

# **EASTERN AREA PLANNING COMMITTEE**

## **MINUTES OF THE MEETING HELD ON 25 JANUARY 2006 AT THE CALCOT CENTRE, CALCOT**

**Committee:** Brian Bedwell (Chairman) (P)), Peter Argyle (P), Keith Chopping (P), John Farrin (P), Owen Jeffery (SP), Keith Lock (SP), Royce Longton (AP), Alan Macro (P), Tim Metcalfe (Vice-Chairman (P)), Joe Mooney (P), Irene Neill (P), Graham Pask (P), Terry Port (P), Paul Pritchard (AP)

**Ward Members also in attendance:** Councillor Chris Webber

**Also present:** Sarah Clarke, Paul Goddard, Clive Inwoods, David Pearson, Linda Pye

### **PART I**

#### **99. APOLOGIES.**

Apologies for inability to attend the meeting were received on behalf of Councillors Royce Longton and Paul Pritchard.

Councillor Owen Jeffery substituted for Councillor Pritchard and Councillor Keith Lock substituted for Councillor Longton.

#### **100. MINUTES.**

The Minutes of the meeting held on 14<sup>th</sup> December 2005 were approved as a true and correct record and signed by the Chairman.

#### **101. DECLARATIONS OF INTEREST.**

Councillor John Farrin declared an interest in Agenda Item 4(2) and reported that, as his interest was personal and prejudicial, he would be leaving the meeting during the course of consideration of the matter.

Councillor Keith Chopping declared an interest in Agenda Item 4(8), but reported that, as his interest was personal and not prejudicial, he was permitted to take part in the debate and vote on the matter.

#### **102. APPLICATION NO. 04/01219/FULMAJ - LAKESIDE, THEALE.**

The Planning Officer reported that the application for Lakeside, Theale had been deferred in order that further consultation could take place with the Health and Safety Executive and that it would be brought back to Committee at a later date.

#### **103. APPLICATION NO. 05/02003/RESMAJ - MINISTRY OF DEFENCE AWE, ALDERMASTON, READING.**

*(Councillor John Farrin declared a personal and prejudicial interest in Agenda Item 4(2) by virtue of the fact that the applicant was known to him. As his interest was personal and prejudicial, he left the meeting during the course of consideration of the matter).*

The Committee considered a report (Agenda Item 4(2)) concerning Application 05/02003/RESMAJ in respect of Notification of Proposed Development submitted under Circular 18/84 for a Replacement Laser Research Facility (ORION).

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In accordance with the Council's Constitution, Mr. Peter Burt, Ms. Sian Jones and Ms. Angela Broome, objectors, and Mr. Chris Simpkins and Mr. Jonathan Brown, agents, addressed the Committee on this application.

Mr. Burt in addressing the Committee raised the following points:

- Mr. Burt reported that the application had been deferred at the last meeting to allow consideration of the Site Development Context Plan 2005-2015 and the Strategic Sustainability Appraisal which related to the wider development of the site;
- Mr. Burt felt that these documents should have been available at the time when the outline application had been considered and it was a shame that AWE had submitted them at this late stage;
- Many of the previous issues had not been addressed and Mr. Burt felt that there would be value in considering these concerns at a Planning Inquiry;
- The development would have a significant negative impact on the area due to the size of the proposed building;
- ENV.18 stated that development outside settlements should only be allowed if it enhanced the environment and appearance of the area;
- The proposed development was a significant increase in scale in comparison to what was currently on site;
- Mr. Burt felt that the developers needed to reassess the proposal.

Ms. Jones in addressing the Committee raised the following points:

- Ms. Jones urged the Committee to use their powers under Circular 18/84 and asked them not to support the proposal;
- She asked the Committee to refer the application back to the MoD for a Public Inquiry due to the large number of objections to the proposal;
- She noted that this was a major project and the size of the development would be unacceptable - similar in scale to Terminal 5 at Heathrow which had been the subject of a Public Inquiry;
- The development had wider implications and would impact nationally and beyond the Berkshire borders.

Mr. Simpkins in addressing the Committee raised the following points:

- Mr. Simpkins informed the Committee that he worked for RPS who were advising AWE on this application;
- The proposals which were being considered at this meeting were only to determine the physical appearance of the building and landscaping proposals;
- Requests had been made at the last meeting in November for further information on landscaping, traffic impact and emissions and this had been provided;
- It was hoped that the building would become a centre of excellence which would excite visitors and employees;
- The building achieved a high standard of design and appropriate materials would be used;

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- Mr. Simpkins acknowledged the passionate views of the objectors but felt that they were not relevant in respect of the external appearance of the building;
- The Committee were not obliged to refer the matter to a Public Inquiry;
- This application would provide the finishing touches to the development of the laser facility which was approved at Committee two years ago.

In considering the above application Members noted that the size of the proposed building was slightly smaller than the size which had already been approved with the outline application. Some Members expressed concerns about the design and size of the building which they felt would have an adverse impact on the countryside. Mr. Simpkins responded that the design reflected the proposed function and had been designed to reflect scientific excellence. A building of this size would always be visible and the idea had been not to hide the building but rather to exploit that visibility. However, some Members felt that the design was of a high standard and had an attractive external appearance. Members were reminded that this was just the beginning of a 20 year programme of development on the site and that it would have a considerable impact on the area. The Chairman responded that a Working Group had been set up involving Officers and Members to work with AWE on future developments and extensive public consultation would be undertaken on any proposals.

Members acknowledged that the principle had already been accepted and that only reserved matters in respect of the design and appearance of the building were being considered in this application. The Committee confirmed that they would therefore support the Officer recommendation.

**RESOLVED that the Head of Planning and Transport Strategy be authorised to raise no objections to the Notice of Proposed Development for a replacement laser research facility.**

### **Informatives:**

1. Surface water control measures shall be carried out in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: To prevent the increased risk of flooding and to improve water quality.

2. No development approved by this planning permission shall be commenced until:

(a) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken.

(b) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

Reason: To ensure that the proposed site investigations and remediation will not cause pollution of Controlled Waters.

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3. The Environment Agency is not aware of any watercourses on the site, but should there be any, they advise that:
  - (a) they should not be culverted; and
  - (b) a buffer zone is left on either side of any watercourse; and
  - (c) culverted watercourses should not be built over, but should ideally be opened up and made a feature of the site.
4. The applicant's attention is drawn to the informatives attached to the Local Planning Authority's consultation response in respect of Notification 04/00945/OUT dated 23<sup>rd</sup> June 2004.

### **104. APPLICATION NO. 05/02903/RESMAJ - FORMER MOD STORAGE DEPOT (KNOWN AS KENNET HEATH), STATION ROAD, THATCHAM.**

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 05/02903/RESMAJ in respect of reserved matters for outline planning permission 156710 for the western part of spine road including footways, bus gate and emergency access.

In accordance with the Council's Constitution Ms. Paula Carney, agent, addressed the Committee on this application.

Ms. Carney in addressing the Committee raised the following points:

- Ms. Carney reported that following discussions between the developers and the Council a static sump-crusher bus gate had been installed. However, the bus gate had not proved to be successful and the developers had been asked to redesign;
- A meeting had subsequently been held with residents and Officers and they had asked for the provision of a rising bollard bus gate;
- Ms. Carney confirmed that this was the option that residents were in favour of.

The Committee reported that a considerable effort had been put in by Members, Officers and the developers to move this issue forward. Local residents were also keen on this option. Members confirmed that they were happy to support the Officer recommendation provided that the comments from Spokes could be incorporated which were mainly changes to kerbing in order to facilitate cycles on the estate. The Highways Officer confirmed that this was possible and would be covered by Condition 2 which stated that "drawings were to be submitted ...". Councillor Jeffery asked if the Thatcham South & Crookham Ward Members could be consulted on the detailed proposals and this was agreed.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to grant conditional permission subject to no further significant issues arising from consultation, and subject to the completion of a variation to the legal agreements relating to outline consent 156710 for this site before 14<sup>th</sup> February 2006 to provide for the replacement bus gate in the form of a rising bollard system and to secure an additional financial contribution for installation and maintenance, subject to the following conditions:

1. The development shall be started on or before whichever is the later of the following dates:
  - (a) five years from the date of the outline permission;

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(b) two years from the date of this decision.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies DP5 of the Berkshire Structure Plan 2001-2016 and OVS2 of the West Berkshire District Local Plan 1991-2006 should it not be started within a reasonable time.

2. The bus gate shall be constructed in accordance with the drawings to be submitted and approved by the Local Planning Authority.

Reason: In accordance with Policy TRANS.2 and TRANS.5 of the West Berkshire District Local Plan 1991-2006 and to ensure the provision of an effective bus gate.

Informative: This reserved matters consent amends part of the spine road details approved pursuant to reserved matters consent refs 02/00987/RESMAJ and 02/00986/RESMAJ approved on 7<sup>th</sup> May 2002.

### **105. APPLICATION NO. 05/02568/RESMAJ - FORMER MOD STORAGE DEPOT (KNOWN AS KENNET HEATH), STATION ROAD, THATCHAM.**

The Committee considered a report (Agenda Item 4(4)) concerning Planning Application 05/02568/RESMAJ in respect of details pursuant to the outline planning permission ref: 156710 for pods D2, E and F, to provide 317 dwellings and ancillary open space plus residents parking area (8 spaces) adjacent to Braemore Close.

In accordance with the Council's Constitution Ms. Paula Carney, agent, addressed the Committee on this application.

Ms. Carney in addressing the Committee raised the following points:

- This application was for the remaining part of the development;
- An application had been refused last year for 367 developments as it was felt that the density was too high and that there was insufficient open space and local infrastructure;
- Ms. Carney hoped that the revised application addressed those issues;
- This application was for 317 dwellings which was 50 less than the previous application and reduced the density on the west side of the site;
- The reduction in the number of dwellings would mean that there were more areas available for open space and which would meet the standards of the Playing Fields Association;
- In respect of infrastructure, Section 106 contributions would be made towards local transport, education, healthcare and the installation and maintenance of the bus gate;
- A parking court for the provision of 8 parking spaces for residents of Braemore Close would be provided free of charge.

Members clarified that they had not been involved directly in negotiations with the developer. Officers had taken the views of Members and passed them on to the developer. The Committee noted that the whole site had now been dealt with and that the number of dwellings across the site would be fixed. The development as a whole would mean a 10% increase in the population of Thatcham. They felt that the improved layout and the reduction in density

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allowed for more open space areas and a better design of properties. Members hoped that the developer would now withdraw the appeal in respect of the previous application as they currently had the support of the community and Ward Members. The Committee had felt very strongly about the density of the development, the lack of open space and insufficient local infrastructure last time and Members felt that this was a key element in ensuring that the developer looked at the application again. In respect of the parking places for Braemore Close, Councillor Paul Pritchard had recently informed Councillor Jeffery that only 5 of the 8 residents had responded. He asked that Ward Members had an opportunity to contact the remaining three residents in order to obtain a response as to whether the parking places were required or not. If not then they could be used as open space areas.

The Planning Officer responded that the approval needed to be given with no uncertainty and that negotiations in respect of the parking places would take the application over the determination date. He proposed that the application be determined with the provision of 8 parking bays. If all of the parking bays were not required a minor application could be submitted at a later date to change the use of the three bays.

In considering the above application Members thanked all the companies and Officers involved with this application as they felt that they had listened to the concerns of Members and residents and had taken these issues on board and addressed them. They hoped that residents on this estate would have a greater quality of life and they hoped that the appeal on the previous application would be withdrawn.

**RESOLVED** that subject to the completion of a variation to the legal agreements relating to outline consent 156710 for this site before 14<sup>th</sup> February 2006 to secure contributions as follows:

- Phased payment of additional contributions towards new/extended educational facilities calculated in accordance with the outline legal agreement
- Payment of additional contributions to address the transport impact of the development calculated on the basis of £1,650 per additional dwelling over 700 dwellings.
- Payment of an additional contribution of £50,000 towards the costs of construction, installation and maintenance of the bus gate in accordance with the revised plans approved under application 05/02903 or as otherwise agreed with the Local Planning Authority.
- Provision at the developers expense of the laying out and maintenance of the school playing field land adjacent to the application site
- Provision of the Neighbourhood Equipped Area of Play in accordance with the provisions of the outline legal agreement to a value of not less than £180,000 the works to be carried out by a Council approved contractor.

The Head of Planning & Transport Strategy be authorised to grant reserved matters consent for the siting, design, external appearance and landscaping of Development Pods D2, E and F (317 dwellings) subject to the following conditions:

1. The development shall be started on or before whichever is the later of the two following dates:

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- (a) five years from the date of the outline permission;
- (b) two years from the date of this decision.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policies DP5 of the Berkshire Structure Plan 2001-2016 and OVS2 of the West Berkshire District Local Plan 1991-2006 should it not be started within a reasonable time.

2. The development permitted shall hereby be carried out in accordance with plan numbers:

B.0148\_03A, 04/771/520, 04/771 - SK 605, 04/771 - SK 606, 04/771 - SK 607, 04/771 - SK 608 04/771 - SK 609, 04/771 - SK 610, 04/771 - SK 611, 04/771 - SK 612, 04/771 - SK 613, 04/771 - SK 614 04/771/521, 04/771 - SK 621, 04/771 - SK 622, 04/771 - SK 623, 04/771 - SK 624, 04/771 - SK 625, 04/771 - SK 627, 04/771 - SK260, 04/771 - SK261, 04/771 - SK262, 04/771 - SK263, 04/771 - SK211, 04/771 - SK212, 04/771 - SK213, 04/771 - SK214, 04/771 - SK215, 04/771 - SK216, 04/771 - SK217, 04/771 - SK218, 04/771 - SK219, 04/771 - SK220, 04/771 - SK221, 04/771 - SK222, 04/771 - SK223, 04/771 - SK224, 04/771 - SK225, 04/771 - SK226, 04/771 - SK227, 04/771 - SK228, 04/771 - SK230, 04/771 - SK231, 04/771 - SK232, 04/771 - SK233, 04/771 - SK234, 04/771 - SK235, 04/771 - SK236, , 04/771 - SK237, 04/771 - SK238, 04/771 - SK239, 04/771 - SK240, 04/771 - SK241, 04/771 - SK242, 04/771 - SK243, 04/771 - SK244, 04/771 - SK245, 04/771 - SK246, 04/771 - SK247, 04/771 - SK248, 04/771 - SK249, 04/771 - SK250, 04/771 - SK251, 04/771 - SK253, 04/771 - SK254, 04/771 - SK255, 04/771 - SK256, 04/771 - SK257, 04/771 - SK22459, K,0114\_02, B.0148\_19, B.0148\_09-1 and Zones F1 and F2 House Type Drawings received 15<sup>th</sup> November 2005,

B.0148\_06D, 04/771-SK505E, 04/771-SK510, 04/771 - SK501F, 04/771 - SK511, 04/771 - SK267, B.0148\_05-13revA, K.0114\_03-13revA, JWR.1200-900-01 Rev A, JWK.1200-900-02 Rev A, JWB.3006-900-01 Rev A, JWK.0212-900-01 Rev A, JWK.0212-900-02, B.0148\_11D received 23<sup>rd</sup> December 2005,

B0148\_02E, B.0148\_18E, K.0114\_01H received 13<sup>th</sup> January 2005,

Reason: To ensure that this permission relates to the revised plans only, where they differ from the originally submitted plans

3. No development shall commence in each of the development zones approved under this consent until a scheme for the landscaping of each development zone has been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the principles shown on the approved off-plot planting plans for each development zone and shall include full details of off-plot and on-plot landscaping including a condition survey of all existing trees, 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 scheme within the first planting season following completion of development, or such other time period as may be agreed in writing with the Local Planning Authority;

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- (b) Any trees, shrubs or plants that die, become seriously damaged or die within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with OVS 2 a & b and OVS 3 b.

4. No development or other operations shall commence in each of the development zones approved under this consent until details of the maintenance of the proposed landscape scheme for the development zone has been approved in writing by the Local Planning Authority. The scheme shall include an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- (a) Details of soil preparation, plant protection, watering and weeding.
- (b) Any trees shrubs or plants that die, become seriously damaged or die within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with OVS 2 a & b and OVS 3 b.

5. No development or other operations shall commence in each of the development zones approved under this consent until a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall include any areas of existing landscaping including woodlands and also include any areas of proposed landscaping other than areas of private gardens.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with Policy OVS 2 a & b and OVS 3 b.

6. No development or other operations shall commence on site until a landscape management plan including long term design objectives management responsibilities and maintenance schedules for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall include any areas of existing landscaping including woodlands and also include any areas of proposed landscaping other than areas of private domestic gardens.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of OVS 2 a & b and OVS 3 b.

7. No development or other operations shall commence on site until details of a tree and landscape protection scheme have been submitted and approved in writing by the Local Planning Authority. The scheme shall include positions and specifications of temporary fencing to be erected and no excavations for services, storage of materials, parking of vehicles, excavation of soils or materials shall take place within the area designated as being protected.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of OVS 2 b.

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8. This approval relates solely to the reserved matters relating to the siting, design, and external appearance of 317 dwellings within development pod D2, E and F of this site, referred to in Condition No. 2 of the outline planning permission granted on Notice of Decision No. 156710 dated 30<sup>th</sup> October 2001. Nothing contained in this Notice of Decision shall be deemed to affect or vary the conditions imposed on that outline planning permission.

Reason: The reserved matters cannot be considered separately from the permission to which they relate and the conditions imposed on the outline permission are still applicable, in order to comply with the provisions of the Development Plan.

9. Notwithstanding the provisions of the current Town and Country Planning General Development Order, no additions or extensions to the dwellings shall be built or material alterations made to the elevation of the property fronting onto a highway, including the addition of gates or doors unless permission has been granted by the Local Planning Authority on an application made for the purpose. Any gates which are provided must be inward opening.

Reason: To prevent the overdevelopment of the site and to safeguard the amenities of adjoining properties and in the interests of highway safety and visual amenity, in accordance with Policies EN1 and LD3 of the Berkshire Structure Plan 1991 -2006 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006.

10. Prior to the commencement of any of the development pods hereby approved, details of external lighting to all parking courts shall be submitted and approved in writing by the Local Planning Authority. Following approval, such lighting shall be installed prior to occupation of the dwellings served by the parking courts.

Reason: In order to provide for the safety and security of residents and users of the parking courts.

11. Prior to the commencement of any development hereby approved, the applicant shall submit to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of dust from the development. Such measures shall be put in place and maintained throughout the course of construction of the development.

Reason: In the interests of the amenities of neighbouring occupiers.

12. Notwithstanding any indications on the approved plans, the existing security fence on the northern boundary of the site shall be maintained throughout the course of construction of the units adjoining that boundary and any replacement boundary treatment approved in accordance with details approved in accordance with condition 6 of outline consent 156710 shall not be implemented until the dwellings adjacent to the northern boundary of pod E are substantially complete.

Reason: In the interests of the amenities of neighbouring occupiers.

13. Notwithstanding the provisions of the current Town and Country Planning General Development Order, no windows of other openings shall be inserted above first floor level in any of the dwellings on the northern

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boundary of pod E (plots 89-101 inclusive). No windows or other openings shall be inserted at first floor level on the side (north) elevation of plots 40 and 41 of pod E.

Reason: In the interests of the amenities of neighbouring occupiers

14. 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 accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006, and in the interest of road safety and flow of traffic.

15. As a first development operation the access(es) shall be constructed in accordance with details to be submitted to and approved by the Local Planning Authority, and in compliance with the requirements of the Highway Authority for work carried out within the public highway.

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

16. No dwelling shall be taken into use until the roads and private drives serving them have been provided in accordance with the approved drawing(s) to the satisfaction of the Local Planning Authority.

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

17. The areas of land between the forward visibility curves shown on the approved drawing(s) and the highway boundary shall be kept free of all obstructions to visibility above a sightline height of 0.6 metres from the surface of the carriageway.

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

18. The visibility splays shown on the approved drawing(s) shall be provided with those areas, thereafter being kept free of all obstructions to visibility over a height of 0.6 metres above carriageway levels.

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

19. No dwelling shall be taken into use until the vehicle parking and turning space (for private motor cars and/or light goods vehicles) has been provided for the dwelling in accordance with a plan to be submitted to and approved by the Local Planning Authority.

Reason: In accordance with Policy TRANS 1 of the West Berkshire District Local Plan 1991 - 2006, and to ensure the development is provided with adequate parking facilities in order to reduce roadside parking which would be a danger to other road users and to ensure vehicles enter and leave the highway in forward gear.

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20. Cycle parking shall be provided in accordance with the drawings to be approved. The areas shall, unless agreed in writing by the Local Planning Authority, be kept available for the parking of cycles at all times.

Reason: In accordance with Policy TRANS 4 of the West Berkshire District Local Plan 1991-2006, and to ensure the development reduces reliance on private motor vehicles and assists with security of cycles.

21. A temporary parking area and turning space shall be provided and maintained concurrently with the development of the site, in a position to be agreed, until the proposed carriageway, parking, turning areas and drives have been constructed.

Reason: In accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006, and to ensure the development is provided with adequate parking facilities during the construction period, in order to minimise the incidence of roadside parking which would be a danger to other road users.

22. The garages shall be used solely for purposes incidental to the use of the dwelling(s). No trade, business or commercial enterprise of any kind whatsoever shall be carried out in or from the garages.

Reason: In accordance with Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006, and to ensure that the Local Planning Authority's vehicle parking standards are complied with and in the interest of road safety.

23. Details shall be made available to all first occupiers of the dwellings regarding the location of local facilities with details of local transport facilities.

Reason: In accordance with Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006, and to encourage cycling, walking and use of public transport.

24. Notwithstanding any indications on the approved layout plans for zone F2, details of a revised parking layout for plots 43-48 inclusive shall be submitted to and approved by the Local Planning Authority before commencement of development in that zone.

Reason: In accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006, and to ensure the development is provided with an appropriate parking layout.

25. No dwelling approved under this consent shall be occupied until the works to amend the layout of the western part of the spine road, including footways, bus gate and emergency access as detailed in application 05/02903/RESMAJ or as otherwise agreed with the Local Planning Authority have been completed to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety and to provide for a satisfactory scheme of access in accordance with Policy OVS 2, TRANS.1 and TRANS.2 of the West Berkshire District Local Plan 1991-2006.

**Additional Informative:**

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Your attention is drawn to the requirement set out in condition 16 of outline consent reference 156710 for full details of foul and surface water drainage to be submitted and approved by the Local Planning Authority prior to commencement of development within pods D2, E and F approved under this consent. The submitted details shall include full details of the culverted watercourse within pod F2 together with plans and details showing appropriate mitigation measures to compensate for the loss of this watercourse.

### **106. APPLICATION NO. 05/02355/HOUSE - 4 WHITE HART COTTAGES, HIGH STREET, STREATLEY, READING, BERKSHIRE, RG8 9JE.**

The Committee considered a report (Agenda Item 4(5)) concerning Planning Application 05/02355/HOUSE in respect of a single storey bedroom and bathroom extension.

In accordance with the Council's Constitution Mr. George Jamieson, Parish Council representative, Mr. Ivan Scott, objector, and Mr. A. Kayley, agent, addressed the Committee on this application.

Mr. Jamieson in addressing the Committee raised the following points:

- The Parish Council recognised that this would not be a major development;
- The location of the extension outside the Settlement Boundary would raise issues in respect of interpretation of Local Plan Policies;
- The proposed extension did not accord with any of the exemption policies;
- The proposed extension would be in the Conservation Area and would be out of keeping with the existing cottage and adjacent buildings;
- The materials proposed for the extension were not complementary to the existing cottage;
- The proposed development would be visually intrusive;
- If allowed it would strengthen the case for other applications outside the Settlement Boundary;
- One of the main issues raised in the Streatley Parish Plan Survey was the number of applications outside the Settlement Boundary.

Mr. Scott in addressing the Committee raised the following points:

- Mr. Scott was a Committee Member of the Streatley Preservation Action Group;
- One of the functions of the Action Group was to prevent development outside of the Settlement Boundary;
- He disputed Officer's comments that the proposed extension would not have a significant impact and would not set a precedent;
- Ad hoc outbuildings were eroding the village envelope;
- Appeals on other applications for development outside the Settlement Boundary had been refused as it was felt that they would set a precedent;
- Some sheds and outbuildings which were outside the Settlement Boundary had been erected before the Settlement Boundary had been drawn.

Mr. Kayley in addressing the Committee raised the following points:

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- The proposed extension was to add a master bedroom onto the existing Cottage;
- The proposed extension was a flat roof solution which was modern, sympathetic in style and high quality materials would be used which matched the existing Cottage;
- Mr. Kayley felt that the Officer's report was fair and well presented and he asked the Committee to support the application.

Councillor Chris Webber, as Ward Member, stated that he had received lots of comments and letters on this application. Many of the main points had been covered by both the Parish Council and the objector. Councillor Webber reported that his main concern was the precedent that this application might set in Streatley. He reported that a large development company had acquired a large area of land which was outside the Settlement Boundary and the residents of Streatley were concerned that if this application were to be approved it would give leverage to others for future applications. He disagreed with the Officer's comments that it would not have an adverse impact and detrimental effect on the area and he asked the Committee to think carefully about what precedent they might be setting.

In considering the above application Members asked for clarification on whether this was an extension to an existing dwelling. The Planning Officer confirmed that it was and reminded Members that the Planning Act allowed some extensions to dwellings without planning permission being requested - namely 50m<sup>3</sup> or 10% of the existing dwelling in the AONB. Officers had also worked with the applicants to address the issue of the Settlement Boundary. Members enquired about the materials to be used for the extension and whether they matched the existing dwelling. The agent responded that the existing dwelling was Edwardian with dark red brick and blue brick banding and these bricks would be used for the extension. There were leaded windows in the existing dwelling but, due to the flat roof style of the extension these type of windows would not be used but windows would match existing. The agent confirmed that all materials had been discussed and agreed with the Conservation Officer.

Discussion took place between Officers and Members in order to clarify exactly where the line of the Settlement Boundary was on the plans and the meeting was adjourned for a few minutes to give Members the opportunity to look at the plans on the display boards.

Members noted that the original dwelling was inside the Settlement Boundary but that part of the proposed extension would be outside the Settlement Boundary. The whole of the curtilage was inside the Area of Outstanding Natural Beauty and Conservation Area. Members felt that there was a dilemma as part of the extension broke the line of the Settlement Boundary and the site was also in a Conservation Area. Conservation Area status was not given lightly and there were some aspects of this application which could have repercussions. Concerns had been raised in the early 1990's when the Settlement Boundaries were drawn up and the majority of the lines had been drawn around the outside of residential curtilages. However, this one was unusual in that the line had been drawn through the garden of this property. Members did not feel comfortable with the way that this application breached the Settlement Boundary and also the fact that it was in a Conservation Area. They asked that in future Planning Officers should make it clear on the map attached to the agenda where boundary lines

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were drawn. Members felt that a site visit would be beneficial in this instance in order that they could be clear on the impact of the proposal and it was therefore suggested that this application be deferred.

**RESOLVED** that this application be deferred to the next Committee meeting following a site visit.

### **107. APPLICATION NO. 05/02359/FULD - LAND TO REAR OF SERENA, BIRCH LANE, MORTIMER COMMON.**

The Committee considered a report (Agenda Item 4(6)) concerning Planning Application 05/02359/FULD in respect of the erection of one detached four bedroom dwelling and passing bay.

In accordance with the Council's Constitution Mr. J.W. Morden, Parish Council representative, and Mr. Alistair Harris, agent, addressed the Committee on this application.

Mr. Morden in addressing the Committee raised the following points:

- The ownership of land to be used for the passing bay was vested in the properties on the other side of the lane and Mr. Morden queried whether this could be taken as highway land;
- Mr. Morden felt that it was important to ensure that the passing bay had been constructed prior to the commencement of the development.

Mr. Harris in addressing the Committee raised the following points:

- Mr. Harris reported that there was a long planning history on this site;
- The principle of a two storey dwelling had been accepted;
- The current application had been designed to address the issues raised previously;
- The overall floorspace had been reduced by 60sq.m.;
- The proposed dwelling would be the same height as that approved by the Inspector on appeal, however, the two storey element would be 2m further from the rear boundary of "Glengarry" and would therefore have less of an impact;
- The passing bay was being constructed at the request of the Highways Officer and the applicant would be happy to move the location if necessary.

The Committee noted that the proposed dwelling was slightly smaller and the second storey was to be built further away from the neighbouring property and would therefore have less of an impact on the surrounding area. However, they felt that it was essential that the passing bay was provided prior to the commencement of the development.

The Highways Officer clarified that the ownership of land and highway rights were different. Private land often had highway rights where the land had had unfettered access for a period of time. He confirmed that colleagues in Highways had spoken to the landowner who was satisfied with the situation. The Highways Officer confirmed that Condition 4 in respect of the construction of the passing bay would be rigorously enforced.

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In considering the above application Members felt that Condition 10 provided some protection in respect of the provision of openings in the roof but requested that permitted development rights should be withdrawn.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to grant conditional planning permission.

1. The development should be started within three years from the date of this permission and implemented strictly in accordance with the approved plans

Reason: To enable the Local Planning Authority to review the desirability of the development in accordance with policies contained within the Development Plan should it not be started within a reasonable time.

2. Samples of the materials to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority before development starts. 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 the submission of samples of glass, plastic and mortar materials.

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

3. The development hereby approved shall be carried out in accordance with drawing numbers BL/001 and B/L002 received on the 24<sup>th</sup> October 2005, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against policies DP5, DP1 and H3 of the Berkshire Structure Plan 2001-2016 and OVS2, HSG4 and HSG1 of the West Berkshire District Local Plan 1991-2006.

4. The passing bay indicated on drawing number BL/002 received on 24<sup>th</sup> October 2005 shall be constructed before any development commences in connection with the dwelling hereby approved.

Reason: In the interests of road safety and traffic movement in accordance with policy OVS2 of the West Berkshire District Local Plan 1991-2006.

5. Details of floor levels in relation to existing and proposed ground levels shall be submitted to and approved in writing by the Local Planning Authority before development commences, and the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with Policy DP5 of the Berkshire Structure Plan 2001-2016 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006

6. No development or other operations shall commence on site until a scheme for the landscaping 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:

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- (a) Completion of the approved landscape scheme within the first planting season following completion of development.
- (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.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policy OVS2 (a & b) and OVS 3 (b) of the West Berkshire District Local Plan 1991 - 2006.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no additional windows inserted at first floor level in the northeast or southwest elevations and no extension of the building hereby permitted. The window at first floor level in the southwest elevation of the dwelling shall be fitted with obscure glass before the dwelling is occupied and the obscure glazing shall be retained in position thereafter.

Reason: In the interests of the amenity of neighbouring properties in accordance with Policies DP5 of the Berkshire Structure Plan 2001-2016 and OVS2 of the West Berkshire District Local Plan 1991 - 2006.

8. No development or other operations shall commence on site until details of a tree and landscape protection scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include specifications and positions of temporary fencing to be erected and no excavations for services, storage of materials, parking of vehicles, excavation of soils or materials shall take place within the area designated as being protected. The development shall be carried out and remain in strict accordance with the approved details.

Reason: To ensure the protection of trees and shrubs identified for retention at the site in accordance with the objectives of Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

9. Prior to the commencement of the development details of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and the development hereby approved shall be carried out in strict accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy DP5 of the Berkshire Structure Plan 2001-2016 and Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

10. Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no additional windows or openings shall be inserted in the roof of the dwelling without the written permission of the Local Planning Authority.

Reason: To prevent overlooking of adjoining properties and in the interests of the amenity of neighbouring properties in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006.

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11. Withdrawal of permitted development rights for extensions.

### **108. APPLICATION NO. 05/02370/OUTD - THE HOMESTEAD, HOLLYBUSH LANE, BURGHFIELD COMMON, READING.**

The Committee considered a report (Agenda Item 4(7)) concerning Planning Application 05/02370/OUTD in respect of the construction of five residential properties following the demolition of the existing dwelling.

In accordance with the Council's Constitution Mr. Patrick Foran, objector, and Mr. Ed Jones, applicant, addressed the Committee on this application.

In introducing this item the Planning Officer reported that this application was exactly the same as the previous application which had gone to appeal. However, the Inspector had discounted the first five reasons for refusal and had only upheld the appeal on the sixth reason in respect of s106 contributions. The Planning Officer therefore advised that this application would be difficult to defend at appeal if the Committee were minded to refuse the application again unless any new reasons for refusal were identified as the financial contributions issue had now been resolved.

Mr. Foran in addressing the Committee raised the following points:

- Mr. Foran confirmed that he was speaking on behalf of the petitioners;
- The objections to the application were the same as before i.e. density, protection of local bat population, highway network, protection of newts, noise and disturbance;
- The trees on the site were protected by a Tree Preservation Order (TPO) but it was proposed that 10 trees would be removed. Only one Order had been issued on the site and that was a group Order covering all the trees;
- There was the potential for great crested newts to be present on the site;
- There had been eight accidents, one of which had been a fatality, in the vicinity of the application site;
- The number of individual access points would be detrimental to road safety;
- There were a number of gardens that did not comply with the set minimum standards;
- A proper daylight/sunlight survey should be undertaken.

Mr. Jones in addressing the Committee raised the following points:

- The application was on a brownfield site and within the Settlement Boundary;
- The existing dwelling was not listed and nor was it in a Conservation Area;
- The building was not of value for architectural or historic reasons;
- Mr. Jones confirmed that 14m was the minimum wall to wall distance and that there would be no window to window view and that screening would be provided around the site boundary;
- There would be no harm to any trees that were of merit on the site;
- The TPO refers to specific trees on the site and was not a blanket Order and that the removal of the 10 trees raised no objections from the Council's Tree Officer;

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- The Highways Officer had raised no objections in respect of road safety and the Inspector had felt that the increase in traffic would not be significant;
- An Ecological Survey had found no evidence of newts and limited evidence of bats on the site and had stated that it was not a maternity roost for the bats;
- A Section 106 Agreement had now been signed with contributions made to libraries, healthcare and education etc.

The Committee had a number of concerns in respect of irregularities on this application. It had been stated there was no evidence of newts on the development site, however, their recollection from the previous application was that the survey had been undertaken out of season. Mr. Foran also claimed he had evidence that great crested newts were evident on the site. There also appeared to be misleading statements in respect of the Tree Preservation Orders. There seemed to be a difficulty in confirming whether the amended Tree Preservation Order had been served correctly and all the relevant people consulted. Members also raised concerns in respect of the daylight levels. An assessment had concluded that sufficient daylight would be able to penetrate into the rear of plots 4 and 5 and therefore some pruning of trees would have to take place as the figures from the Tree Officer disputed that fact.

The Planning Officer responded that the amended Tree Preservation Order as modified only covered specific trees and was not a blanket Order on the whole site. The Tree Officer had not raised any objections to the proposed development and it was understood that the modified Order was in place. It was also clear that in considering the appeal the Inspector was of the view that the removal of trees in the centre of the site was acceptable. The Council's Ecological Officer had recommended three conditions which included the proviso that an Ecologist would be present on clearance of the site and that any species found on site would be protected.

In considering the above application Members raised concerns in respect of the validity of the Tree Preservation Order and asked for clarification as to whether the Order prevented trees from being pruned. The Legal Officer confirmed that it depended on the terms of the Tree Preservation Order but felt that permission would have to be obtained before any pruning could take place otherwise it would constitute a criminal activity. Councillor Farrin noted that the plans on the amended Tree Preservation Order had not been stamped or signed by the Legal Department as was the case on the original Order and again questioned the validity of the amendment. The Planning Officer was confident that the amendment was modified during the confirmation process and that in any event the process was not relevant to this decision given the Inspector's decision. He understood that the amendment existed for specified trees on the site. It was also suggested that the Inspector should have received a copy of the amended Tree Preservation Order when the previous application had gone to appeal.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to grant conditional planning permission subject to confirmation by Legal Services that the amended Tree Preservation Order had been served correctly.

1. The development permitted shall be begun on or before whichever is the later of the following dates:
  - (a) three years from the date of this decision, or

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- (b) the expiration of two years from the final approval of the reserved matters or, in 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 against the current Development Plan should it not be started within a reasonable time.

2. Full details of the design and external appearance of the building(s), landscaping and other works, the ('reserved matters') shall be submitted to the Local Planning Authority not later than the expiration of 3 years beginning with the date of this permission, and shall be approved by the Local Planning Authority before any building or other operations start on site. This condition shall apply irrespective of any indications as to the reserved matters, which have been given in the submitted application and the development shall be carried out in strict accordance with the approved details.

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 in accordance with Policies DP5 and H3 of the Berkshire Structure Plan 2001 - 2016 and Policies HSG1 and OVS2 of the West Berkshire District Local Plan 1991-2006.

3. The development hereby approved shall be carried out in accordance with drawing number TOWN 296(04)003 Rev: ROO, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the approved details.

4. The dwellings hereby approved shall consist of no more than two storeys and the garages hereby approved shall be single storey only.

Reason: To ensure that the development respects the character and appearance of the surrounding landscape and built form in accordance with Policies DP5 and H3 of the Berkshire Structure Plan 2001 - 2016 and OVS2 and HSG1 of the West Berkshire District Local Plan 1991 - 2006.

5. Irrespective of the provisions of the current 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 has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the over-development of the site, to safeguard the amenities of neighbouring properties and to protect the trees within the site in accordance with Policies DP5 and H3 of the Berkshire Structure Plan 1991 -2006 and OVS2 of the West Berkshire District Local Plan 1991 - 2006.

6. No development or other operations shall commence on site until a scheme for the landscaping has been submitted to and approved in writing by the LPA. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities an implementation programme and

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details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

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

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with Policy DP5 of the Berkshire Structure Plan 2001 - 2016 and Policies OVS2 (a & b) and OVS 3 (b) of the West Berkshire District Local Plan 1991 - 2006.

7. No development or other operations shall commence on site until details of a tree and landscape protection scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include positions and specifications of temporary fencing to be erected and no excavations for services, storage of materials, parking of vehicles, excavation of soils or materials shall take place within the area designated as being protected. The approved tree and landscape protection scheme shall be carried out concurrently with the development of the site.

Reason: To ensure the protection of trees identified for retention at the site in with the objectives of Policy DP5 of the Berkshire Structure Plan 2001 - 2016 and Policy OVS2 (b) of the West Berkshire District Local Plan 1991 - 2006.

8. Samples of the materials to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority before development starts. 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 the submission of samples of glass, plastic and mortar materials. The development shall thereafter be constructed with the approved materials, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policies DP5 and H3 of the Berkshire Structure Plan 2001 - 2016 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006.

9. A scheme of fencing and other means of enclosure to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority before building or other operations start and no buildings shall be occupied before the fencing and other means of enclosure have been constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies DP5 and H3 of the Berkshire Structure Plan 2001 - 2016 and OVS2 of the West Berkshire District Local Plan 1991 - 2006.

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10. A scheme for the means of treatment of the hard surfaced areas of the site shall be submitted to and approved in writing by the Local Planning Authority before any development starts on site. No buildings shall be occupied before the hard surfaced areas have been constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of visual amenity in accordance with policies DP5 and H3 of the Berkshire Structure Plan 2001 - 2016 and OVS2 of the West Berkshire District Local Plan 1991 - 2006.
11. Details of floor levels in relation to existing and proposed ground levels shall be submitted to and approved in writing by the Local Planning Authority before development commences, and the development shall be carried out in accordance with the approved levels.  
Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with Policies DP5 and H3 of the Berkshire Structure Plan 2001 - 2016 and OVS2 of the West Berkshire District Local Plan 1991 - 2006.
12. 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 Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.
13. As a first development operation the access(es) shall be constructed in accordance with the approved drawing(s) and in compliance with the requirements of the Highway Authority for work carried out within the public highway.  
Reason: In accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 and in the interest of highway safety
14. No dwelling shall be taken into use until the access(es) have been surfaced with a bonded material across its entire width of the access for a distance of 3 metres, measured back from the carriageway edge. It shall thereafter be maintained.  
Reason: To avoid migration of loose material onto the highway in the interest of road safety in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.
15. No development of the site shall commence until visibility splays of 2.4 metres by 70 metres have been provided at the access onto Hollybush Lane. 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.

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16. No dwelling shall be taken into use until visibility splays of 2.4 metres by at least 2.4 metres have been provided at the junction of the driveway/access and the adjacent footway in Oak Drive. Dimensions to be measured along the edge of the driveway/access and the back of the footway from their point of intersection. The visibility splays shall, thereafter, be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.

Reason: To enable pedestrians to see emerging vehicles and to be seen by their drivers in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.

17. A temporary parking area and turning space shall be provided and maintained concurrently with the development of the site, in a position to be agreed in writing by the Local Planning Authority prior to development commencing on site, until the proposed internal access road has been constructed.

Reason: To ensure the development is provided with adequate parking facilities during the construction period, in order to minimise the incidence of roadside parking which would be a danger to other road users in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006.

18. Prior to the commencement of any development on the site, details (including times) of delivery arrangements, access and parking for construction vehicles and storage of materials and plant shall be submitted to and approved in writing by the Local Planning Authority and such facilities shall be maintained throughout the course of construction, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of securing pedestrian and vehicular safety on the site and the amenity of neighbouring occupiers in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006.

19. Surface water drainage works shall be carried out in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: To prevent the increased risk of flooding in accordance with Policy ENV11 of the West Berkshire District Local Plan 1991 - 2006.

20. The hours of work for all contractors (and sub-contractors) for the duration of the site development, shall unless otherwise agreed in writing by the Local Planning Authority be limited to; 7.30 am to 6.00 pm on Mondays to Fridays, 7.30 am to 1.00 pm on Saturdays, and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding residents in accordance with Policies OVS2 and ENV30 of the West Berkshire District Local Plan 1991 to 2006.

21. Demolition of buildings within the application site shall not be undertaken in the period June to August inclusive, unless otherwise agreed in writing by the Local Planning Authority.

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Reason: To ensure the protection of bat species in accordance with Policy EN3 of the Berkshire Structure Plan 2001 - 2016 and ENV9A of the West Berkshire District Local Plan 1991 - 2006.

22. Prior to works commencing on site, a detailed bat mitigation plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include detailed drawings showing what is proposed as well as a detailed project programme to ensure that there are always bat roosts available during construction. The approved bat implementation plan shall be implemented in full.

Reason: To ensure the protection of bat species in accordance with Policy EN3 of the Berkshire Structure Plan 2001 - 2016 and Policy ENV9A of the West Berkshire District Local Plan 1991 - 2006.

23. A copy of the DEFRA licence required shall be provided to the Local Planning Authority prior to works commencing on site.

Reason: To ensure the protection of bat species in accordance with Policy EN3 of the Berkshire Structure Plan 2001 - 2016 and ENV9A of the West Berkshire District Local Plan 1991 - 2006.

24. During initial site clearance, a qualified ecologist will be on site to ensure that any Great Crested Newts present are removed to a place of safety. The Local Planning Authority will be given 48 hours notice in writing of initial site clearance. For the duration of the development of the site the north western and north eastern sides of the application site shall be fenced with amphibian fencing during the period June to September inclusive.

Reason: To ensure the protection of a protected species in accordance with Policy EN3 of the Berkshire Structure Plan 2001 - 2016 and ENV9A of the West Berkshire District Local Plan 1991 - 2006.

25. The approved bat mitigation works shall be monitored by way of a survey at 3, 6 and 10 years after the completion of the development hereby approved and written reports containing the results of the survey shall be submitted to the Local Planning Authority immediately after each survey.

Reason: To monitor the effectiveness of the bat mitigation measures and to ensure the protection of bat species in accordance with Policy ENV9A of the West Berkshire District Local Plan 1991- 2006.

### **Informatives:**

1. The Highways Manager, West Berkshire Council, Highways & Engineering, Council Offices, Faraday Road, Newbury, RG14 2AF, telephone number 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 applicant's behalf.
2. 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.

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3. The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
4. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Highways Manager, West Berkshire Council, Highways & Engineering, Council Offices, Faraday Road, Newbury, RG14 2 AF, telephone number 01635-519169, before any development is commenced.
5. The Highway Authority has the power, under Section 69 of the Road Traffic Regulation Act, 1984 and amended by the New Roads and Street Works Act, 1991, to enter land and remove any device giving guidance or direction to persons on the highway if, at any time, it should be considered detrimental to road safety.
6. Any temporary signing required as part of this development is to be agreed in writing with the Highway Authority, West Berkshire Council, Highways and Engineering, Council Offices, Faraday Road, Newbury, RG14 2AF

### **109. APPLICATION NO. 05/02764/HOUSE - GARDEN HOUSE, THE STREET, MORTIMER, READING, BERKSHIRE, RG7 3PE.**

*(Councillor Keith Chopping declared a personal interest in Agenda Item 4(8) by virtue of the fact that the applicant owned an insurance company with which he did business. As his interest was personal and not prejudicial, he was permitted to take part in the debate and vote on the matter).*

The Committee considered a report (Agenda Item 4(8)) concerning Planning Application 05/02764/HOUSE in respect of the provision of a two storey extension to provide a new study and additional bathroom and single storey extension to enlarge utility room.

In accordance with the Council's Constitution Mr. J.W. Morden, Parish Council representative, and Mr. P. Bolton, objector, addressed the Committee on this application.

Mr. Morden in addressing the Committee raised the following points:

- Mr. Morden stated that at the site visit for the previous application Members would recall the impact that the proposed development would have on the neighbouring property;
- He felt that this application was only half as bad as the previous one but that this did not mean that the Committee should support this application;
- The overshadowing of the neighbouring property and the loss of amenity was still an issue and any extension to this property should be made to the southern elevation;
- Mr. Morden urged the Committee to reject this application.

Mr. Bolton in addressing the Committee raised the following points:

- Mr. Bolton stated that on 31<sup>st</sup> May 2005 Members had attended a site visit and had seen the extent to which the Garden House overshadowed the neighbouring property ("Shambles");
- The Garden House blocked the sunlight particularly in the winter months;
- The proposed extension was directly in line with the patio and sun lounge of "Shambles";

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- Two trees had recently been blown down and therefore screening of neighbouring properties could not be relied upon;
- The current application was still not acceptable due to overbearing and loss of light.

Members considered that the proposed extension still added to the dominance of Garden House over "Shambles". There was room to extend on the other side of Garden House and although the current application was not as bad as the previous application Members felt that they could not support the proposed extension.

In considering the above application Members considered that the recent site visit had been essential in respect of this proposal. Members had visited "Shambles" and had seen the impact that the Garden House had over this property and felt that the proposed application was inappropriate and unacceptable.

**RESOLVED** that the Head of Planning and Transport Strategy be authorised to refuse planning permission for the following reasons:

1. Unacceptable loss of amenity to the neighbouring property due to overshadowing and an overbearing impact.

**110. APPEAL DECISIONS RELATING TO EASTERN AREA PLANNING COMMITTEE.**

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

**111. SITE VISIT.**

It was agreed that a site visit would take place on Tuesday 7<sup>th</sup> February 2006 at 9.30am.

**112. ANY OTHER BUSINESS.**

Councillor Keith Chopping requested that plans should be included within the Committee reports. It was agreed that he would raise the issue at the next meeting of the Planning and Transport Group and that David Pearson would also raise the issue with the Head of Planning and Transport Strategy.

*(The meeting commenced at 6.00pm and closed at 9.05pm)*

**CHAIRMAN** .....

Date of Signature: .....