

# Notice of Meeting



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## Eastern Area Planning Committee

**Wednesday 18th September 2019 at  
6.30pm**

**At the Calcot Centre, Highview (off Royal Avenue), Calcot**

### **Members Interests**

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday, 10 September 2019

### **FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC**

**Note:** The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded. Those taking part in Public Speaking are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Calcot Centre between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148

Email: [planapps@westberks.gov.uk](mailto:planapps@westberks.gov.uk)



**WestBerkshire**  
C O U N C I L

**Agenda - Eastern Area Planning Committee to be held on Wednesday, 18 September 2019 *(continued)***

Further information, Planning Applications and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)

Any queries relating to the Committee should be directed to Stephen Chard / Jessica Bailiss on (01635) 519462/503124 Email: [stephen.chard@westberks.gov.uk](mailto:stephen.chard@westberks.gov.uk) / [jessica.bailiss@westberks.gov.uk](mailto:jessica.bailiss@westberks.gov.uk)



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 18 September 2019 (continued)**

**To:** Councillors Peter Argyle, Jeremy Cottam, Alan Law (Chairman), Royce Longton, Alan Macro, Geoff Mayes, Graham Pask, Joanne Stewart and Andrew Williamson

**Substitutes:** Councillors Gareth Hurley, Owen Jeffery, Nassar Kessell, Tony Linden and Keith Woodhams

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# Agenda

## Part I

**Page No.**

- |      |  |        |
|------|--|--------|
| (1)  | <b>Application No. &amp; Parish: 18/02485/OUTMAJ - Land North Of Dauntless Road and South Of Pondhouse Farm, Clayhill Road, Burghfield Common</b>  | 5 - 8  |
|      | <b>Proposal:</b> Outline application for residential development of up to 100 dwellings with new cycle pedestrian access onto Coltsfoot Way and two vehicular accesses onto Clayhill Road. Matters to be considered: Access. |        |
|      | <b>Location:</b> Land North Of Dauntless Road and South Of Pondhouse Farm, Clayhill Road, Burghfield Common, Reading, Berkshire.   |        |
|      | <b>Applicant:</b> Englefield Estate Trust Corporation Ltd  |        |
|      | <b>Recommendation:</b> Delegated to the Head of Development and Planning to grant outline planning permission subject to the completion of a section 106 agreement.  |        |
| <br> |  |        |
| (2)  | <b>Application No. &amp; Parish: 18/03209/FULEXT - 19 and 19A High Street, Theale</b>  | 9 - 10 |
|      | <b>Proposal:</b> Demolition of existing building and construction of 15 dwellings, 2 retail units (use class A1/A2/A3), associated access, parking and landscaping.  |        |
|      | <b>Location:</b> 19 and 19A High Street, Theale  |        |
|      | <b>Applicant:</b> TA Fisher Developments Ltd   |        |
|      | <b>Recommendation:</b> Delegated to the Head of Development and Planning to grant planning permission subject to the completion of a section 106 agreement.  |        |

**Agenda - Eastern Area Planning Committee to be held on Wednesday, 18 September 2019 (continued)**

- (3) **Application No. & Parish: 19/01038/FULD - Land Adjacent To 1A King Street, Mortimer Common** 11 - 32
- Proposal: Erection of 2 x 1 bed and 2 x 2 bed apartments with associated parking and infrastructure following reconfiguration of existing retail car park (accessed from King Street) and creation of new loading bay with associated alterations to shop frontage (accessed from Victoria Road).
- Location: Land Adjacent To 1A King Street, Mortimer Common, Reading, West Berkshire, RG7 3RS
- Applicant: Fresh As A Daisy Food Stores Limited
- Recommendation: Delegate to the Head of Development and Planning to grant planning permission.

**Background Papers**

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Sarah Clarke  
Head of Legal and Strategic Support

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.

# Agenda Item 4.(1)

## EASTERN AREA PLANNING COMMITTEE ON 18<sup>TH</sup> SEPTEMBER 2019

### UPDATE REPORT

**Item No:** (1)      **Application No:** 18/02485/OUTMAJ      **Page No.** 17-34  
**Site:** Land North Of Dauntless Road and South Of Poundhouse Farm, Clayhill Road, Burghfield Common

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**Planning Officer Presenting:** Michael Butler

**Member Presenting:** N/A

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**Parish Representative speaking:** Councillor Paul Lawrence  
Councillor Ian Morrin (in absence of Councillor Paul Lawrence)

**Objector(s) speaking:** Alison May

**Supporter(s) speaking:** N/A

**Applicant/Agent speaking:** Phil Brown

**Ward Member(s):** Councillor Bridgman  
Councillor Longton  
Councillor Mayes

**Update Information:**

### **Additional representations**

Two additional letters of objection received, which in summary gave the following representations:

- No more houses are needed locally
- Infrastructure is already under pressure
- Cutting down woodland is not necessary and harmful
- Contrary to policy on climate change
- Protection of ancient woodland and veteran trees has been upgraded in the recent changes to the NPPF
- Protected Hazel Dormice are located in the vicinity of the proposed link
- The suds feature will have a significant impact on local habitats.

- The original Sustainability Appraisal for the HSA DPD allocation was incorrect as the impact was deemed to be neutral, not harmful to the ancient woodland.
- The proposed link runs contrary to the guidance in the NPPF, PPG and West Berkshire Core Strategy.
- The applicant could withdraw the link
- Application of a minimum buffer width of 50m should apply, not the 15m.
- The original objection from the Woodland Trust to the HSADPD allocation is evidenced in the objection.

The Woodland Trust has provided comments on the amended plans and the proposed pedestrian/cycle link. They comment that no details have been supplied about the method of construction of the link, and that it should be via a no-dig construction to protect roots. The Trust is also concerned about the potential location of the suds feature in the buffer zone of 15m to the woodland. This could lead to possible hydrological and contamination impacts, and they request this feature is located outside the buffer zone.

Officer comment: It is noted that in bullet point 4 under street scene in the adopted Burghfield Parish Design Statement of 2011 that “any new development should seek to maintain and enhance the existing network of footpaths and walkways in the Parish, providing additional paths/pedestrian links where appropriate.”

### **Updated recommendation**

The recommendation remains the same subject to the amendment of condition 7 and the additional ecological conditions listed below.

#### **7. Footpath/cycle link to Coltsfoot Close (amended)**

No development shall take place until details of a 2.5 metre wide footway / cycleway to be constructed to the south-west from the application site into Coltsfoot Close have been submitted to and approved in writing by the Local Planning Authority. No more than 30 dwellings shall be first occupied until the footway/cycleway on land in the applicant's control has been provided in accordance with the approved details and any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and HSA15 of the Housing Site Allocations DPD (2006-2026). A pre-commencement condition is required because this access must be provided early to provide suitable pedestrian and cycle access to the site.

#### **19. Habitat Management Plan**

No development shall take place until a Habitat Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall ensure that appropriate mitigation measures and management regimes are in place for the site and adjacent woodland post-development. No dwelling shall be first occupied until the approved plan has been implemented, and thereafter adhered to for the lifetime of the plan.

Reason: To ensure that appropriate mitigation measures and management regimes are in place for the site and adjacent woodland post-development, in accordance with the recommendations of the submitted ecological report. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the NPPF and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

## **20. Lighting Strategy**

No dwelling shall be first occupied until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) Identify those areas on the site that are particularly sensitive for bats;
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory;
- (c) Include an isolux diagram of the proposed lighting;
- (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

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

## **21. Precautionary safeguards for reptiles and amphibians**

Any vegetation clearance shall not take place without implementing the following safeguards:

- a) Areas of any longer vegetation present at the time of works will be strimmed in a two stage process. Following a finger-tip search by a suitably qualified ecologist to ensure that no reptiles are present, the first strimming phase will cut the vegetation to approximately 100-150mm above ground level carefully encouraging any reptiles passing through the vegetation to move into suitable off-site habitat away from the construction zone. The same principle shall be applied to areas of dense scrub which shall be carefully reduced by hand under ecological supervision.
- b) Once vegetation has been cut all suitable refugia within the Site shall be removed carefully under ecological supervision. Suitable refugia may include wooden sleepers, plastic sheeting, corrugated roofing sheets, piping, concrete slabs or rocks.
- c) The second strimming/clearance phase can be undertaken on the same day after completion of the first and will follow a second finger-tip search of the area by the ecologist before being cut to ground level or bare ground as appropriate (0-50mm).
- d) Any wood piles and cuttings of vegetation shall be removed in a sensitive manner after being checked by an ecologist to ensure no reptiles are present.

Reason: Due to the presence of waterbodies within the vicinity of the site and suitable surrounding habitat and boundary features, safeguards are provided in the interests of protecting local biodiversity. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

## **22. Precautionary construction safeguards for mammals**

The following general construction safeguards shall be implemented throughout the construction of development:

- a) All contractors and Site personnel shall be briefed on the potential presence of badgers within the Site;
- b) Any trenches or deep pits within the Site that are to be left open overnight will be provided with a means of escape should an animal enter. This could simply be in the form of a roughened plank of wood placed in the trench as a ramp to the surface. This is particularly important if the trench fills with water;
- c) Any trenches will be inspected each morning to ensure no animals have become trapped overnight; and

- d) Food and litter shall not be left within the working area overnight.

Reason: To implement precautionary measures to safeguard any badgers, foxes or other mammals. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

### **23. Restrictions during bird breeding season**

No development or other operations (including site or vegetation clearance) that could result in the loss of any hedgerow habitat on the site shall take place during the bird breeding season (March to August inclusive) unless carried out under the supervision of an experienced ecologist, who will check the habitat to be affected for the presence/absence of any birds' nests. If any active nests are found then works with the potential to impact on the nest must temporarily stop, and an appropriate buffer zone shall be established, until the young birds have fledged and the nest is no longer in use.

Reason: To prevent harm to nesting birds from demolition and vegetation clearance. This condition is applied in accordance with the statutory provisions relating to nesting birds, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

### **24. Biodiversity enhancements**

No development shall take place until details of biodiversity enhancements have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) A minimum of ten artificial bat roost features to be incorporated into the development, such as Habitat integration boxes and Schwegler tree hanging boxes;
- b) A minimum of ten artificial bird nest boxes on trees or incorporated into the walls of new buildings;
- c) Provision of habitat piles for invertebrates, such as log piles, and the provision of deadwood
- d) Landscaping proposals shall include the use of native species, and species of known value to wildlife to provide foraging opportunities. The proposals shall include the retention of existing hedgerows and the re-planting of gaps with native species of local provenance.

Reason: To achieve net gains in biodiversity. A pre-condition is required because insufficient details accompany the application. This condition is applied in accordance with the NPPF and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

### **25. Updated surveys**

Unless development commences by 25<sup>th</sup> April 2020, no development shall take place until an update report prepared by a qualified ecologist has been submitted to and approved in writing by the Local Planning Authority. This update report shall include an update assessment on the ecology of the site, and establish whether the information provided requires updating in light of changing ecological conditions. The update report submission shall be accompanied by any new surveys deemed necessary, and include any necessary proposed mitigation measures. Therefore the development shall not take place except in accordance with the approved details and any necessary mitigation measures.

Reason: The ecological information that accompanies this application is valid for two years, and therefore should the commencement of development take place outside this timescale, a review of the ecological information will be necessary. A pre-condition is required because ecological mitigation must be up-to-date at commencement of development. This condition is applied in accordance with the NPPF and Policy CS17 of the West Berkshire Core Strategy 2006-2026.



## EASTERN AREA PLANNING COMMITTEE ON 18<sup>TH</sup> SEPTEMBER 2019

### UPDATE REPORT

**Item No:** (2)      **Application No:** 18/03209/FULEXT      **Page No.** 35-56  
**Site:** 19 and 19A High Street, Theale

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**Planning Officer Presenting:** Lydia Mather

**Member Presenting:** N/A

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**Parish Representative speaking:** N/A

**Objector(s) speaking:** Martin Vile  
Jo Hensher

**Supporter(s) speaking:** N/A

**Applicant/Agent speaking:** Steve Davies (TA Fisher)  
Michael Lee (Woolf Bond Planning)  
Steve Smith (Haslams)  
James Pritchard (SMA)

**Ward Member(s):** Councillor Alan Macro

#### **Update Information:**

The recommendation remains the same, subject to an additional levels conditions as detailed below.

#### **25. Levels**

No development shall take place until details of the finished floor levels of the buildings hereby permitted 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 the approved levels.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land in accordance with the National Planning Policy Framework 2019, Policies ADPP1, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

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## EASTERN AREA PLANNING COMMITTEE ON 18<sup>TH</sup> SEPTEMBER 2019

### UPDATE REPORT

Item No: (3)      Application No: 19/01038/FULD      Page No. 57-78

Site: Land Adjacent To 1A King Street, Mortimer Common

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Planning Officer Presenting: Bob Dray

Member Presenting: N/A

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Parish Representative speaking: Councillor Kevin Johnson

Objector(s) speaking: Mr and Mrs Hakhnazarian

Supporter(s) speaking: N/A

Applicant/Agent speaking: Emily Temple

Ward Member(s): Councillor Bridgman  
Councillor Royce Longton  
Councillor Geoff Mayes

Update Information:

#### Parking numbers

For ease of reference the table below sets out the existing and proposed parking numbers.

	Existing	Proposed	Difference
<b>Total</b>	<b>24</b>	<b>32</b>	<b>+8</b>
Retail	15	17	+2
6 existing flats	9	9	0
4 proposed flats	n/a	6	+6

### **Timing and frequency of deliveries to the existing retail unit (Budgens)**

At the committee site visit, members sought clarification over the frequency and timing of existing goods deliveries to the retail unit. In this regard, officers can advise approximately 12 main suppliers deliver weekly to the store at an average of 4.3 times per week each. Delivery times vary, but the majority of delivery vehicles are vans. It has been stated that one supplier (Bookers) makes deliveries via articulated lorries, and this occurs between 7.00 - 8.00am on any given day.

### **Amenity space clarification**

In respect of paragraph 6.37 of the agenda report, officers advise, taking into account the existing first floor terrace/external amenity space above the retail unit 'Budgens', as visited by members on the site visit, a minimum of 215m<sup>2</sup> (60m<sup>2</sup> at ground floor and 155m<sup>2</sup> at first floor) of external amenity space would be retained for occupiers of the existing 6 flats which would accord with spatial standards set out in the Council's SPD Quality Design.

### **Request for historical plans to be included within the late committee update papers**

At the request of Cllr Bridgman, plans approved under planning permission reference 09/00200/FULD dated 3 April 2009 for the mixed use development of the application site for retail on the ground floor level and 6 residential units on the first floor are included with this update report.

### **Updated recommendation**

To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed in Section 8 of the Agenda Report, and the following additional conditions below.

#### **21. Measures to restrict residential parking for residential use only**

The dwellings hereby permitted shall not be occupied until details of the measures to restrict the residential car parking spaces to residential use only have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the parking spaces have been provided and shall thereafter be maintained in accordance with the approved measures.

Reason: To ensure existing and future occupiers of the residential accommodation are provided with adequate parking facilities in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (2019), Stratfield Mortimer Neighbourhood Plan (2017), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

#### **22. Trolley storage areas for retail use**

The new serving bay/loading bay to Victoria Road hereby permitted shall not be brought into use until details of areas for the storage of trolleys associated with the operation of the existing retail unit within the site have been submitted to and approved in writing by the Local Planning Authority. The servicing bay/loading bay shall not be brought into use until the approved trolley storage areas have been provided and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure the appropriate placement of trolley storage following the reconfiguration of the application site, and to ensure that this does not have an adverse effect on use of the car

park or surrounding footways in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Over: Appendix 1 – Approved plans relating to planning permission reference 09/00200/FULD

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## TOWN AND COUNTRY PLANNING ACT 1990

Nicol Thomas Ltd  
Mr Louis Chen  
Suite 108 First Floor  
Fort Dunlop  
Fort Parkway  
Birmingham  
B24 9FD

**Applicant:**  
Mr Charles Mills

### PART I - DETAILS OF APPLICATION

**Date of Application**

6th February 2009

**Application No.**

**09/00200/FULD**

### THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Mixed use development - Retail on the ground floor level and 6 residential units on the first floor.

9 - 13 Victoria Road, Mortimer Common, Reading, Berkshire

### PART II - DECISION

**In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council GRANTS planning permission for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-**

1. The development shall 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 against Policy DP5 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 should it not be started within a reasonable time.

2. The development hereby approved shall be constructed strictly in accordance with the samples of materials submitted on 15th December 2008 namely Ibstock Bricks Surrey Red-Multi and Cream-Multi, Forticrete Tiles Minislate Slate Grey Colour and Buff colour wet-cast stone cills, and the details of proposed materials on the application form received on 6th February 2009.

Reason: In the interests of visual amenity in accordance with Policy DP5 of the Berkshire Structure Plan 2001 - 2016 Saved Policies 2008 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

3. No development shall commence on site until a scheme for the means of treatment of the hard surfaced areas of the site is submitted to and approved in writing by the Local Planning Authority. No building shall be occupied before the hard surfaced areas have been constructed in accordance with the approved scheme.

Reason: In the interests of visual amenity, in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 and Policy DP5 of the Berkshire Structure Plan 2001 - 2016 Saved Policies 2008.

4. No demolition of the existing buildings on site is permitted until a bat emergence survey has been undertaken in the months of May to August inclusive and a survey report including mitigation measures has been submitted to and approved in writing by the Local Planning Authority. Any approved mitigation will be carried out in fully in accordance with the approved report and maintained thereafter.

Reason: To ensure that there is no detrimental impact upon the biodiversity of the site in accordance with Planning Policy Statement 9: Biodiversity and Geological Conservation.

5. During the period March to September inclusive, any clearance of vegetation or demolition of buildings which may contain nesting birds will only be carried out after a qualified person has confirmed that no such birds are present.

Reason: To accord with the Wildlife & Countryside Act 1981.

6. No development shall commence on site until a scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be landscaped in accordance with the approved scheme, which shall ensure-

(a) the carrying out of any earth moving operations concurrently with the carrying out of the building and other works;

(b) completion of the scheme during the planting season next following the completion of the building, or such other date as may be agreed in writing by the Local Planning Authority;

(c) The maintenance of the landscaped areas for a period of five years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Local Planning Authority, are dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development in accordance with policies DP5 and EN1 of the Berkshire Structure Plan 2001 - 2016 Saved Policies 2008 and Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.



7. No development (including site clearance and any other preparatory works) shall commence until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837:2005. Such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figure 2 of B.S.5837:2005.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy OVS.2 of West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

8. No development or other operations on site shall commence until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason; To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policies DP5 and EN1 of the Berkshire Structure Plan 2001 - 2016 Saved Policies 2008 and Policy OVS2 (b) of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

9. No development or other operations on site shall commence until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained 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; To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policies DP5 and EN1 of the Berkshire Structure Plan 2001 - 2016 and Policy OVS2 (b) of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

10. No development shall commence until plans for a secure and undercover cycle storage providing for one cycle per flat has been submitted to and approved in writing by the Local Planning Authority. The cycle storage will be maintained for that purpose thereafter.

Reason: To encourage cycling and to ensure the development reduces reliance on private motor vehicles and assists with security of cycles in accordance with Policy TRANS 4 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

11. No development to commence until full details of the proposed means of external lighting have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

12. No development to commence until details of a scheme of works for protecting the occupiers of the development from externally generated noise has been submitted to and approved in writing by the Local Planning Authority. All works forming part of the approved scheme shall be completed before any dwelling is first occupied.

Reason: In order to protect the amenities of proposed residents/occupiers of the development in accordance with Policy EN4 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

13. No development to commence until details of the following have been submitted to and approved by the Local Planning Authority.

(a) Written details concerning any proposed air handling plant associated with the development including;

- (i) the proposed number and location of such plant as well as the manufacturer's information and specifications.
- (ii) the acoustic specification of the plant including general sound levels and frequency analysis under conditions likely to be experienced in practice.
- (iii) the intended operating times.

(b) Calculations showing the likely impact of noise from the development;

(c) A scheme of works or such other steps as may be necessary to minimise the effects of noise from the development;

The development shall not commence until written approval of a scheme under (c) above has been given by the Local Planning Authority. All works forming part of the scheme shall thereafter be completed before any of the dwellings is first occupied.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy DP5 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

14. No development (other than investigative work) shall commence until, two copies of a contaminated land assessment and associated remedial strategy, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority. The contaminated land assessment shall include; a desk study, details of investigative works and sampling, risk assessment and remediation strategy.

(a) The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study.

(b) A suitability qualified Consultant shall be appointed to investigate the nature and extent of any contamination, if any, in, on or under all parts of the land to which this permission refers. All investigative works and sampling on site, together with the results of analysis must be submitted to the Local Planning Authority (and the Environment Agency as appropriate).

(c) If a hazard or hazards are identified from such investigations, a site specific risk assessment shall be undertaken to consider risks to the following: wildlife, livestock and ecosystems, building materials, water resources, the future users of the site, surrounding land and any other persons.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy DP5 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

15. Any remediation works identified within the contaminated land assessment and associated remedial study detailed in condition 14 shall be carried out in accordance with the methodology as stated in the contaminated land assessment and associated remedial study. If during any works any significant underground structures or contamination is discovered which has not previously been identified then the additional contamination shall be fully assessed. No further remediation works shall take place until a report detailing the nature and extent of the previously unidentified structures and contamination and the proposed remedial action plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, all further remediation works shall be undertaken in accordance with the most recent approved remediation action plan.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy DP5 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

16. On completion of all remediation works this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The report shall make reference to all published information associated with the development and shall demonstrate compliance with the remediation strategy. It shall include the following: details of quality assurance certificates to show that all works have been carried out in full and according to best practice; consignment notes demonstrating the removal of contaminated materials; certification to show that new material brought to the site is uncontaminated; and details of any on-going post remediation monitoring and sampling, including a reporting procedure to the Local Planning Authority and Environment Agency.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy DP5 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

17. No development to commence until a scheme of works or other such steps as maybe necessary to minimise the effects of dust from the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy DP5 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

18. No development shall commence until details (including the method of restricting residential parking for residential use only) of the parking area to the rear of the retail unit hereby approved have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be taken into use until the parking spaces have been properly provided (and surfaced/marked out), in accordance with the approved details.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect the safety and flow of traffic in the locality contrary to Policies DP5 and T4 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

19. No development shall commence until details showing 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.

20. No development shall commence on the 6 residential units hereby approved until a full Code for Sustainable Homes or equivalent assessment demonstrating that the development will attain Code 3\* rating has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved assessment. Prior to the first occupation of the dwellings hereby approved, a post construction review, carried out by a licensed assessor, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with 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'.

21. No development shall commence on the retail unit hereby approved until a full BREEAM (Retail) or equivalent assessment demonstrating that the development will attain BREEAM EXCELLENT is submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved assessment. Prior to the first use of the retail unit hereby approved, a post construction review, carried out by a licensed assessor, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with 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'.

22. No development shall commence on site until details of provision for the storage of refuse have been submitted to and approved in writing by the Local Planning Authority before development commences. Thereafter refuse shall be stored in accordance with these approved details.

Reason: In the interests of 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 Saved Policies 2007.

23. No development shall commence on site until details of the proposed access into the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the access shall be constructed in accordance with the approved details before the commencement of building and other operations on the site.

Reason: To ensure that the access into the site are constructed before the approved buildings in the interest of highway safety and in accordance with Policies DP5 and T4 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 Saved policies 2007.

24. No development shall commence until details of the installation and incorporation of bat roosting opportunities on the site together with a specification for habitat creation using native species, have been submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the first dwelling and remain in perpetuity unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that there is no detrimental impact upon the biodiversity of the site in accordance with Planning Policy Statement 9: Biodiversity and Geological Conservation.

25. The retail use hereby approved is to be restricted to the hours of 7am to 9pm on Weekdays and Saturdays, and 10am to 4pm on Sundays and Bank Holidays. No deliveries shall be received outside of these hours.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy DP5 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

26. 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:

7.30am to 6.00pm on Mondays to Fridays 7.30am to 1.00pm 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 DP5 of the Berkshire Structure Plan 2001-2016 Saved Policies 2008 and Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006 Saved Policies 2007.

The decision to grant This decision has been taken having regard to the policies and proposals in the South East Plan Regional Spatial Strategy for the south east of England 2009 West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, supplementary planning guidance notes; and in particular guidance notes and policies:

**PPS1 PPS3 BSPDP1 BSPDP5 OVS2 OVS1 OVS3 PPS25 HSG1 ECON1 SHOP5 TRANS1 RL1**

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

**INFORMATIVE:**

1. The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.
2. The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met.
3. This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the 2nd April 2009. You are advised to ensure that you have all the necessary documents before development starts on site.
4. The development hereby approved shall be carried out in accordance with drawing title numbers B3410-PL-104, B3410-PL-105, B3410-PL-102, B3410-PL-103 received on 6th February 2009 and drawing number B3410-101 Rev A received on 16th March 2009.
5. The Applicant is advised to seek prior consent (section 61, Control of Pollution Act 1974) to ascertain the extent of additional construction noise conditions that may be imposed. For further information contact the Head of Environmental Health.
6. The residential development hereby approved is considered to form 6 flats and as such the residential properties do not benefit from permitted development rights in accordance with the Town and Country Planning (General Permitted Development) Order 1995.
7. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. 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.

- 8 You are advised to make reference to DETR Circular 02/2000 - 20 March 2000 and British Standard 10175: 2001 for Site Investigations and 'Guidance for the safe development of housing on land affected by contamination', R&D Publication 66, 2000, EA/NHBC. You should ensure that the Environment Agency has been consulted about your development, failure to do so may cause lengthy delays. Piling is not considered to be investigative works. Use of boreholes (shell auger or screw auger) can result in contamination, if contamination is indicated by site history advice should be sort from the EA in order to protect ground water.
- 9 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.
- 10 The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 11 Before work commences on the site, the highway improvement line should be set out by the developer and its position agreed by a representative of the Highway Authority.
- 12 In order to protect the stability of the highway it is advised that no excavation is carried out within 15 metres of a public highway without the written approval of the Highway Authority.
- 13 Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Highways (Planning) Manager, West Berkshire Council, Highways and Engineering, Council Offices, Faraday Road, Newbury, RG14 2AF, tel. no. 01635 519169, before any development is commenced.
- 14 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.
- 15 Depending on the results of the bat emergence survey there may be need for a European Protected Species Licence to legalise building works,

- 16 The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area or the residential amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

Decision Date :- 3rd April 2009



**Gary Lugg**  
Head of Planning & Countryside



**Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions**

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

**Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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AMENDED  
Revised  
16/3/09

## PLANNING DRAWING

This drawing is to be read in conjunction with the specification and drawings No. 100, 102, 103, 104, 105 and relevant statement(s) / Report(s).

This drawing is based on a combined site survey and OS map information.

Please refer to Highway Engineer's drawings for Swept Path Analysis.

Indicative Landscaping Proposal only, details subject to separate submission for approval. Any street furniture and street lighting subject to Local Authority's Approval.

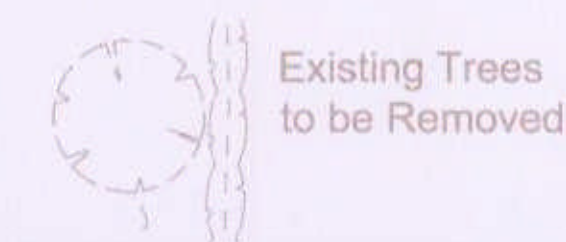
Planning Boundary

9 No. Residents Parking spaces.  
15No. Retail Parking spaces.  
**24No. Parking Spaces (Total)**

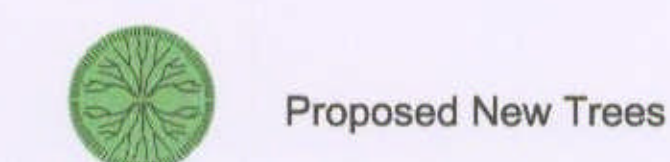
Proposed Retail Area  
468 sq m ((5,037 sq ft)

Back-up Area  
117 sq m (1,259 sq ft)

New Footpath / Paving



Existing Trees to be retained



8No. Cycle Parking Spaces for Retail to be provided

14No. Cycle Parking Spaces for Residential to be provided.

1No. 1,100 litre bulk bin with a height of 1,370r length of 1,260mm and a width of 986mm to be provided.

4No. 360 litre bulk bins with a height of 1,100r length of 880mm and width of 590mm to be provided.

# nicol thomas

Revision	Date	Details
A	13/03/09	Holly Tree (T2) indicated as removed. Adjacent parking re-designed.

### nicol thomas

architects project managers construction cost consultants CDM co-ordinators  
Registered in England and Wales. Reg No. 2140639  
Quality Assured to BS EN ISO 9001:1994 Certificate Number GB 4723

Suite 108 1st Floor Fort Dunlop Fort Parkway Birmingham B24 9FD  
(Registered Office) t01902 398222 f01902 394080 e:birmingham@nicolthomas.com

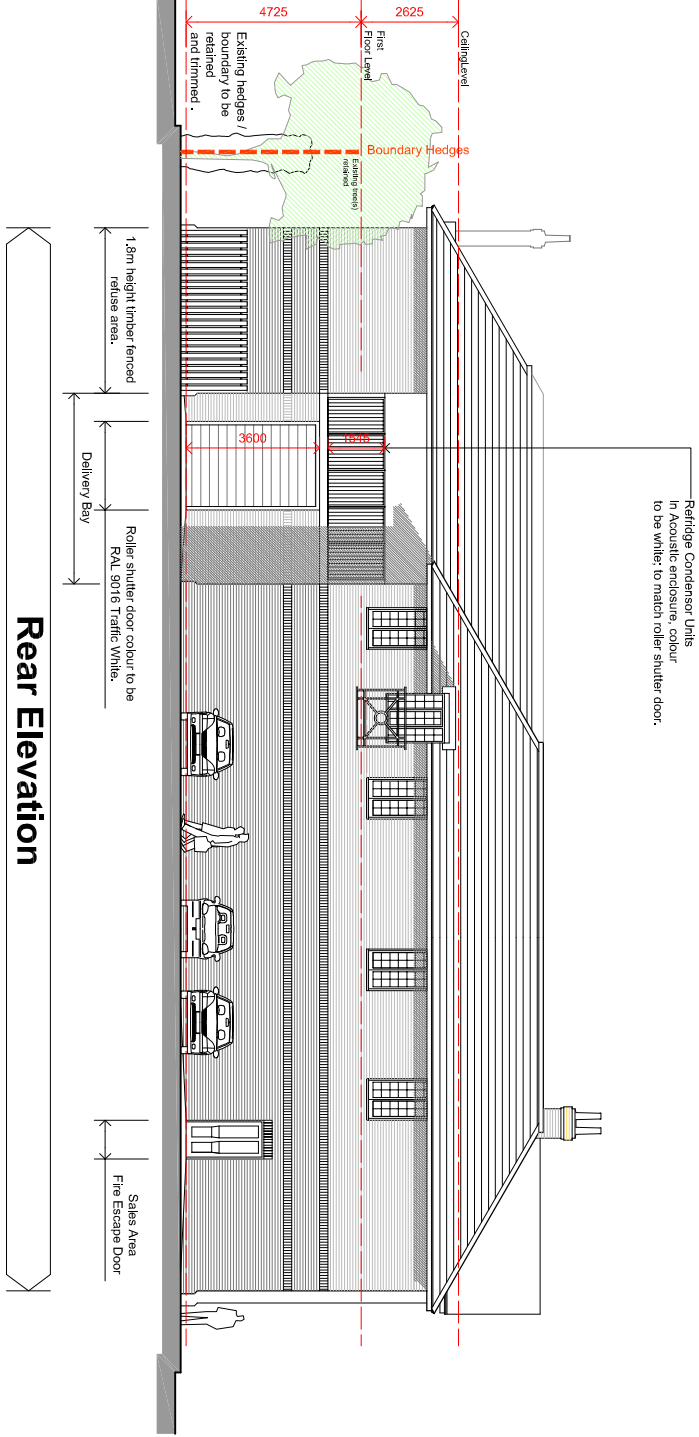
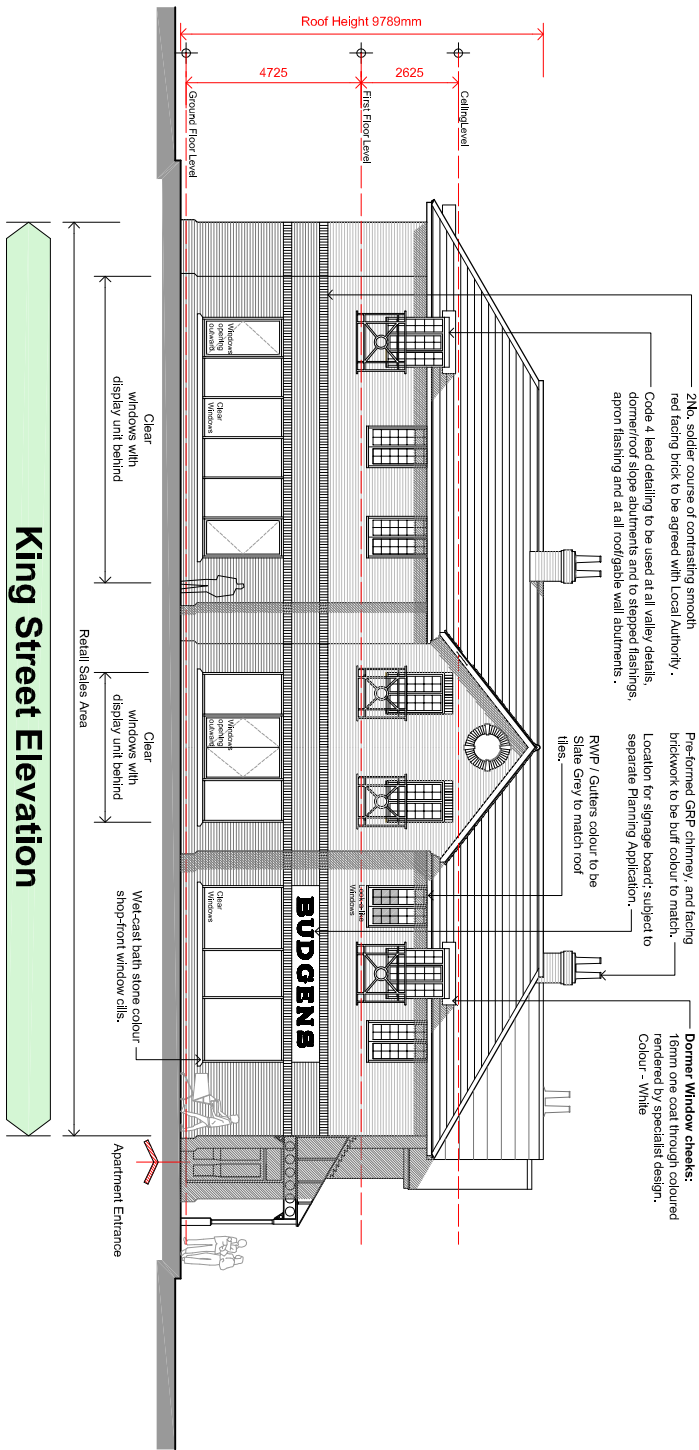
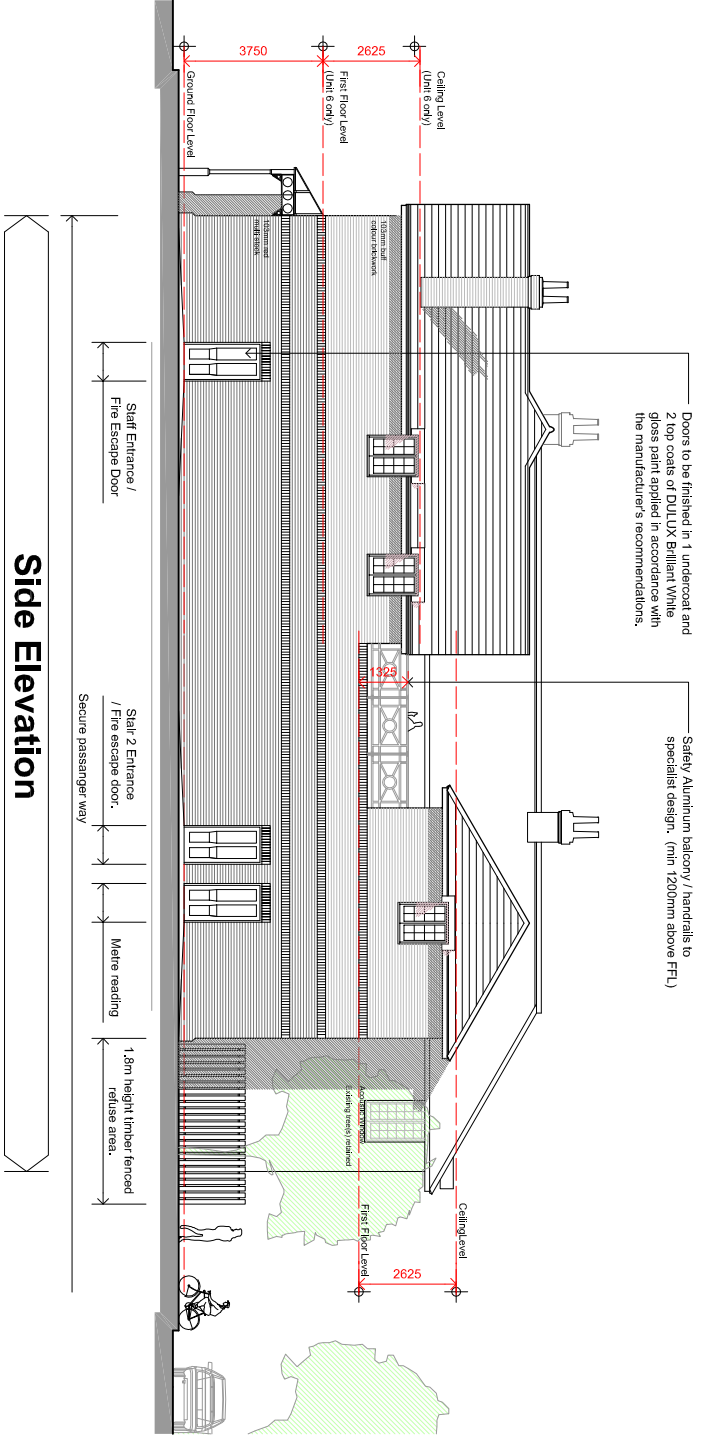
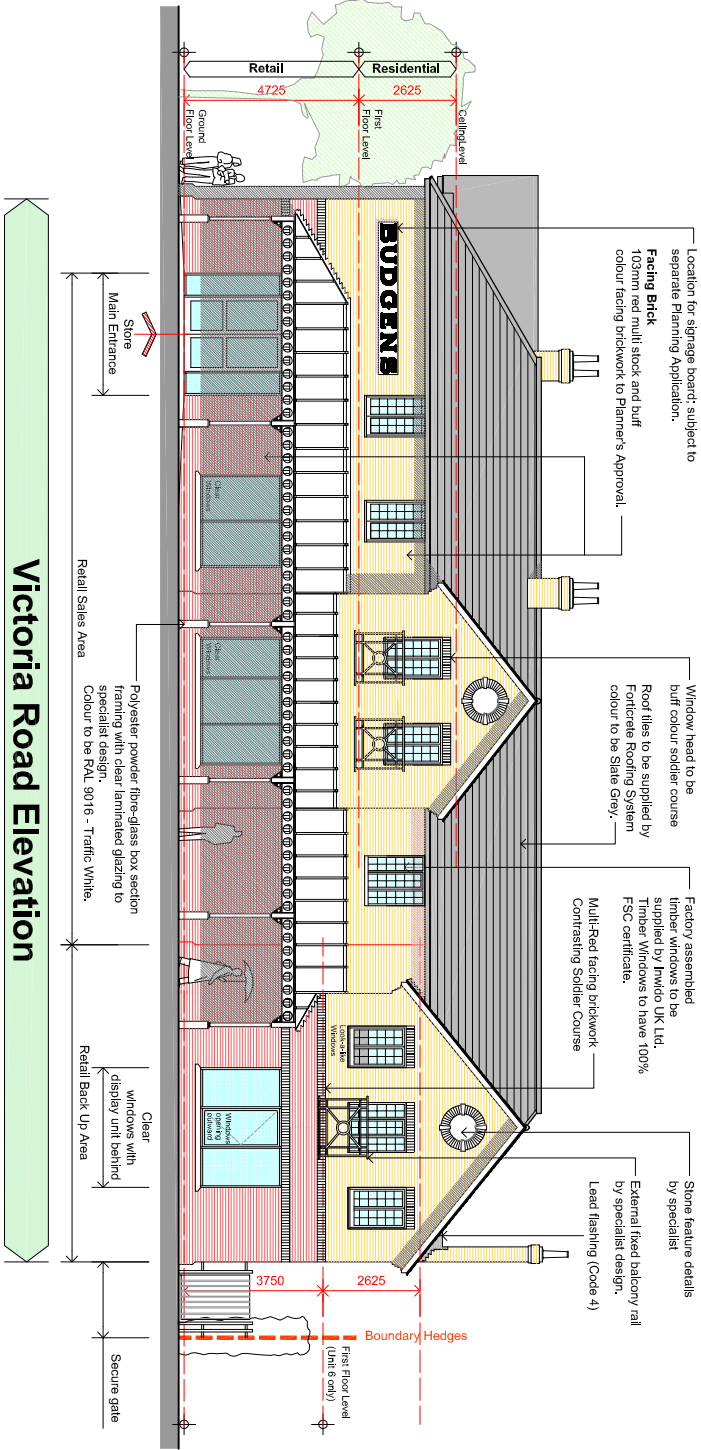
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Scale: 1:200  
1M 3M 5M 10M



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Revision	Date	Details

nicol thomas  
architects project managers  
Registered in England and Wales, Reg No. 2146539  
Cdnly Asured to BS EN ISO 9001:1994 Certificate Number 08 4723

Scale Bar 1M 3M 5M 10M

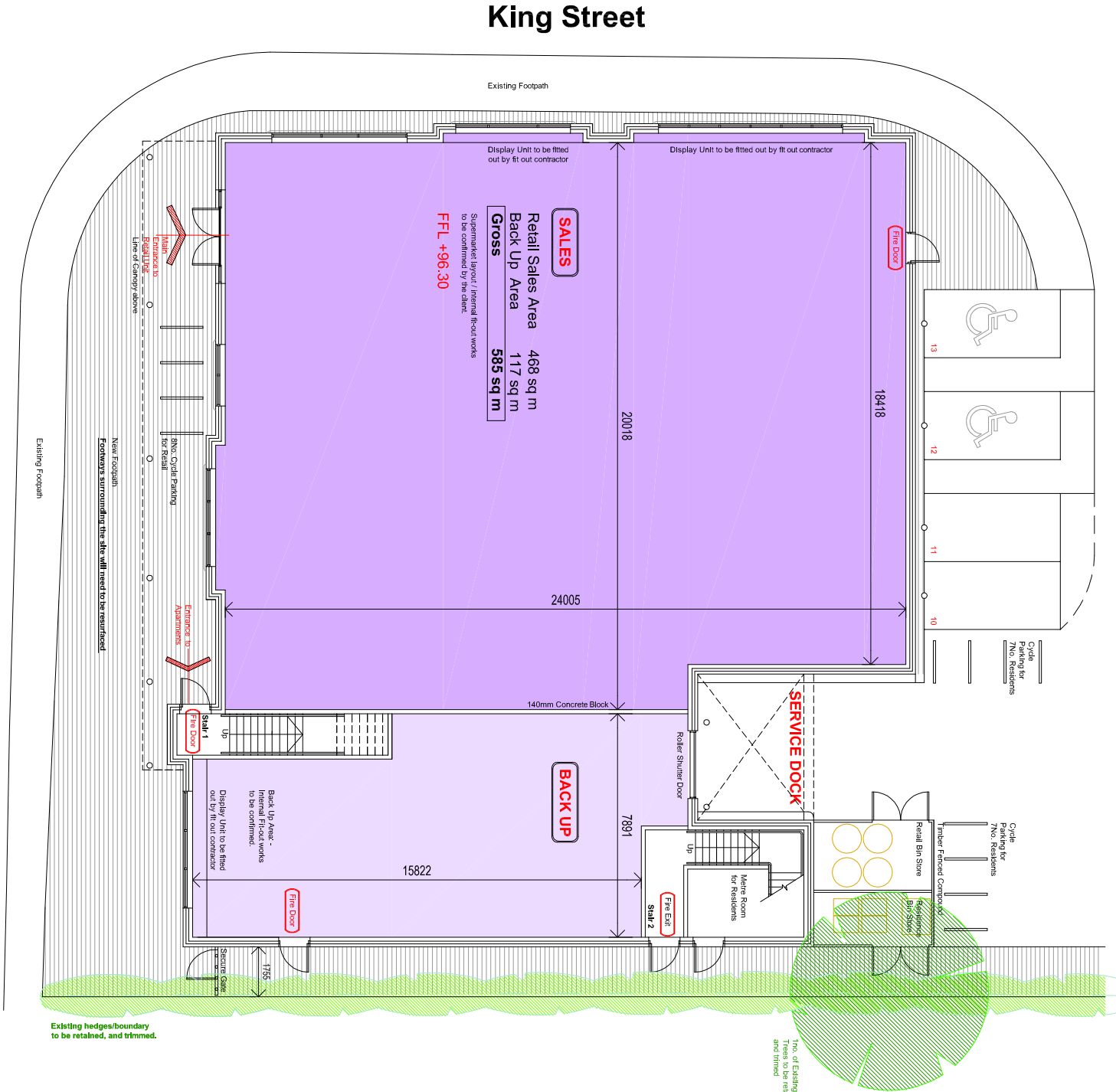
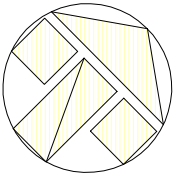
CDM co-ordinators  
Suite 108 1st Floor Ford Parkway Birmingham B24 8PD  
(Registered Office) 011002 388222 011002 384080 ec@nicolthomas.com

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Client:	Mr. C Mills
Job:	VICTORIA ROAD MARTINER
Drawing title:	PROPOSED ELEVATIONS
Drawing Number:	B3410
Scale:	1:100EAL
Date:	May 2008
Drawn by/ checked by:	NA /LC
Revision:	PL 103

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## Victoria Road

### Ground Floor Plan - (Retail )

Scale Bar 1M 3M 5M 10M

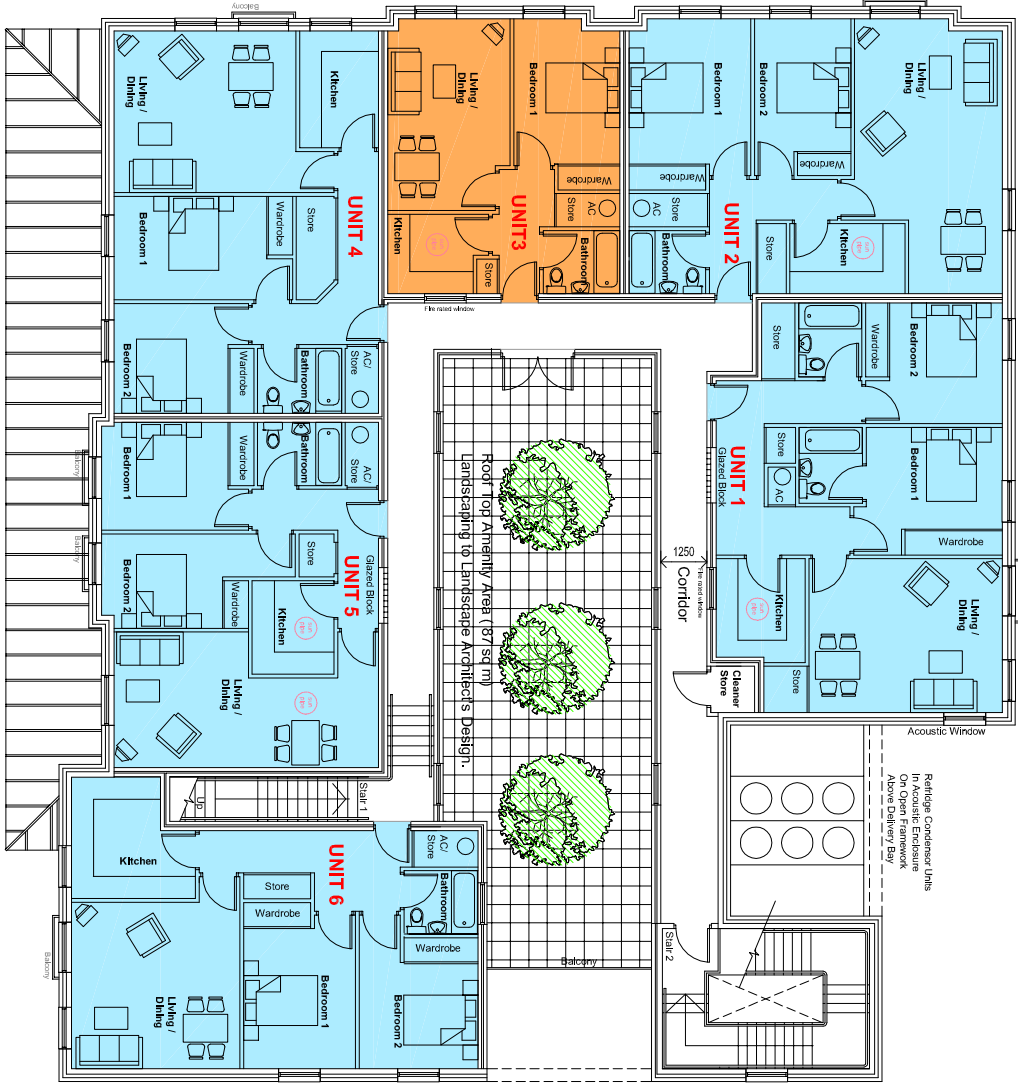
#### Ground Floor Level (Retail)

- Retail Unit
- Sale Area 468 sq m (5,037 sq ft)
- Back-up Area
- 117 sq m (1,259 sq ft)

8No. Cycle Parking Spaces for Retail to be provided  
14No. Cycle Parking Spaces for Residential to be provided.  
1No. 1,100 litre bulk bin with a height of 1,370mm,  
length of 1,260mm and a width of 986mm to be  
provided. 4No. 360 litre bulk bins with a height of 1,100mm,  
length of 880mm and width of 580mm to be provided.

#### nicol thomas

**architects** project managers construction cost consultants CDM co-ordinators  
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### First Floor Plan - (Residential)

Scale Bar 1M 3M 5M 10M

#### First Floor Level (Apartments)

- 1 No. 1 Bed Apartment
- 5 No. 2 Bed Apartments

#### Apartment (Internal Areas)

- 2B x 3P 79 sq m (850sq ft)
- 2B x 3P 73 sq m (786 sq ft)
- 1B x 2P 45 sq m (484 sq ft)
- 2B x 3P 72 sq m (773 sq ft)
- 2B x 3P 68 sq m (732 sq ft)
- 2B x 3P 73 sq m (786 sq ft)

Please note areas given above are including  
internal stud partitions, and subject to final  
site dimensions

# nicol thomas

Client:	Mr. C Mills			
Job:	VICTORIA ROAD MORTIMER			
Drawing title:	PROPOSED FLOOR PLANS			
Drawing Number:	B3410	PL	102	Revision:
Scale:	1:100EAL			
Date:	May 2008			
Drawn by/ checked by:	NA /LC			

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