

Notice of Meeting



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Eastern Area Planning Committee Wednesday 26 September 2018 at 6.30pm

in 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, 18 September 2018

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 webcast, 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



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 26 September
2018 (continued)**

Further information, Planning Applications and Minutes are also available on the Council's website at www.westberks.gov.uk

Any queries relating to the Committee should be directed to Stephen Chard on (01635) 519462
Email: stephen.chard@westberks.gov.uk



Agenda - Eastern Area Planning Committee to be held on Wednesday, 26 September 2018 (continued)

To: Councillors Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster

Substitutes: Councillors Rob Denton-Powell, Lee Dillon, Sheila Ellison, Tony Linden, Mollie Lock and Quentin Webb

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting.
2. **Minutes** 5 - 14
To approve as a correct record the Minutes of the meeting of this Committee held on 5 September 2018.
3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Schedule of Planning Applications**
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications.)
 - (1) **Application No. & Parish: 16/01685/OUTMAJ - land adjacent to Primrose Croft, Reading Road, Burghfield Common** 15 - 60
Proposal: Outline planning application for 28 dwellings.
Matters to be considered: Access. Matters reserved: Appearance, Landscaping, Layout and Scale.
Location: Land adjacent to Primrose Croft, Reading Road, Burghfield Common, Reading, Berkshire
Applicant: Westscape Primrose Ltd
Recommendation: To delegate to the Head of Development and Planning to **GRANT OUTLINE PLANNING PERMISSION** subject to conditions and the completion of a s106 legal agreement;

Or, if the s106 legal agreement is not completed, to delegate to the Head of Development and Planning to **REFUSE OUTLINE PLANNING PERMISSION.**



Agenda - Eastern Area Planning Committee to be held on Wednesday, 26 September 2018 (continued)

Items for Information

5. **Appeal Decisions relating to Eastern Area Planning** 61 - 62
To inform Members of the results of recent appeal decisions relating to the Eastern Area Planning Committee.

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.

Andy Day
Head of Strategic Support

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

Agenda Item 2.

DRAFT

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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 5 SEPTEMBER 2018

Councillors Present: Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Sheila Ellison (Substitute) (In place of Richard Crumly), Marigold Jaques, Alan Macro, Tim Metcalfe, Richard Somner, Quentin Webb (Substitute) (In place of Graham Pask) and Emma Webster

Also Present: Jessica Bailiss (Policy Officer (Executive Support)), Gareth Dowding (Senior Engineer), Bob Dray (Team Leader (Development Control)) and Cheyanne Kirby (Planning Officer)

Apologies for inability to attend the meeting: Councillor Richard Crumly, Councillor Alan Law and Councillor Graham Pask

(Councillor Keith Chopping in the Chair)

(It was proposed and seconded that in the absence of the Chairman and Vice-Chairman that Councillor Keith Chopping should chair the meeting. At the vote the motion was carried)

PART I

22. Minutes

The Minutes of the meeting held on 25 July 2018 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

Application No & Parish Council: 17/03004/OUTMAJ, Land of South John's Church of England School, Mortimer Common, Reading, Page 25, penultimate paragraph: Councillor Graham Bridgman requested that the paragraph be amended to read as follows: Councillor Bridgman referred to the local referendum regarding the adoption of the NDP and clarified that there had been a 50.1% turnout and an 88.88% vote in favour of the NDP.

Page 26, Ward Member Representation, first bullet point, second sentence: Councillor Bridgman requested that the sentence be amended to read as follows: Just over 50% of the community had turned out to vote regarding the NDP and 88.8% of them had voted in favour of its adoption.

Page 26, Ward Member Representation, final bullet point, second sentence: Councillor Bridgman requested that the sentence be amended to read as follows: Councillor Bridgman stated that there were residents who would preferably not see the development permitted in Mortimer, however it was a service village and the 44 affordable housing units would be of great benefit to the area.

Page 23, Member Questions to Objectors, final sentence: The Chairman clarified that he had asked Mr Marsh if he felt like he was part of a small minority opposing the site, rather than Mr Whitaker as stated in the minutes.

23. Declarations of Interest

There were no declarations of interest received.

24. Schedule of Planning Applications

(1) Application No. & Parish: 18/01516/HOUSE - Grimms Dyke, Aldworth, Reading

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/01516/HOUSE in respect of the erection of a garden room with quiet room and WC/shower to the rear of the existing dwelling.

In accordance with the Council's Constitution Mrs Tracey Godsmark, Mr Clive Sturgess and Mr David Sheppard, objectors and Mr Shinkwin, applicant, addressed the Committee on this application.

Bob Dray introduced the report to Members of the Committee, which recommended conditional approval, and ran through the key points. He highlighted the previous appeal decision that had been dismissed for a similar proposal on the site, and a copy of which was included within the update report.

Objector Representations

Mrs Godsmark, Mr Sturgess and Mr Sheppard in addressing the Committee raised the following points:

- Mrs Godsmark stated that she had lived with her husband in Ashampstead for 34 years. She believed the dwelling (Grimms Dyke) as it stood was already overbearing.
- Mrs Godsmark questioned how planning regulations could ensure that there was adequate landscaping on the site.
- There was concern that the proposed outbuilding could be used for residential purposes in the future.
- The volume of the proposal was 29% larger than the proposal submitted in 2016, which had subsequently been refused at appeal.
- Mrs Godsmark stated that it would be easy for the outbuilding to be served by a separate driveway. She stressed that Members should not be misled in to thinking the dwelling would not be used in this way.
- Mr Sturgess lived at Foxborough, which was adjacent to Grimms Dyke.
- This was the fifth application that had been submitted for the location in three years. He was surprised that the application was being considered as a similar application had been refused at appeal in 2016.
- The proposed outbuilding would incorporate a quiet room and this had immediately set alarm bells ringing for Mr Sturgess. He was aware that the applicant was involved with teaching meditation and in his view the proposal would be used for this purpose.
- The original application had been submitted with a view to providing accommodation for the applicant's son and the use had changed with each application that had been submitted.
- Mr Sturgess felt that it was strange that the proposal incorporated a garden room despite it not benefiting from views of the garden.

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- The site which stood within an Area of Outstanding Natural Beauty (AONB) was already overdeveloped in Mr Sturgess's view. The house was overbearing and was out of keeping with the local landscape and architecture.
- Tree and shrubs had recently been removed from the site by the applicant, which had come as a shock to residents living nearby.
- Councillor Alan Law (Ward Member) had been asked to refer the application to the Eastern Area Planning Committee for consideration.
- Mr Sturgess felt that a professional landscaping scheme should be approved by the West Berkshire Council Planning Department before the application was considered.

Questions to Objectors from Members

Councillor Emma Webster suggested that the objectors read conditions four and seven in the planning officer's report regarding residential annex use and landscaping. Councillor Webster asked if these conditions reassured the objectors regarding some of the comments that they had made. Mr Sturgess, Mrs Godsmark and Mr Sheppard confirmed that they felt the highlighted conditions would adequately deal with issues they had around residential annex use and landscaping.

Councillor Webster further queried where the photos had been taken from, which had been submitted to the planning department and shown during the objector's speech. Mr Sturgess confirmed that one of the photos had been taken from the road, prior to the trees and shrubs being removed. Mr Sturgess confirmed that one of the photos had been taken from the road, prior to the trees and shrubs being removed. Mrs Godsmark stated that the photos showed that the property had once been adequately secluded. Mr Sturgess stated that he used to have some fir trees that stood 40 foot tall at the end of his garden that backed onto Grimms Dyke. An engineer carrying out digger work for the applicant had cut through the roots of these trees and as a result they had fallen down.

Councillor Graham Bridgman referred to the volume increase stated by Mrs Godsmark. Mrs Godsmark reiterated that the proposal would be 29% larger in volume than the proposal that had been refused at appeal in 2016.

Councillor Bridgman stated that he had carried out some calculations and explained that two sides of the proposed building equated to 8090 metres and 7700 metres. The former plans for the application refused at appeal in 2016 had measurements of 9850 and 6070 metres. Councillor Bridgman struggled to see how there would be an increase in volume of 29%. Mrs Godsmark stated that her figures had been provided by a professional engineer. She admitted that she was not mathematically minded however stated that she did have details of the footprint figures from the engineer. The 2016 application had a length of 9.9 metres, a width of 6 metres and height of 5.1 metres and the present proposal had a length of 7.7 metres, a width of 8.3 metres and height of 4.3 metres. Mrs Godsmark added that her figures for the current application included the balustrade and overall calculated that there would be an 8% increase in footprint.

Councillor Bridgman noted that Mrs Godsmark's figures included the balustrade and this is why the figures differed to his own calculations. Mrs Godsmark stated that if the balustrade was excluded from the figures there would be an overall increase in volume of 25% from the previous application.

Agent Representation

Mr Shinkwin in addressing the Committee raised the following points:

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- Various purposes were intended for the proposed ancillary building and none of these purposes were sinister.
- The garden room would also provide a room where his son could stay, as it would have wheelchair access. Mr Shinkwin added that his son had a job in London and was only required to be in the city four days per week. The proposal would offer his son suitable accommodation away from the city.
- Regarding landscaping, he was committed to having landscaping carried out and the spoil would create a screen.
- Mr Shinkwin had met with Mr Sturgess when the problem with the trees had occurred and he felt that Mr Sturgess's account of the matter had been completely exaggerated. The workman operating the digger had done so within the curtilage however, because the ground was largely chalk the roots of Mr Sturgess' trees had grown past the boundary into Mr Shinkwin's garden. Only one tree had fallen as a result of the work undertaken.
- Mr Shinkwin added that he had asked Mr Sturgess prior to the work if he had wanted any of his trees removed and Mr Sturgess had highlighted that he would have the ones at the bottom of his garden removed by his gardener. Mr Shinkwin stated that they had taken the trees down for Mr Sturgess.

Questions to Applicant from Members

Councillor Marigold Jaques noted that Mr Shinkwin had said that his son would live at the proposed ancillary building three days per week and asked if this was correct. Mr Shinkwin explained that his son worked in Parliament and that the parliamentary terms could be likened to school terms. The aim was to provide his son with a quiet room as he was very sensitive to noise. Councillor Jaques struggled to see how Mr Shinkwin's son coped with London if he was sensitive to noise and Mr Shinkwin stated that he had no choice as that was where his job was located.

Councillor Alan Macro noted that the plans detailed a games room and queried why a shower was required for such a facility. Mr Shinkwin stated that this would provide his son with a bathroom when he stayed.

Councillor Tim Metcalfe had noted the site of a former garage at the site visit and asked if this had been pulled down as part of conditions. Mr Shinkwin confirmed that this had not been removed as part of conditions. He stated that they had contacted West Berkshire Council's planning department and had been advised that if they took the building down this would be factored into any planning applications in the future.

Member Questions to Officers

Councillor Pamela Bale noted from what had been stated by Mr Shinkwin that the description of the proposal contained in the report was not correct as it did not mention residential use. Bob Dray stated that the application should be read as a whole, including the submitted plans as well as the description. He was satisfied that the description was not flawed and that overall what was proposed was sufficiently clear.

Councillor Bridgman noted in the update report that condition seven referred to application 153378 and that this differed to the number in the planning report. Bob Dray stated that update sheet should also refer to the planning application 153379.

Further to the question raised by Councillor Bale, Councillor Bridgman asked if the application had included a description of the proposal, which included residential use, if this would make a difference to the way Members considered the application. Bob Dray reported that the proposal was clearly presented as an ancillary outbuilding, and

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therefore it had been considered correctly. Such an outbuilding could be lawfully used for any purpose or activity provided it remained ancillary or incidental to the residential use of the main dwelling. Condition four stated that the building should not be used at any time for purposes incidental and/or ancillary to the residential use of the dwelling known as Grimms Dyke. If the proposal was used for purposes other than that stated in condition four then enforcement action could be taken. Bob Dray confirmed that he was satisfied that although the proposed building was detached it was within close proximity to the main house. There were controls that could be enforced if a material change of use occurred without permission.

Councillor Bridgman noted that the photos showed a mixture of gravel and grass leading up to where the proposed building would stand. Councillor Bridgman asked what would happen if the applicant decided to tarmac this and place a balustrade around it. He queried if this would breach any planning laws and if planning permission would be required. Bob Dray stated that hard standing could normally be provided to the rear of a dwelling under permitted development.

Councillor Macro referred back to the Inspector's appeal decision. There had previously been concern raised by the Council that the access leading to the proposed building could be used as a separate driveway and Councillor Macro asked how this had changed in the current application. There was concern that condition four would not prevent this from happening. Bob Dray stated that condition four was a standard condition used. The previous application had proposed that the building be positioned further away from the main house, which would likely have affected the Council's viewpoint on that particular application. From checking the 2016 planning report, Bob Dray confirmed that there had indeed been concern about the distance of the building from the main dwelling. This was something that was taken into account when considering if a proposal could be used as a separate dwelling and whether there was potential for conversion. Bob Dray stated that these concerns were not shared with the current application due to its close relationship with the main house.

Councillor Webster referred to condition four and asked if officers were satisfied that the building would be for ancillary purposes only now that the applicant had stated that one of the rooms would be used as a bedroom. Bob Dray stated that this kind of habitable accommodation would not be classed as an incidental use, but he was satisfied that the outbuilding was for ancillary use.

Councillor Quentin Webb noted from Mr Shinkwin's comments that the spoil would be used to change the topography of the area and queried if this would be covered by condition seven. Bob Dray stated that any significant creation of spoil would require planning permission. Bob Dray added that levels were shown within the plans. Regarding a condition on spoil, Bob Dray explained that a site as large in size as that being considered would have the ability to spread top soil across the area potentially without resulting in such an engineering operation, however through conditions it could be ensured that the level of any spoil deposited was acceptable.

Councillor Jaques noted from point 11 on page three of the Planning Inspector's appeal decision that there was concern that the previously proposed building could be used as a separate dwelling. Councillor Jaques asked how Members could now feel satisfied that conditions would prevent this from happening. Bob Dray stated that he was comfortable given the size of the building and proximity to the main house that the proposal was for ancillary use only.

Councillor Webster stated since the previous application in 2016, there had been changes made to the National Planning Policy Framework (NPPF) regarding enhancing the natural environment and asked Bob Dray if he was satisfied that the proposal

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adhered to these changes. . Bob Dray confirmed that he was happy that the application was in line with the revised NPPF, and in particular the great weight that should be applied to conserving the scenic and natural beauty of the AONB, which had remained the same.

The Debate

Councillor Bridgman commented that the application should pose a reasonably straight forward decision. He did not feel however, that Planning Policy C6 was as well worded as it could be. The use of the building by the applicant's disabled son was not a critical factor in Councillor Bridgman's view and he also did not feel that the creation of a separate driveway was something Members should be concerned about. Councillor Bridgman felt that the critical factor was landscaping and he was happy to propose that Members accept the Officer recommendation to approve the application if a condition regarding landscaping was added.

Councillor Tim Metcalfe stated that he was happy to second Councillor Bridgman's proposal. The site had transformed over the years from what was once a chicken farm with a rodent issue. With this in mind he would have expected residents to support the new plans however he understood that the design of the site was out of character with the area. The outbuilding would be ancillary to the main dwelling and would be well hidden. Councillor Metcalfe could not find a reason to refuse the application.

Councillor Quentin Webb stated that he was also happy to support the proposal and felt that the conditions addressed the issues that had been raised. Councillor Webb had no issue with the landscaping if his suggestion regarding ground levels could be included to strengthen conditions.

Councillor Richard Somner concurred with what had been said and agreed that the condition referred to by Councillor Webb needed reviewing.

Councillor Webster stated that she was struggling with the application because she would have expected the intended use of the outbuilding to have been included in the description of the proposal. She asked Officers if they felt that condition four was strong enough now that they were aware that part of the building would be used as a bedroom. Councillor Webster's main concern was around enforcement action should it be required, and whether more detailed requirements should be added to the condition.

Bob Dray stated that in planning land use was the main concern, and the recommended condition was considered sufficient. It was considered that a condition seeking to govern the selling or leasing of the land would unreasonably interfere with proprietary right, and that absolute restrictions on trade were excessive given the increase in a working from home culture. The key consideration to ensure that any use remain ancillary or incidental to the residential use of the main dwelling was achieved by the condition.

Councillor Webster noted from the objectors' comments that the building could be used for meditation purposes and if this became a regular occurrence it would have more of an impact on the local area such as highways. Councillor Webster asked if Bob Dray was happy that the condition covered such an eventuality. Bob Dray confirmed that he was satisfied that the condition provided enough control and would prevent established events taking place. Sporadic events were unlikely to amount to a material change of use and would rarely be problematic. If events however became regular occurrences then a material change of use could occur which required planning permission. This would also amount to a breach of condition which the Council would then have ten years to enforce against.

Councillor Webb felt that there was still a condition required regarding the topography of the ground around the site. Bob Dray stated that condition eight covered the removal of

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spoil and condition seven covered landscaping. Councillor Webb was concerned that these conditions were still not strong enough. Councillor Bridgman suggested condition eight be amended to read 'or being brought into the development'. Councillor Somner concurred and felt that condition eight also needed to state 'the movement of soil'.

Bob Day recommended that the best way to deal with Members concerns would be to leave conditions seven and eight unaltered but add a ninth condition for the prior approval of existing and proposed ground levels.

The Chairman invited Members of the Committee to vote on the proposal put forward by Councillor Bridgman and seconded by Councillor Metcalfe and at the vote the motion was carried, with the addition of a condition requiring the prior approval of details of existing and proposed ground levels.

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

Conditions

1. Full planning permission time limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

2. Standard approved plans

The development hereby permitted shall be carried out in accordance with the approved drawings numbers 1 (Location Plan), 3 (Proposed Garden Layout), 5 (Proposed front elevation from Ashampstead Road), 6 (Block Plan), 7 (Floor Plan) and 8 (Section) received on 1 June 2018 and drawing number 4 (Proposed Elevations of new build only) received on 21 June 2018.

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

3. Schedule of Materials (samples on request)

No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the building and hard surfaced areas hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C6 of the West Berkshire Council's Housing Site Allocation Development Plan Document (2006-2026), Supplementary

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

4. Residential annex use

The building hereby permitted shall not be used at any time other than for purposes incidental and/or ancillary to the residential use of the dwelling known as Grimms Dyke, Aldworth. The development shall not be used as a separate dwelling and no separate residential unit shall be created.

Reason: The creation of a separate planning unit would be unacceptable in the interests of ensuring a sustainable pattern of development. This condition is imposed in accordance with the National Planning Policy Framework (July 2018), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy C1 of the West Berkshire Council's Housing Site Allocation Development Plan Document (2006-2026), and the Supplementary Planning Document Quality Design (June 2006).

5. Tree protection scheme

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All 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 6 and detailed in figure 2 of B.S.5837:2012

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

6. Tree Protection – Construction Precautions

No development or other operations shall commence on site until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

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7. Landscaping

No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include 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 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 NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

8. Removal of spoil

No development shall take place until full details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil (not to be deposited) from the site;
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and West Berkshire Council's Supplementary Planning Document Quality Design (June 2006).

9. No development shall take place until details of existing and proposed ground levels (including any changes resulting from engineering operations and landscaping works associated with the development hereby permitted) 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: The development will generate a significant amount of spoil, and it has also been indicated that it is intended to use this spoil (and

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perhaps imported material) to alter ground levels and as part of the landscaping of the site. Owing to the steep rising landform and amount of spoil that may be used in this way, it is necessary to ensure that proposed ground levels do not result in incongruous landforms within this sensitive location of open countryside within the North Wessex Downs AONB. This condition is applied in accordance with the NPPF (2018), Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy, the North Wessex Downs AONB Management Plan 2014-2019, and Quality Design SPD.

Informatives:

1. Proactive actions of the Local Planning Authority

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

2. Damage to footways, cycleways and verges

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.

3. Damage to the carriageway

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

25. Appeal Decisions relating to Eastern Area Planning

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

(The meeting commenced at 6.30 pm and closed at 7.43 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	13 Week Date	Proposal, Location, Applicant
(1)	16/01685/OUTMAJ Burghfield	19 September 2016 ¹	Outline planning application for 28 dwellings. Matters to be considered: Access. Matters reserved: Appearance, Landscaping, Layout and Scale. Land Adjacent To Primrose Croft, Reading Road, Burghfield Common, Reading, Berkshire Westscope Primrose Ltd

¹ Extension of time agreed with applicant

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/01685/OUTMAJ>

Recommendation Summary: To delegate to the Head of Development and Planning to **GRANT OUTLINE PLANNING PERMISSION** subject to conditions and the completion of a s106 legal agreement;

Or, if the s106 legal agreement is not completed, to delegate to the Head of Development and Planning to **REFUSE OUTLINE PLANNING PERMISSION**.

Ward Members: Councillor Ian Morrin
Councillor Carol Jackson-Doerge

Reason for Committee Determination: Level of objection

Committee Site Visit: 19th September 2018

Contact Officer Details

Name: Bob Dray
Job Title: Team Leader (Development Control)
Tel No: 01635 519111
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1. INTRODUCTION

- 1.1 This application seeks outline planning permission for the erection of 28 dwellings on land adjacent to Primrose Croft, Reading Road, Burghfield Common. When originally submitted in outline it included full details of access and layout, with only matters of appearance, scale and landscaping reserved for later approval.
- 1.2 The application site comprises an area of open grassland accessed off Reading Road on the eastern side of Burghfield Common. The Hollies Nursing Home adjoins the site, itself fronting onto Reading Road. To the rear is Pondhouse Copse, which includes ancient woodland within its core, away from the edge of the site. To the south-west is a further area of grassland behind the houses which front onto Reading Road. To the north and east is open countryside with sporadic houses, and a public footpath runs from Reading Road, through Pondhouse Copse, to Clayhill Road.
- 1.3 The application site is approximately half of a larger housing site allocation for approximately 60 dwellings. There is a policy requirement that a single application be submitted for the whole allocation in order to ensure a comprehensive and cohesive development. However, this application only seeks permission for "Phase 1". The remainder of the site "Phase 2" is under separate ownership and is not included within the application site.
- 1.4 The absence of a single application to cover the whole housing allocation has resulted on prolonged negotiations, with planning officers seeking to ensure that the approach taken by the applicants does not prejudice the Phase 2 development, or the allocation as a whole. Throughout the course of the application the Phase 2 landowners have also maintained an objection to the application on this basis.
- 1.5 The applicant is Westscape Primrose Ltd, but in the latter stages of this application a housebuilder, Crest Nicholson, became the applicant's developer partner, and has taken on a central role within negotiations. The applicant remains the same.
- 1.6 Following the recent round of negotiations, the applicant has amended the application such that details of layout are now also reserved for consideration at reserved matters stage, leaving Access as the only reserved matter to be considered in full at this outline stage.
- 1.7 Up until this point a number of revised layout plans have been submitted for consideration, but now this information is treated as illustrative. The applicant has submitted a Parameter Plan which identifies the access point from Reading Road, the access point into Phase 2 land, the extent of the developable area, a landscape buffer, a buffer to Pondhouse Copse, and an indicative alignment of the road through Phase 1 together with service margins. If outline planning permission is granted, it is recommended that a condition is applied to stipulate that the detailed design submitted at reserved matters stage accords with this Parameter Plan.
- 1.8 The Parameter Plan accords with previously submitted detailed layout drawings, which can now be treated as illustrative. They give an impression of how the site *could* be development within the proposed parameters, but the detail contained within the illustrative drawings is not necessarily fixed.

- 1.9 The current plans for which approval is sought as part of this application are:
- Site Location Plan (1048(SP)01 Rev B)
 - Development Parameter Plan (2610-A-1200-C)
 - Possible Site Access and Traffic Calming Measures (33749/001/001)
- 1.10 The following plans are now provided for illustrative purposes only:
- Site Layout (2610-A-1005-S)
 - Illustrative Site Wide Masterplan (2610-C-1006-B) – including Phase 2
 - Refuse Collection Strategy (2610-C-1020-B)
 - Dwelling Distribution (2610-C-1021-B)
 - Storey Heights, Garden Areas and Dimensions (2610-C-1022-B)
 - Parking (2610-C-1023-B)
 - Character Areas (2610-C-10250-B)
 - Road Areas Proposed for Highways Adoption (2610-C-1026-B)
 - Preliminary Level Strategy for Indicative Scheme (174960-009 Rev P2) – in relation to Phase 2.
 - Indicative Foul and Surface Water Drainage Strategy (174960-001 Rev A)
 - Indicative External Levels Strategy (174960-003 Rev A)
- 1.11 A number of the above drawings show indicative layouts and road structures on the Phase 2 land, but it should be noted that this area is outside the control of the applicants. The application is also accompanied by a suite of supporting documentation, which is available on the public file.
- 1.12 The Government's Planning Casework Unit has advised that the Secretary of State (SoS) for Housing, Communities and Local Government has received a request from an undisclosed party to recover the application for his own determination. As such, the committee's resolution shall be referred to the MHCLG prior to a decision being issued, so that the SoS may decide whether to use his powers.

2. PLANNING HISTORY

	Application	Proposal	Decision
1)	78/08543/ADD	Site for 1 detached house	Refused 28/06/1978 Appeal dismissed
2)	88/28090/ADD	Erection of 18 4 bedroom detached houses with double garage	Refused 25/02/1987
3)	88/32271/ADD	Reinstatement and formation of access and hard surface track	Approved 07/09/1988
4)	90/37826/ADD	Erection of 5 detached houses with garages	Refused 12/09/1990 Appeal dismissed
5)	92/41994/ADD	Erection of two detached houses with garages (scheme a)	Refused 11/01/1993 Appeal dismissed
6)	92/41995/ADD	Erection of two detached houses with garages (scheme b)	Refused 11/01/1993
7)	10/02978/SCREEN	Screening opinion for the erection of 28 dwellings with associated works	EIA not required 10/12/2010

8)	10/02981/OUTMAJ	Outline planning application for 28 dwellings with associated access, parking and amenity. Means of access and layout to be considered with scale, appearance and landscaping reserved.	Refused 10/12/2010 Appeal dismissed 21/10/2011
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3. PROCEDURAL MATTERS

- 3.1 The application has been publicised in accordance with the legal requirements of the Town and Country Planning (Development Management Procedure) Order 2015, and the Council's Statement of Community Involvement. This has involved the display of site notices, notification letters sent to 55 local recipients, and a notice being displayed in the Reading Chronicle.
- 3.2 The application has been revised since submission. In accordance with the advice in the Planning Practice Guidance further public re-consultation has taken place for those submissions which substantially altered the proposals.
- 3.3 The proposed development would create new residential floor space. It will therefore be liable to CIL payments, which are administered in parallel to the application process. However, as the application is made in outline, the CIL liability will be determined at the reserved matters stage when the floor space is known.

4. CONSULTATION

4.1 Statutory and Non-Statutory Consultations

Burghfield Parish Council:	16/07/2016: Object (full correspondence included with plans) 26/02/2018: Burghfield Parish Council would like to ensure their comments previously submitted for application 16/01685/OUTMAJ will be considered again upon further review of the application.
Natural England:	No objections regarding statutorily protected sites and landscapes. Standing advice on various matters including protected species and priority habitats.
Thames Water:	No objections subject to conditions and informatives.
WBC Planning Policy Officer:	Principle of development is acceptable, but application for one part of the site does not meet all of the requirements of Policies HSA16 and GS1. Originally objected on this basis, but support officer recommendation.
WBC Highways Authority:	No objections subject to conditions and planning obligation.
WBC Lead Local Flood Authority:	No objections.

WBC Tree Officer:	No objections subject to conditions.
WBC Ecology:	Detailed requests regarding reptiles, bats, and Pondhouse Copse (proposed Local Wildlife Site).
WBC Environmental Health:	Conditional permission.
WBC Housing Officer:	No objections subject to planning obligation. Detailed requirements for affordable housing provided.
WBC Archaeological Officer:	No objections.
WBC Waste Management Officer:	No objections subject to conditions.
WBC Grounds Maintenance Manager:	No response.
WBC Rights of Way Officer:	Request developer contribution for improvements to Burghfield Bridleway 9.
WBC Emergency Planning:	No adverse comments.
Office for Nuclear Regulation:	Do not advice against.
Thames Valley Police (Design Officer):	No response.
Royal Berkshire Fire and Rescue Service:	Emergency water supplies required.
Berks, Bucks and Oxon Wildlife Trust:	No response.
West Berkshire Spokes:	No response.
Ramblers Association:	No response.

4.2 Public Representations

- 4.2.1 Following public consultation, 28 individual contributors have made representations, a number of whom have made multiple representations at different times during the consideration of this application. Of these contributors, 20 have expressly objected to the proposal, and three have expressed support.
- 4.2.2 During the consideration of the application, a number of objections were received on behalf of the Phase 2 landowners. These objections were primarily on the grounds that an application was submitted solely for Phase 1 in isolation of Phase 2. These objections raised concern with the absence of a comprehensive cohesive approach, the extent to which independent development of Phase 1 could prejudice the onward development of Phase 2, and particularly with respect to the proposed

access point. Following the latest revision to the application these objections have been withdrawn and Phase 2 landowners have written letters in support of the Development Parameters Plan.

4.2.3 All representations are available for inspection on the public file, but the comments received can be broadly summarised as follows:

Summary of support

- Good quality design
- Welcome provision of cycle storage
- Need for housing

Summary of objection

- Already residential development taking place (or subject to planning) in the area
- Local population has increased recently without adequate supporting infrastructure
- Very similar development previously dismissed at appeal
- Adverse implications for Phase 2 development (from parties in addition to the Phase 2 landowners)
- Phase 2 land is not suitable for development
- Development outside the settlement boundary*
- HSA DPD has not been adopted*
- Community does not support the proposals
- Unsustainable location
- Increased pressure on local infrastructure (schools, roads, healthcare, council services, sewerage system)
- The Reading Road sewer has overflowed and backed up several times
- Presence of AWE site in local area
- Traffic generation and impact on local highway network
- Traffic safety (Reading Road bend, speed levels, narrow footways)
- No direct pedestrian access from the site to the village
- Insufficient parking levels
- Increased on-street parking
- Inappropriate scale and layout
- Development is out of character with local area
- Adverse impacts on neighbouring amenity and living conditions
- Adverse impact on the amenity of The Hollies Nursing Home
- Disturbance to residents of The Hollies during construction
- Inadequate separation distance between development and The Hollies
- Flood risk
- Exacerbate existing problems with surface water drainage
- Loss of green space
- Adverse impacts on adjacent woodland and ancient woodland
- Insufficient buffer to ancient woodland
- Presence of protected species and other wildlife in woodland and surrounding area
- Adverse impacts on local biodiversity and net loss in biodiversity
- Inadequate ecological assessment
- Recent loss of trees and TPO

- Adverse impacts on adjacent public bridleway
- Adverse visual impacts
- Adverse impacts on landscape character
- Presence of septic tank pipework and existing ditch
- Noise (construction and additional traffic noise)

4.2.3 It is noted that a number of objections (marked *) pre-date the adoption of the HSA DPD.

5. PLANNING POLICY

5.1 The following policies from the statutory development plan are relevant to the proposal:

5.2 West Berkshire Core Strategy 2006-2026 (WBCS):
Policies: ADPP1, ADPP6, CS1, CS4, CS5, CS6, CS8, CS13, CS14, CS15, CS16, CS17, CS18, CS19

5.3 Housing Site Allocations Development Plan Document (HSA DPD):
Policies: GS1, HSA16, C1, P1

5.4 West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP):
Policies: OVS.5, OVS.6, RL.1, RL.2, RL.3

5.5 The following policies and guidance are relevant material considerations:

- National Planning Policy Framework (July 2018) (NPPF)
- Planning Practice Guidance (PPG)
- Planning for Growth Written Ministerial Statement (23/03/2011)
- West Berkshire Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Burghfield Parish Design Statement (August 2011)

6. APPRAISAL

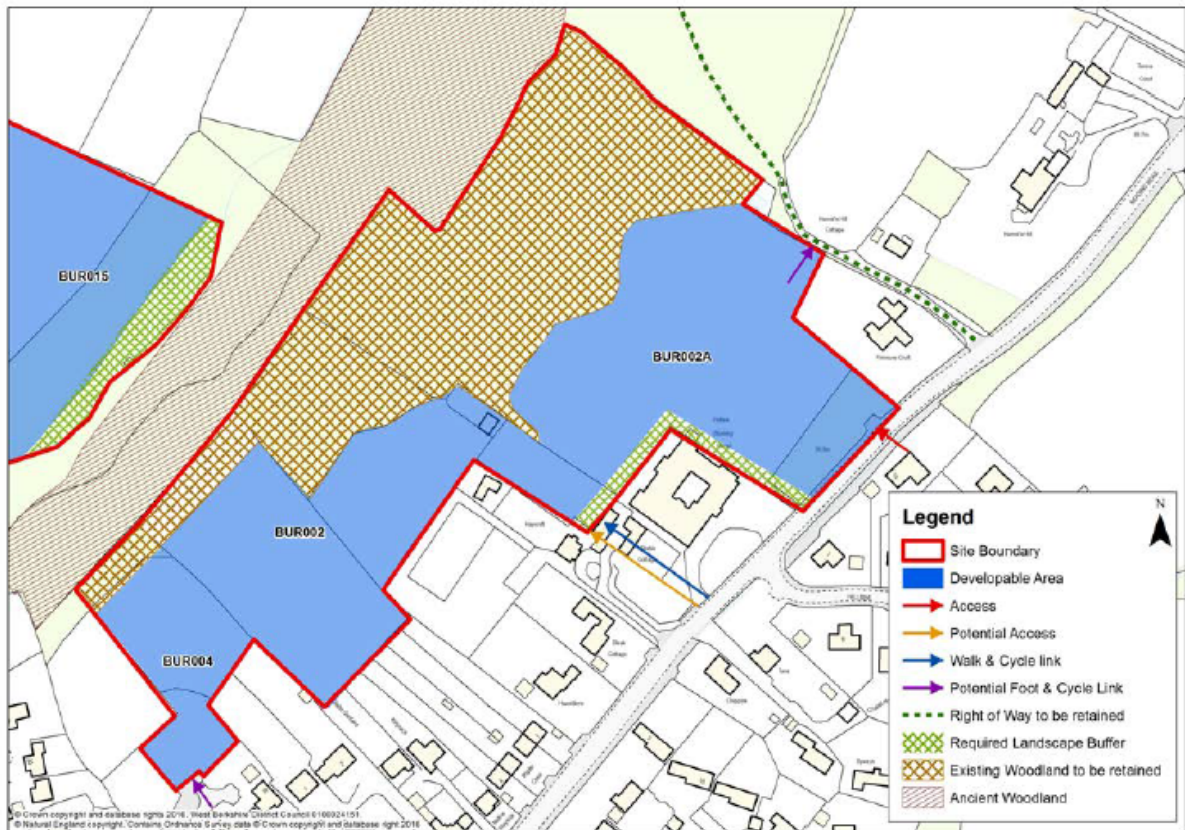
6.1 Principle of Development

6.1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory development plan provides an up-to-date framework for determining applications for housing development in West Berkshire and so attracts substantial weight in the decision making process. The housing supply policies which are relevant to this application are: Policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policies GS1, HSA16 and C1 of the Housing Site Allocations DPD 2006-2026 (HSA DPD).

6.1.2 Policies ADPP1 and ADPP6 provides the Spatial Strategy for the district. Overall, these policies seeks to direct development to the most sustainable locations within the district. Policy ADPP1 includes a District Settlement Hierarchy, which identifies Burghfield Common as a Rural Service Centre, a second tier settlement with a range of services and reasonable public transport provision. Policy ADPP6 (East

Kennet Valley) states that some growth is planned for this area, and that the two identified rural service centres of Burghfield Common and Mortimer will be the focus of development in this area. Development may take the form of small extensions to these villages.

- 6.1.3 According to Policy CS1, new homes will be located in accordance with the settlement hierarchy outlined in the Spatial Strategy and Area Delivery Plan Policies. New homes will be primarily development on (amongst others) land allocated for residential development in subsequent development plan documents.
- 6.1.4 Consistent with the above strategic policies, Policy HSA16 has now allocated land to the rear of The Hollies Nursery Home (Reading Road), and opposite 44 Lamden Way for the provision of approximately 60 dwellings with a mix of dwelling types and sizes. The settlement boundaries have also been reviewed, and the HSA DPD has expanded the Burghfield Common settlement boundary to include this land. According to Policy C1, there is a presumption in favour of development and redevelopment within the (now expanded) settlement boundary of Burghfield Common.
- 6.1.5 The plan associated to Policy HSA16 (below) shows the developable area of the allocation, and other policy requirements. The application site is the north-eastern parcel of land behind The Hollies and adjacent to Primrose Croft. The brown hatching is Pondhouse Copse, which is to be retained, and the green hatching is a required landscape buffer. The remainder of the allocation continues south-west behind the dwellings along Reading Road, up to Lamden Way.
- 6.1.6 The proposed development complies with the above policies in terms of the location of new housing development, and in this respect the principle of development is acceptable. There are detailed policy requirements which also have a fundamental bearing on the acceptability of the proposed development, which are explored below. The most pertinent matter is that the application site does not cover the whole allocation, rather it proposed approximately half the allocated development, with the remainder to come forward separately. This application has been known as “Phase 1”, and the remainder of the allocation has been known as “Phase 2”.



Policy HSA16 Plan

6.2 Comprehensive Development

6.2.1 Both Policies GS1 and HSA16 require that a comprehensive approach is taken to the development of allocated sites, both in general and specific to this site. They provide a policy requirement that a single planning application should be submitted for the whole allocation.

6.2.2 Policy GS1 (General Site Policy) states:

*“Each allocated site will be **masterplanned and delivered as a whole** to achieve a comprehensive development that ensures the timely and coordinated provision of infrastructure, services, open space and facilities. **A single planning application** will be submitted for each allocated site, either an outline or full application, to ensure this comprehensive approach to development is achieved.”*

6.2.3 Policy HSA16 (Land to the rear of The Hollies...) states:

*“These sites are being considered together as one site and have a developable area of approximately 2.7 hectares. The sites **should be masterplanned comprehensively** in accordance with the following parameters:...”*

6.2.4 In addition to the policy requirement, there are also a number of substantive technical reasons for this requirement. These could include matters such as:

- Inappropriate layout and densities balanced between the sites
- Numbers in wider allocation not being achieved.

- Lack of comprehensive planning for matters such as drainage, ecological mitigation, and public open space.
- Impacts on viability, due to infrastructure demands not being shared across sites (e.g. highway works).
- Site wide requirements (e.g. travels plans).
- Section 106 pooling restrictions.

6.2.5 Despite the above policy requirements and technical reasons for a single comprehensive application, this application has been submitted solely on behalf of the Phase 1 owners. The Phase 2 land is under separate ownership and has not been included within the application site.

6.2.6 Accordingly, the Council must consider the merits of the application as submitted. The policy requirement for a single application is the starting point, but there may be a number of material considerations that are relevant in determining whether a single application is absolutely necessary to grant permission on a specific case. Appeal decision precedent has identified two key scenarios for which comprehensive development may be necessary:

- Whether there is a reasonable likelihood of a desirable overall development occurring, of which the site is an integral part, and therefore it is concluded that the land should not be developed on its own.
- Whether if the development of a site is acceptable on its own, but where neighbouring land is expected to be developed, the particular layout to be adopted is prejudicial to onward development.

6.2.7 In this instance, plainly it is desirable for the overall development of approximately 60 dwellings to occur because these dwellings contribute to the Council's plan-led approach to boosting the supply of housing within the district. However, this is a relatively small-scale housing site, and it is not a strategic scale allocation; therefore there is no strategic infrastructure that relies on a single application. Given the relatively small scale of this specific development, and the desire to achieve housing completion on the site at the earliest opportunity, two applications for the whole application may be acceptable in principle provided that one phase does not prejudice the other. The length of time taken to assess this application has been primarily caused by the piecemeal approach taken to progressing the development, and the necessary negotiations that have taken place as a result to ensure that Phase 1 does not prejudice Phase 2.

6.2.8 For much of the time this application has been pending consideration, the Phase 2 landowners have maintained an objection to this application. Their correspondence is available on the public file, but in essence their concerns were similar to Officers' in that the proposed development of Phase 1 may prejudice the development of Phase 2. Citing the constraints of their land, the Phase 2 landowners have been primarily concerned with the point at which this application proposes the access road from Phase 1 enters Phase 2, as this is in one of the most level (and thus developable) parts of the site. Concern was also raised with respect to general absence of a comprehensive approach taken by the application.

6.2.9 The application has been subject to a number of amended plans to address concerns raised by officers. The latest submission from the applicant requested that layout be deferred for later consideration as a reserved matter, and in place of the detailed layout drawings the proposed Parameter Plan has now been submitted

for consideration at the outline stage. This Parameter Plan accords with the latest detailed layout plans which were pending consideration, but importantly means that layout would not be fixed beyond the parameters specified on this plan.

6.2.10 In light of recent negotiations and consultation between the parties, the Phase 2 landowners have now written to formally withdraw all objections made by them and on their behalf, and to confirm that they fully support the development as shown on the Parameter Plan. Given their interest in developing Phase 2, this is a strong indication that the current proposals do not prejudice the onward development of the allocated site.

6.2.11 The table below provides a summary appraisal of the key issues which have been considered in determining whether this application for just Phase 1 is acceptable, or whether it prejudices the development of Phase 2.

Issue	Comprehensive Development Implications
1) Access	The whole development is accessed through Phase 1 onto Reading Road. A private agreement has been reached between the landowners to provide step-in-rights to ensure that Phase 2 can be accessed through Phase 1. Whilst this agreement is welcomed, it is also a public interested to ensure that measures are put in place to ensure that Phase 2 can be accessed if any problems arise in the development of Phase 1. As such, it is considered necessary to secure a planning obligation which enables the Local Planning Authority to stipulate that the access road through Phase 1 is made available if so directed. As such, subject to a suitable planning obligations in a s106 legal agreement, this matter can be resolved under this application.
2) Layout	Following negotiations and the withdrawal of the Phase 2 landowners' objections to the Phase 2 access location, there are no grounds to conclude that the proposed development would directly prejudice the quantum of development that can be achieved on Phase 2.
3) Quantum and density	The application proposed just less than half the total approximately number of dwellings for which the wider site is allocated. It is noted that the Phase 1 land is more readily suited to development due to its level ground levels and regular shape. It follows that the quantum and density of development should be maximised on the Phase 1 land. However, having regard to the indicative layouts considered during this application, it is considered that the site is suitable for 28 dwellings, and that a greater number would likely lead to the overdevelopment of the site. The capacity of Phase 2 land for development will be assessed in detail when an application is duly received.
4) Affordable Housing	The same level of affordable housing would be provided if the site was delivered through a single application or two applications (taking into account any rounding of numbers). As such, this application would not prejudice the overall provision of affordable housing in the allocation.

5)	Travel Plans	According to Policy GS1, a travel plan will only be required for 80 dwellings or more within this area (parking zone 3). As such, this requirement would not be prejudiced. Travel Information Packs can be secured by condition for each application.
6)	Drainage	Whilst the submitted drainage strategy for the illustrative Phase 1 site layout would achieve its primary purpose of managing the quantity of water, doubts have been raised as to the extent to which it could achieve the secondary objectives of a drainage strategy. There is a reasonable question as to whether, were the whole allocation to be designed comprehensively, whether an improved drainage strategy could be developed. However, it is considered that there is insufficient information available to substantiate a refusal on this basis.
7)	Ecology	There are not considered to be any ecological matters which would be adversely affected by the absence of a single application for the allocation.
8)	Open Space	It is conceivable that a single application covering the whole allocation could include an improved proposal for open space. However, given that layout is now reserved and in light of the relatively small scale of development, it is considered that a refusal cannot be substantiated on this basis.
9)	Viability	No viability issues have been raised by either Phase 1 or 2 parties. The applicant has confirmed that the provision of footway improvements under Phase 1 do not undermine the viability of the development.
10)	S106 Pooling	No necessary planning obligations has been identified that would engage pooling restrictions.

6.2.12 It is now considered that the most critical considerations detailed above are adequately dealt with, including access, layout, quantum, density, affordable housing, travel plans, ecology, viability and S106 pooling. In light of the shortcomings raised with drainage and open space later in report, it is conceivable that further improvements could have been realised with a comprehensive scheme covering the whole allocated site. However, particularly with layout reserved, it is concluded that a refusal cannot be substantiated on this basis.

6.2.13 The timely delivery of housing on this site in the short term must attract some weight, particularly as the development contributes to the Council's five year housing land supply. Given that the most critical considerations are resolved, it is now considered on balance that the proposal will enable a sufficiently comprehensive and cohesive development to take place. Given the relatively small scale of this allocation, strategic infrastructure considerations do not arise. Most importantly, it appears that the development of Phase 2 will not be prejudiced by granting outline planning permission.

6.2.14 As such, it is concluded that the proposed development fails to comply with the aforementioned parts of Policies GS1 and HSA16. However, having given careful consideration to the above matters it is considered that the development of the application site is acceptable on its own, and the application as amended will not prejudice onward development of Phase 2. Accordingly, this limited conflict with the aforementioned policies is acceptable in the specific instance.

6.3 Housing Type and Mix

6.3.1 According to Policy HSA16, a mix of dwelling types and sizes shall be provided on this allocated housing site. Core Strategy Policy CS4 states that residential development will be expected to contribute to the delivery of an appropriate mix of dwelling types and sizes to meet the housing needs of all sectors of the community, including those with specialist requirements. The mix on an individual site should have regard to:

- The character of the surrounding area.
- The accessibility of the location and availability of existing and proposed local services, facilities and infrastructure.
- The evidence of housing need and demand from Housing Market Assessments and other relevant evidence sources.

6.3.2 The layout of the development is now reserved for later consideration, and so the mix of housing types is subject to change. However, to comply with Policy CS6, the proposal must provide 17 private dwellings and 11 affordable dwellings. The latest detailed scheme, which is now for illustrative purposes only, comprised the following mix:

	Size/Type	Number of Bedrooms	Number of Units	Tenure
1)	House	2	2	Private
2)	House	3	2	
3)	House	4	9	
4)	House	5	4	
5)	Flat	1	3	Affordable
6)	Flat	2	2	
7)	House	2	3	
8)	House	3	3	

6.3.3 The 2016 Berkshire SHMA indicates a need for all housing types within the housing market area, but the most pronounced need is two and three bedroom dwellings. Set against the SHMA the illustrative housing mix includes a greater proportion of larger 4/5 bed dwelling sizes.

6.3.4 The surrounding area comprises predominantly detached or semi-detached houses in individual plots. This indicates that larger size dwellings would be in keeping with local character, although the grain of development may allow some flexibility should a greater proportion of smaller units be proposed at reserved matters stage.

6.3.5 Balancing the evidence of housing need with the existing character of the area, the proposed illustrative housing mix is considered to accord with the aforementioned policies (subject to other resultant considerations examined elsewhere – e.g. affordable housing distribution and design), although it may be

preferable/necessary at reserved matters stage to seek a greater proportion of smaller units should relevant considerations indicate this would be appropriate.

- 6.3.6 Regard has also been had to the evidence of housing need on the Self Build Register. No self/custom build housing is proposed as part of this development. Given the specific circumstances of this application, and particularly the timing of the application submission, and the lengthy negotiation to date, it is considered the absence of self/custom-build housing on this site does not warrant the refusal of this application.
- 6.3.7 According to Policy CS4, development will make efficient use of land with greater intensity of development at places with good public transport accessibility. Lower density developments below 30 dwellings per hectare will be appropriate in certain areas of the District. Some parts of the urban areas and some villages are particularly sensitive to the impact of intensification and redevelopment because of the prevailing character of the area, the sensitive nature of the surrounding countryside or built form, and/or the relative remoteness from public transport. The location of the site in close proximity to existing dwellings and rural public footpaths increases the sensitivity of the site to excessive densities.
- 6.3.8 The proposed density of development is 20 dwellings per hectare. Taking into account the character of the area and various design considerations, it is considered that this density is appropriate, and that a greater density would likely result in demonstrable harm to local character and undermine the design quality of the development. The proposed density is therefore considered to comply with Policy CS4, subject to other resultant considerations examined elsewhere (e.g. character and appearance).

6.4 Infrastructure and Services

- 6.4.1 According to Core Strategy Policy CS5, the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery, whilst protecting local amenities and environmental quality.
- 6.4.2 Except for the site access arrangements, no specific infrastructure requirements are set out in Policy HSA16. However, the development will be liable to payments under the Council's Community Infrastructure Levy (CIL), which contributes to the funding of local infrastructure (e.g. schools, highways, healthcare).
- 6.4.3 Given the number of houses proposed, any increases in local school capacity would be incremental and so mitigation may be funded through CIL. Only extensions to schools made necessary by a specific development will fall within the scope of S106.
- 6.4.4 Similarly, the development would have a strategically incremental impact on local healthcare facilities. According to the Planning Obligations SPD, only extensions and/or new doctor surgeries required directly as a result of a development will fall within the scope of S106, whereas, increasing capacity at local surgeries falls within the scope of CIL.

- 6.4.5 Thames Water are the statutory undertaker that would be responsible for providing the development with foul drainage and a water supply. Following consultation they have advised that they do not have any objections to the application, subject to conditions and informatives.
- 6.4.6 Thames Water expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water has reviewed the Foul and Surface Water Drainage statement' dated January 2018 and advise that with regards to sewerage infrastructure, they would not have any objection to the application, provided that the details of site drainage works are adhered to. This includes the key details regarding the maximum pump rate for the onsite pumping station being 1.5 litres per second and surface water not discharging to the public sewer.
- 6.4.7 Royal Berkshire Fire and Rescue Service have advised that the site does not currently have sufficient emergency water supplies, and seeks a requirement for private fire hydrants and emergency water supplies. This is normally achieved by way of a condition, but RBFRS also seek a developer contribution to fund such supplies. In practice, this requirement is often discharged by Thames Water supplying the site with mains water, and RBFRS are consulted on this separate statutory process. A planning requirement therefore acts as a fallback position in the unlikely event that this is not captured by other means. Taking into account these points and the scale of development, a developer contribution is not considered necessary or proportionate. Instead a planning condition should suffice.
- 6.4.8 Third party representations have been received relating to the foul sewer proposals, and the proposed connection to the public system. These comments are acknowledged, but the Council must rely on the advice of the statutory undertaker on such matters. Moreover, the planning system should not seek to duplicate other statutory controls and responsibilities for other public bodies. Given the scale of development and the consultation response from Thames Water, it is considered that no strategic issues are raised which have a significant bearing on this planning application.
- 6.4.9 No other strategic infrastructure requirements have been identified for the proposed development. For the above reasons, it is considered that the proposed development is capable of complying with Policy CS5.

6.5 Affordable Housing

- 6.5.1 According to paragraph 62 of the NPPF, where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and normally expect it to be met on-site.
- 6.5.2 According to Core Strategy Policy CS6, in order to address the need for affordable housing in West Berkshire a proportion of affordable homes will be sought from residential development. Consistent with the NPPF, the Council's priority and

starting expectation will be for affordable housing to be provided on-site. Subject to the economics of provision, 40% affordable housing is expected on this greenfield site. A tenure split of 70:30, social rented to intermediate affordable housing is stipulated by Policy CS6 in light of evidence on local need.

- 6.5.3 In accordance with Policy CS6, on-site provision of 11 units of affordable housing are required. This should comprise 8 social rented dwellings, and 3 intermediate dwellings. The Housing consultation response dated 12th July 2016 provides detailed requirements for affordable housing. Affordable housing must be secured through a planning obligation.
- 6.5.4 A policy-compliant level of affordable housing was proposed as part of the illustrative site layout. As such, it is considered that the proposal is capable of complying with Policy CS6 and the Planning Obligations SPD subject to the completion of an acceptable s106 legal agreement.

6.6 AWE Off-Site Emergency Plan

- 6.6.1 The application site is located within the AWE Burghfield middle consultation zone, and the AWE Aldermaston outer consultation zone. Core Strategy Policy CS8 requires consultation with the Office of Nuclear Regulation (ONR) for 20 or more dwellings in the middle zone.
- 6.6.2 The Council's Emergency Planning Team has made no adverse comments, and the ONR does not advise against the application. As such, it is considered that the proposed development would not adversely affect the AWE Off-Site Emergency Plan, and so the application complies with Policy CS8.

6.7 Highways Matters

- 6.7.1 According to Core Strategy Policy CS13, development that generates a transport impact will be required to (amongst others): reduce the need to travel; improve and promote opportunities for healthy and safe travel; and demonstrate good access to key services and facilities.
- 6.7.2 Policy HSA16 allocates the site for approximately 60 dwellings, and therefore the traffic impacts of the proposed development on the local highway network have already been judged to be acceptable through the plan-making process. Highway Officers have not raised any concerns regarding the traffic generating capacity of the development during the application.
- 6.7.3 Policy HSA16 states that the site will be accessed from Reading Road, with a potential secondary access from Stable Cottage. The proposed development shows full vehicular access being taken from Reading Road in accordance with the Policy. Highways Officers are satisfied with the proposed access in this location, but have identified that the width of carriageway and proposed pedestrian refuge island is insufficient. However, there is sufficient space within the site to address this matter without a material impact on the indicative layout; as such a revised access plan can be secured by condition. Stable Cottage (to the south-west of The Hollies) is located outside the extent of this application site, and is therefore a

matter to be considered as part of the Phase 2 development; nothing within this application would prejudice any access being taken from Stable Cottage.

- 6.7.4 Policy HSA16 states that the scheme will comprise a layout that will explore options to provide footpath and cycle links to existing and proposed residential development to increase permeability to other parts of Burghfield Common. Pedestrian and cycle links to the south-west will need to be matters to be considered as part of the Phase 2 development, but nothing within this application would prejudice these future considerations.
- 6.7.5 The plan accompanying Policy HSA16 shows a potential foot and cycle link to the public bridleway adjacent to the north-western boundary of the site (to the rear of Primrose Croft). The potential for a connection to the public bridleway in this location has been explored by officers with the applicant, but it has been determined that this cannot be achieved due to intervening third party ownership between the application site and the bridleway. Any connection in this location would also be impractical to achieve given the presence of a ditch, the potential impact on boundary landscaping, and the likely affect this would have on an acceptable layout. The alternative route to connect to this bridleway is only a very short detour around Primrose Croft, so the absence of a connection is not considered to warrant the refusal of this application.
- 6.7.6 There is no footway in front of the application site on the north-western side of Reading Road, and there is only a narrow footway on the south-eastern side. As such, the Highways Authority consider it necessary for the development to provide widened and improved footways along the south-eastern side of Reading Road, from opposite the application site to the junction with Mans Hill. Currently there is a grass verge, vegetation and a ditch alongside the existing substandard footway, which can be reduced to allow for improved footways. Any adverse visual impact arising from these works is considered to be outweighed by the public benefit of providing a safe pedestrian route.
- 6.7.7 Uncontrolled crossing facilities (drop kerbs and tactile paving) are also necessary as part of the scheme of improved footways, and can be secured alongside. A new footway along the north-western side of Reading Road would be preferable to the proposed situation which would involve residents crossing Reading Road. However, this not achievable due to land ownership and the extent of the public highway.
- 6.7.8 The above measures are considered necessary to ensure safe and suitable access to the site can be achieved for all users, in order to comply with paragraph 108 of the NPPF. These measures comprise enabling works for the proposed development and therefore fall under the scope of s106 in accordance with the Council's CIL Regulation 123 List. The applicant proposes a s106 contribution of £50,000 towards these works. The Highways Authority advises that this is anticipated to be a sufficient contribution to cover the costs of the required highway works. As such, this issue is resolved subject to the completion of a satisfactory s106 agreement.
- 6.7.9 A number of technical negotiations have taken place on the proposed layout (now indicative). Overall, at this outline stage, and with layout reserved for later

consideration, it is considered reasonably likely that sufficient parking and an acceptable layout can be achieved within the constraints of the site.

6.7.10 Overall, it is considered – subject to conditions, s106 and detailed design – that the development is capable of complying with Policy CS13 and HSA16 in respect of the aforementioned highways matters.

6.8 Character and Appearance

6.8.1 According to Core Strategy Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Development proposals will be expected to (amongst others) make efficient use of land whilst respecting density, character, landscape and biodiversity of the surrounding area.

6.8.2 According to Part 1 of the Quality Design SPD, new development should begin with an understanding of the area's existing character and context and its design should evolve from West Berkshire's rich landscape and built heritage. Development should seek to complement and enhance existing areas, using architectural distinctiveness (through construction materials and techniques) and high quality urban design, to reinforce local identity and to create a sense of place.

6.8.3 The application is supported by a Landscape and Visual Impact Assessment (LVIA), as required by Policy HSA16, which recommends parameters for the development which are consistent with those set by Policy HSA16. As required by Policy HSA16, the proposed design and layout limits the developable area to the west of the site to exclude the areas of existing woodland. In doing so, the proposals would maintain a buffer in excess of 15 metres to the area of ancient woodland within Pondhouse Copse to the west of the site (the immediately adjacent woodland in not ancient woodland).

6.8.4 The surrounding area is predominantly residential in character (including the adjacent nursing home), but there is some commercial development along Reading Road. Burghfield Common is a long, narrow settlement, built up largely around Reading Road, Hollybush Lane, and Clayhill Road. The eastern end of the settlement comprises mostly late 20th Century suburban housing, but the nearby row of dwellings along the northern side of Reading Road include Victorian/Edwardian Villas.

6.8.5 The proposed development would form a new discreet residential estate on the edge of the existing settlement. In broad terms it would respect the prevailing street structure and hierarchy. Whilst the proposed development would be denser than other areas in Burghfield Common, including the houses along Reading Road, the NPPF and Policy CS4 encourage the efficient use of land to a much greater degree than was historically the case. Having regard to the illustrative information accompanying this application it is considered that the proposed development would achieve an appropriate balance between respecting existing densities and character with the need to make efficient use of land.

- 6.8.6 With layout, scale and appearance reserved, the detailed impacts on the local character and appearance of the area largely fall for consideration at reserved matters stage. During the consideration of this application, whilst considering (now illustrative) detailed layout plans, concern has been raised regarding the distribution of affordable housing within the development. The proposed units were located together in one area of the development, and this resulted in a noticeable change in character compared to the balance of the development; this area was markedly denser than the remainder of the development. This illustrative information is no longer fixed, and it is considered that given the fairly low proposed density there is sufficient flexibility and scope to address this concern at reserved matters stage.
- 6.8.7 Overall, it is considered that there is sufficient opportunity for a detailed design to be formulated within the proposed parameters that reflects the semi-rural edge of Burghfield Common through appropriate layout, scale, form and landscaping, in accordance with Policy HSA16. It is considered that the proposed development is capable of respecting the character and appearance of the area, subject to detailed design, in accordance with the aforementioned policies.

6.9 Functional Design

- 6.9.1 According to Core Strategy Policy CS14, good design relates not only to the appearance of a development, but the way in which it functions. According to paragraph 127 of the NPPF, planning decisions should ensure that developments (amongst others):
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;
 - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 6.9.2 Part 1 of the Quality Design SPD provides key urban design principles to ensure that a development functions well in line with the development plan and consistent with the NPPF. Part 2 provides urban design principles specific to residential development.
- 6.9.3 The (now illustrative) layout provided with the application has been assessed. The main route indicated through the site is considered to adhere to established urban design principles in that there is a clear distinction between public and private spaces, public spaces benefit from good levels of natural surveillance, and the layout maximises the permeability of the site allowing for optimum connections to surrounding land uses.

- 6.9.4 However, concern has been raised with respect to the location and design of the proposed drainage pond and public open space. In the supporting information and illustrative layout it is shown positioned in the northern corner of the site behind the houses. This position reduces the natural surveillance of this area, which can undermine the quality and safety of the area. In addition, the proposed drainage measures would dominate the public open space within which they sit, thereby reducing their utility.
- 6.9.5 It is recognised that the local topography and shape of the application site will limit the location where such site-wide drainage measures can be located, but this does not alter the fact that the proposed illustrative layout would prevent the development achieving a high standard of design. The layout is now reserved for later consideration, so it may be possible to relocate the public open space and the detailed design stage, or at least make cosmetic improvements that would go some way to address this concern.
- 6.9.6 Overall, it has not been demonstrated that the proposed development will achieve a high standard of design in terms of the location and design of the proposed drainage measure and open space. However, given that there will be opportunities to seek improvements at reserved matters stage, it is considered on balance that these shortcomings are insufficient to warrant the refusal of the application.

6.10 Neighbouring amenity

- 6.10.1 According to paragraph 127 of the NPPF, planning decisions should ensure that developments create places with a high standard of amenity for existing and future occupiers. According to Core Strategy Policy CS14, new development must make a positive contribution to the quality of life in West Berkshire. As such, the impacts on neighbouring living conditions in terms of any loss of light, loss of privacy, loss of outlook, any overbearing impacts, or any significant noise and disturbance, are material considerations. The Council's adopted Quality Design SPD and House Extensions SPG provide guidance on such matters that may be applicable to all development proposals.
- 6.10.2 With the development of its surroundings to the south and west, there will be a change in outlook for Primrose Croft, and to a lesser extent Hermit's Hill Cottage. However, having regard to the indicative layouts provided during the consideration of this application, it is considered that a layout can be achieved that would sufficiently safeguard the living conditions of these properties. This will be a key consideration at reserved matters stage.
- 6.10.3 Similarly, the north-western and north-eastern outlook of The Hollies Nursing Home will be significantly changed from the current open outlook onto the undeveloped field. Policy HSA16 requires the proposal to provide an appropriate landscape buffer on the part of the site that is adjacent to The Hollies to minimise any impact on the residents. A landscape buffer is proposed on the Parameters Plan, the detailed design of which will be a matter for consideration at reserved matters stage. Subject to the provision of this buffer, and having regard to the indicative layouts provided during the consideration of this application, it is considered that a layout can be achieved that would sufficiently safeguard the living conditions at The Hollies.

6.10.4 Owing to the respectively separation distances, and the intervening structures and landscaping, the impact of the proposed Phase 1 development is not considered to raise any further concerns for other neighbouring land and buildings.

6.11 Sustainable construction

6.11.1 According to Core Strategy Policy CS15, new residential development will meet a minimum standard of Code for Sustainable Homes Level 6. However, the Written Ministerial Statement of 25th March 2015 withdraws the Code for Sustainable Homes. According to the Planning Practice Guidance, local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans. There is no current policy with the statutory development plan that is consistent with this guidance.

6.11.2 Core Strategy Policy CS15 also requires major development to achieve minimum reductions in carbon dioxide emissions from the use of renewable energy or low/zero carbon energy generation on site or in the locality. For residential development the policy requirement is zero carbon. Following the withdrawal of the Code for Sustainable Homes, the baseline for this assessment no longer exists for the residential element of the development, and as such compliance is not possible for practical reasons.

6.12 Flood risk and sustainable drainage

6.12.1 The NPPF encourages a sequential risk-based approach to determine the suitability of land for development in flood risk areas. It advises local planning authorities to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed. In areas at risk of river flooding, NPPF advises that preference be given to new development in Flood Zone 1. If there are no reasonably available sites in Flood Zone 1 the flood vulnerability of the development can be considered in locating development in Flood Zone 2 and then Flood Zone 3. Within each flood zone new development should be directed to sites at the lowest probability of flooding from all sources.

6.12.2 According to Core Strategy Policy CS16, the sequential approach in accordance with the NPPF will be strictly applied across the District. Development within areas of flood risk from any source of flooding, including Critical Drainage Areas and areas with a history of groundwater or surface water flooding, will only be accepted if it is demonstrated that it is appropriate at that location, and that there are no suitable and available alternative sites at a lower flood risk.

6.12.3 The application site lies outside of EA Flood Zones 2 and 3. The site is therefore deemed to fall within Flood Zone 1, where the annual probability of flooding from rivers or sea is less than 1 in 1000 in any given year (<0.1%). The NPPF advises

that all land uses are appropriate in Flood Zone 1. The sequential test is therefore passed, and the exception test does not need to be applied.

- 6.12.4 Notwithstanding that the development passes the sequential test, Policy HSA16 states that the scheme will be informed by a Flood Risk Assessment to take into account surface water flooding and advise on any appropriate mitigation measures. Policy CS16 also states that on all development sites, surface water will be managed in a sustainable manner through the implementation of sustainable drainage methods (SuDS).
- 6.12.5 The Lead Local Flood Authority (LLFA) has provided consultation responses to the application. They seek a full sustainable drainage strategy for the application site that will deal with surface water run-off in accordance with the general principles of the SuDS Manual C753. Drainage measures should not just relate to the drainage and management of water *quantity*, but also seek to improve water quality, public amenity, and biodiversity. This is consistent with Core Strategy Policy CS16.
- 6.12.6 Whilst the LLFA were satisfied that the proposals may deal with controlling flood risk within the recognised parameters of a 1 in 100 year storm + climate change (i.e. dealing with the water quantity), the original submissions were considered insufficient in light of the above additional requirements for a sustainable drainage system. It was proposed to use tanked permeable paving and created storage linked to traditional engineered drainage to transport water to a pumping facility to remove water from the site via an existing Thames Water surface water sewer and ultimately into an existing open watercourse.
- 6.12.7 The LLFA raised concerns with the use of a pumped system. This was on the grounds of a pumped system being incompatible with the principles of a SuDS system, the associated ongoing maintenance requirements, and the consequences in the case of failure. These concerns were exacerbated in the absence of a comprehensive system covering the whole housing site allocation. The LLFA advised that the Council would not entertain the adoption of such a system should it be permitted, and it would be for the developer to set up a private management system, or preferably, have an agreement with Thames Water to adopt such a system.
- 6.12.8 The LLFA considered there was nothing proposed to provide an improvement in terms of amenity for residents or the wider area, or to create new and replacement habitat within the development. Available space was identified by the LLFA within the landscaping areas to explore such measures, or even within the general streetscape or private gardens.
- 6.12.9 Whilst the LLFA's comments fall short of an outright objection to the application, they nonetheless raised serious concerns about the quality of the proposed drainage measures in light of the policy requirements.
- 6.12.10 Subsequently additional drainage information was submitted for consideration. The LLFA has advised that these latest proposals are an improvement over the original in that the pumped off-site discharge has been removed. However the current SuDS design does not provide much in the way of amenity and habitat, the only such feature being the storage pond at the end of the SuDS treatment train.

- 6.12.11 In addition, the LLFA advises that there will likely be problems associated with the pond. Firstly no indication has been given regarding the future maintenance of the pond (e.g. in terms of adoption or a maintenance company). Secondly there appears to be little room to enable machinery to access it should it need to be re-dug in the future as a result of silting up. Thirdly it is located in a corner of the site tucked away behind the housing and out of view of most people. Unless there is a conscious effort to keep it maintained, there is a concern that it would quickly become overgrown. It would therefore be much better to re-locate it into a more prominent position where it could be enjoyed as a visual amenity besides a functional part of the SuDS system.
- 6.12.12 As noted in the Ardent Drainage Statement, an Ordinary Watercourse Consent would be required outside of the Planning Process for the Land Drainage Authority to consider the issue of off-site discharge to the existing watercourse.
- 6.12.13 Overall, the LLFA do not commend the proposed sustainable drainage, but they confirm that in their view it will function adequately and therefore they do not object. However, they reaffirm their view that the detailed scheme should address maintenance, seek to include further “green SuDS” measures.
- 6.12.14 The applicant has now decided to defer consideration of layout to reserved matters, and so the detailed design of the sustainable drainage measures now also falls for later consideration. As it has been demonstrated that the site can accommodate 28 dwellings and provide a drainage scheme that is capable of achieving the primary purpose of managing surface water, it is considered that the refusal of outline planning permission on this basis cannot be justified.
- 6.12.15 Nonetheless, at reserved matters stage close scrutiny will be given to the detailed sustainable drainage scheme with respect to the wider consideration outlined above. It is concluded, on balance, that the development is capable of complying with Policy CS16, subject to detailed design at reserved matters stage.

6.13 Biodiversity

- 6.13.1 According to Core Strategy Policy CS17, biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Habitats designated or proposed for designation as important for biodiversity or geodiversity at an international or national level or which support protected, rare or endangered species, will be protected and enhanced. The degree of protection given will be appropriate to the status of the site or species in terms of its international or national importance.
- 6.13.2 According to Policy HSA16, an extended phase 1 habitat survey will be required together with further detailed surveys arising from that as necessary. Appropriate avoidance and mitigation measures will need to be implemented, to ensure any protected species are not adversely affected.
- 6.13.3 There are no international, European, or nationally protected sites within the vicinity of the application site. However, Pondhouse Copse is a proposed Local Wildlife Site, which contains ancient woodland and priority woodland habitats. The

application is supported by a range of ecological survey information comprising an Ecological Scoping Survey Report (Greenlink, April 2015) and a Reptile Survey (Matthew Smith, 2015). This information also indicate the local presence of protected species.

- 6.13.4 According to Policy CS17, development which may harm, either directly or indirectly, locally designated sites (Local Wildlife), or habitats or species of principal importance for the purpose of conserving biodiversity, or the integrity or continuity of landscape features of major importance for wild flora and fauna will only be permitted if there are no reasonable alternatives and there are clear demonstrable social or economic benefits of regional or national importance that outweigh the need to safeguard the site or species and that adequate compensation and mitigation measures are provided when damage to biodiversity/geodiversity interests are unavoidable.
- 6.13.5 Following concerns raised in the latter stages of this application with the age and therefore validity of the supporting ecological surveys and reports, a letter has been received from the applicant's professional ecologist confirming that they visited the site on 5th August 2018 and undertook an updated habitat assessment. The letter reported the following:

*“Whilst the grassland within the Site would still be classified as semi-improved grassland, it has become more rank, becoming dominated by a few competitive grass species such as cock’s-foot *Dactylis glomerata*, perennial rye grass *Lolium perenne* and false oat grass *Arrhenatherum elatius*. This is no doubt a result of the cessation of management within the Site. The continued transformation of the grassland into a more rank sward may well lead to the reduction in the value of the Site for reptiles, if it has not done so already. The extend of scrub encroachment between the grassland and the adjoining woodland to the west has also increased, although this is relatively minimal. Overall, however, the Site remains generally unchanged since the previous surveys and the assessment provided within the previous reports should be considered still valid.”*

- 6.13.6 It is therefore considered that the supporting ecological information can be relied upon.
- 6.13.7 According to the supporting information, a number of protected species may potentially be affected by the development, including reptiles and bats. Mitigation measures are proposed accordingly, which can be secured by condition.

Bats

- 6.13.8 Bats are using the land adjacent to the site for foraging and commuting. The majority of bat activity was recorded along the north-eastern hedgerow and along the edge of Pondhouse Copse on the north-western boundary. These field boundaries provide good foraging habitat with mature trees and adjacent scrub. A lower level of bat activity was recorded on the rest of the site including noctule bats seen foraging and commuting above the field.
- 6.13.9 It is therefore recommended that the north-eastern hedgerow, including mature oak trees, is retained as part of the development to retain the commuting corridor

leading to Pondhouse Copse. It is considered that the development would have a negligible impact on Pondhouse Copse. Nonetheless, with the introduction of residential development into the field it is necessary to secure a lighting strategy which ensures lighting is directed away from the areas sensitive to bats. The landscaping scheme can be designed to be sensitive to bats, and the new dwellings can incorporate “built-in” bat roosting features. These matters can be secured by conditions or at reserved matters stage.

6.13.10 Bats are subject to the species protection provision of the Habitats Directive, as implemented by the Conservation (Natural Habitats etc.) Regulations 2010. This contains three ‘derogation tests’ which must be applied by the Local Planning Authority at the planning application stage and by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species. The three tests that must be met in order to successfully obtain a Natural England EPSM licence are as follows:

1. The consented operation must be for ‘preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment’;
2. There must be ‘no satisfactory alternative’; and
3. The action authorised ‘will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range’.

6.13.11 The following comprises an assessment of these derogation tests in relation to the bat species on the site:

1. Consenting the operations that would have potential impacts on bats would enable the development of the site, which is considered to constitute an imperative reason of overriding public interest. The NPPF seeks to boost significantly the supply of housing. The application site has been allocated to meet the housing supply needs of the district.
2. In terms of satisfactory alternatives, a “do nothing approach” would not facilitate the development of the site; changes to the layout would have little bearing on the overall extent of development on the site.
3. The potential impacts on bat species is noted in this report above. To maintain the favourable conservation status of the bat roosts at the site mitigation measures are proposed above that limit the impacts including provision of long-term roosts, and a sensitive lighting scheme. Together these mitigation measures are considered sufficient to satisfy the third test.

Reptiles

6.13.12 The Council’s Ecologist was originally concerned that the mitigation proposals for reptiles were insufficient. Mitigation is now proposed around the SuDS attenuation basin, which would resolve this concern. Given that the layout is now subject to change at reserved matters stage, it is considered necessary to require the prior approval of a Reptile Mitigation Strategy prior to the commencement of development by way of condition.

Habitats

6.13.13 The Ecological Report supports the tree protection measures in order to conserve existing habitats. The report also recommends adherence to a Habitat Management Plan to ensure that appropriate mitigation measures and management regimes are in place for the site and adjacent woodland post-development. These matters can be secured by condition.

Badgers

6.13.14 Concern has also been raised regarding badgers in the local vicinity. Precise location details have been provided, but are restricted from public access to protect the species. However, reported sightings are consistent with the supporting information provided with this application, and so it is considered that the recommendations of the supporting ecological information are robust. The Ecological Report recommends mitigation measures for badgers on a precautionary basis, since there is no perceived risk of direct impacts. These measures can be secured by condition. Ensuring a sensitive landscaping and/or road scheme will be a consideration at reserved matters stage.

Breeding Birds

6.13.15 The Ecological Report indicates that there is a seasonal risk of impacts to breeding birds. As such, a condition is recommended which restricts demolition and site/vegetation clearance during the bird breeding season, unless directly supervised by a qualified ecologist.

Great Crested Newts

6.13.16 There is no perceived risk of impacts to great crested newt, and so mitigation measures are not provided. However, if at any time during the proposed works it becomes apparent that great crested newts are present and at risk of impacts, all work with the potential to affect the species will need to temporarily stop whilst advice is obtained from a Natural England licensed ecologist about how to proceed without risk of an offence being committed. An informative is recommended accordingly.

Proposed Pondhouse Copse Local Wildlife Site

6.13.17 Concern was raised by the Council's Ecologist that the indicative layout shows either hard-standing or private gardens hard up along the boundary of the woodland. If not carefully designed and managed this site layout may result in adverse impacts to the woodland through a range of effects, such as direct construction impacts (from any built elements against the woodland), unofficial access into the woodland from adjacent gardens, unofficial clearance of parts of the woodland overhanging private gardens, dumping of garden waste into the woodland, and invasive non-native plants spreading from gardens into the woodland. Alternative approaches to the layout of the site have been explored with the applicant, but it is considered unlikely that the final layout will be significantly different from that indicated in this application. Whilst this relationship is not ideal, it is considered that the potential impacts on this proposed Local Wildlife Site can be minimised to an acceptable level by a planning obligation to prevent encroachment.

6.13.18 According to paragraph 170 of the NPPF, planning decision should contribute to and enhance the natural and local environment by (amongst others) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Similarly, Policy CS17 states that in order to conserve and enhance the environmental capacity of the district, all new development should maximise opportunities to achieve net gains in biodiversity. Whether or not this specific scheme can achieve net gains in biodiversity will depend on the detailed design. It is therefore appropriate to defer full consideration of this matter until reserved matters stage. This can be secured by condition.

6.13.19 Overall, it is concluded that the proposed development is capable of complying with Policy CS17 in terms of conserving and enhancing local biodiversity.

6.14 Trees and Woodland

6.14.1 In 2014 a tree preservation order (TPO), reference 201/21/0835, was served on the application site and surrounding land (see plan below) in response to some tree felling on land which now forms part of the Phase 2 land. The TPO was served as an area order as an emergency. The changes in the 2012 update TPO legislation requires the TPO to be amended to either groups, woodlands or individuals before it is confirmed. At the current time this TPO has now lapsed without being confirmed. The Council's Tree Officers are monitoring the proposed development on this allocated housing site.



6.14.2 The Tree Officer has advised that the trees to the front of the site, where access is proposed to Reading Road, were not worthy of a TPO, and thus no objections were raised to the proposed access.

6.14.3 Pondhouse Copse is an area of woodland adjoining the rear of the site. The core of this wooded copse is "ancient woodland" (an area that has been wooded continuously since at least 1600AD).

- 6.14.4 According to paragraph 175 of the NPPF, development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons (e.g. infrastructure projects where the public benefit would clearly outweigh the loss of deterioration of habitat) and a suitable compensation strategy exists. Ancient woodland is also afforded similar protection under Core Strategy Policies CS17 and CS18.
- 6.14.5 Policy HSA16 states that the design and layout of this allocated housing site will provide a buffer of 15 metres to the areas of ancient woodland to the west of the site and provide appropriate buffers to the rest of the woodland.
- 6.14.6 The application has been supported by an update tree report by MJC Tree service, the report includes a tree survey, tree constraints and tree protection plan, which has been undertaken in accordance with BS5837:2012. This information relates to the now indicative layout.
- 6.14.7 The tree survey has identified a number of trees at the site and adjacent to the site, which either require to be removed to facilitate the access, or are located in areas proposed for development. The main area of difference between this site layout and a previous layout, is the loss of trees and shrub along the eastern boundary with Reading road, the majority of the trees in this are C grade, with little or no amenity value.
- 6.14.8 The retention of a small buffer stripe will allow for some replacement planting and screening of the site, the species choice will be important to ensure a balance meet between screening and the overbearing, the use of smaller ornamental trees with understory hedges and shrub planting should be considered.
- 6.14.9 The retention of the major trees at the site and the woodland edge trees is of major importance, the tree protection plan has clearly identified these trees for retention with suitable protection throughout the development. Ideally, the preferred site layout would propose a road along the woodland edge to avoid the encroachment of gardens. This has been explored during the application and it has been demonstrated that there is insufficient depth to provide such a layout.
- 6.14.10 It has therefore been accepted that the site constraints will likely necessitate private gardens backing onto the woodland. This raises concerns with the potential for future encroachment. It is therefore considered necessary to include a narrow one metre buffer along the woodland edge, which will be subject to a planning obligation preventing future owner/occupants from creating rear accesses into the woodland, incorporating land within their curtilage, or carrying out any development within this buffer.
- 6.14.11 The tree protection plan has also identified some small area of possible conflict with trees, which will require arboricultural supervision and a suitable arboricultural method statement. These include the proposed construction of the attenuation basin and the proposed outfall to existing watercourse, which is close to trees 17 and 18. The applicant has provided some details on new landscaping at the site as indicative circles, but no formal details have been provide, but further details will need to be forthcoming as part of the landscaping reserved matters application.

6.14.12 The updated information has also include details on the tree constraints for the adjacent site and an indicative masterplan. At this time it is unclear on the proposed impact to trees as that impact has not been fully assessed. The adjacent site does contain a number of boundary trees and the site is very uneven. Therefore, the proposed layout needs to consider both the existing constraints and the relationship with incoming occupiers, which would in the Tree Officer's view may require a reduction in the number of unit proposed in Phase 2 to ensure the development is both in harmony with its surroundings and the further relationship with the incoming occupiers. The applicant for Phase 2 would need to undertake a very detailed tree assessment and include a daylight and sunlight survey to ensure the properties had adequate light and usable garden space.

6.14.13 Overall, the Tree Officer raises no objections to the application subject to conditions. It is considered that protected trees and ancient woodland will be adequately safeguarded from any potential adverse effects. Accordingly, it is concluded that the proposal is capable of complying with the aforementioned policies.

6.15 Green Infrastructure

6.15.1 According to Core Strategy Policy CS18, the district's green infrastructure will be protected and enhanced. Development resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted.

6.15.2 In this instance, local green infrastructure includes Pondhouse Copse and the adjacent Burghfield Bridleway 9 to the north. As detailed elsewhere in this report, it is considered that subject to planning obligations the proposal includes adequate safeguards to protect the adjacent woodland.

6.15.3 The presence of the proposed development would have an indirect effect on the character of the public bridleway for the short length where it passes the application site. This end of the bridleway is already influenced by the presence of two houses and the close proximity of Reading Road. There is sufficient opportunity to retain existing boundary trees and vegetation, and where necessary supplement this with additional landscaping. Overall, it is considered that the public enjoyment of the bridleway will not be so adversely affected as to warrant the refusal of this application.

6.15.4 The Council's Rights of Way Officer requested a developer contribution of £12,500 for improvements to a 250 metre length of the bridleway to bring it up to a standard for walkers/cyclists to use as a safe route to schools (Garland Junior and Willink Secondary). However, following the introduction of CIL it is considered that such a request cannot be justified for this specific site. Improvements could, however, be sought from CIL receipts.

6.15.5 It is therefore considered that the proposed development is capable of complying with Policy CS18 in this respect.

6.16 Historic Environment

- 6.16.1 The Council's Archaeological Officer has reviewed the application using the approach set down in the NPPF and has checked the proposed development against the information the Council currently holds regarding the heritage assets and historic land uses in this area. This evidence suggests that there will be no major impact on any features of archaeological significance. The Archaeological Officer is therefore satisfied that no archaeological assessment or programme of investigation and recording is necessary for the proposed development.
- 6.16.2 There are no conservation areas, listed buildings, or other designated heritage assets within close proximity of the application site that are likely to be affected by the proposals.
- 6.16.3 As such, the proposal complies with Core Strategy Policy CS19 in terms of conserving the historic environment.

6.17 Environmental Quality

- 6.17.1 Environmental Health has not raised any concerns with contaminated land, and the proposal would not materially affect any Air Quality Management Area.
- 6.17.2 Given the close proximity of neighbouring residential properties, Environmental Health recommend restricting the hours of work during construction, and measures to control dust during construction. These matters can be secured by condition.

6.18 Public Open Space

- 6.18.1 According to Core Strategy Policy CS18, new developments will make provision for high quality and multifunctional open spaces of an appropriate size and will also provide links to the existing green infrastructure network. Public open space is not a specific requirement of Policy 16; however, Policy GS1 makes clear that all allocated housing sites will be delivered in accordance with the development plan and adopted SPDs.
- 6.18.2 Policy RL.1 of the West Berkshire District Local Plan provides a policy requirement for public open space. Based on the proposed number of dwellings and the indicative housing mix, the requirement is between 0.25 and 0.35 hectares of public open space for this number of dwellings.
- 6.18.3 According to Part 1 of the Quality Design SPD, designers and developers should create a positive relationship between local open spaces and new development. Open space has the potential to perform a number of functions at various scales, including formal parks and gardens, green corridors, amenity green space, provision for children and teenagers and civic spaces. All open space has the potential to benefit wildlife and biodiversity. Small areas of open space provide an important local amenity and for opportunities for recreation and play. In addition to its recreation role, open space can act as focal points within the development and as green 'lungs' providing a break in the urban fabric. Some buildings within a development should front on to the spaces to provide security and surveillance. Boundary treatments along development edges will require careful consideration

and will need to reflect the prominence of the edge, activities within the spaces and the design approach of the particular character area.

6.18.4 As the layout of the proposed development is reserved for later consideration the precise area of public open space to be provided is not yet known. However, it is understood that the illustrative layouts submitted with this application are broadly consistent with the level expected by policy. However, as elaborated elsewhere, the quality of the proposed public open space provision in the latest illustrative layout is considered to be undermined by its location and the dominance of the drainage pond. Earlier iterations of the layout provided higher quality open space provision where the open space was a focal point of the development.

6.18.5 As such, there is a concern with the quality of public open space that is achievable on this development, but this is a matter that will need to be considered holistically at reserved matters stage alongside other relevant considerations such as the drainage strategy. Given the relatively small scale and location of this specific development, it is considered appropriate to reserve consideration of public open space until reserved matters.

6.18.6 It is, however, necessary to secure the provision, transfer and management arrangements by way of planning obligations at the outline stage.

6.19 S106 Heads of Terms

6.19.1 This report has identified a number of planning obligations that will be necessary to make the development acceptable in planning terms. It is considered that these obligations are also directly related to the development, and fairly and reasonably related in scale and kind to the development. None of planning obligations would breach any pooling restrictions. According the following s106 Heads of Terms comply with the statutory CIL tests and the NPPF.

Issue	Details
1) Affordable Housing	Obligations to secure: <ul style="list-style-type: none"> • Total provision of 11 affordable housing units on-site; • Comprising 8 social rented units and 3 units of an intermediate form of affordable housing; and • The detailed requirements for affordable housing in the Planning Obligations SPD.
2) Highway Works Contribution	£50,000 contribution towards: <ul style="list-style-type: none"> • Widening the footway on the south side of Reading Road, between the site access and Mans Hill; and • 3no. uncontrolled pedestrian crossings (consisting of dropped kerb, tactile paving, and refuge island) on Reading Road between Mans Hill and Chervil Way.
3) Access to Phase 2	Obligations to: <ul style="list-style-type: none"> • Secure the timely provision of full vehicular and pedestrian access through the application site, from the approved access onto Reading Road to the Phase 2 land; and • Enable to Local Planning Authority to direct the Phase 1

		developer to provide access within a reasonable timescale.
4)	Public Open Space and Drainage	<p>Obligations to secure:</p> <ul style="list-style-type: none"> • The provision of public open space and drainage measures in accordance with details agreed at reserved matters stage and pursuant to conditions. • The long term governance and maintenance of the public open space and drainage measures (e.g. management company or transfer to the Council). • In the event that the public open space and/or drainage measures are transferred to the Council, the provision of a commuted sum for maintenance (calculated in accordance with the Planning Obligations SPD).
5)	Pondhouse Copse Buffer	<p>Obligations to:</p> <ul style="list-style-type: none"> • Provide and maintain the buffer to Pondhouse Copse. • Prevent the creation of accesses or any other forms of encroachment into the buffer.

7. CONCLUSION

- 7.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The application site forms part of a wider housing site allocation for approximately 60 dwellings. These allocated dwellings therefore contribute towards the Council's housing land supply and its plan-led approach to significantly boosting housing in accordance with the NPPF. Substantial weight should therefore be given to the housing supply policies in the statutory development plan, which pull in favour of granting planning permission. The principle of housing on the site is therefore acceptable.
- 7.2 As detailed in this report, there have been concerns that this application relates to only approximately half of the overall housing site allocation. Lengthy negotiations have taken place to ensure that granting planning permission for Phase 1 of the allocation in isolation of a comprehensive application, will not undermine the allocation as a whole. It is now considered that the application in its current form does not undermine a comprehensive and cohesive approach. Some weight can be given to the desire to deliver housing on a substantial part of allocated land at the earliest opportunity, and on balance the benefits of doing so on this specific – relatively small-scale – site are considered to outweigh the identified risks of not granting planning permission under a single application.
- 7.3 It is therefore considered that outline planning permission is justified for the proposed development, and therefore the application is recommended for conditional approval.

8. FULL RECOMMENDATION

Subject to the completion of a S106 legal agreement within three months from the resolution date (or any longer period as agreed in writing in consultation with the Chairman/Vice Chairman of the Eastern Area Planning Committee and Ward Members) for the Heads of Terms listed in the table at Section 6.20 of this report, to delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the conditions listed below (8.1).

And, to delegate to the Head of Development and Planning, prior to issuing the decision notice, the authority to make any minor changes to the wording of the conditions they deem appropriate which would not materially alter the resolution of the committee (for example, to ensure the conditions reflect the terms of the s106 legal agreement).

Or, if a S106 legal agreement within the above specified time, to delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION** for the reason listed below (8.2).

8.2 PLANNING CONDITIONS

1. **Reserved matters**

Details of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Approval of reserved matters**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. **Reserved matters time limit**

The development to which this permission relates shall be begun before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the approved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. **Approved plans**

The development hereby permitted shall be carried out in accordance with the Site Location Plan (1048(SP)01 Rev B).

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

5. Parameter Plan

The reserved matters submitted pursuant to condition 1 shall be in accordance with the Development Parameter Plan (2610-A-1200-C).

Reason: The parameters shown on this drawing are necessary to ensure the development achieves an acceptable standard of design, which complies with the National Planning Policy Framework, Policies ADPP1, ADPP6, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA16 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

6. Layout and design standards

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. The road and footpath design shall be to a standard that is adoptable as public highway. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of providing adoptable infrastructure, road safety and flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, 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).

7. Access details

Detailed plans of the site access and associated works (including pedestrian crossing and refuge island adjacent to access, signage and line markings) to Reading Road shall be submitted to the Local Planning Authority for written approval before or alongside the submission of the layout reserved matters. Thereafter, no dwelling shall be first occupied until the approved access and associated works have been completed in accordance with the approved details.

Reason: To ensure the new dwellings have safe and suitable access. A pre-condition is required because the access details provided with the application show insufficient widths for the Reading Road carriageway and pedestrian refuge island. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

8. Visibility splays

No development shall take place until details of vehicular visibility splays onto Reading Road have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the visibility splays have been provided in accordance with the approved details. 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 interests of road safety. A pre-condition is required because changes are required to the proposed access details, and therefore the associated visibility splays will also need prior approval. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

9. Sustainable drainage

A detailed drainage strategy for the development shall be submitted to the Local Planning Authority for written approval before or alongside the submission of the layout reserved matters. The strategy shall prioritise sustainable drainage measures, and be accompanied by sufficient background information to enable assessment. Thereafter, no dwelling shall be first occupied until the approved drainage measures have been completed in accordance with the approved details.

Reason: To ensure a detailed drainage strategy is provided for the development based on the final layout. A pre-condition is required because the drainage strategy will relate to the final layout which has been reserved for later consideration. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy 2006-2026, and the West Berkshire Quality Design SPD.

10. Integrated water supply and drainage strategy

No development shall take place until an integrated water supply and drainage strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development will be undertaken in accordance with the approved strategy.

Reason: To ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site. A pre-condition is required because this policy-requirement is not addressed within the current application, and will depend on the final layout of the development. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 and CS16 of the West Berkshire Core Strategy (2006-2026), and Policy GS1 of the Housing Site Allocations DPD 2006-2026. A pre-condition is necessary to make the development acceptable, as this information is not included within the application submission.

11. Parking and turning

No development shall take place until details of vehicle access, parking, and turning spaces for every dwelling have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling hereby permitted shall be occupied until the vehicle access, parking, and turning spaces associated to that dwelling have been surfaced, marked out and provided in accordance with the approved details. The access, parking, and turning spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is 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. A pre-condition is required because insufficient

information accompanies the outline application and parking provision may affect the overall layout of the development. This condition is applied in accordance with the National Planning Policy Framework, 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).

12. **Construction method statement**

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:

- (a) Parking of vehicles of site operatives and visitors;
- (b) Loading and unloading of plant and materials;
- (c) Storage of plant and materials used in constructing the development;
- (d) Erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- (e) Temporary access arrangements to the site, and any temporary hard-standing;
- (f) Wheel washing facilities;
- (g) Measures to control the emission of dust and dirt during construction;
- (h) Measures to protect local biodiversity during construction.

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. The approval of this information is required at this stage because insufficient information has been submitted with the application. A pre-condition is required because insufficient information accompanies the outline application and the CMS must be in place before demolition/construction operations commence. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

13. **Spoil**

No development shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil from the site (that is not to be deposited);
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. A pre-condition is required because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006).

14. Tree protection (prior approval)

No development shall take place until a tree protection scheme has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The details shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS5837:2012. Notice of commencement of development shall be given to the Local Planning Authority at least 2 working days before any development takes place. The scheme shall be retained and maintained for the full duration of building/engineering operations, 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.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy (2006-2026), and the West Berkshire Quality Design SPD.

15. Tree protection – construction precautions (prior approval)

No development shall take place until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. Note: this condition relates specifically to works that will take place in close proximity to retained trees, and so does not duplicate other tree protection conditions; however, the required details may be approved as a single package. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is recommended in accordance with the National Planning Policy Framework, Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

16. Arboricultural method statement (prior approval)

No development shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The statement 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.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. Note: this condition relates specifically to works that will take place in close proximity to retained trees, and so does not duplicate other tree protection conditions; however, the required details may be approved as a single package. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is recommended in accordance with the National Planning Policy Framework, Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

17. Arboricultural supervision

No development (including site clearance and any other preparatory works) shall take place until an arboricultural watching brief has been secured for the development, in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. Site monitoring shall thereafter take place in accordance with the approved details.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. The watching brief must be secured before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy (2006-2026), VDS/PDS, and Quality Design SPD.

18. 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.

19. Lighting Strategy

No development shall take place 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 and 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.

20. **Reptile mitigation**

No development shall take place until a reptile mitigation strategy, written by a suitably qualified ecologist, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the strategy shall be fully implemented in accordance with the approved details.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats, and in order to avoid contravention of the Wildlife and Countryside Act 1981. 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. **Construction holes (prior approval)**

During the construction phase, no excavations shall be left uncovered overnight unless exit ramps (e.g. scaffold boards or similar) are provided.

No works that include the creation of trenches or culverts, or the presence of pipes, shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts have been submitted to and approved in writing by the Local Planning Authority. The measures may include: (a) the creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations, or by using planks placed into them at the end of each working day; and (b) open pipework greater than 150mm outside diameter being blanked off at the end of each working day. Thereafter, building operations shall not be undertaken without implementing the approved measures.

Reason: To ensure the protection of badgers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

22. **Restrictions during bird breeding season**

No demolition, or site/vegetation clearance 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.

23. Hours of work (construction/demolition)

No demolition or construction works shall take place outside the following hours:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

24. Biodiversity enhancements

The development shall not be first occupied until details of biodiversity enhancements have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The enhancements shall include (but not be limited to) the provision of built-in bat roosting features within new dwellings. Thereafter, the biodiversity enhancement measures shall be maintained in their approved condition for the lifetime of the development.

Reason: To achieve net gains in biodiversity, and to mitigate the impact on bat species. 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. Travel information packs (prior approval)

No dwelling shall be first occupied until a scheme for the provision of travel information packs for new residents has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a scheme that seeks to deliver sustainable transport objectives, such as encouraging the use of local public transport and other non-car modes of transport. The provision of travel information packs to new residents is a scheme that is proportionate to the size of the development. This condition is applied in accordance with the NPPF, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and P1 of the Housing Site Allocations DPD (2006-2026).

26. Cycle storage (prior approval)

No dwelling shall be first occupied until cycle storage facilities have been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage the use of cycles in order to reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, 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).

27. Refuse storage (prior approval)

No dwelling shall be first occupied until refuse storage facilities have been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

28. Emergency water supplies

No dwelling shall be first occupied until either:

- (a) Private fire hydrant(s), or other suitable emergency water supplies, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (in consultation with Royal Berkshire Fire and Rescue Service); or
- (b) Royal Berkshire Fire and Rescue Service confirm that such provision is not required (for example, because the main water supply for the development is sufficient) and confirmation of the same has been given in writing by the Local Planning Authority pursuant to this condition.

Reason: At present there are no available public mains in this area to provide suitable water supply in order to effectively fight a fire. Suitable private fire hydrant(s), or other suitable emergency water supplies, are therefore required to meeting Royal Berkshire Fire and Rescue Service requirements, in the interests of public safety. The approval of this information is required before development commences because insufficient information accompanies the outline application and it will affect the servicing of the development. This condition is applied in accordance with the National Planning Policy Framework.

INFORMATIVES

1. S106 Legal Agreement

This decision notice should be read in conjunction with the s106 legal agreement dated [to be added once completed]. You are advised to familiarise yourself with the planning obligations contained within the agreement before initiating any development. You may wish to seek legal advice.

2. Compliance with conditions

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

3. **Pre-conditions**

This decision notice contains pre-conditions that impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful.

4. **Compliance with approved drawings**

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

5. **Proactive actions of the LPA**

The Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. In particular, the LPA:

- a) Provided the applicant with a case officer as a single point of contact.
- b) Alerted the applicant to issues that were raised during the consideration of the application.
- c) Accepted amended plans to address issues arising during the consideration of the application.
- d) Agreed an extension of time before determining the application to enable negotiations with the applicant.
- e) Entered into protracted considerations/negotiations in order to find a solution to problems with the proposed development, rather than refusing planning permission without negotiation.

6. **Building Regulations**

Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2000 (as amended), and the grant of planning permission does not imply that such approval will be given. You are advised to consult with Building Control Solutions (the Local Authority Building Control service for West Berkshire provided in partnership by Wokingham Borough Council) before works commence. Call: 0118 974 6239, email: building.control@wokingham.gov.uk, or visit: www.wokingham.gov.uk/building-control

7. **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 groundwater. 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 0800 009 3921.

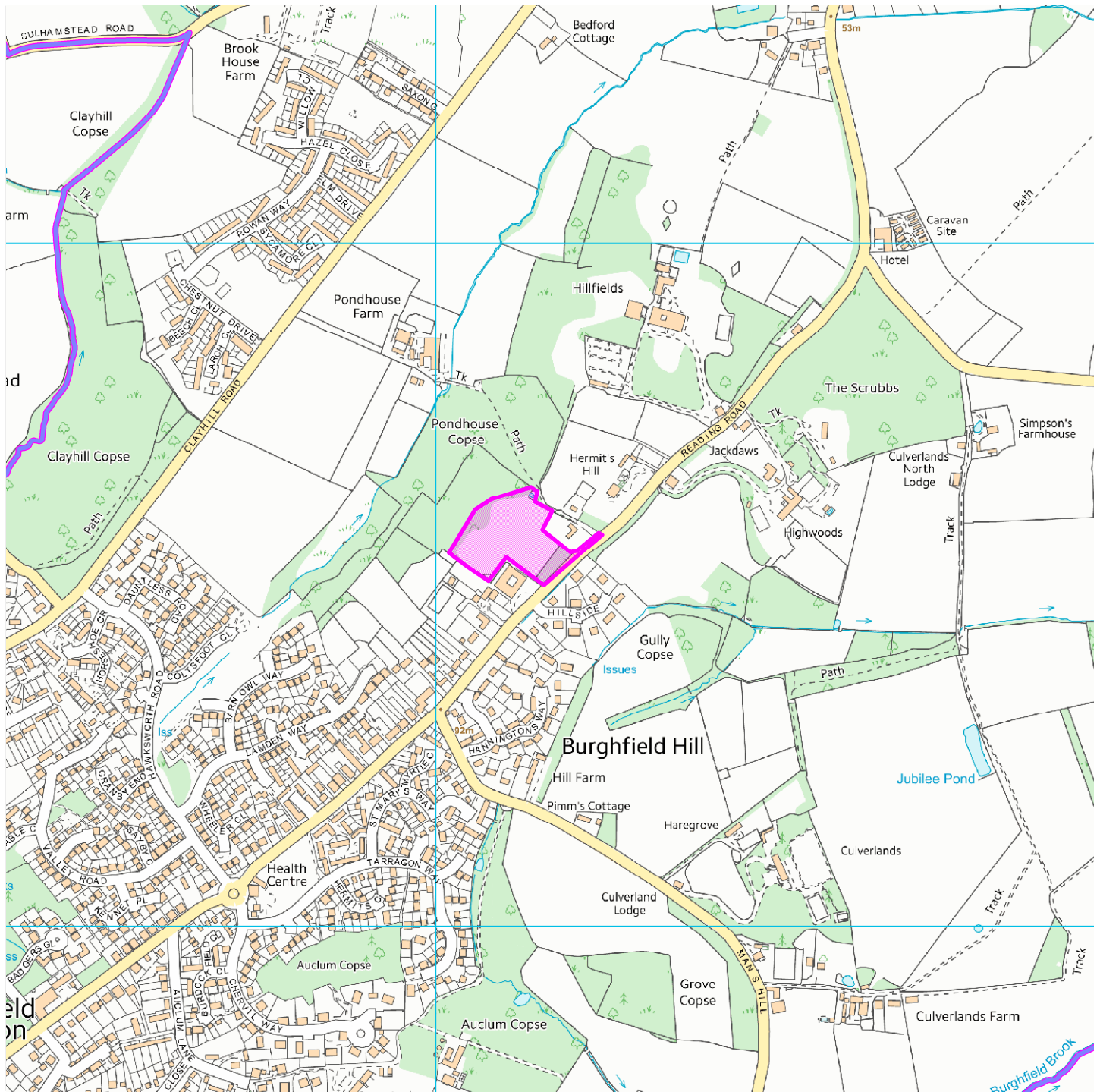
8. **Water Industry (Scheme for the Adoption of private sewers) Regulations 2011**
Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes Thames Water recommend you email them a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.
9. **Groundwater Risk Management Permit**
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
10. **Water Utilities**
Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
11. **Construction noise**
The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to West Berkshire Environmental Health. For more information: email ehadvice@westberks.gov.uk, call 01635 519192, or visit <http://info.westberks.gov.uk/environmentalhealth>.
12. **Great Crested Newts**
Since there is no perceived risk of impacts to great crested newt, mitigation measures are not provided. However, if at any time during the proposed works it becomes apparent that great crested newts are present and at risk of impacts, all work with the potential to affect the species will need to temporarily stop whilst advice is obtained from a Natural England licensed ecologist about how to proceed without risk of an offence being committed.

8.2 REFUSAL REASONS

1. S106 Planning Obligation

The application fails to provide a Section 106 Planning Obligation to deliver necessary infrastructure and mitigation measures, including:

- (a) Affordable housing, without which the proposal would be contrary to the NPPF, Policy CS6 of the West Berkshire Core Strategy 2006-2026, and the Planning Obligations SPD.
- (b) Public open space and sustainable drainage measures (provision and governance), without which the proposal would be contrary to the NPPF, Policies CS16 and CS18 of the West Berkshire Core Strategy 2006-2026, Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Planning Obligations SPD.
- (c) Highway enabling works, including footway improvements and uncontrolled crossings, without which the proposal would be contrary to the NPPF, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy HSA16 of the Housing Site Allocations DPD 2006-2026, and the Planning Obligations SPD.
- (d) Provisions to ensure that access is provided through the “Phase 1” application site to “Phase 2” (the remainder of the housing site allocation), without which the proposal would be contrary to the NPPF, Policies ADPP1, ADPP6, CS1, CS13 and CS14, Policies GS1 and HSA16 of the Housing Site Allocations DPD 2006-2026, West Berkshire Quality Design SPD, and the Planning Obligations SPD.
- (e) Provision of a buffer to Pondhouse Copse to prevent encroachment of the development into the proposed Local Wildlife Site, and thereby to prevent the associated adverse effects, without which the proposal would be contrary to the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA16 of the Housing Site Allocations DPD 2006-2026, and the Planning Obligations SPD.



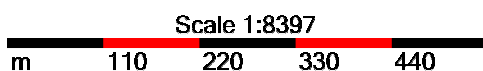
Map Centre Coordinates :

Scale : 1:8396

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	13 September 2018
SLA Number	0100024151



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Agenda Item 5.

THATCHAM 17/03302/HOUSE PINS 3200005	107 Station Road Thatcham Maxim Tankaria	Creation of new access and dropped Kerb.	Delegated Refusal	Allowed 29.8.18
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