, cycleways and verges</p> <p>The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge arising during building operations.</p>
5.	<p>Damage to the carriageway</p> <p>The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p>
6	<p>Consent to Enter Adjoining Land</p> <p>You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order construct, externally finish, decorate, or in any other way carry out any works in connection with this development, or to obtain any support from adjoining property. This permission granted by the Council in no way authorises you to take such action without first obtaining this consent.</p>

8. **Application No. and Parish: 23/01116/HOUSE, The Old Post House, Newbury Road, Shefford Woodlands, Hungerford. Great Shefford.**

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1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 23/01116/HOUSE in respect of proposed two storey side and rear extensions. The Old Post House, Newbury Road, Shefford Woodlands, Hungerford.
2. Bob Dray 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.
3. In accordance with the Council's Constitution Caroline Downie, agent, and Ashley Walton, applicant, addressed the Committee on this application.

Agent / Application Representation

4. Caroline Downie and Ashley Walton in addressing the Committee raised the following points:
 - The property has evolved over the years to accommodate past owners the application before the Committee was to allow the growth of the current occupiers and so they could accommodate their disabled father who would move into the ground floor if application approved.
 - The extension would enable a staircase to be moved to allow compliance with current regulations.
 - The design was to be subservient to the existing building.
 - The increase to the existing building would be 28% in floor size. Examples were given of properties that had vastly increased their footage at Committee and also those increased by officer delegated powers. All close to this property.
 - The proposal complies with policy C6.
 - The scheme was on a large plot and the building could absorb the extensions.
 - Was an improvement on a previous submitted scheme, well designed and used quality materials.
 - No negative impact on neighbouring amenities.
 - Family of three who had lived in the property since 2014 and await another addition to their family.
 - After the loss of their mother-in-law they are now the primary carer of the father in law who was in a wheel chair.
 - Lived and worked in the area for a long time but the property was not big enough to meet their needs.

Member Questions to the Applicant

5. In response to Members questions the Committee were informed that the father would be located in the area called 'study' on the plans as it had toilet facilities attached.

Member Questions to Officers

6. Members asked questions of the Officers and were given the following responses:
 - The percentage increase of a property used to be a measure but is no longer policy.

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- Moving the staircase can come under quality of design and thus be a planning consideration.

Debate

7. Councillor Codling said that the plans did not make it obvious that the extension was subservient. It would be a big house when finished but how subservient should an extension be.
8. Councillor Wollaston was mindful of allowing planning permission given the family needs and the general appearance would be an upgrade.
9. Councillor Gaines questioned if the doorways would be able to accommodate a wheelchair and was informed that this would be a matter for building regulations.
10. Councillor Clark proposed to reject Officer's recommendation and grant planning permission subject to the conditions listed below. This was seconded by Councillor Woollaston.
11. The Chairman invited Members of the Committee to vote on the proposal by Councillor Clark, seconded by Councillor Woollaston 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

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).

Approved plans

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

582 Z01 Rev A Existing plans
582 X02 Rev A Existing elevations
582 P01 Rev A Site location and block plans
582 P02 Rev H Proposed plans
582 P03 Rev H Proposed elevations

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

Approved materials

The materials to be used in the development hereby permitted shall be as specified on the plans and 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.

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), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).

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Ecological Method Statement

The development hereby permitted shall be undertaken in accordance with the method statement detailed in Section 5 of the Ecological Survey Report (Bats) Ref: SPH/ESR-22/17.05 prepared by Urban Tree Experts received by the Local Planning Authority on 11th May 2023. The mitigation and enhancement measures described in the report shall be implemented in full before the development is brought into use, or in accordance with a schedule to be submitted before the development is brought into use and approved in writing by the Local Planning Authority. The measures shall thereafter be carried out and retained in accordance with the approved details.

Reason: To ensure the protection of protected species which are subject to statutory protection under European Legislation and ecological enhancements on site. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

(The meeting commenced at 6.30 pm and closed at 8.55 pm)

CHAIRMAN

Date of Signature