

**WESTERN AREA PLANNING COMMITTEE**  
**21<sup>ST</sup> FEBRUARY 2024**

**UPDATE REPORT**

**Item No:** (3)                      **Application No:** 23/00373/RESMAJ                      **Page No.** 93-109

**Site:** Land Off Lambourn Road Speen Newbury

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**1. Registered Speakers**

Please refer to List of Speakers provided under separate cover.

**2. Additional Consultation Responses**

**Highway Authority comments**

Since the publication of the committee report, a consultation response has been submitted by the Council's Highways Officer requesting additional information. The full responses may be viewed with the application documents on the Council's website, using the application reference. A summary of the Highways comments is outlined below:

- The car parking layout is generally acceptable, although in a few cases some of the spaces are some distance from the dwellings that they are to serve, but not enough in my view to object.
- Dropped kerbs and tactile paving should be provided where pedestrians are likely to crossroads including across the entrance to the site and across the road adjacent to plot 4. This could be secured by condition.
- Unfortunately, a hoggin material is not considered as a material that is appropriate for an adoptable public highway. This could be resolved by conditions already applied at outline.

The condition requiring footway crossing places across the access from Lambourn Road and adjacent to plot 4 can be secured through the Section 38 highway agreement and technical design requirement.

The rest of the conditions recommended by the Highway Officer are already attached to the list of conditions attached to the outline planning permission 17/02093/OUTMAJ. The conditions are shown below:

- Parking/turning in accord with plans (condition 15)
- Electric Charging Point (condition 16)
- Cycle parking (Condition 17)

**Ecology Officer comments**

Since the publication of the committee report, a consultation response has been submitted by the Council's Ecology Officer requesting additional information. The full responses may be viewed with the application documents on the Council's website, using the application reference. A summary of the Ecology Officer's comments is outlined below:

## Application 23/00373/RESMAJ

- A significant concern for both applications is that the ecological surveys undertaken for protected species were mostly undertaken in 2016 and are therefore no longer reliable for the purposes of assessing and avoiding and mitigating impacts. This is acknowledged within the updated Preliminary Ecological Appraisal (PEA, March 2023).
- The most recent field surveys undertaken in February 2022 described the habitats on site as being largely unchanged since the 2016 surveys and it is also noted that with the exception of reptiles, no evidence of other protected species was found in the 2016 surveys.
- Many of the habitats and features previously identified as being of importance or potential importance for protected species are proposed to be retained within the submitted plans.
- For these reasons, it is advised that it is possible to make the updated protected species surveys a condition on planning approval should permission be granted. These updated surveys should include surveys for:
  - a) Badger.
  - b) Hazel dormouse.
  - c) Bats (preliminary roost assessment of trees and further surveys if the trees are assessed as having moderate to high potential for roosting bats and the trees will be impacted by the proposed development either during construction or operational phases); and
  - d) Breeding birds.
- No further surveys are required for great crested newts since recent surveys were carried out in April 2023 and concluded that there was no evidence of breeding in suitable waterbodies within 500metres of the application site.
- No further surveys are required for reptiles since a detailed precautionary methodology for the protection of the reptile population on site has been submitted and which can be made a condition of any planning approval.
- No CEMP has been submitted in support of this application 23/00373/RESMAJ.
- The submitted Updated Preliminary Ecological Appraisal does provide some general recommendations at Section 5.0 Impacts and Mitigation. However, these are not detailed enough to provide assurance that site clearance and construction will not result in damage to or loss of important habitats or protected and priority species. Therefore, if the application is approved, a condition is recommended that a *Construction Environmental Management Plan* is submitted for approval.
- The *Construction Environmental Management Plan* required can be based around that submitted (but requiring amendments – see above) in connection with applications 22/01235/RESMAJ and 23/00397/OUTMAJ.
- An updated Biodiversity Enhancement Plan (BEP) is required to be submitted and approved by the local planning authority.
- The Landscape and Habitat Management Plan as currently submitted cannot be relied upon to successfully deliver the intended habitat creation and management and therefore must be substantially revised and amended.
- A lighting strategy for the proposed development will be required.

Following the comments received from the consultees, the details secured further by separate conditions are removed from the approved plans conditions and the approved plans condition 2 is amended as follows:

### Approved plans

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

Amended plans received on 13 September 2023:

- Drawing No: 0766-RM2-100 – Topographical Survey
- Design Statement of Compliance Issue 2
- Drawing No: 0766-RM2-SK31 A – Architectural Detailing
- Drawing No: 0766-RM2-HTB Issue 2 – House type Booklet

Amended plans received on 10 January 2024:

- Drawing No: 0766-RM2-102 C – Planning Layout
- Drawing No. 0766-C-1000 D – Composite Planning Layout Showing Affordable Housing
- Drawing No: 0766-RM2-102 – COL C – Colour Planning Layout
- Drawing No: 0766-RM2-103 B – Street Scenes
- Drawing No: 0766-RM2-107 B – Adoption Plan
- Drawing No: 0766-RM2-110 B – Building Heights
- Drawing No: 0766-RM2-111 B – Refuse Strategy Layout
- Drawing No: 0766-RM2-112 B – Tenure Plan
- Drawing No: 0766-RM2-113 B – Phasing Plan
- Drawing No: 0766-RM2-114 A – Boundary Treatments Plan
- Drawing No. 2099.10.07 Revision G – Landscape General Arrangement Sheet
  
- Drawing No. 2099.10.19 Revision B – Structural Planting Plan
- Drawing No. 2099.10.20 Revision B – Ornamental Planting Plan
  
- GCN eDNA Technical Note – 13.11.23 (Ref: Ecology 7929) – Pro Vision
- General Arrangement Plan 12758/1120 - RM 2 (Rev P1)
- Site Refuse Tracking 12758/1171 – RM 2 (Rev P1)
- Fire Tender Tracking 12758/1172 – RM 2 (Rev P1)
- Drainage Strategy Drawing 12758/1122
- Drainage Strategy Report Part 1 and 2
- Site Levels & Contour Plan 12758/1121-RM 2 (Rev P1)
- Pond Details 12758/1123
- Cross Sections 12758/1125-RM 2 (Rev P1)
- Road Sections Key Plan 12758/1129

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

Following the consultation comments from the Council's Ecologist, the conditions recommended by the Ecologist are not attached to the outline permission 17/02093/OUTMAJ. The below conditions will be added to the list of recommended conditions to the Reserve Matters:

### **Ecological mitigation and management measures review and ecology survey updates**

Prior to the commencement of development (including site clearance), the ecological mitigation and management measures to be secured shall be reviewed and, where necessary, amended and updated. The updated surveys shall inform the Construction Environmental Management Plan and Biodiversity Enhancement Plan secured by other conditions. The review shall be informed by further ecological surveys commissioned to:

(i) establish if there have been any changes in the presence and/or abundance and/or distribution of:

- (a) Habitats.
- (b) Badgers.
- (c) Bats.
- (d) Hazel dormouse.
- (e) Breeding birds.

(ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the approved ecological mitigation and management measures will be revised and new or amended measures and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

### **Protected Species Licence**

If any protected species are identified in the updated surveys that were not previously confirmed to be on the application site and are likely to be impacted by the development in such a way that would be unlawful, then a protected species licence could be required before works can commence. In such an event, no works, including demolition or development shall be undertaken within the application site until the local planning authority has been provided with a licence granted by Natural England in accordance with Regulation 55 of the Conservation of Habitats and Species Regulations, 2017(as amended) to enable the proposed works to proceed lawfully in respect of bats. An updated bat scoping and bat emergence surveys shall be undertaken in accordance with best practice professional guidance to support the licence application to Natural England.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026

The rest of the conditions recommended by the Ecology Officer are already attached to the list of conditions recommended within the committee report as follows and do not require amending:

- Construction Environmental Management Plan (condition 33)
- Lighting strategy (condition 36)
- Biodiversity Enhancement Plan (condition 37)
- Landscape and Habitat Management Plan (condition 39)

The Council currently has no development plan policy that prescribes national space standards for new residential development. Following discussions with the applicant and the Development Manager, condition 4 recommended within the committee report is amended

such that only the affordable housing dwellings will be required to meet national space standards as requested by the Council's Housing Officers.

### **Nationally described space standards**

No above ground development shall take place until details of how the internal bed spaces and storage areas of the affordable housing dwellings only hereby permitted meet the national space standards as prescribed in the technical housing standards – nationally described space standard – (Department for Local Communities and Government March 2015) (as amended). Thereafter the proposed affordable housing dwellings shall be completed in accordance with the approved details.

Reason: to ensure the proposed affordable housing dwellings meet national space standards and are well designed for occupation. This condition is applied in accordance with the National Planning Policy Framework, Technical housing standards – nationally described space standards, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

No additional representations have been received.

### **1. Additional Information**

During the committee site visit, queries were raised by Members and residents. The queries raised during the committee site visit are addressed below:

#### **Extent of public rights of way on the dismantled railway**

During the site visit Members queried the extent of the public right of way on the dismantled railway. The applicant also emphasised that the dismantled railway and public rights of way is outside the application site. The public right of way network area, informal paths and the dismantled railway strip are shown on the map below.



### **2. Updated Recommendation**

The recommendation remains for approval as set out in the agenda committee report, subject to the amended conditions in the update report.