

# **DRAFT**

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

## **EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON WEDNESDAY, 29 FEBRUARY 2012**

**Councillors Present:** Peter Argyle, Pamela Bale, Brian Bedwell (Vice-Chairman), Richard Crumly, Alan Law, Royce Longton, Alan Macro, Geoff Mayes, Tim Metcalfe, Irene Neill, Graham Pask (Chairman) and Quentin Webb

**Also Present:** Sharon Armour (Solicitor), Gareth Dowding (Senior Engineer), David Pearson (Team Leader - Development Control), Cheryl Willett (Senior Planning Officer) and Stephen Chard (Policy Officer)

#### **PART I**

##### **57. Minutes**

The Minutes of the meeting held on 8 February 2012 were approved as a true and correct record and signed by the Chairman.

##### **58. Declarations of Interest**

There were no declarations of interest received.

##### **59. Schedule of Planning Applications**

###### **59(1) Application No. & Parish: 11/02373/OUTD - Police Station, 20 Chapel Street, Thatcham**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 11/02373/OUTD in respect of a residential redevelopment of existing Police Station site to provide up to 6 no dwellings.

As part of her introduction to the report, Cheryl Willett advised Members of an additional proposed condition of approval for a Construction Management Plan that would seek to mitigate the traffic concerns on the A4.

This application did not attract any public speakers.

Councillor Quentin Webb referred to the existing keep clear marking on the road and asked whether this could be changed to a yellow hatched box. Gareth Dowding advised that this would not be possible for a junction into a housing estate, but confirmed that the keep clear markings would be retained.

Councillor Richard Crumly questioned why the applicant was only seeking outline planning permission at this stage and approval of the relatively minor issue of access. Cheryl Willett explained that the applicant, Thames Valley Police, only wanted to establish the principle of development at this stage together with gaining approval of the amended access. She clarified that Committee would only be granting outline permission and access, with a more detailed application expected to follow for the proposed six dwellings. Councillor Crumly, who was Ward Member of an adjacent Ward, advised that he had no objections to granting outline planning permission.

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Councillor Geoff Mayes pointed out that access onto the A4 took motorists directly into a traffic light which he felt was a potential hazard. Gareth Dowding commented on this by advising that an access already existed and the proposed (slight) movement of the access would improve sight lines and be of benefit. In addition, the current traffic movements from the police station were higher than would be the case for the six dwellings.

Councillor Pamela Bale was concerned with the impact that the siting of this development would have on 30 Chapel Street due to its close proximity. Cheryl Willett advised that once the full detailed application came forward, issues such as whether light of neighbouring properties would be impeded or whether there was an overbearing impact would be considered as part of reserved matters.

Councillor Brian Bedwell commented that the right turn into the site was difficult to undertake due to the level of oncoming traffic, the result of which was that traffic was held up. He therefore questioned whether a no right turn could be implemented, as the junction was not wide enough to incorporate a bay that would hold motorist wanting to turn right. Gareth Dowding advised that this could be requested, but voiced difficulty in its enforcement based on the experience of other no right turns in the area. He reiterated that the level of traffic movement would be reduced and also there had been no reports of delayed traffic at this junction. Gareth Dowding also advised that the junction might not satisfy the requirements for a no right turn and it could also prove costly to the applicant. However, the consultation process for the full planning application might provide some justification for such a request.

Councillor Webb was reluctant to support a requirement for a no right turn as he did not feel it would work from a logistical point of view and, having taken into account that there were no highways objections, he proposed acceptance of Officers' recommendation to grant planning permission. This was seconded by Councillor Bale.

Councillor Alan Law questioned the proposed condition to restrict the ridge height of the dwellings to 8.5 metres. Cheryl Willett explained that there were certain aspects over which Officers wanted some control, such as ridge height, and it was sensible to include these at this stage of the process. This was an area which could be returned to under reserved matters.

Councillor Tim Metcalfe asked whether giving outline permission for six dwellings gave some expectation that they would be built, as he was not in favour of the proposed layout and would be reluctant to give his support to a full application based on what was currently proposed. Cheryl Willett clarified that this application only proposed an indicative layout and the actual layout could be determined by Committee as part of the full application. David Pearson added that Members' comments on the indicative plans were noted and these would be raised as part of the reserved matters negotiations.

Councillor Webb asked whether a full application for this site would automatically return to Committee for determination. David Pearson explained that while this would not be a reasonable condition if outline permission were approved, Officers would recommend that it be brought to Committee for a decision and this would also be the case if a similar number of objections were raised (i.e. more than 10).

**RESOLVED** that the Head of Planning and Countryside be authorised to grant outline planning permission subject to the following conditions and completion of a S106 legal agreement by 29<sup>th</sup> April 2012:

### **Conditions**

1. The development hereby permitted shall be begun on or before whichever is the later of the following dates:

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- (a) three years from the date of this decision, or
- (b) the expiration of two years from the final approval of the Reserved Matters or, the case of approval on different dates, the final approval of the last such matter approved.

Reason: To enable the Local Planning Authority to review the desirability of the development to comply with Section 91 of the Town and Country Planning Act (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) should it not be started within a reasonable time.

- 2 Full details of the appearance, layout and scale of the dwellings and the landscaping of the site (the 'Reserved Matters') shall be submitted to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission, and no building or other operations shall start on site until the Reserved Matters have been approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in strict accordance with the approved details and with the requirements of any conditions attached to an approved Reserved Matters application. This condition shall apply irrespective of any indications as to the Reserved Matters which have been given in the application hereby approved.

Reason: The application is not accompanied by sufficient details of the reserved matters to enable the Local Planning Authority to give proper consideration to those matters and such consideration is required to ensure that the development is in accordance with the development plan.

3. The vehicular, pedestrian/ cycle access into the site and associated engineering operations shall be constructed in accordance with drawing number JNY7263-04 Rev A received on 31<sup>st</sup> January 2012. The dwellings will not be first brought into use until the access has been constructed in accordance with this approved plan.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against Policies CC6 and BE1 of the South East Plan Regional Spatial Strategy 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

4. No development shall commence on site until details of all fencing and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include a schedule of materials and drawings demonstrating the layout of the means of enclosure. The dwellings hereby approved shall not be first brought into use until the fencing and other means of enclosure have been erected in accordance with the approved details.

Reason: The fencing and other means of enclosure are essential elements in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

5. No development shall take place until details of the external hard surfaced areas of the development have been submitted to and approved in writing by the Local

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Planning Authority. Such details shall include a schedule of materials, means of treatment, and drawings demonstrating the layout of the hard surfaced areas. None of the dwellings hereby permitted shall be occupied until the hard surfaced areas have been constructed in accordance with the approved details.

Reason: In the interests of visual amenity and surface water drainage, in accordance with Policies CC6 and BE1 of the South East Plan (Regional Spatial Strategy for the South East of England 2009); and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. No development shall commence until details of the provision for the storage of refuse has been submitted to and approved in writing by the Local Planning Authority. Thereafter, refuse shall be stored in accordance with these approved details.

Reason: In the interests of amenity in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

7. 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 in accordance with Policies OVS.2 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

8. The existing vehicular/pedestrian access at the site shall be stopped up and abandoned immediately after the new access hereby approved has been brought into use. The footway/cycleway and verges shall, at the same time as the stopping-up and abandonment, be reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interest of road safety and highway maintenance and in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.

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

Reason: In the interest of road safety in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

10. No development shall commence until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. The vehicle parking and turning spaces (areas) shall subsequently be provided in accordance with the approved details prior to the development being brought into use.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking which would adversely affect

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road safety and the flow of traffic in accordance with Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

11. No development shall commence until details of the cycle parking and storage space to be provided within the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking and storage space shall be provided prior to the development being brought into use in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site in accordance with Policy OVS3 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

12. No development shall commence until details to show a temporary parking area and turning space to be provided and maintained concurrently with the development of the site have been submitted to and approved in writing by the Local Planning Authority. Such approved parking area and turning space shall, at the commencement of development, be provided and thereafter retained in accordance with the approved details until the development has been completed and shall during that time be used for parking by all employees, contractors and operatives or other visitors during all periods that they are working at or visiting the site.

Reason: In accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 to ensure the development is provided with adequate parking facilities during the construction period, in order to minimise the incidence of off site parking in the locality which could cause danger to other road users or long term inconvenience to local residents.

13. No development shall commence on site (including site clearance and any other preparatory works) until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants, noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- a) completion of the approved landscaping within the first planting season following the completion of the development, and
- b) any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species.

Thereafter the approved scheme shall be implemented in accordance with the approved details.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policies CC6 and C3 of the South East Plan Regional Spatial Strategy 2009 and Policies OVS2 (a, b) and OVS3 (b) of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

14. No demolition/ site works/ development shall take place within the application area until the applicant has secured the implementation of a programme of

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archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority

Reason: To ensure that an adequate record is made of these buildings of historic interest in accordance with PPS5.

15. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

16. No development shall commence until an Air Quality Assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment will be required to demonstrate any likely changes in air quality exposure to air pollutants as a result of the proposed development and the exposure of receptors to the existing air pollution. The assessment is to compare the air quality following completion of the development with that expected at the time without the development. The assessment will need to include:

- 1) assess the existing air quality in the study area (existing baseline)
- 2) predict the future air quality without the development in place (future baseline)
- 3) predict the future air quality with the development in place (with development)
- 4) details of mitigation.

Should mitigation measures be necessary the development shall not be first brought into use until the approved mitigation measures have been implemented.

Reason: The site is within part of the Thatcham Air Quality Management Area, and further information is required to assess the exposure of future receptors and the effect of development on the air quality. This is in accordance with Policies OVS2 and OVS5 and the guidance contained within PPS23.

17. No development shall commence until the applicants have submitted to the Local Planning Authority a scheme of works, or other steps as may be necessary to minimise the effects of dust from the development. Development shall not commence until written approval has been given by the Local planning Authority to any such scheme of works. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In the interests of amenities of neighbouring occupiers in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

18. No development shall commence until proposals for the ecological enhancements (as outlined in Section 6.2 of the Bat Survey Report dated June 2011 by RPS)

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have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first brought into use until those ecological enhancements have been implemented in accordance with the approved details.

Reason: In the interests of promoting biodiversity measures, in accordance with Policy ENV9 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and guidance contained with PPS9.

19. Notwithstanding the matters reserved until later determination the ridge height of the dwellings shall not exceed 8.5 metres.

Reason: The application is made in outline with all matters reserved, including appearance. In the interests of integrating with and protecting the character and appearance of the local character of the area the height should be limited to 8.5 metres. This is in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and Policy CC6 of the South East Plan Regional Spatial Strategy for the South East 2009.

20. Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revisions), no additions or extensions to the dwellings shall be built or ancillary buildings or structures erected within the curtilages, unless permission in writing has been granted by the Local Planning Authority in respect of a planning application made for the purpose.

Reason: To prevent the overdevelopment of the site and to safeguard the amenities of neighbouring properties in accordance with Policy CC6 of the South East Plan 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

21. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in complete accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors.
- (b) Loading and unloading of plant and materials.
- (c) Storage of plant and materials used in constructing the development.
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing.
- (e) Wheel washing facilities and measures to reduce the amount of mud and dust generated.
- (f) A scheme for recycling/disposing of waste resulting from demolition and construction works.
- (g) The hours of operation and the timing of deliveries.
- (h) Measures to minimise the amount of noise generated.

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 Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

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### Informatives

The Highways (Planning) Manager, West Berkshire District Council, Highways and Transport, Council Offices, Market Street, Newbury RG14 5LD, telephone 01635 519169, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks notice, to obtain details of underground services on the applicants behalf.

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

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

Any temporary signing required as part of this development is to be agreed in writing with the Highway Authority, West Berkshire Council, Highways and Transport, Council Offices, Market Street, Newbury, RG14 5LD.

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

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk).

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

This Decision Notice must be read in conjunction with the terms of the Legal Agreement dated (to be determined). You are advised to ensure that you have all the necessary documents before development starts on site.

The developers are required to enter into a Section 38 Agreement. Heads of terms are to be agreed with the Highway Authority, West Berkshire Council, Highways and Transport, Council Offices, Market Street, Newbury, RG14 5LD.

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Or

Should the legal agreement not be completed by 29<sup>th</sup> April 2012 to DELEGATE to the Head of Planning & Countryside to **REFUSE PLANNING PERMISSION** for the following reason:

The development fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to government advice, Policy CC7 of the South East Plan, The Regional Spatial Strategy for South East England 2006-2026 May 2009 and Policy OVS.3 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 as well as West Berkshire District Council's adopted SPG4/04 – Delivering Investment from Sustainable Development.

### **59(2) Application No. & Parish: 11/01788/FUL - Admoor Bungalow, Admoor Lane, Bradfield Southend**

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 11/01788/FUL in respect of the demolition of existing bungalow and garage and replacement with new house and garage.

In accordance with the Council's Constitution, Ian Norman, agent, addressed the Committee on this application.

Mr Norman in addressing the Committee raised the following points:

- His client grew up in the area and was able to purchase Admoor Bungalow relatively recently. His purpose in acquiring the surrounding woodland was to help ensure its protection and, in addition, he wanted to live in a woodland setting.
- The aim of the development was to create an ecologically sustainable home that would be unique and of a high quality design. A green roof was proposed for some aspects of the development.
- A tree specification, ecology report and bat survey had all been conducted.
- The replacement house would be built into and adapted to the slope of the land, and would be unobtrusive. The design would allow for views of the surrounding woodland.

Councillor Tim Metcalfe was concerned at the dampness of the ground where the house was proposed to be built and questioned how the underground rooms would be protected. Mr Norman advised that he was confident that this would be controlled by a combination of traditional tanking methods and the fact that water flowed into a nearby stream.

Councillor Brian Bedwell commented on the difficulty Members had in parking at the site visit due to the lack of space and queried whether there was adequate turning space at the front of the site. Mr Norman responded by saying that the area in front of the new garage would allow for additional turning space.

Councillor Quentin Webb, speaking as Ward Member, made the following points:

- The Parish Council had raised concern that the design would be out of keeping with the area. However, Councillor Webb did not support this view as he felt the new dwelling would merge with its setting.

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- A concern had also been raised with regard to the view afforded to this property from a neighbouring property once vegetation had been cleared. Councillor Webb did not feel this impact would be significant.
- This proposal did constitute a significant increase in floor area, but he was convinced by the points made by Officers that this was acceptable in this instance.
- The intention of the applicant to construct the dwelling to the Level 5 standard of the Code for Sustainable Homes should be welcomed.
- He did not feel that the proposal to install solar panels was an issue as these could be installed for any property.
- Councillor Webb then proposed acceptance of Officers' recommendation to grant planning permission. This was seconded by Councillor Royce Longton.

Councillor Alan Law questioned whether construction of the dwelling to Level 5 of the Code for Sustainable Homes, which was listed as a condition of approval, could be conditioned or whether this was a voluntary option. Cheryl Willett advised that while the applicant had volunteered to meet this level, Officers were of the view that this could be conditioned in line with a recent ruling made by a Planning Inspector. Any change from this requirement would require a new permission.

Councillor Law then referred to the points made in the update report by Planning Policy Officers with regard to the increase in built form and how this would be mitigated. He pointed out that although the overall floor space was proposed to increase by 333% over the original dwelling (an increase of around 4.5 times the size of the original), the increase above ground was only twice the size of the original. He was in support of the proposal to grant planning permission.

Councillor Metcalfe questioned the requirement for a reed bed filtration system. Cheryl Willett advised that while this was a condition of approval, it would need to be licensed regardless of planning permission.

Councillor Pamela Bale asked Gareth Dowding to comment on whether the proposed turning space would be adequate when taking into account cars being parked at the property. In response, Gareth Dowding advised that this was a large site and as such the turning space was felt to be adequate. There were no highway issues.

Councillor Bale then asked whether access for construction vehicles would be controlled. Gareth Dowding confirmed that a route would need to be agreed from the Bradfield Southend side for the delivery of construction materials. Cheryl Willett confirmed that this was conditioned as part of the Construction Management Plan.

Councillor Bedwell commented that the reason for a Committee determination was due to the proposed increase in size and floor space. However, Committee Members normally gave more of a consideration to the increase in footprint. The increase in footprint was not a concern with this application and approval was not likely to set any kind of precedent due to the unique nature of the proposal.

**RESOLVED** that the Head of Planning and Countryside be authorised to grant planning permission subject to the following conditions:

### Conditions

1. The development hereby permitted shall be started within three years from the date of this permission.

Reason: To enable the Local Planning Authority to review the desirability of the development to comply with Section 91 of the Town and Country Planning Act (as

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amended by Section 51 of the Planning and Compulsory Purchase Act 2004) should it not be started within a reasonable time.

2. The development hereby approved shall be carried out in accordance with drawing numbers 003 and 006 received on 16<sup>th</sup> August 2011, 002A, 004B, and 005B received on 10<sup>th</sup> February 2012, and Arboricultural Report by Arbortrack Systems Ltd submitted on 14<sup>th</sup> September 2011.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

3. No development shall commence on site until samples of materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application and shall include where necessary, a schedule of glass, plastic, or mortar type materials. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and character of the North Wessex Downs and Chiltern Areas of Outstanding Natural Beauty, in accordance with Policy CC6 of the South East Plan and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

4. The garage hereby approved shall be used solely for purposes incidental to the use of the existing dwellings. No trade, business or commercial enterprise of any kind whatsoever shall be carried on, in or from the garages.

Reason: To ensure that the garages is kept for vehicle parking in the interests of road safety and to accord with Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

5. Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree protection plan identified as Appendix A Rev A and dated August 2011 and supported by Arboricultural Report by James Bell Of Arbortrack Systems Ltd (jwmb/rpt1/admorr/PI August 2011) received on 14<sup>th</sup> September 2011. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy OVS2(b) of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

6. Further to the Arboricultural Report of Arbortrack Systems Ltd, no site works/ demolition/ development shall commence until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted and approved by the Local Planning Authority. Thereafter, the development shall be undertaken in accordance with the approved arboricultural watching brief.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy CC6 of the South East Plan 2009

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Regional Spatial Strategy and Policy OVS2(b) of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

7. No development shall commence on site (including site clearance and any other preparatory works) until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy CC6 of the South East Plan 2009 Regional Spatial Strategy and Policy OVS2(b) of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

8. No construction of the dwelling shall commence on site until a Design Stage assessment appropriate to the Code for Sustainable Homes or an equivalent assessment methodology demonstrating that the development will attain a minimum Code 5 rating, or the relevant equivalent, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out and fully completed in accordance with the approved assessment. The dwelling hereby approved shall not be occupied until a post construction review, carried out by a licensed assessor, confirming appropriate compliance have been submitted to and approved in writing by the Local Planning Authority.

Reason: The application has been assessed on the basis that Code Level 5 of the Code for Sustainable Homes would be achieved, a material consideration that weighs heavily in favour of the development. The compliance with the Code Level 5 is in accordance Policy OVS10 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and the guidance contained within the Council's adopted Supplementary Planning Document: Quality Design - West Berkshire, Part 4, 'Sustainable Design Techniques'.

9. No development shall commence on site until details of hard landscaping have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and character of the North Wessex Downs and Chiltern Areas of Outstanding Natural Beauty, in accordance with Policy CC6 of the South East Plan and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

10. No development shall commence on site until details of the floor levels in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with these approved details.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land, and to ensure the development will conserve and enhance the vegetation on site, in accordance with Policy CC6 of the South East Plan 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

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11. Should any external lighting be proposed for the dwelling and garage no development shall commence until details of the lighting have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with these approved details.

Reason: Lighting can have a significant impact upon the rural character of the site, and details have not been submitted with the application to make a full assessment. This is in accordance with Policies OVS2 and ENV1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and the West Berkshire Supplementary Planning Document Quality Design Part 5 – External Lighting.

12. No development shall commence until proposals for the ecological enhancements (as outlined in Section 5.2.2 of the Code for Sustainable Homes Ecological Assessment by Middlemarch Environmental Ltd dated August 2011, and the Proport Eco-Services report submitted on 10<sup>th</sup> February 2012) have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first brought into use until those ecological enhancements have been implemented in accordance with the approved details.

Reason: In the interests of promoting biodiversity measures, in accordance with Policy ENV9 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and guidance contained with PPS9.

13. No development shall commence until full details of planting species, ground cover mixes and seed mixes for the 'turf' above the bedroom wing have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any details shown on the approved plans. Thereafter, the development shall be carried out in accordance with these approved details in the spring or autumn following the implementation of development.

Reason: In the interests of visual amenity and in the interest of biodiversity in accordance with Policy NRM5 of the South East Plan 2009, Policies OVS2 and ENV9 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007, and the guidance contained with PPS9.

14. No development shall commence until details of the location and sizes of underground rainwater harvesting storage tank, new septic tank and reed bed have been submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with these details.

Reason: The final components of these measures have not been provided and are essential elements to the acceptability of the scheme. This is in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

15. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include measures during the construction process to minimise the amount of dust generated, minimise the amount of noise generated, identify the hours of operation and timing of deliveries, phasing of construction, specify construction

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traffic haul routes and potential numbers and travel and parking arrangements for construction workers. The approved Construction Management Plan shall be implemented in full for the full duration of the construction activity relating to this permission at the site.

Reason: In the interests of the amenities of neighbours of this site in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

16. Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revision), no additions or extensions to the dwelling shall be built or ancillary buildings or structures erected within the curtilage, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the overdevelopment of the site and to safeguard the amenities of neighbouring properties in accordance with Policy CC6 of the South East Plan 2009 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

### Informatics

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

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

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

### **59(3) Application No. & Parish: 11/02728/FULD - Green Gates, The Street, Mortimer Common**

Agenda Item 4(3) concerning Planning Application 11/02728/FULD in respect of the construction of new chalet bungalow and garage, demolition of outbuilding and formation of new vehicular access to the rear of the existing house was deferred. The item was therefore not discussed and would be rescheduled.

### **59(4) Application No. & Parish: 11/02602/FULD - Former Applecroft, Bethesda Street, Upper Basildon**

Agenda Item 4(4) concerning Planning Application 11/02602/FULD in respect of the erection of a detached house on plot 1 was deferred. The item was therefore not discussed and would be rescheduled.

### **60. Appeal Decisions relating to Eastern Area Planning**

Members noted the outcome of appeal decisions relating to the Eastern Area.

Councillor Royce Longton queried whether the approval of two blocks of 30 affordable residential flats in Padworth would contribute to the housing allocation for the area. David Pearson agreed to forward this question to the Planning Policy Team for a response.

**61. Emergency Item for Decision - 11/00985/FUL, Whitchurch Bridge, Whitchurch Road, Pangbourne**

The Committee considered an emergency item for decision concerning Planning Application 11/00985/FUL, Whitchurch Bridge, Whitchurch Road, Pangbourne, Reading. This application was granted planning permission at the Eastern Area Planning Committee on 7 December 2011.

David Pearson reminded Members that permission was granted with an expectation that the Section 106 Agreement would be signed by 7 March 2012. The agreement was being progressed, however completion was expected to be delayed and an extension was therefore requested until 28 March 2012. Should the agreement fail to be completed by that date, then that would be the sole responsibility of the applicant and the application could be refused. Sharon Armour explained that while it was possible that the agreement could be completed by 7 March 2012, a delay would reduce the level of risk.

Councillor Richard Crumly asked for some clarity on the reasons behind the delay and Sharon Armour was of the understanding that this related to ongoing discussions between Highways and the applicant, which had led to a delay before Legal Officers were instructed. Gareth Dowding added that this involved the undertaking of a traffic count.

Councillor Royce Longton proposed to accept the extension recommended by Officers. This was seconded by Councillor Alan Macro.

**RESOLVED** that an extension of the deadline be agreed for the completion of the S106 agreement in respect of application 11/00985/FUL until Wednesday 28 March 2012 and that should the S106 agreement fail to be completed by this date the alternative resolution to refuse the application would be implemented.

**62. Site Visits**

A date of 15 March 2012 at 9.30am was agreed for site visits if necessary. These visits would cover planning applications for both the next Committee on 21 March 2012 and the special meeting on 4 April 2012 which would consider the IKEA application. The IKEA site visit would be scheduled last, to allow for additional time on the site.

Councillor Brian Bedwell suggested, to those Members not familiar with the IKEA site, that it would be useful, if possible, to arrange a further visit between 5-5.30pm on a weekday evening or on a Saturday afternoon to experience the site during a busy period.

It was added for Members information that an alternative venue would be sought for the meeting on 4 April 2012.

*(The meeting commenced at 6.30pm and closed at 7.15pm)*

**CHAIRMAN** .....

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