

# Notice of Meeting



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## Eastern Area Planning Committee Wednesday 7th November 2018 at 6.30pm

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

### Members Interests

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

Date of despatch of Agenda: Tuesday, 30 October 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 webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded. Those taking part in Public Speaking are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.

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

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

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

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



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 7 November 2018**  
*(continued)*

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

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



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 7 November 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

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# Agenda

## Part I

**Page No.**

1. **Apologies**  
To receive apologies for inability to attend the meeting.
2. **Minutes** 5 - 24  
To approve as a correct record the Minutes of the meeting of this Committee held on 26<sup>th</sup> 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: 18/00878/OUTMAJ, 72 Purley Rise, Purley on Thames, Reading** 25 - 76

**Proposal:** Residential development of up to 29 dwellings, with associated access, landscaping and public open space.

**Location:** 72 Purley Rise, Purley On Thames, Reading, Berkshire, RG8 8DH

**Applicant:** Messrs Venners

**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****



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(continued)

- (2) **Application No. & Parish: 18/00833/FULD, Lawrence Building, Newbury Road, Hermitage, Thatcham** 77 - 110
- Proposal:** Demolish garage and erect convenience store with 4 x apartments above and erect 4 dwellings
- Location:** Lawrence Building, Newbury Road, Hermitage, Thatcham, RG18 9TD
- Applicant:** Landmark Estates
- Recommendation:** to **DELEGATE** to the Head of Development & Planning to **APPROVE PLANNING PERMISSION** subject to conditions and completion s106 agreement in respect of affordable housing.

**Items for Information**

5. **Appeal Decisions relating to Eastern Area Planning** 111 - 112  
*Purpose: 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.



## 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, 26 SEPTEMBER 2018**

**Councillors Present:** Peter Argyle, Pamela Bale, Graham Bridgman, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Tony Linden (Substitute) (In place of Keith Chopping), Alan Macro, Tim Metcalfe, Graham Pask (Chairman) and Quentin Webb (Substitute) (In place of Richard Somner)

**Also Present:** Sharon Armour (Solicitor), Stephen Chard (Principal Policy Officer), Gareth Dowding (Senior Engineer), Bob Dray (Development Control Team Leader) and David Pearson (Development Control Team Leader)

**Apologies for inability to attend the meeting:** Councillor Keith Chopping, Councillor Richard Somner and Councillor Emma Webster

#### **PART I**

##### **26. Minutes**

The Minutes of the meeting held on 5 September 2018 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

**Item 24(1) – 18/01516/HOUSE – Grimms Dyke, Aldworth, Reading – Member Questions to Officers (Paragraph four):**

Councillor Bridgman noted that the photos showed a mixture of gravel and grass **above** 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 (**effectively giving the same profile as proposed in this application**). He queried if this would breach any planning laws and if planning permission would be required. Bob Dray stated that **he could not be definitive without research, but did not think so.**

##### **27. Declarations of Interest**

There were no declarations of interest received.

##### **28. Schedule of Planning Applications**

**(1) Application No. & Parish: 16/01685/OUTMAJ - land adjacent to Primrose Croft, Reading Road, Burghfield Common**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 16/01685/OUTMAJ in respect of an outline planning application for 28 dwellings. Matters to be considered: Access. Matters reserved: Appearance, Landscaping, Layout and Scale.

Bob Dray, Development Control Team Leader, introduced the report and explained that this application formed part of the wider allocation of the site which comprised a total of approximately 60 dwellings. This proposal for 28 dwellings formed phase one of the development and Officers were of the view that approval of this proposal would not prejudice the second phase. A key consideration in this respect had been the provision of

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access through phase one to phase two. An objection had been received from the phase two landowners but this had since been withdrawn.

Mr Dray summarised by stating that Officers had, on balance, recommended that outline planning permission be granted. A single application was the preferred option for the site but there were not sufficient grounds on which to refuse a phased development on this particular site.

In accordance with the Council's Constitution, Dr Royce Longton, Parish Council representative, Dr Gail Johnston, objector, and Mr Alastair Pott, agent, addressed the Committee on this application.

### **Objector Representations**

Dr Longton in addressing the Committee raised the following points:

- Burghfield Parish Council objected to the planning application due to concerns relating to the site access. There was a road safety concern for pedestrians with no safe crossing point proposed. This was a very busy road to cross. The only public footpath was on the opposite side of the road from the proposed development.
- An indication had been given by West Berkshire Council that a footpath could be provided on the same side of the road as the application site but there were land ownership issues to overcome. The Parish felt that provision of a footpath was required to allow the application to be approved.
- Further work was needed to address the appearance of and the landscaping surrounding the proposed waste bin storage area. This was a concern for The Hollies Nursing Home and its residents.
- There was also a concern at the impact of the proposal on the adjacent ancient woodland and its wildlife.

### **Questions from Members**

Councillor Pamela Bale queried the reference made in the report to a financial contribution towards the footway. Gareth Dowding (Senior Engineer) confirmed that a contribution had been secured (subject to approval) to enhance the footway on the opposite side of the road from the proposed development together with establishing a refuge island to help pedestrians cross safely. Dr Longton noted this point which would help alleviate concerns for this application. However, this would not fulfil the need for a continued footpath on the application site's side of the road.

### **Objector Representation**

Dr Johnston in addressing the Committee raised the following points:

- Many revised plans had been submitted for the site since 2016. Originally, access and layout were to be considered, however an acceptable solution had yet to be found for the layout and it had become a reserved matter.
- A comprehensive master plan was needed for the entire allocated site and a single planning application should be submitted. The submission of this phase one planning application was contrary to policy and illustrative plans did not comply with the Housing Site Allocations (HSA) Development Plan Document (DPD).
- The Ecologist had highlighted concerns and the protection put in place for local wildlife would not be clear until the reserved matters stage. Potential harm to

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wildlife was again contrary to policy. Dr Johnston felt there were ecology grounds on which to refuse the planning application due to the loss of biodiversity.

- Approval of the development would result in private gardens backing onto the woodland. This was not in line with the National Planning Policy Framework (NPPF).
- The site was a significant distance from important local amenities and there was no direct link to these for pedestrians.
- A not dissimilar outline planning application was refused at appeal in 2011.
- Road safety was a concern. The width of the carriageway and the size of the refuge island was insufficient.
- A covenant was in place which restricted development of the land.
- Dr Johnston felt the application should be refused due to the harm it would cause to the woodland and local wildlife; the lack of footpath and inadequate car parking provision; the landscape report did not recognise the cumulative impact of developing the entire site; and the proposal did not comply with the HSA DPD. There were far too many uncertainties that had not been overcome.

### **Questions from Members**

Councillor Alan Law referred to the point made in paragraph 6.13.19 of the report which concluded that the proposed development was capable of complying with Policy CS17 in terms of conserving and enhancing local biodiversity. He therefore questioned the point made about refusal on ecology grounds.

Dr Johnston referred to a report of a Senior Ecologist which stated that it was contrary to this policy as it would not achieve a net ecology increase. Councillor Graham Pask clarified that this was the view of an Ecologist employed by Hampshire County Council. Councillor Law reiterated that West Berkshire Council's planning report stated that the proposal was capable of complying with the associated policy. Dr Johnston did not feel this matter could be fully determined until the reserved matters stage.

Councillor Alan Macro queried what was covered by the covenant. Dr Johnston explained that this was attached to Primrose Croft and this point was being investigated. She resided at Primrose Croft.

Councillor Richard Crumly referred to road safety and specifically sight lines on exiting the site. He considered the sight lines at the site visit and considered that this was acceptable in both directions. Dr Johnston commented that Reading Road could be extremely hazardous at peak times and the safety concern was for pedestrians.

### **Agent Representation**

Mr Pott in addressing the Committee raised the following points:

- The application was submitted some time ago. It adhered with the HSA DPD and was Phase One of the wider development.
- The only matter for consideration for the Committee was access. Planning Officers felt that the outline application was acceptable and in accordance with Planning Policy. All other matters were reserved.
- Much work had been undertaken to demonstrate the viability of the development.
- The S106 Heads of Terms included a financial contribution towards highway works.

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### **Questions from Members**

Councillor Law questioned why layout and scale had not been provided at this outline stage particularly when the application was for 28 dwellings. Mr Pott clarified that the application was for 28 units.

Councillor Macro queried the position of the proposed access next to Primrose Croft. Mr Pott explained that this was based on the advice of their Highways Consultant and the Council's Highways' Officers. They advised that the access point was acceptable.

Councillor Graham Bridgman highlighted that Policy HSA16 required the provision of an appropriate landscape buffer on the part of the site that was adjacent to The Hollies to minimise any impact on the residents. He noted this was for the reserved matters stage but questioned the actual location of the buffer on the plans. Councillor Bridgman, in his role as Portfolio Holder for Adult Social Care, had discussed this proposal with the Manager of The Hollies who also had concerns and wanted this matter confirmed. Mr Pott advised that he was aware of the concerns that had been highlighted and this was something to be addressed in more detail at the reserved matters stage.

### **Ward Member Representation**

The Ward Member, Councillor Ian Morrin, had sent his apologies for being unable to attend both the site visit (due to a prior work engagement) and the meeting (due to family commitments). Councillor Bridgman read out the following written statement provided by Councillor Morrin:

'Chairman, Committee Members, members of the public, I apologise that I cannot be there in person due to family commitments. I recognise that this site has been allocated within the DPD process and as such is land that can be brought forward for development, however there are three areas of this application in particular that are of concern and hence my questions to the Committee:

- There have been a number of issues in bringing this application forward, one of which was the co-ordination of the two groups, I understand that this has now been resolved. However the current application is for 28 homes leaving the balance of 32 homes for the second application. I am concerned that the application before you is for the most developable land but does not cover 50% of the proposed properties. This leaves the balance of 32 homes to be built on a site that seems (in my amateur opinion) to be much less developable. What assurances can the relevant landowners provide that the second site will be developed appropriately and how do we ensure these commitments are maintained?
- How will the developer ensure that the proposed build does not encroach into the woodland at the edge of the site, I understand that a one metre "buffer" has been requested by Officers but what assurances do we have that this will be maintained and is sufficient protection?
- The development is very close to the Hollies Care Home which cares for some of West Berkshire's most vulnerable adults. What will be done to protect the residents from undue stress and harm whilst the build is taking place and to ensure their future wellbeing is not impacted by the development?

Thank you for considering these points in your discussions'.

### **Officer response to Ward Member**

In response to these points, Mr Dray explained that there had been concerns in relation to the access point and its angle into the site. However, the angle had been altered and



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Officers were satisfied that Phase One could proceed without impacting or preventing Phase Two.

Considerable time had been spent on the housing numbers. 28 homes was considered as the capacity for Phase One. Officers were confident in the recommendation to grant outline permission for the 28 homes. The capacity of Phase Two would be assessed in due course.

In relation to the buffer, Mr Dray advised that the preference would have been for a road running alongside the edge of the woodland with a grass verge, but this was not technically possible due to the depth of the site behind The Hollies. However, the proposal was found to be acceptable and the proposed "buffer" planning obligation would provide an extra degree of protection against future encroachment. The detailed layout of this buffer would be confirmed at the reserved matters stage.

Finally, in terms of the impact on the care home, the minimum distance between boundaries of 21 metres had been achieved and was as shown on indicative plans. Mr Dray added that there was felt to be sufficient scope to reconfigure the buildings if this was found to be necessary at the reserved matters stage given the relatively low density of development. He also explained that when outline permission was refused at appeal in 2011, the Planning Inspector was not concerned regarding the proximity of The Hollies. The loss of a private view was not a material planning consideration. It was also the case that this was a lower density proposal.

### **Member Questions to Officers**

Councillor Quentin Webb referred to paragraph 1.12 of the report which highlighted that the Secretary of State (SoS) for Housing, Communities and Local Government (MHCLG) had received a request from an undisclosed party to recover the application for his own determination. As such, the Committee's resolution would be referred to the MHCLG prior to a decision being issued, so that the SoS could decide whether to use his powers. Councillor Webb questioned the significance of this and whether it applied to the outline application or for reserved matters. He also asked if the Committee was legally able to determine the application.

Mr Dray explained that the SoS had not called-in the application, but the MHCLG had asked to be informed of the Committee decision on the outline application for consideration alongside the request that had been made. A decision notice would not be published until this process had completed.

Councillor Webb then requested clarification on the references made to footways and footpaths within the conditions. Mr Dowding explained that condition six – layout and design standards – should state footway and not footpath.

Mr Dray stated that a buffer to Pondhouse Copse would be included to prevent encroachment of the development into the proposed local wildlife site which was a matter of concern to Members. However, he added the clarification that the actual design and layout of the buffer and the detail of its position etc was a reserved matter and did not feature in the proposed conditions of approval for the outline application.

Councillor Law questioned why scale was a reserved matter when the outline application was stated as being for 28 dwellings. Mr Dray explained that in this context "scale" meant the height, width and length of each building proposed within the development in relation to its surroundings, rather than the total number of dwellings proposed. The number of dwellings was being considered at this stage, but their precise dimensions would be considered at the reserved matters stage.

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In response to a further question from Councillor Law, Mr Dray confirmed that the HSA DPD did not include the strip of land running alongside Primrose Croft.

Councillor Macro questioned the ownership of the visibility splay. Mr Dowding explained that splays should be on existing highway land or land dedicated as highway, i.e. within the control of the Highway Authority although it could still be owned by the developer. Mr Dray added that the visibility splays were within the same ownership as the application site, that the area would need to be landscaped and this included the removal of trees.

Councillor Macro then queried the positioning of the access point. Mr Dowding clarified that this was to adhere to visibility splay requirements which could be provided at this point and which was over highway's land.

Councillor Pamela Bale asked what parking provision was in place for visitors and if this could be accommodated on the road running through the site? Mr Dowding explained that while this was only an outline application, the road width etc would be built to adoptable standards. There were no standards to meet for visitor parking. Mr Dray added that the detailed indicative layout and parking plans provided with the application were sufficient to demonstrate that parking levels for residents would comply with policy.

Councillor Bale next questioned the future maintenance of the landscape buffer. Mr Dray explained that this could be conditioned for a period of five years. Discussion could be held at the reserved matters stage on the potential to extend this timeframe.

Councillor Bridgman referred to Condition Five – the Parameter Plan. This explained that the parameters shown had to comply with a range of policies including HSA16 (which linked to the landscape buffer). He queried the level of control over the landscape buffer, if outline permission was granted, as he felt this should be enhanced from that shown in the plans. Mr Dray explained that the reserved matters layout would need to accord with the Parameter Plan and so in essence the width shown could be considered as a minimum standard in determining this application and there was therefore flexibility around the landscape buffer at reserved matters, when its width and impact could be looked at more closely.

Councillor Bridgman next referred to the S106 Planning Obligation, in particular part (c) – highway enabling works. He questioned whether matters including the positioning of the refuge and footways would be fixed by a decision made at the meeting. In response, Mr Dray explained that the positioning of the access, which was acceptable to Highways, would be approved if Members were minded to grant outline planning permission. Condition 7 required the prior approval of detailed plans for the access, and so the precise design and layout would be determined pursuant to the condition.

David Pearson further clarified that while access formed part of the outline application, all remaining highway related work was subject to separate negotiations and these could seek to address Member concerns in relation to footways and the location/size of the refuge.

Councillor Tim Metcalfe queried the right of access for residents to the woodland and its ownership. Mr Dray explained that this could not be influenced via the planning application. This access, i.e. from a rear garden gateway, was a matter for the landowner.

Councillor Metcalfe then asked whether it was possible to condition the Phase Two development. Mr Dray confirmed that, as with any development, it was down to the developer to bring forward a planning application. However, applicable controls and conditions would be imposed for Phase Two so that Phase One residents were not negatively affected, i.e. a Construction Method Statement.

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### Debate

Councillor Crumly noted that 28 dwellings was the capacity for this element of the site. Access was the matter for consideration and Councillor Crumly viewed the proposal as satisfactory with suitable visibility splays. He therefore saw no reasons on which to refuse planning permission. Councillor Crumly gave his support to the Officer recommendation.

Councillor Law congratulated Officers for their work on this complex application. The main issues highlighted in relation to ecology and landscaping would be addressed at the reserved matters stage. He also felt there were no valid reasons on which to refuse the outline application and proposed acceptance of the Officer recommendation to grant outline planning permission. He added that the principle of development had been established in the HSA DPD. Councillor Crumly seconded the proposal.

Councillor Macro remained concerned at the loss of trees to achieve the visibility splay, but accepted this was in the developer's control and was not a reason on which to refuse the application.

Councillor Bridgman reiterated the concern that the site allocation in the HSA DPD was for 60 dwellings. This application was for less than half of that number and the full development could not be guaranteed. It was important, for reserved matters, to be clear on the issues of access to the public open space/the woodland and the landscape buffer, particularly in relation to the impact on The Hollies.

However, Councillor Bridgman concluded by stating that the advice from the Highways Officer was that the visibility splays met the required standard for the access and plans were in place for a refuge to aid crossing the road safely.

Councillor Marigold Jaques highlighted the need to ensure that matters relating to conservation were carefully considered at the reserved matters stage. Mr Dray explained that relevant conditions applied to the outline application and would be a point of detail at reserved matters.

**RESOLVED** that 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 OUTLINE PLANNING PERMISSION** subject to the conditions listed below.

**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).

### 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

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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).

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### **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

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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**

Details of vehicle access, parking, and turning (where appropriate) for every dwelling shall be submitted to the Local Planning Authority for written approval before of alongside the submission of the layout reserved matters. Thereafter no dwelling shall be first occupied until the vehicle access, parking and turning space(s) associated to that dwelling have been surface, market out and provided in accordance with the approved details. The parking 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;
- (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;
- (i) Details of lighting during construction.

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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

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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



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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 dwelling shall be first occupied until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

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

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

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

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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.

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### 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

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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

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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](mailto:building.control@wokingham.gov.uk), or visit: [www.wokingham.gov.uk/building-control](http://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](mailto: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](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://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

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more information: email [ehadvice@westberks.gov.uk](mailto: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.

**Or**, if a S106 legal agreement is not agreed within the above specified time, to delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION** for the reason listed below:

#### 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.

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

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

### 30. **Site Visits**

The 10 October 2018 was agreed for site visits if necessary. This was in advance of the next Eastern Area Planning Committee scheduled for 17 October 2018.

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Councillor Graham Pask reminded Members of the need to attend mandatory training sessions taking place in November 2018. All Planning Committee Members needed to attend this training.

David Pearson took the opportunity to inform Members that as of 1 October 2018, new Government legislation would mean that pre-conditions could not be imposed unless agreed to by developers.

*(The meeting commenced at 6.30pm and closed at 7.59pm)*

**CHAIRMAN** .....

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



# Agenda Item 4.(1)

Item No	Application No. and Parish	Proposal, Location and Applicant
(1)	18/00878/OUTMAJ  Purley on Thames	Residential development of up to 29 dwellings, with associated access, landscaping and public open space.  72 Purley Rise Purley On Thames Reading Berkshire RG8 8DH  Applicant: Messrs Venners

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00878/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 Tim Metcalfe  
Councillor Rick Jones

**Reason for Committee Determination:** More than 10 letters of objection received.

**Committee Site Visit:** 19 September 2018

#### Contact Officer Details

**Name:** Jay Singh  
**Job Title:** Consultant Planner  
**Tel No:** (01635) 519111  
**E-mail Address:** jay.singh1@westberks.gov.uk

## 1. INTRODUCTION

- 1.1 This application seeks outline planning permission for the erection of 29 dwellings (of which 3 dwellings would be self-build and 34% would be affordable housing), with associated access, landscaping and public open space on land at 72 Purley Rise, Purley on Thames. Access is for consideration but matters relating to appearance, landscaping, layout and scale reserved for determination at a later stage.
- 1.2 The application site provides a mixture of brownfield and greenfield land of approx. 1.4 hectare in area (1 hectare being the proposed built form developable area and 0.4 hectares reserved for public open space). The site has been used most recently for the storage of touring caravans (up to 115), and in part for furniture repair and in other parts for vehicle repairs and storage. The site has an existing access to Purley Rise located to the south that passes in between no.74 Purley Rise to the west and no. 72a Purley Rise to the east (the access is understood to be private and shared between no's 70, 72, 72a and 74 Purley Rise).
- 1.3 The developable area contains the caravan storage areas, workshops and storage buildings separated by hedging and fencing, and with trees and hedges to the boundaries. To the eastern and southern boundaries are existing residential housing forming the built up settlement edge boundary for Purley on Thames. To the north of the developable area is a grassed field beyond which is an active railway line, further north, to the east and west is open countryside designated as North Wessex Downs AONB. The topography of the site slopes gently towards the north.
- 1.4 The site is within Flood Zone 1 (lowest risk of flooding) according to Environment Agency flood mapping. However, it is understood to being within a ground water emergence zone and adjacent to an area of surface water risk. A mains sewer pipe also understood to run through the site.
- 1.5 As considered in more detail further below, it is important to note that the application site has been allocated for up to 35 dwellings through the plan making process (reference 72 Purley Rise, Purley-on-Thames (site EUA035)) under Policy HSA11 of Housing Site Allocations DPD (2006-2026) which is a material consideration of substantial weight.
- 1.6 The supporting information includes, amongst other technical documentation,:
- Site location plan as proposed (xx/03a)
  - Clarified site location plan as existing (xx/04a)
  - Development Parameters plan (xx/05)
  - Open space plan (xx/os)
  - Layout plan of the proposed access showing vision splays (8170661\_6103\_A)
  - Simplified version of the above drawing with less detail for clarity (8170661\_6102\_B)
  - Refuse truck swept path drawing showing the refuse vehicle entering and exiting the access (left in and left out manoeuvres) without the vehicle crossing the centre-line. The footway on the western side of the carriageway being a full 2 metre width from the existing footway along Purley Rise into the access (8170661\_6204\_A)

- 1.7 The illustrative information shown within the supporting Design and Access Statement shows 29 houses fronting on to a main spine road leading to Purley Rise with on-plot and visitor parking, private rear gardens and retained trees. The statement indicates that the scheme would provide a variety of housing sizes, types and tenures to meet the districts housing needs.
- 1.8 The development parameters plan (xx/05) show the proposed dwellings being within the 1 hectare built developable area and the proposed 0.36 hectares of open space (including 100 sq.m local area of play LAP) being shown in the grassed field to the north beyond the built developable area (shown on plan xx/os). In addition, a further landscape (tree planted) buffer of a minimum of 20m in depth and railway buffer are shown further to the north and west within land within the applicants control but outside of the redline boundary (known as 'blue line' land indicated on plan xx/04a).
- 1.9 As indicated above, the proposed access arrangements are for determination as part of this application. The proposed access include creation of new 'T' junction within the public highway providing a 4.8m wide road with a new 2m wide footway tying in to the existing footway (as shown on 8170661\_6102\_B). The plans also show minimum visibility splays of 2.4m x 90m to Purley Rise (as shown on plan 8170661\_6103\_A).
- 1.10 The widening of the existing access would involve the removal of the gable end of existing house at 72a Purley Rise (approved under planning application 18/00965/HOUSE dated 12 June 2018 and within the ownership of one of the applicants) and relocation of its access further northwards (closer to the house than its present location).
- 1.10 The application is accompanied by a suite of other supporting technical documentation which is available on the public file.

## **2. PLANNING HISTORY**

- 86/25985/ADD – Change of use from workshop ancillary to caravan storage to workshop for repair and restoration of antique and modern furniture (part of northern workshop)  
Approved – 23 April 1986
- An appeal decision (ref LAB/201/12/2/403) that confirms the lawfulness of the main uses within the site was issued in June 1992.
- 97/51650/FUL – Detached House with detached garage for permanent residential use (what is now No72a)  
Approved – 29 December 1997
- 18/00965/HOUSE - Remodelling alterations including narrowing of house and extensions to rear. New front porch. (No72a)  
Approved – 12 June 2018

### 3. PROCEDURAL MATTERS

- 3.1 The application has been screened in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, which concluded that the proposed development is not “EIA development” and therefore an Environmental Statement is not required.
- 3.2 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, and a press notice being displayed in the Reading Chronicle.
- 3.3 The application has been revised/clarified 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.
- 3.4 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

<b>Purley on Thames Parish Council</b>	No objection
<b>Highways</b>	Following the submission of amended access drawings no objection subject to conditions.
<b>Affordable Housing</b>	No objections subject to completion of a Section 106 Legal Agreement to secure affordable housing provision.
<b>Planning Policy</b>	No objection. The response sets out the key planning policy considerations which should be taken into account in the assessment of the application.
<b>Tree Officer</b>	No objections subject to conditions requiring detailed landscaping scheme and tree protection measures.
<b>Education</b>	CIL contributions would mitigate the impact of the development on local education infrastructure where required.
<b>SuDS</b>	No objections subject to conditions in respect of delivering a comprehensive scheme of drainage and SuDS for the site.
<b>Archaeologist</b>	No objections (investigations already undertaken).
<b>Environmental</b>	No objection subject to conditions to secure noise and vibration

<b>Health</b>	assessments, and implementation of contamination remediation
<b>Public Open Space</b>	No objection subject to provision of public open space, woodland and children's play area.
<b>Ecology</b>	No objection subject to conditions
<b>Transport Policy</b>	No representations received
<b>RBFRS</b>	Request provision of fire hydrants or mains water connection
<b>Thames Water</b>	No objection
<b>Public Rights of Way</b>	No representations received
<b>Waste Management</b>	No objections subject to adequate access being made available for refuse vehicles.
<b>NWD AONB</b>	No representations received
<b>Rambler's Association</b>	No representations received
<b>Network Rail</b>	No objection subject to mitigation measures to avoid impact on the safety, operation and integrity of adjacent nearby railway line.
<b>Environment Agency</b>	No objections subject to conditions to protect ground water contamination
<b>Natural England</b>	No objection
<b>Disability Access Officer</b>	No representations received
<b>Police Crime Prevention</b>	No representations received
<b>BBOWT</b>	No representations received
<b>Minerals and Waste</b>	No representations received
<b>NHS Newbury &amp; District Clinical Commissioning</b>	No representations received

## Group (CCG)

### 4.2 Public Representations

Following public consultation, a total of 14 letters of objection have been received. All representations are available for inspection on the public file but the comments are summarised as follows by officers:

Total: 14    Object: 14                    Support: 0

#### *Objections:*

- Proposed access requires alteration to existing driveway to no.74 Purley Rise which is not agreed with its owner.
- Adverse impact on highway safety due to unsafe access arrangement with insufficient visibility splays and increased traffic generation within the local highways infrastructure.
- Proposal would increase the risk of accidents with reference to a recent accident that resulted in fatalities.
- The supporting Transport Statement does not fully assess the highways impact of the proposal modelling and alternative/more safer access designs should be considered e.g. access off a roundabout.
- The highways authority are not cutting back vegetation onto the public highway regularly which further impacts on the safe operation of the highway e.g. impinging on existing visibility splays.
- Unsustainable location with poor access to sustainable modes of transport resulting in higher car borne trip generation than estimated by the applicant
- Insufficient local infrastructure including school places, amongst others, to support the proposed development.
- Proposal is outside the settlement boundary of the village, moving closer to, and having an adverse impact on, the AONB.
- Proposal would result in the loss of important gap and result in coalescence between Purley and Pangbourne.
- Proposal would set a precedent and would facilitate the development of adjacent land
- Proposal would have an adverse ecological impact on protected species e.g. slow worms, with lack of mitigation shown, and would also would result in harm to the SSSI
- Lack of supporting detail in relation to external lighting strategy to ensure neighbouring residential amenity and wildlife are protected.
- Proposal would have an adverse impact on neighbouring residential amenity in terms of increased noise and disturbance e.g. screening and noise attenuation measures along the access road where it abuts residential gardens.
- Overdevelopment of the site.
- The use of gravel surfacing for the proposed access way is not appropriate.

#### *Other comments:*

- Strict controls should be applied to ensure the delivery of the proposed self-build plots.

- Planning conditions should be imposed to provide new boundary treatment to boundary with no.74 Purley Rise, noise mitigation measures to protect neighbouring amenity, appropriate road surfacing with adequate surface water drainage, construction method statement and restrictions on the hours of construction.

## **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, ADPP4, ADDP5, CS1, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18, CS19

5.3 Housing Site Allocations Development Plan Document (HSA DPD):  
Policies: GS1, HSA11, 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)
- Supplementary Planning Document, Quality Design (June 2006)
- North Wessex Downs AONB Management Plan 2014-2019
- Purley on Thames Village Plan (2004)

## **6.0 ASSESSMENT**

### **6.1 Principle of Development**

6.2 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, ADPP4 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policies GS1, HSA11 and C1 of the Housing Site Allocations DPD 2006-2026 (HSA DPD). Policies ADPP1 and ADPP4 comprise the spatial strategy for the district and AONB respectively. New homes will be located in accordance with the settlement hierarchy (ADPP1) and area delivery plan policies (ADPP4).

6.3 According to Core Strategy Policy ADPP1, the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings. Significant intensification of residential (and other uses) will be avoided within areas which lack sufficient supporting infrastructure, facilities or

services or where opportunities to access them by public transport, cycling and walking are limited. Purley on Thames forms part of the Eastern Urban Area of the district, which is included on the first tier of the settlement hierarchy. It is thereby the focus for development within the district. According to Policy ADPP4, new housing development within the Eastern Area will take place through allocated sites.

- 6.4 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.
- 6.5 According to Policy HSA DPD Policy C1, there is a presumption in favour of development and redevelopment of land within the settlement boundary of Purley amongst other settlements. The settlement boundary includes the developable area of the application site, but excludes the narrow field to the west and the field to the north, part of which is proposed as public open space.
- 6.6 As indicated above, consistent with the above strategic housing policies, the application site has been allocated for up to 35 dwellings under Policy HSA11 of Housing Site Allocations DPD (2006-2026) subject to meeting the environmental parameters of the policy. According to the policy, the site has a developable area of 1 hectare, and would provide approximately 35 dwellings, including an element of self-build homes. The developable area has been incorporated into the new settlement boundary for Purley. The site has been allocated on the basis that it is consistent with the spatial strategy for the district, including Core Strategy Policies ADPP1 and ADPP4 and therefore the principle of the residential redevelopment of the site is therefore acceptable.
- 6.7 Turning to the detailed criteria set out in Policy HSA11, the proposal would provide 29 dwellings with 3 units (10% of the total number) being self-build/custom build homes, which is within acceptable tolerances of the allocation for approximately 35 dwellings in total. Taking into account the edge of settlement location and the close proximity of both the North Wessex Downs and Chilterns AONBs, the proposed 29 dwellings is considered an appropriate balance between making efficient use of land and protecting the surrounding landscape. The proposal would also provide an element of self-build homes in accordance with the policy. The proposed self-build/custom-build plots would need to meet the definition(s) set out under The Self-build and Custom Housebuilding Act 2015 (as amended) to ensure they are genuinely made available to meet this specific housing need.
- 6.8 The allocation includes a landscape buffer to the north and west of the site (beyond the built form developable area). According to the Glossary of the HSA DPD, where appropriate, the following features (amongst others) are considered suitable in a landscape buffer: tree belts, hedgerows, grassland/meadow, wetland and SuDS, informal open space with footpaths and picnic areas, and village greens. Play equipment, sports facilities, other formal recreational facilities, amongst other items, will not normally be acceptable unless demonstrated to be acceptable through detailed landscape and visual impact assessment.
- 6.9 In this regard, a small area of local area of play for children of 100m<sup>2</sup> been proposed within the proposed informal open space to the north of the developable



area, at the request of officers. This has been considered through the detailed landscape and visual impact assessment, and taking into account it is likely to comprise a simple grassed area enclosed by planting with no formal equipment, subject to the approval of its detailed design, it is considered that the proposals for public open space within the northern landscape buffer is acceptable in principle.

- 6.10 Whilst the proposal is in outline form, its preparation including supporting development parameters plan, as set out further below, has been informed by a Landscape and Visual Impact Assessment that has taken into account the WBC Landscape Capacity Assessment (2015) which would ensure the site has capacity to accommodate the proposed development whilst ensuring the densities and the mass and scale of development would reflect the adjacent settlement character, the height of the development based on indicative information within the supporting design statement and landscape treatment would be designed to avoid increasing the visual prominence of development on the edge of Purley, the tree cover on the site and around the boundaries would be retained, open space and new green infrastructure would be provided to conserve and enhance the setting of the AONB and the landscape character of the settlement edge in accordance with the provisions of policy HSA11.
- 6.11 As considered further below, the proposal would be accessed from the A329 with an access of adoptable width and the preparation of the scheme has been informed by Flood Risk Assessment, Ecological Surveys and Archaeological Assessment in accordance with the policy HSA11.
- 6.12 Policy GS1 of the HSA DPD indicates, all housing sites will be developed in accordance with the West Berkshire development plan and adopted SPDs and SPGs. Each allocated site will be master-planned and delivered as a whole to achieve a comprehensive development that ensures 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. Policies GS1 and HSA11 provide criteria with which the proposal must comply; these issues are examined further below. In this regard, the supporting information demonstrates a master plan led approach to the development of the site as a whole which has come forward as part of a single outline planning application in accordance with Policy GS1. However, it is recognised that the reserved matters would come forward as separate phases to take account of the self/custom build units.

### **6.13 Housing Type and Mix**

- 6.14 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.

- 6.14 Development proposals will be expected to demonstrate how these matters have been addressed within the proposed dwelling mix.
- 6.15 The surrounding area is characterised by family houses, predominantly detached in the immediate vicinity along Purley Rise and Westbury Lane, but also with some semi-detached and small lines of terraces. The location is considered to be relatively accessible and to benefit from the availability of existing local services, facilities and infrastructure. The illustrative layout shows a mix of detached, semi-detached and terraced family houses, albeit with a greater proportion of semi-detached dwellings to make efficient use of the site.
- 6.16 Evidence of housing need is contained within the 2016 Berkshire Strategic Housing Market Assessment (SHMA). This indicates a need for all types of dwelling size, but with a more pronounced need for 2 and 3-bed houses. It is considered that the proposed mix of family housing would have sufficient regard to the SHMA, although the precise mix would be subject to reserved matters.
- 6.17 The Self Build Register is another important relevant evidence source for housing need and demand, and Policy HSA11 specifically requires an element of self/custom build homes within the development. The proposed development is for 29 dwellings of which 3 (10% of the total) would be self/custom build.
- 6.18 It is considered appropriate to secure the provision of SB/CB housing within the development through planning conditions. The mechanisms are detailed in the table below.

	<b>Mechanism</b>	<b>Details</b>
Provide 3no. SB/CB housing units on site	Compliance planning condition	To ensure that the provision of a minimum of 3 dwellings would be made available for self-build/custom-build within the overall site overall.
Provision of infrastructure relating to services and utilities to serve the 3no. SB/CB housing units	Prior approval via planning condition	To ensure that the developer provides the necessary servicing and utilities to serve the three plots available as self-build/custom-build. This would ensure appropriate infrastructure and servicing is secured across the site and to help the delivery of the sb/cb housing.
Site Masterplan	Prior approval via planning condition	Given that the layout is not fixed at the outline stage, the purpose of the Masterplan is to fix the whole site layout on or before the submission of the first reserved matters application. The Masterplan will then inform the subsequent Phasing Plan, Plot Parameter Plans, and Reserved Matters applications, all of which will have to be in accordance with the Masterplan.
Phasing Plan	Prior approval via condition	The Phasing Plan would be based on the Masterplan, and would split the site into phases. Phasing is required to facilitate the inclusion of SB/CB dwellings. A first phase will need to ensure

		that access roads and communal/public areas of the site are delivered in a timely manner (normally before any other phase). A further phase (or phases) will need to include the housing to be delivered by a conventional developer. Each SB/CB dwelling will need to form its own phase of development. This will enable individual self/custom-builders to submit reserved matters applications for their own plots, independent of the remainder of the site. The phasing of the development will also enable self-build CIL exemptions to be claimed where appropriate.
Plot Parameter Plans	Prior approval via condition	There may be certain parameters that are required to be applied to individual plots whilst considering the overall site layout. For example: <ul style="list-style-type: none"> <li>• Maximum building heights</li> <li>• Minimum distances from boundaries</li> <li>• Elevations where windows/opening are excluded/restricted to safeguard neighbouring amenity</li> <li>• Minimum garden sizes</li> </ul> Typically these can apply to individual plots, and may be known as “plot passports”.
Reserved Matters for individual phases	Prior approval via condition	Reserved matters conditions will be applied as normal, but worded to allow for reserved matters applications to be submitted for individual phases of development. Self/custom-builders will therefore be responsible for submitting their own reserved matters application, which will need to be in accordance with the aforementioned details to ensure a comprehensively-planned and high quality development.

6.18 Subject to securing an element of SB/CB housing through the imposition of relevant planning conditions, it is considered that the proposal would comply with this specific requirement to address housing need. The illustrative site layout indicates that the site is capable of accommodating the proposed quantum of development and achieve an appropriate housing mix at reserved matters stage. Accordingly, it is demonstrated that the proposal is capable of complying with Policies CS4 and HSA 11 in this respect.

### 6.19 Social Infrastructure

6.20 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.

6.21 Except for access arrangements, no specific infrastructure requirements are set out in Policy HSA11. Consultation requests have been sent to Thames Water, WBC Education, Royal Berkshire Fire and Rescue Service (RBFRS), and the NHS Clinical Commissioning Group.

- 6.22 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.
- 6.23 No response has been received from the NHS Care Commissioning Group. However, given the number of dwellings proposed, it is considered that 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.

#### **6.24 Water Supply and Wastewater**

- 6.25 Adequate water and wastewater infrastructure is needed to support sustainable development. Thames Water are the statutory undertaker for water supply and wastewater in the area, and have therefore been consulted on this application.

#### *6.26 Water supply*

- 6.27 Planning for the necessary water supply would normally be addressed through the plan making process and/or other legislation. Water supply is therefore unlikely to be a consideration for most planning applications. Exceptions might include large developments not identified in Local Plans that are likely to require a large amount of water; and/or where a Local Plan requires enhanced water efficiency in new developments as part of a strategy to manage water demand locally and help deliver new development.

- 6.28 Thames Water confirm that they have no objections in terms of water network infrastructure capacity, based on the information provided. They recommend that an informative is attached to the decision notice to inform the developer on the expected minimum water pressure and flow rates that would be provided to serve the new development.

- 6.29 Thames Water advise that there are two trunk mains running along Purley Rise, and although they do not cross the development, there is a concern over potential damage from the repeat loading of heavy plant on these mains at the entrance to the site. The developer is therefore asked to ensure adequate load protection is provided to access the site from Purley Rise to reduce the risk of these mains failing. It is therefore considered necessary to include such measures within a Construction Method Statement secured via planning condition to mitigate this impact.

#### *6.30 Wastewater*

- 6.31 Wastewater falls into two categories. Foul drainage carries the used water from toilets, sinks, basins, baths, showers, bidets, dishwashers and washing machines. The above-ground pipework is referred to as sanitary pipework; the underground pipework is referred to as foul drains and foul sewers. Surface water drainage carries rainwater (and melted snow and ice) from hard surfaces. The above-ground

system of gutters and rainwater pipes is referred to as roof drainage; the underground pipework is referred to as surface water drains and surface water sewers. Thames Water are the statutory undertaker in the area.

- 6.32 Thames Water confirm that they have no objections in terms of the foul water sewage network infrastructure capacity, based on the information provided. The application indicates that surface waters will not be discharged to the public network and as such Thames Water has no objection. However, approval should be sought from the Lead Local Flood Authority (LLFA) should the applicant subsequently seek a connection to discharge surface water into the public network in the future then Thames Water would consider this to be a material change to the proposal and they would need to review their position. The LLFA has also been consulted on the application, and their comments are addressed under Sustainable Drainage.
- 6.33 Whilst no objections are raised, in order for Thames Water to determine whether the existing sewer network has sufficient space capacity to receive the increased flow from the proposed development, they request a drainage strategy to be submitted, detailing the foul and surface water strategies.
- 6.34 Thames Water advises that there are public sewers crossing or close to the proposed development, and have provided information to minimise the risk of potential damage. This information can be relayed as an informative on the decision notice. Details of any proposed connection points or alterations to the public system, including calculated discharge rates (pre and post development) must be included in the drainage strategy. Thames Water does not envisage concerns with the proposed development site based upon the following key assumptions: foul flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer.
- 6.35 *Emergency water supplies*
- 6.36 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 if a public main is not installed as part of the development. This is normally achieved by way of a planning 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 and is a matter that can be mitigated through the imposition of planning condition securing details of emergency water supplies.
- 6.37 *Mitigation*
- 6.38 According to Policy GS1 of the HSA DPD, which applies to all allocated housing sites, an integrated water supply and drainage strategy will be provided in advance of development to ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site. Development will be occupied in line with this strategy. All sites that are not connected to the mains sewerage system will ensure there are no deleterious effects to Special Areas of

Conservation (SACs) and river and wetland Sites of Special Scientific Interest (SSSIs). It is considered that the aforementioned Thames Water requirements can be stipulated in this a planning condition requiring the prior approval of an integrated water supply and drainage strategy. For clarity of drafting, separate conditions should be applied for emergency water supplies and sustainable drainage measures, although in practice the applicant may elect to discharge all related conditions in a single submission due to the degree of overlap.

### **6.39 Affordable Housing**

- 6.40 The NPPF strongly supports the delivery of affordable housing that meets a recognised housing need in the District. The Council's policy for affordable housing provision is set out in Core Strategy Policy CS6. It enables the authority to seek affordable housing either on site or as a financial contribution in lieu of on-site provision on sites of 5 units or more. The contribution levels for affordable housing are as follows (this contribution is rounded up or down to the nearest whole unit):
- 15 or more units or 0.5 ha or more:
    - 30% affordable housing on brownfield sites or
    - 40% on greenfield
- 6.41 The Planning Obligations Supplementary Planning Document (SPD) was formally adopted by the Council on the 11th December 2014. This provides guidance to landowners, developers and West Berkshire residents about the use of developer contributions after the implementation of the Community Infrastructure Levy (CIL). It sets out the Council's policy to securing affordable housing contributions and it states that affordable housing should be provided on site unless there are exceptional circumstances, or where alternatives, such as replacement provision on a separate site would better meet the Council's strategic objectives.
- 6.42 The consideration of the levels of affordable housing on this site depend on whether (and the extent to which) the site is brownfield or greenfield land. Based on the presence of existing buildings and structures on the land, the site is considered to be a mixture of previously developed and greenfield land, and taking into account their respective coverage of the site, the scheme should make affordable housing at 34% of the total number of units having regard to the requirements of policy CS6 which equates to a total of 10 affordable housing units. Furthermore, a tenure split of 70:30, social rented to intermediate affordable housing is stipulated by Policy CS6 in light of evidence on local need.
- 6.43 In accordance with Policy CS6, on-site provision of 10 units of affordable housing are required. This should comprise 7 social rented dwellings, and 3 intermediate dwellings. The Housing consultation response dated 24 August 2018 provides detailed requirements for affordable housing. Affordable housing must be secured through a planning obligation. It is also noted had the scheme come forward in accordance with the maximum number of 35 dwellings allowed for within Policy HSA11 then the scheme in theory would have generated the provision of 12 affordable units and 23 open market units (of which 4 would have been expected to be self /custom build)

- 6.44 Whilst layout is not for consideration at this time, the indicative supporting plans demonstrate that affordable housing could be pepper potted across the development site it is integrated properly with the development as a whole.
- 6.45 For these reasons, a policy-compliant level of affordable housing is proposed in accordance with the requirements of policy CS6 and the Planning Obligations subject to imposition of conditions to ensure an appropriate layout at the reserved matters stage and the completion of an acceptable s106 legal agreement.

#### **6.46 Employment and the Economy**

- 6.47 Notwithstanding the application site is allocated for housing such that the principle of residential development is accepted through the plan making process, the application site is currently used for commercial purposes, including the storage of caravans for private owners. The existing use therefore makes a contribution to the local rural economy. According to Core Strategy Policy CS10, existing small and medium sized enterprises within the rural areas will be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements. Proposals seeking the loss of such existing sites and premises must demonstrate that the proposal does not negatively impact upon the local economy, and the vitality and viability of the surrounding rural area.
- 6.48 In this context the site's existing contribution to the local economy is considered small, as it is a modestly sized family run business. Whilst this proposal would result in the loss of a local facility for the surrounding area, its loss would not have a significant impact upon the local economy, or the vitality and viability of the surrounding rural area. The construction of new homes would provide an economic benefit, in terms of increased spend within the local economy from the proposed additional population, and in terms of short term employment opportunities for contractors, sub-contractors, and any other construction service engaged by the works.
- 6.49 For these reasons, the proposal would not conflict with the overall aims and objectives of Policy CS10 and the NPPF.

#### **6.50 Highways Matters**

- 6.51 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.
- 6.52 Policy HSA11 allocates the site for approximately 35 dwellings, and therefore the traffic impacts of the proposed development on the local highway network, and the location terms of its accessibility by sustainable modes of transport, have already been judged to be acceptable through the plan-making process.
- 6.53.1 Notwithstanding the above, the application is supported by a transport statement that suggests the proposed use would generate approx. 18 two-way movements in the am peak (0800-0900) averaging less than 1 every 5mins and 17 two-way movements in the pm peak (17.00-18.00), also averaging less than 1 every 5 mins. Between the hours of 0700 to 1900, the proposal would generate approx. 151 daily

vehicle movements. These movements would be offset against the existing movements within the site which are indicated to be, taking into account 4 uses within the site comprising, Caravan storage (up to 115 caravans), storage and workshop repairs of military vehicles, separate Workshop repairs in B1 use (previously furniture repairs and equestrian use of stable and large field outside the proposed built development area as:

- Caravans Average 10-12 per day (busier in summer quieter in winter);
- Military vehicles 6 per day;
- Workshop repairs 12 per day; and
- Equestrian 8 per day.

Estimated Total at a total of 38 movements per day.

The proposal would therefore result in a net increase of 113 daily movements. However, even if it were assumed that all movements were new, in the view of the Highways Team, the A329 is capable of accommodating this increase in terms of capacity.

- 6.54 Policy HSA11 indicates access should be provided to the site from the A329 through the provision of an access of adoptable width. The existing access would be widened through the removal of the gable end of existing house at 72a Purley Rise (approved under planning application 18/00965/HOUSE dated 12 June 2018) and relocation of its access further northwards from the proposed access road, as well as potential off-site works to the existing access way of no.74 Purley Rise. The proposed access includes the creation of a new 'T' junction to the A429 providing a 4.8m wide road with a new 2m wide footway tying in to the existing footway with minimum visibility splays of 2.4m x 90m to Purley Rise which would be of adoptable width in accordance with the provisions of Policy HSA11 to ensure the safe integration with the existing highways network.
- 6.55 The proposed access arrangement has been carefully considered by the Council's Highway Team who consider the widening of the access and a formalised bell mouth junction would be an enhancement in terms of highway safety for vehicles making a right or left hand turn in the shared driveway. Furthermore, satisfactory plans including vehicle tracking diagrams have been provided to demonstrate servicing of vehicles can be undertaken and the position of existing access ways to no.74 and no. 72A Purley Rise are clearly identified in relation to the proposed alterations.
- 6.57 Speed survey data has also been identified which shows an average speed of 32.9 mph (85<sup>th</sup> percentile 38mph) travelling east bound on the A429 and 34.5 mph (85<sup>th</sup> percentile 40mph) travelling west bound which has been reviewed by the Traffic and Road Safety Team who advise, in accordance with current Department for Transport guidelines, Traffic Management Assessments are directed to only examine accident statistics within the last three year accident reporting period as this data is deemed to be more relevant to current highway conditions. There have not been any recorded personal injury accidents at this location within the last three year recording period and whilst recorded traffic speeds may be slightly higher than we would like to see this is ultimately an enforcement issue that the police have the authority to address. Traffic Management resources are primarily targeted at sites with a history of recorded injury accidents and measures are normally considered



where a reduction of accidents can be demonstrated as a result of their introduction.

- 6.58 The Traffic and Road Safety Team go on to say, whilst a serious incident did occur near this location in February 2014 this was as a result of illegal road use rather than a fault with the highway layout and has therefore been dealt with by the police accordingly. Traffic calming features are generally only introduced as a very last resort and local residents affected by such proposals often object to them during the consultation process, and it is also worth noting that the emergency services do not favour such proposals as it can significantly affect their response times. For these reasons, it is confirmed that no additional traffic calming works are programmed for this location.
- 6.59 In this context, the relevant accident data does not demonstrate that there are any inherent safety issues with the geometry of the road, or turning manoeuvres in the vicinity of the site.
- 6.59 In terms of parking provision, whilst the proposal is in outline form, the illustrative layout information demonstrates sufficient off-road cycle and car parking provision would be made available at the detailed design stage to meet the needs of the development.
- 6.60 It is noted objections have been received from the occupiers of the adjacent property no.74 that their consent is required to undertake alterations to the shared access way. However, the applicant has confirmed all of the land within the redline boundary is within their ownership and therefore the correct notices have been served as part of the planning application. Any necessary off-site works, maintaining private rights of way, etc is considered to relate to a civil matter between private parties where it would be necessary for agreement to be reached outside of planning legislation.
- 6.61 Notwithstanding the above, to ensure any future alterations to the access ways of no.74 and No.72A would not affect the safe operation of the vehicular access way for consideration as part of this planning application to serve the proposed development, and to mitigate any potential on the public highway, an additional planning condition has been proposed requiring precise details of any alterations to the existing access way to no.74 and no.72 Purley Rise to be agreed with the Highway Team before they are implemented.
- 6.61 For the above reasons, the proposal would not have an adverse impact on highway safety and the free flow of traffic within the local highways infrastructure, and would provide satisfactory off cycle and car provision to meet the needs of future occupiers in accordance with the provisions of Policy CS13, HSA11 and the NPPF.

#### **6.62 Character and Appearance (including impact on the setting of AONB)**

- 6.63 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.

- 6.64 Policy ADDP5 seeks to ensure development proposal conserve to conserve the scenic beauty and distinctive character of the AONB. The NPPF gives the highest status of protection for the landscape and scenic beauty of AONBs, and states their conservation should be given great weight in planning decisions. The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.
- 6.65 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.
- 6.66 The North Wessex Downs AONB includes the landscape to the north of the adjacent railway line, and the land immediately to the west of the application site towards Pangbourne on the southern side of the River Thames. In addition, the land to the north of the River Thames is located within the Chilterns AONB. The application site itself is located entirely outside of these designated landscapes. However, due to the immediately proximity the impact on their setting is an important material consideration.
- 6.67 In this regard, the application is supported by a landscape and visual impact assessment that demonstrates any views of the built development would be seen in the context of existing residential form where any impact would not be significant and short term in nature. The supporting development parameters plan and indicative layout further demonstrate that subject to relevant mitigation measures such as the proposed 20m wide tree planting buffer, retention of tree cover to the boundaries, the position of the proposed open space and green infrastructure to the northern and western boundaries of the site, the proposal would conserve the setting of the AONB and landscape character of the Purley settlement edge.
- 6.68 In terms of the impact on the character and appearance of the surrounding built form, modern residential housing adjoins the site to the south and west. The proposed development would form a small new residential estate on the northern edge of the existing settlement. Whilst the proposed development would be denser than existing houses within relatively large plots along Purley Rise, having regard to the illustrative information accompanying this application it is considered that the proposal would harmonise with the surroundings.
- 6.69 Overall, it is considered that there is sufficient opportunity for a detailed design to be formulated within the proposed parameters set out in HSA Policy 11. It is also considered that the proposed development is capable of respecting the character and appearance of the area and would conserve the AONB subject to detailed design in accordance with the aforementioned policies.

## **6.70 Functional Design**

- 6.71 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.
- 6.72 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.
- 6.73 Notwithstanding this is an outline application with detailed design considerations for determination at the later stage, the proposal would achieve around 29 dwellings per hectare with the indicative layout ensuring the need to make efficient use of land but at the same time respecting the settlement edge location and surrounding pattern of development.
- 6.74 In terms of appearance, the surrounding built form has a variety of architectural design and form. In this context, a modern high quality residential development would harmonise with the surroundings subject to detailed consideration at the reserved matters stage. In respect of landscaping, the supporting parameters demonstrates ample areas would be provided in terms of open space, landscape buffers, green infrastructure and soft planting to ensure the proposal is acceptable in this respect at the reserved matters stage. In relation to scale, the supporting information suggests there would be a variety in scale to respond to the surrounding built form and particular characteristics of the site.
- 6.75 Overall, the application site has sufficient capacity to could accommodate a high quality development that would harmonise with the surroundings.
- 6.76 Residential amenity**
- 6.77 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.

- 6.78 Notwithstanding layout is not for consideration at this stage, the illustrative layout demonstrates the proposed dwellings would maintain adequate separation distances from existing housing ensuring no material impact on neighbouring residential amenity by way of loss of light, outlook or privacy, or result in any significant overbearing impact.
- 6.79 It is noted there would be increase in traffic movements along the shared access way located adjacent to the boundary of no.72a and 74 Purley Rise. However, the overall level of traffic movements would not be so significant such that it would materially harm neighbouring residential amenity in terms of noise and disturbance associated with the comings and goings of future residents e.g. less than one proposed vehicle movement every 5 mins on average. Furthermore, the use of appropriate road surfacing e.g. tarmac would help reduce road noise when compared to more informal surfacing such as gravel which is unlikely to meet the highways adoptable standards.
- 6.80 The implementation of a construction management plan and restrictions on hours of operation secured via planning condition would further help protect neighbouring residential amenity.
- 6.91 To mitigate any impact from the operation of the existing railway line located to the north of the site on future occupiers of the development, planning conditions can be imposed to ensure any noise impacts would be mitigated effectively in accordance with the recommendations of the supporting noise survey. In addition, where dwellings are proposed within 60metres of the railway an assessment of potential vibration effects should be undertaken and any necessary mitigation can be secured via planning condition to minimise such effects. Although the applicant advises it is unlikely any dwellings would be located within such distance.
- 6.92 The illustrative plans also demonstrate future occupiers would have access to appropriate levels of internal and external amenity space.
- 6.93 For these reasons, the proposal would have an acceptable impact on neighbouring residential amenity and would result in the creation of satisfactory living environment for future occupiers.
- 6.95 **Sustainable construction**
- 6.95 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 25<sup>th</sup> 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.

6.96 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.

### **6.97 Flood risk and sustainable drainage**

6.98 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. Core Strategy Policy CS16 also requires that all developments incorporate sustainable drainage techniques. The Planning Practice Guidance supports this position for major developments.

6.99 The site is located in EA Flood Zone 1. It is also within a groundwater emergence zone, located on a major aquifer and adjacent to an area of surface water flood risk. Accordingly, a Flood Risk Assessment (FRA) accompanies the application. The site is also located within the EA's Source Protection Zone 3, which will influence what SuDS can be used.

6.100 According to the FRA, the site is not at risk of flooding from a major source (e.g. fluvial and/or tidal). A secondary flooding source has been identified, sewer flooding, which may pose a low significant risk to the site. The site is located within Flood Zone 1 and therefore, has a 'low probability' of fluvial flooding with less than a 1 in 1000 annual probability of river flooding in any year (<0.1%). The proposed development is classified as 'more vulnerable', 'more vulnerable' uses are appropriate within Flood Zone 1 after the completion of a satisfactory FRA. The FRA purports that the flood risk to the site can be considered to be limited; the site is situated in Flood Zone 1, with a low or less annual probability of flooding and from all sources. It concludes the site is unlikely to flood except in very extreme conditions.

6.101 The FRA proposes a SuDS Strategy. Given that the detailed layout of the site is to be determined at reserved matters stage, a detailed surface water drainage design has not been undertaken within the FRA. However, it establishes key principles and an outline strategy.

6.102 In terms of a Foul Water Drainage Strategy, the FRA states that the development of the site will take place with separate systems for foul and surface water drainage. The separate system will extend to the public sewer. Foul water will discharge Thames Water public combined water sewer located within the vicinity of the site.

6.103 The FRA also proposes several property-level protection measures, including setting a minimum floor level, and possible flood resilience and resistance measures that can be considered at detailed design stage.

- 6.104 The EA has confirmed that it raises no objections to the proposed development subject to relevant advice notes (which relate to other non-flooding matters dealt with elsewhere in this report).
- 6.105 The LLFA recognise that this application is made in outline and that the final number of residential dwellings proposed is yet to be determined. They advise that, as infiltration has been proven in principle, the layout or scale of the development could be adjusted at reserved matters, if required, to accommodate surface water drainage measures. On this basis, the LLFA have no objections to the proposals. However, they would wish to see further details of the proposals to manage surface water runoff as part of any reserved matters application to confirm there is sufficient space within the development layout for drainage features. Accordingly, if members are minded to approve the application then they request a pre-condition is attached to the permission to ensure that flood risk is appropriately managed for the lifetime of the proposed development.
- 6.106 Subject to pre-conditions to secure the detailed sustainable drainage proposals, property-level protection measures, and an integrated water supply and drainage strategy (including other matters addressed elsewhere in this report), it is considered that the proposal is capable of complying with Policy CS16 at reserved matters stage. For clarity of drafting, separate conditions should be applied for these matters, although in practice the applicant may elect to discharge all related conditions in a single submission due to the degree of overlap.

#### **6.107 Biodiversity**

- 6.108 According to Core Strategy Policy CS17, biodiversity assets across West Berkshire will be conserved and enhanced. The development of this site would not directly or indirectly impact upon any international, European, nationally or locally protected sites of ecological interest. However, Policy HSA11 requires the scheme to be supported by an extended phase 1 habitat survey, 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.
- 6.109 Natural England raise no objection to the application. WBC Ecology Team have considered the proposal and raise no objections subject to mitigation measures secured via planning condition.
- 6.110 The application is accompanied by an Ecological Appraisal, prepared by an ecologist following an extended phase 1 habitat survey. This appraisal also reports on detailed surveys for reptiles, bats (building, activity, and remote detector surveys), and birds.
- 6.111 *Habitats*
- 6.112 The following habitats were identified within the site: amenity grassland, tall ruderal, hedgerow and conifer screens, scrub, ornamental, buildings and hardstanding. No specific mitigation is recommended by the appraisal. The retention of the northern hedgerow would secure the only habitat within the site that is identified as having an elevated conservation status. This hedgerow can be retained as part of the overall ecological mitigation strategy for the site.

### 6.113 *Reptiles*

6.114 Slow worm was the only species recorded by the reptile survey, with a peak count of five adult animals recorded on two occasions. In order to minimise the potential for reptiles to be killed or injured during the site clearance and construction of the proposed development a trapping and translocation exercise will be required to relocate any reptiles within the development site to a suitable alternative receptor site. A potential receptor area for this would be the land adjoining the proposed development site, particularly the field to the north. Whilst this has been shown to support an existing population of slow worm, there is ample scope to increase the carrying capacity of the field by (for example) relaxing current management to improve the tussocky character of the vegetation. The addition of hibernacula and exposed banks would also provide features of benefit to reptiles as part of an overall mitigation package. This translocation exercise could be secured by planning condition as part of a reptile mitigation strategy.

### 6.115 *Bats*

6.116 A building survey was undertaken for bats. Building 1 (garage-type building of breeze block construction) and Building 2 (disused animal pens) were both assessed to have negligible roosting potential, and no evidence of bats was found. Building 3 (the largest building on site, in active use as a workshop and storeroom) was assessed to have negligible to low roosting potential, and no evidence of bats was found.

6.116 Across three activity surveys, four species of bats were detected: common pipistrelle, soprano pipistrelle, noctule, and barbastelle. A *Myotis* bat was also detected. Remote detector surveys were also undertaken across 17 nights between May, July and September 2017. Species recorded include: common pipistrelle, soprano pipistrelle, noctule, seven registrations of a serotine bat, two registrations of barbastelle bat, and a small number of *Myotis* and *Plecotus*.

6.117 In order to minimise the potential impact of a development on the local bat population, it is recommended to design a lighting scheme for the development that is sensitive to bats. This could include minimise the extent of external lighting wherever possible and, where necessary, using fixtures that have no or a very low UV component and that have a luminary that directs light downwards or can be fitted with a cowl to achieve this, to minimise the extent of light spill on to retained boundaries and adjoining habitats. In addition, external lighting on new buildings could also be sensor controlled (e.g. passive infrared) so that it is only illuminated when required. This mitigation can be secured by condition.

### 6.118 *Birds*

6.119 A total of 20 bird species were recorded during the bird survey. In order to avoid legislative constraints relating to nesting birds, the appraisal recommends that any site clearance works, such as vegetation removal, take place outside the bird nesting season, which typically runs from mid-February to August inclusive, although some bird species will nest all year round if conditions are suitable. If the work is programmed for during this period a prior survey by a suitably experienced ecologist would be recommended to identify if any nesting constraint is present at

that time. If an active nest was identified within an area to be affected by any works, it is likely that it would have to remain *in situ* and unaffected until such time as a resurvey confirmed that it was no longer in active use, at which point it is likely that it could be removed. This mitigation can be secured by the imposition of planning condition(s).

#### 6.120 *Other fauna*

6.121 No evidence of badgers was found during any of the surveys, and no setts were identified. The short, well maintained nature of the grassland is considered to be unsuitable for terrestrial phase great crested newts, and no ponds have been identified either on-site or in the surrounding area that might support this species. As such, there is no reasonable likelihood of these protected species being present and requiring mitigation.

#### 6.122 *Enhancements*

6.123 According to Policy CS17, in order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity. The appraisal recommends the following, which can be secured by condition:

- Design SuDS features, if included as part of the detailed layout, to include damp and shallow margins to provide a habitat for a wide variety of native flora or and fauna.
- The inclusion with this of standing open water would also create an opportunity for amphibians such as frogs and toads.
- Use native species, preferably of local provenance, wherever possible throughout the development. Any non-native or ornamental species should also avoid floral species known or assessed as potentially being invasive such as periwinkle *Vinca* spp and Japanese rose *rosa rugosa*<sup>17</sup>
- Provide at the base of any fences, a 13x13cm gap to allow hedgehogs to transverse the development once complete.
- Install 5 bird boxes on retained trees and/or new buildings within the site.
- Install 5 bat boxes on retained trees and/or new buildings within the site.

6.124 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.

6.125 Subject to planning conditions and an s106 obligation to mitigate the impact of the development, and to secure appropriate enhancements, it is considered that, overall, the proposed development is capable of complying with Policy CS17 in terms of conserving and enhancing local biodiversity.



## **6.126 Trees and Woodland**

- 6.127 The application is supported by an Arboricultural report which includes a tree survey, tree constraints and tree protection plan, which have been undertaken in accordance with BS5837:2012. This information relates to the indicative layout. The report indicates the application site contains a number of trees and hedgerows including twenty-four individual trees, two groups and three hedgerows. Three grade C trees, two grade C hedgerows and one grade U tree would be removed to facilitate the proposed development. All remaining trees would be retained and protected during construction and the proposal is considered compatible with their existing and future growth.
- 6.128 The Council's Tree Officer has assessed the tree report and does not raise any objections to its conclusions. The removal of trees and existing planting is considered acceptable to facilitate the proposed development. It is also noted as identified in the tree survey, there is a single Oak tree T1 and 3 areas of hedging, 2 areas of cypress hedge H1 & H2 and a Hawthorn hedge H3 within the site, and although they are not considered to be of any significant or outstanding merit or a significant constraint to the proposed development, they do provide a good screen from neighbouring properties and therefore should be retained and protected throughout the development. The supporting tree protection plan demonstrates this can be achieved with the finer details to be agreed at the reserved matters stage when the final layout is agreed.
- 6.129 The supporting development parameters plan demonstrates substantial areas for new tree planting within the informal open and 20m tree planted landscape buffers around the site boundaries, amongst other areas, would off-set at loss of trees and result in a significant net gain in tree planting within the site overall as part of the reserved matters relating to landscaping.
- 6.130 For these reasons, it is considered that retained trees would be adequately safeguarded from any potential adverse effects and a substantial net gain in trees planting would be achieved within the site to off-set any removed trees in accordance with the provisions of policy CS18 and the NPPF.

## **6.131 Historic Environment**

- 6.132 The Council's Archaeological Officer has reviewed the application using the approach set down in the NPPF including submitted investigations 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 would 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.
- 6.133 There are no conservation areas, listed buildings, or other designated heritage assets within close proximity of the application site that are likely to be materially affected by the proposals. There is the Purley Hall Grade II\* Listed Parks and gardens approx. 500m away to the south-west but taking into account intervening built form, there would be no impact on this designated heritage asset and its setting would therefore be preserved.

6.134 As such, the proposal complies with Core Strategy Policy CS19 and NPPF in terms of conserving the historic environment.

### **6.135 Environmental Quality**

6.136 Environmental Health have noted the supporting contamination report has identified potential contamination hot spots within the site. However, subject to an appropriate remediation strategy being secured via planning condition any risk of pollution can be mitigated. In addition, the proposal would not materially affect any Air Quality Management Area.

6.137 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.

6.138 The Environment Agency have assessed the proposal and whilst raising no objection have requested informative notes to minimise the risk of pollution. .

### **6.139 Public Open Space and Green Infrastructure**

6.140 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.

6.141 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 typical housing mix, the proposal would generate requirement of up to 0.35 hectares of public open space.

6.142 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.

6.143 Whilst the layout of the proposed development is reserved for consideration at a later stage where the precise specification and configuration of public open space would be agreed, the applicant has provided a development parameters plan which shows an area of public open space of approx. 0.35 hectares located beyond the northern boundary of the built form development area (following discussions with

the Parish Council). The open space would also include a 100m<sup>2</sup> local area of play. The level of provision is considered acceptable and in accordance with the provisions of Policy RL.1.

- 6.144 In addition to the public open space, the proposal would provide new tree planting within 20m landscape buffers to the north and west of the site which provide further green infrastructure and opportunities of biodiversity within the site.
- 6.145 The proposal would ensure the provision of high quality of public open space on this development as well additional green infrastructure and landscape buffers, with the finer details being resolved at the reserved matters stage. However, it would be necessary to secure the provision, transfer and management arrangements by way of planning obligations at the outline application stage.

### 6.146 S106 Heads of Terms

- 6.147 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.

<b>Issue</b>	<b>Details</b>
1)	<p>Affordable Housing</p> <p>Obligations to secure:</p> <ul style="list-style-type: none"> <li>• Total provision of 10 affordable housing units on-site;</li> <li>• Comprising 7 social rented units and 3 units of an intermediate form of affordable housing; and</li> <li>• The detailed requirements for affordable housing in the Planning Obligations SPD.</li> </ul>
2)	<p>Public Open Space, Landscape Buffers/Green Infrastructure and SUDS/Drainage</p> <p>Obligations to secure:</p> <ul style="list-style-type: none"> <li>• The provision of public open space (informal space and formal LAP), landscape buffers/green infrastructure and SUDS/drainage measures in accordance with details agreed at reserved matters stage and pursuant to conditions.</li> <li>• The long term governance and maintenance of the public open space, landscape buffers/green infrastructure and SUDS/drainage measures (e.g. a management company or transferred to the Council).</li> <li>• In the event that the public open space, landscape buffers/green infrastructure and/or SUDS/drainage measures are transferred to the Council, the provision of a commuted sum for maintenance (calculated in accordance with the Planning Obligations SPD).</li> <li>• Restriction on use of public openspace/green infrastructure/landscape buffers (so cannot be used as private/domestic residential gardens for the approved dwellings)</li> </ul>

## 7. CONCLUSION

- 7.1 Having taken account of all the relevant planning policy considerations and other material considerations set out above, it is considered that the application complies with the development plan when considered as a whole and is therefore recommended for 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 para 6.147 of this report, to delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the conditions listed below (8.2).

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 (8.3).

### 8.2 PLANNING CONDITIONS

#### 1) Reserved matters

No development on any phase shall take place until details of the appearance, means of access, landscaping, layout and scale (hereinafter called “the reserved matters”) of development in relation to the corresponding specific phase have been submitted to and approved in writing by the Local Planning Authority. The reserved matters for each individual phase shall be only in accordance with the approved Phasing Plan, Site Masterplan, Plot Parameter Plan and Tenure Plan and the development of each plot shall be solely in accordance with the reserved matters of the corresponding phase (plot).

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) Reserved matters time limit

The development of each phase 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 of the respective phase 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).

#### 3) Approved plans

The development hereby permitted shall be carried out in accordance with the approved site location plan reference (xx/04a).

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

#### **4) Parameter Plan(s)**

The reserved matters submitted pursuant to condition 1 shall be in accordance with the Development Parameter Plan ref (2610-A-1200-C) and Open Space Plan ref (xx/os).

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 HSA11 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

#### **5) Minimum 3 Self Build/ Custom Build Units**

The development hereby permitted shall provide a minimum of 3 self-build or custom build dwellings as defined by The Self-build and Custom Housebuilding Act 2015 (as amended).

Reason: To meet the districts housing needs in accordance the National Planning Policy Framework, Policies CS1,CS4 of the West Berkshire Core Strategy 2006-2026, Policy HSA11 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

#### **6) Phasing Plan and implementation**

A Phasing Plan shall be submitted to the Local Planning Authority in writing on or before determination of the Phase 1 reserved matters application. No development whatsoever shall commence prior to the approval of the Phasing Plan. The Plan shall show the phases in which the development is to be carried out, and shall comprise a layout drawing of the whole site which identifies all phases of the development. Phase 1 shall comprise all on-site public/communal areas, including roads and footways, visitors'/non-allocated parking, public open space, play area, landscaped areas, peripheral tree root protection areas, green Sustainable Drainage Systems (SuDS) and biodiversity mitigation / improvement areas. Each self/custom-build dwelling shall comprise a single phase of its own. Unless required otherwise by other conditions or s106 planning obligations the individual plot phases do not have to be time sequenced. Thereafter the development shall not be carried out except in accordance with the approved Phasing Plan. No occupation of any dwelling shall take place until all works approved for the public/communal areas under phase one, have been fully completed, unless agreed otherwise in writing with the Council.

Reason: Phasing plan is necessary to control development which would be split into individual self/custom-build plots. This would also assist the applicant in managing CIL payments/exemptions. Phase 1 requirements

would ensure that common/public areas of the development are provided at the appropriate time in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA11 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

## **7) Site Masterplan**

A Site Masterplan shall be submitted to the Local Planning Authority in writing on or before submission of the Phase 1 reserved matters application pursuant to condition 6. No development on any phase shall commence prior to the approval of the Site Masterplan. The Masterplan shall show the detailed final layout of the site (including the road and footways for the whole site and all public/communal areas), and shall define the location, size and shape of each individual residential plot. Thereafter the development shall not be carried out except in accordance with the approved Masterplan.

Reason: To determine the final layout and site-wide parameters of the development. Given there are self/custom-build units within the development this cannot be achieved through the reserved matters as these will apply to individual plots. This masterplan is therefore required by the first reserved matters application to allow full assessment of the proposed final layout and parameters in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA11 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD

## **8) Plot Parameter Plans (“Plot Passports”)**

Parameter Plans for each individual residential plot shall be submitted to and approved in writing by the Local Planning Authority on or before submission of the first reserved matters application relating to individual plots. No development shall be carried out on any individual plot until the corresponding Parameter Plan for the plot has been approved. The Parameter Plans shall show the access, layout, scale, appearance, car parking and landscaping parameters for each plot. Thereafter the development shall not be carried out except in full accordance with the approved Plot Parameter Plans.

Reason: Parameter plans for individual plots to be considered alongside the masterplan. This would determine individual plot constraints/parameters. Such matters could include (for example) set back distances from boundaries, and maximum heights. When considering the site-wide masterplan, these matters could be essential elements to ensure the development achieves a high standard of design and safeguards residential amenity in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA11 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

## **9) Servicing/Utilities/infrastructure to Self/Custom Build Plots**

The developer shall ensure that servicing and utilities to serve the [three] self-

build/custom-build dwellings are provided prior to first occupation of the fifth dwelling hereby permitted, and they are implemented to the extent they reach the site boundaries of all of the self-build/custom-build dwelling plots.

Reason: To ensure appropriate infrastructure and servicing is secured across the site, and within the context of a phased development in accordance the National Planning Policy Framework, Policy CS5 of the West Berkshire Core Strategy 2006-2026, Policy HSA11 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

## **10) Tenure**

A Tenure Plan shall be submitted to the Local Planning Authority in writing on or before submission of the Phase 1 reserved matters application pursuant to condition 2. No development shall commence on any individual plots prior to the approval of the Tenure Plan. The Tenure Plan shall show the tenure of the eventual dwelling on each plot (either for private ownership (the market housing component including a minimum of 3 self-build or custom-build units), social/affordable rent and shared ownership. Thereafter the development shall not be carried out except in accordance with the approved Tenure Plan.

Reason: Because insufficient information has been submitted to ascertain the tenure of development. This information is required at this stage because it may affect considerations of the masterplan and because it has site wide implications that need to be determined at the outset of detailed design (e.g. affordable housing distribution) in accordance with the provisions of the National Planning Policy Framework, Policies CS4, CS6 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy HSA11 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

## **11) Levels**

No development on any dwelling shall take place until details of the finished floor levels of that dwelling in relation to existing and proposed ground levels of adjoining dwellings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.

Reason: Insufficient information on levels has been provided as part of the application. This information is required to ensure satisfactory relationships between properties in order to safeguard residential amenity, and to ensure the levels/heights respect the character and appearance of the area. This information is needed at this stage because of the site-wide implications of levels of the layout of the development in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA11 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

## **12) Building Heights**

No building on any part of the development hereby permitted shall exceed 10.0m in height to the ridgeline when measured from approved slab level.

Reason: To respect the character and appearance of the surrounding area in terms of the prevailing height of the proposed development in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA11 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

### **13) 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).

### **14) Local Area of Play**

No development works shall commence on-site or on any of the phases until full details of the local area of play have been submitted to and approved by the Local Planning Authority. The approved local area of play shall be provided prior to the occupation of any dwellings on site and shall be retained permanently thereafter

Reason: Because insufficient details have been submitted with the application/appeal. In order to provide adequate on site public open space to comply with Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and in terms of the strategic objective to enhance green infrastructure in line with Core Strategy Policy CS18. The NPPF also supports the provision of such green infrastructure and community facilities.

### **15) Public Open Space**

No development works shall commence on-site or on any of the phases until full details of on-site Public Open Space have been submitted to and approved by the Local Planning Authority. The approved Public Open Space shall measure at least 0.35ha in area, and be provided prior to the occupation of the thirteenth dwelling and shall be retained permanently thereafter.

Reason: Because insufficient details have been submitted with the application/appeal. In order to provide adequate on site public open space to comply with Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local



Plan 1991-2006 (Saved Policies 2007), and in terms of the strategic objective to enhance green infrastructure in line with Core Strategy Policy CS18. The NPPF also supports the provision of such green infrastructure and community facilities.

## **16) Visibility splays**

No dwelling shall be occupied until the visibility splays at the access have been provided in accordance with drawing number 8170661/6103 Rev A dated July 2018. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

## **17) Sustainable drainage**

No development shall take place until details of sustainable drainage measures to manage surface water within the residential development have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- a) Ensure no Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure.
- b) Ensure storm/surface water is not be discharged onto Network Rail's property or into Network Rail's culverts or drains.
- c) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- d) Include and be informed by a ground investigation survey which confirms the groundwater levels ();
- e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- f) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm + 40% for climate change;
- g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- h) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime; and The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings are first occupied or in accordance with a timetable

to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to ensure the safe operation of network rail infrastructure, to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application and so it is necessary to approve these details before any development takes place

### **18) 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. The strategy shall provide details of any on and/or off site drainage works, and impact studies on the existing water supply infrastructure to determine the magnitude of any new additional capacity required in the system and a suitable connection point. The development shall be carried out in accordance with the approved integrated water supply and drainage strategy. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

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.

### **19) 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).

## **20) Access alterations to No 72A and No.74 Purley Rise**

Notwithstanding any details shown within the planning application documentation, no development shall take place until details of any alterations to the existing accesses to neighbouring dwellings known as no. 72A Purley Rise and no. 74 Purley Rise, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling hereby permitted shall be occupied until the alterations have been carried out in accordance with the approved details.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

## **21) Construction method statement**

No development shall take place on any phase of the development until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority for the corresponding phase. This can include combined CMSs for a number of phases (e.g. different plots). The statement shall provide for:

- provide for mitigation measures in accordance with BS:5228, Code of practice for noise and vibration control on construction and open sites;
- Parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- Temporary access arrangements to the site, and any temporary hard-standing;
- Wheel washing facilities;
- Measures to control the emission of dust, dirt, smell and other effluvia during construction;
- Control of surface water run off during construction;
- Site security arrangements including hoardings;
- Proposed method of any piling for foundations;
- Measures to protect local biodiversity during construction.
- construction and demolition working hours;
- hours during the construction and demolition phase, when delivery

vehicles or vehicles taking materials are allowed to enter or leave the site.

- Measures to ensure adequate load protection for underground Thames Water infrastructure (2x trunk mains) mains running along Purley Rise at the entrance of the site from repeat loading of heavy plant/construction vehicles.
- provide for a Waste Minimisation Statement setting out a scheme for recycling/disposing of waste resulting from construction works; and
- No construction vehicles or deliveries within the hours of 08:15 - 09:15 and 14:45-15:30.

The development shall be carried out in accordance with the approved details.

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).

## **22) 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:

- Show where any spoil to remain on the site will be deposited;
- Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- Include measures to remove all spoil from the site (that is not to be deposited);
- 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).

## **23) 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.

- 24) Prior to the first occupation of any dwellings hereby permitted, details (indicating the position, design, materials and type) of all boundary treatment shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before any dwelling hereby permitted are first occupied. The approved boundary treatments shall thereafter be retained as such.

Reason: In the interests of public safety due to existing network rail infrastructure being located close to the application site, to avoid proposed domestic/residential gardens encroaching into the public open space/green infrastructure/landscape buffers and to ensure the satisfactory appearance of the development in accordance with the NPPF and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026)

## **25) Construction Environmental Management Plan (CEMP)**

No works shall take place on any part of the site or on any phase of the development (including ground and vegetation clearance), until a CEMP has been submitted to and approved in writing by the local planning authority for the corresponding phase. This can include combined CEMPs for a number of phases (e.g. for different plots). No works on any phase shall be constructed otherwise than in accordance with the corresponding approved CEMP. The CEMP/s shall include the following:-

- a) a risk assessment of potentially damaging construction activities;
- b) identification of biodiversity protection zones;
- c) practical measures to avoid and reduce impacts during construction;
- d) the location and timing of sensitive works to avoid harm to biodiversity features;
- e) the times during construction when specialist ecologists need to be present on site to oversee works;

- f) responsible persons and lines of communication;
- g) the role and responsibilities of the ecological clerk of works or similarly competent person;
- h) use of protective fences, exclusion barriers and warning signs;
- i) any temporary lighting that will be used during construction.

These measures shall be implemented prior to the commencement of each phase of the development and shall be maintained.

Reason: To secure adequate protection of environmental assets during construction. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the NPPF and Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026

## **26)Habitat Management Plan**

No development shall take place until a Habitat Management Plan for the site for a minimum period of 10 years 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 associated green infrastructure. 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 associated green infrastructure 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.

## **27)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:

- Identify those areas on the site that are particularly sensitive for bats;
- 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;
- Include and isolux diagram of the proposed lighting;
- 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 and no additional external/street lighting shall be erected on the site.

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.

### **28) 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.

### **29) 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.

### **30) Hours of work (construction/demolition)**

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

- 8.00am to 6:00pm Mondays to Fridays;
- 9:00am to 1:00pm Saturdays;
- No demolition or construction work shall be carried out at any time on Sundays or Bank Holidays.

Reason: To protect residential amenity during the construction period in accordance with the NPPF (2012), Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **31) Noise insulation**

Prior to the first occupation of any dwellings hereby permitted, a scheme for protecting the proposed dwellings/gardens from noise arising from the railway line shall have been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted dwelling is occupied.

Reason: To ensure the creation of a satisfactory living environment for future occupiers in accordance with the NPPF (2012), Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **32) Vibration from Railway**

If any dwellings are proposed within 60m of the railway track, prior to commencement of construction of the identified dwellings, an assessment of the impact of vibration from the railway on the these dwellings must be submitted to and approved in writing by the local planning authority. This assessment should include details of recommended remedial measures to address any excessive levels of vibration. The assessment shall be carried out in accordance with the method and rating system as detailed in British Standard BS 6472:2008, and raw data gathered shall be presented as an appendix to such an assessment. The construction of any dwelling within 60m of the railway track shall be undertaken in accordance with the approved vibration assessment and any remedial measures completed prior to the occupation of the affected dwellings.

Reason: To ensure the creation of a satisfactory living environment for future occupiers in accordance with the NPPF (2018), Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **33) Contamination**

#### **(A) Submission of a remediation scheme**

Prior to the commencement of development, details of an environmental remediation scheme that describes how the site will be made suitable for the intended use must be submitted to and in writing by the local planning authority. The remediation scheme shall include, the proposed remediation objectives and remediation criteria, details of all works to be undertaken, the timetable of works and site management procedures. The remediation scheme shall ensure that the site cannot be declared as being contaminated under part 2A of the Environmental Protection Act 1990, in relation to the intended use, after remediation works are completed.



#### (B) Implementation of the approved remediation scheme

The approved remediation scheme shall be implemented before other groundworks or construction works commence unless a phased approach has been agreed as part of the approved remediation scheme or unless written approval is given by the Local Planning Authority. The applicant or contractor must give at least two weeks written notice before remediation works commence. Following completion of remediation works at the site, or upon completion of each phase a verification report shall be submitted to the Local Planning Authority for written approval.

#### (C) Reporting of Unexpected Contamination

If unexpected contamination is found at any time during development this shall be reported in writing as soon as possible to the Local Planning Authority. An investigation and risk assessment shall be carried out in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination CLR11, and where remediation work is necessary a remediation scheme must be prepared and submitted for written approval to the local planning authority, in accordance with condition A (above). Following the completion of measures set out in the approved remediation scheme a verification report shall be submitted to the local planning authority in accordance with condition B.

Reason: To ensure the creation of a safe living environment for future occupiers, to avoid the risk of pollution and to ensure that any unexpected contamination encountered during the developments is suitable assessed and dealt with, such that it does not pose a unacceptable risk to ground or surface water in accordance with the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

### **34) Biodiversity enhancements**

The development shall not be first occupied until details of biodiversity enhancement plan have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The enhancements plan shall follow the principles set out within the supporting ecological appraisal prepared by Bioscan (UK) and shall include (but not be limited to) the installation of a minimum of 5 bird and bat boxes on retained trees and/or new buildings within the site and 13x13cm gaps at the bottom of fences to allow hedgehogs to transverse the development once complete. 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).

### **35) 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).

### **36) 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).

### **37) 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).

### **38) Emergency water supplies**

No dwelling shall be first occupied until either:  
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  
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.

### **39) Broadband**

Prior to above foundation level works commencing details of a Superfast Broadband Strategy Statement shall have been submitted and approved in writing by the Local Planning Authority. Such a statement shall set out how superfast broadband is to be provided to each phase of the development, including a schedule for connection. Thereafter no phase of the development shall be occupied until superfast broadband infrastructure has been provided in accordance with the approved details.

Reason: To ensure that the site is provided with high speed communications infrastructure in the interests of the amenity of the occupants of the site in accordance with the requirements of the NPPF, Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).

### **40) Electric Charging points**

Prior to above foundation level works commencing, details of electric car charging points and associated infrastructure to serve each phase of the approved development shall have been submitted and approved under a formal discharge of conditions application. Such details shall include a schedule for the implementation of the electric car charging points on each phase of the development. The approved works shall be undertaken in accordance with the schedule. The electric car charging points shall be retained thereafter.

Reason: In the interests of the amenity of the occupants of the site in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy P1 of the West Berkshire Housing Site Allocations DPD (2017).

## **INFORMATIVES**

### **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.

### **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.

### **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.

### **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.

### **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.

### **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](mailto:building.control@wokingham.gov.uk), or visit: [www.wokingham.gov.uk/building-control](http://www.wokingham.gov.uk/building-control)

### **Foul drainage**

The National Planning Policy Framework Planning Practice Guidance states that when drawing up wastewater treatment proposals for any development, the first presumption is to provide a system of foul drainage discharging into a public sewer

to be treated at a public sewage treatment works (those provided and operated by the water and sewerage companies). This should be done in consultation with the sewerage company of the area.

Due to the Source Protection Zone all foul drainage from this site must go to mains foul sewer.

### **Groundwater Protection / Contaminated Land**

We note that historic use of the site could have caused contamination and that this site is located in a Source Protection Zone 2 (SPZ2) for potable water supply.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at risk from unacceptable levels of water pollution.

Groundwater is likely to be moderate depth beneath the site (circa 15m), as such there will be a reasonable degree of protection from surface contaminants. Though this site is in a SPZ2 there are no other major ground or surface water constraints in relation to contamination.

We note that no particularly high risk past activities were identified. Neither was any contamination identified which would likely pose a significant risk to controlled waters. Whilst no particularly mobile contamination or deep contamination was identified, some elevated PAH and TPH were identified in shallow soils. As a precaution, it would be best practice to remove these shallow impacted soils from the site.

### **Pollution Prevention during Construction**

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

<https://www.gov.uk/guidance/pollution-prevention-for-businesses>

### **Access construction**

The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

### **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.

### **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.

### **Excavation in close proximity to the highway**

In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.

### **Incidental works affecting the highway**

Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519169, before any development is commenced.

### **Developer Coordination Requirements**

"Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be coordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in West Berkshire.

Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be coordinated by them in liaison with West Berkshire Council's Street Works Section, (telephone 01635 519169/519234). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are coordinated to take place wherever possible at the same time.

Reason: In order to minimise disruption to road users, be they pedestrians or vehicular traffic, under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. In order to satisfy the licensing requirements of the Highways Act 1980."

### **Thames Waters comments**

#### **Waste Comments**

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

The application indicates that surface waters will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

### Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

### Supplementary Comments

Water: There are 2x trunk mains running along Purley Rise. Although they do not cross the development, there is a concern of the repeat loading of heavy plant on these mains at the entrance to the site. The developer is asked to ensure adequate load protection is provided to access the site from Purley Rise to reduce the risk of these mains failing.

Waste: In order for Thames Water to determine whether the existing sewer network has sufficient spare capacity to receive the increased flows from the proposed development, a drainage strategy must be submitted detailing the foul and surface water strategies. Details of any proposed connection points or alterations to the public system, including calculated discharge rates (pre and post development) must be included in the drainage strategy.

### Waste Management

Access to the proposed new properties will be required for waste collections therefore swept path analyses and written confirmation will be requested at Reserved Matters stage to demonstrate that any proposed new road within the site is accessible for our collection vehicles (the longest being 10.68 metres) and will be built to an adoptable standard.

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site

construction.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>

If any waste is to be removed from the site then the applicant needs to ensure that sufficient testing has been undertaken in line with [Waste classification technical guidance](#) WM3. This is to ensure all waste on the site is correctly classified and disposed of accordingly to a suitably authorised facility. If any hazardous waste is to be removed offsite the site operator must ensure that consignment notes are completed correctly in accordance with the legislation. If the applicant requires more specific guidance it is available on our website: <https://www.gov.uk/government/publications/hazardous-waste-consignment-note>.

### **Network Rail Advice**

Fencing:

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

Drainage:

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure.

Proper provision must be made to accept and continue drainage discharging from Network Rail's property. (The Land Drainage Act) is to be complied with. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.

Full details of the drainage plans are to be submitted for acceptance to the Network Rail Asset Protection Engineer. No works are to commence on site on any drainage plans without the acceptance of the Network Rail Asset Protection Engineers:



Network Rail has various drainage standards that can be provided Free of Charge should the applicant/developer engage with Network Rail's Asset Protection Engineers.

#### Safety:

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start.

[assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk)

#### Site layout:

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

#### Excavations/groundworks:

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

#### Signalling:

The proposal must not interfere with or obscure any signals that may be in the area.

#### Childrens play areas:

Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railing, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 2 metres and the fence should be not able to be climbed.

#### Noise:

Network Rail would advise the applicant of the potential for any noise/ vibration impacts caused by the proximity between the proposed development and the existing railway, which must be assessed in the context of the National Planning

Policy Framework (NPPF) and the local planning authority should use conditions as necessary.

The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running and heavy freight trains.

There is also the potential for maintenance works to be carried out on trains, which is undertaken at night and means leaving the trains' motors running which can lead to increased levels of noise.

We therefore strongly recommend that all future residents are informed of the noise and vibration emanating from the railway, and of potential future increases in railway noise and vibration.

Landscaping:

It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.

Plant, Scaffolding and Cranes

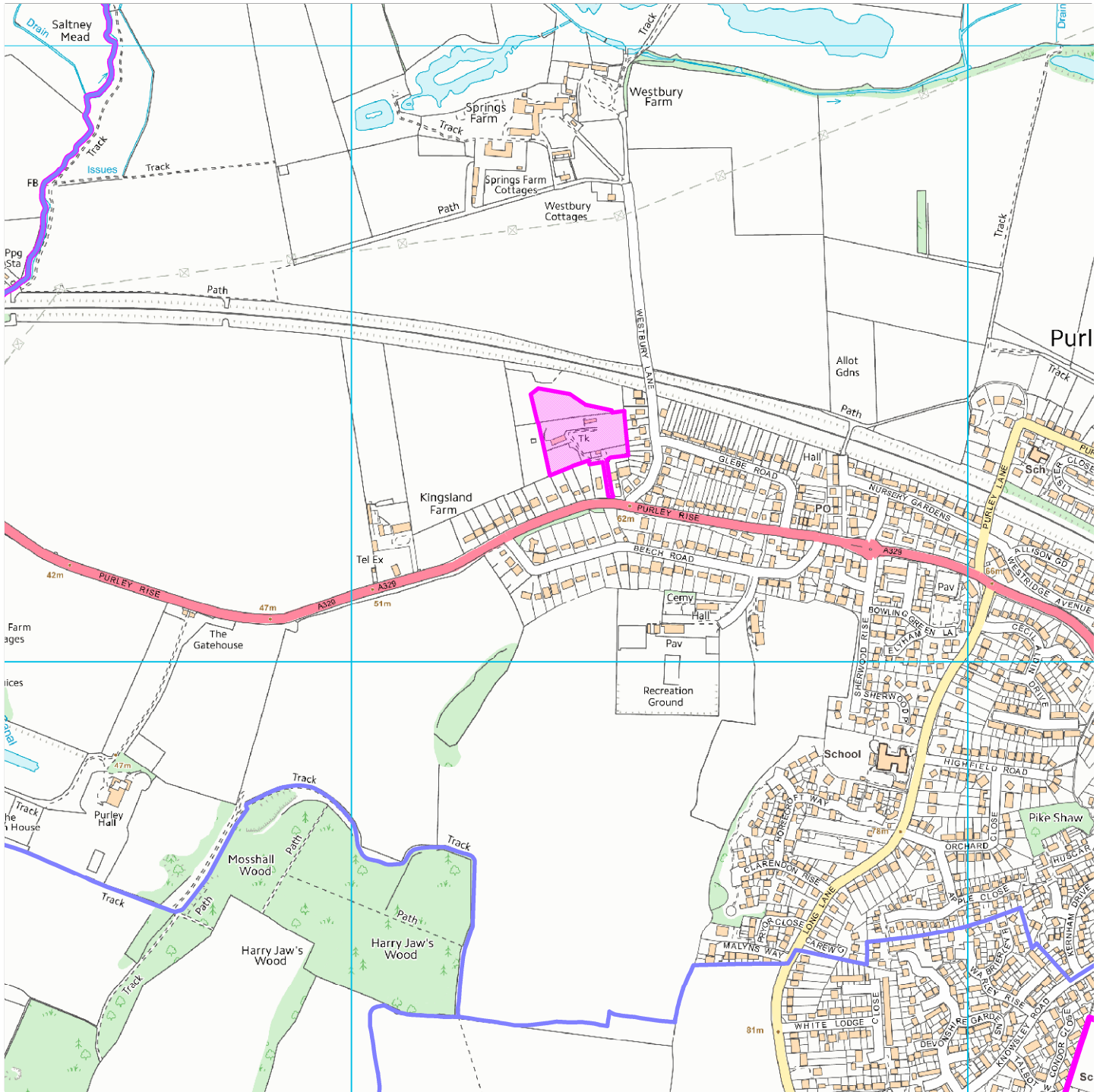
Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

### **8.3 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, green infrastructure 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.

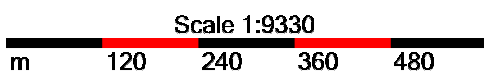


Map Centre Coordinates :

Scale : 1:9329

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	13 September 2018
<b>SLA Number</b>	0100024151

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## ITEM FOR DECISION

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(2)	18/00833/FULD	16 <sup>th</sup> November 2018	<p>Demolish garage and erect convenience store with 4 x apartments above and erect 4 dwellings</p> <p>Lawrence Building, Newbury Road, Hermitage, Thatcham RG18 9TD</p> <p>Landmark Estates</p>

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00833/FULD>

**Recommendation Summary:** to **DELEGATE** to the Head of Development & Planning to **APPROVE PLANNING PERMISSION** subject to conditions and completion s106 agreement in respect of affordable housing.

**Ward Member(s):** Councillor Quentin Webb  
Councillor Graham Pask

**Reason for Committee Determination:** Reporting back for consideration of a revised affordable housing offer in accordance with Committee resolution

**Committee Site Visit:** 18<sup>th</sup> July 2018

<b>Contact Officer Details</b>	
<b>Name:</b>	Sian Cutts
<b>Job Title:</b>	Senior Planning Officer
<b>Tel No:</b>	(01635) 519111
<b>E-mail Address:</b>	Sian.Cutts@westberks.gov.uk

## **1. Introduction**

1.1 Members will be aware that this application was considered at the Eastern Area Planning Committee on 25<sup>th</sup> July 2018, where a resolution was agreed to grant planning permission subject to the completion of a Section 106 legal agreement to secure affordable housing within three months from the resolution date. A copy of the report and update sheet are attached to the report as Appendix 1.

## **2. Affordable Housing Provision**

2.1 Policy CS6 of the Core Strategy sets out the levels of housing provision which will be sought through negotiation, and subject to the economics of provision from residential development. The application is proposing the construction of 4 no. two bedroom flats, 2 no. four bedroom houses, and 2 no. three bedroom houses, and a retail unit. The requirements of policy CS4 for a development of this size is a 20% provision, which is 2 units. An Affordable Housing Viability Statement was submitted with the application, which proposed a nil contribution of affordable housing. When this was reviewed by the Council's consultant, it was concluded that a near policy compliant affordable housing provision could be reached.

2.2 Following the Committee's resolution to grant permission subject to the completion of a S106 agreement to secure the affordable housing, the applicant submitted additional viability information, and land value calculations, these were reviewed by the Council's consultant. In assessing the updated viability information, the Council's consultant concluded that, a not unreasonable Existing Use Value had been indicated and that the Benchmark Land Value submitted was above that previously indicated when the first viability assessment was submitted. As a result of this the Council's viability consultant has suggested that the assumptions which have been made are acceptable, and whilst there were some potential differences in opinion about some of the aspects of the appraisal, the differences in the calculations would not provide a viable scheme on paper. During negotiations the offer was made to provide one of the three bedroom dwellings to be contributed for social rent purposes, and given that the assessment submitted does not indicate that the full affordable housing requirement can be met, this offer seems reasonable. The Council's Housing Officer has confirmed that this would be acceptable and that a Registered Provider had indicated an interest in accepting the dwelling on that basis. Policy CS6 says that the requirements of the levels of provision will be sought by negotiation, and levels below the thresholds set out in the policy shall be fully justified by the applicant. In this instance a justification has been provided, and assessed and considered to be a reasonable explanation of why the fully policy compliant situation cannot be met, and the offer of one three bedroom dwelling has been made. In addition the policy requires that the affordable units are fully integrated with the development. The three bedroom units are at the rear of the site, and form an integral part of the development, and so the provision of one of these units accords with his aspect of policy CS6.

## **3. Conclusion**

3.1 The requirement of Policy CS6, in this instance would be for the provision of two dwellings to be provided as affordable units. The applicant has provided evidence in the form of a viability assessment which, on the advice of the Councils' consultant, has

been accepted by officers. The offer has been made of one of the three bedroom dwellings to be provided on a social rent tenure, in the light of the need to provide affordable housing, and the economics of this site as previously developed land, the proposal is considered to be acceptable in this instance. Accordingly it is recommended that the revised offer in respect of affordable housing is accepted and the requirements of the s106 be amended to reflect this change. It is also recommended that the time limit to complete the s106 agreement be extended for two months from the date of this meeting.

#### **4. Full Recommendation**

- 4.1 To **DELEGATE** to the Head of Development & Planning to **APPROVE PLANNING PERMISSION** following the completion of a S106 agreement by 7<sup>th</sup> January 2019 to secure affordable housing subject to the conditions outlined in the committee report and update sheet, attached as Appendix 1.

**OR**

If a S106 legal agreement to secure affordable housing is not completed within the above specified time, to delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION** for the reason listed below”

#### **Refusal Reason**

The application fails to provide a Section 106 Planning Obligation to deliver 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.”

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Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	18/00833/FULD Thatcham	11 <sup>th</sup> June 2018	Demolish garage and erect convenience store with 4 x apartments above and erect 4 dwellings  Lawrence Building, Newbury Road, Hermitage, Thatcham RG18 9TD  Landmark Estates

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00833/FULD>

**Recommendation Summary:** to **DELEGATE** to the Head of Development & Planning to **APPROVE PLANNING PERMISSION** subject to conditions

**Ward Members:** Councillor Quentin Webb  
Councillor Graham Pask

**Reason for Committee Determination:** Number of objections received

**Committee Site Visit:** 18<sup>th</sup> July 2018

Contact Officer Details	
<b>Name:</b>	Sian Cutts
<b>Job Title:</b>	Senior Planning Officer
<b>Tel No:</b>	(01635) 519111
<b>E-mail Address:</b>	Sian.cutts@westberks.gov.uk

## 1. Relevant Site History

74/01600/ADD	Extension to existing store	Approved. 02/10/1974
76/04365/ADD	Extension of store toilets and canopy over petrol pumps	Approved 21/04/1976
80/12405/ADD	Garage extension	Approved 13/03/1980
99/55011/FUL	Erection of security fence and gates to road boundary	Approved 01/09/99
10/01634/FUL	Retrospective – change of use from the current use (car sales) to Car Sales and Van hire	Approved 20/12/2010
10/01656/FULC	Change of use from garage to B8 storage and distribution	Refused 04/11/2010 Allowed on Appeal 13/12/2010

## 2. Publicity of Application

Site Notice Expired: 4<sup>th</sup> June 2018

## 3. Consultations and Representations

### 3.1 Consultations

#### Hermitage

#### Parish Council

Object for the following reasons:

1. The building is too large and imposing on the street scene, with additional lighting during the long opening hours, in an unlit village. Too much signage
2. Delivery noise, disturbing residents, would like not see earlier closing times, such as 8 or 9pm
3. Anti-social behaviour in the large car park, especially due to low lighting. CCTV should be a requisite
4. Increase in traffic, dispute the Planning and Access statement which state minimal traffic generation, people are unlikely to walk along the busy road, an uphill return journey. The traffic island is too small. The 2 hourly bus service would not be used for a convenience store.  
Parish Council would like to use an access provided to the Active Travel route provided on the HER001 site  
There will be additional traffic from surrounding villages as with Tesco in Northfield road, Thatcham  
Impact on the B4009 and Priors Court roundabout.  
CIL funds should be used to make road safety

improvements in the village, the only suitable pedestrian crossing is by the school, three quarters of a mile away.

5. Welcome the flats, but concerned about the amenity space available and no space for ball games.  
Insufficient buffer around the site and landscaping
6. A traffic management plan should be in place
7. Concerns about onward consequences, particularly for the current village store and Post Office, as well as the prescription service run by the shop, and its impact on the elderly and infirm. Potential for increasing speeds in the village if the existing shop closes, and the parking of cars there go, as they act as a traffic calming measure

**Chieveley  
Parish Council**

Request an integrated traffic plan for the mini roundabout between the B4009, Station Road and Priors Court Road.

**SUDs**

We have reviewed the submitted Surface Water Drainage Strategy and consider the proposals for the management of surface water runoff to be acceptable in principle.

Given the risk of surface water flooding on and around the site, we request that finished floor levels for the proposed development are raised a minimum of 150mm above the surrounding ground levels. Furthermore, given the small orifices proposed within the drainage network, we request that overflows are incorporated into the controls to reduce the risk of flooding in the event of blockages, as part of the detailed design.

Recommend a condition to the permission to ensure that flood risk is appropriately managed for the lifetime of the proposed development.

**Thames Water**

The proposal is within 15 metres of a strategic sewer, and Thames Water request a condition with regards to a piling method statement.

There are public sewers near to the site and the risk of damage should be minimised

With regards to surface water drainage consent will be required from Thames water to discharge surface water to the public sewer, and recommend an informative to be added to a planning permission

No objection with regard to the waste water network and waste water process infrastructure.

## Highways

The parking provision for the A1 and residential use complies with current parking standards.

The ARCADY study which was requested with regards to the junction of the B4009, Station Road and Priors Court Road has now been undertaken. It has been demonstrated that whilst an RFC of 0.85 is reached, it is not exceeded which suggests that this development will not cause a severe impact on the junction and surrounding highway network. We are therefore satisfied with the ARCADY assessment results.

Given this, the Highway Authority would be unable to substantiate a refusal on the grounds of traffic impact.

The highway recommendation is therefore for conditional approval with conditions in respect of restricting the hours of delivery; a construction method statement; access closure; provision of visibility splays before development; parking and turning in accordance with approved plans; access construction details and cycle storage.

## Tree Officer

There are no notable trees or existing landscaping within the site which would warrant retention. Therefore the assessment is based on the potential landscaping scheme submitted ref: 2137/1B which shows positioning of new trees, shrubs, boundary treatments and British standard for works to be carried out.

The site is within the designated North Wessex Downs Area of Outstanding Natural Beauty and currently on the edge of the settlement. The scheme represents an opportunity to provide a high quality level of landscaping reflecting the character of the rural settlement.

The proposed areas of landscaping are minimal and no particular species are identified. Therefore further information would be required however, this could be secured by an appropriate condition.

No objection in principle but enhanced landscaping required for the whole site. Tree and shrub species required to be identified with suggested species sympathetic to the semi-rural character of the locality. Recommend a landscaping condition

## Waste Management

Dwelling one will have a curtilage on the public highway on Newbury Street and therefore no concerns are raised. The other dwellings, numbers 2, 3 and 4 however have no curtilage on the public highway and residents must present their waste for collection. Please can a bin collection point be provided adjacent to the public highway on Newbury Street – adjacent to the bin store for the flats would be an ideal position.

The distance from the properties to the road may cause a problem for elderly or disabled residents who may struggle to place their bins on the highway for collection, this can be mitigated by ensuring there is flat level access with a path free of gravel or grass as wheeled bins are difficult to manoeuvre over these surfaces.

Commercial waste from the shop should be kept separate from household waste to avoid the risk of cross-contamination. West Berkshire Council does not collect commercial waste and will not collect household waste that has been contaminated with commercial waste.

Recommend a condition requiring a scheme for the storage of refuse and recycling to be submitted and provided in writing before the development commences, and provided before the development is occupied.

## **Environment Agency**

The site is within groundwater Source protection Zone 3, which is a sensitive zone surrounding a drinking water borehole. We are generally satisfied with the majority of the findings and recommendations of the desk study report. Broadly, this site is moderately sensitive with regards to controlled waters. Further investigations in the form of intrusive investigations are required to further characterise any risk.

Further details are required to ensure there is no contamination, and any underground storage tanks present on site should be removed and excavations validated. No infiltration drainage system should be installed in areas of contamination.

Recommend condition with regards to land contamination, remediation and verification and a condition with regards to the piling or other foundation designs.

## **Environmental Health**

The identified issues are noise, contamination dust and lighting.

Noise assessment (KR Associates KR06277 04/04/18 v1.1) has assessed the impact on the future residential occupiers above the proposed plant room. The report identifies that mitigation is required and is stated in Section 7.4 of that report.

The future residential occupiers in the flats as well as the houses and the existing residential occupiers immediately adjacent to the site are likely to be affected by noise from the following:

- delivery vehicles – if the vehicles arrive too early in the morning or late in the evening, their manoeuvring, doors slamming, tail lift clunking, vehicle left idling
- loading and unloading of delivery vehicles – the use of cages rattling and being slammed

- use of ATM outside of opening hours – vehicles left idling, doors slamming, radios playing, horns blowing
- the long hours of opening of the shop- the application form states 0600-2300 mon – Sunday and bank holidays.

Some of this issues have been discussed in the Delivery and Service Management Plan and how they will be managed. The timings of the deliveries is not clear as the application details vary from 0800-2200 and 0700-1900.

Neighbouring residential and commercial occupiers will be affected by noise and dust from demolition and construction activities due to their close proximity.

The phase 1 report on land contamination (Landmark Estate 16616/DS Dec 2017) identified the likely presence of a pollutant linkage and potential contaminants. Section 8 recommends that an intrusive investigation is required to quantify the risks. This is agreed.

No specific details were provided regarding external lighting. Due to the close proximity of residential receptors a lighting plan is required.

Recommend conditions with regards to plant equipment noise, timing of shop deliveries, use of the ATM, hours of work condition, dust minimisation during demolition and construction, external lighting, and potential contamination and remediation works.

### 3.2 Representations

Total: 12 Object: 10 Support: 2

**The material planning considerations raised in the support of the application are summarised as follows:**

- The site is an eyesore with overspill parking, the development will be an improvement, and there are a limited number of developers willing to take on the site
- A store of this kind is welcomed in Hermitage as it is becoming more suburban and could support this kind of enterprise
- Smaller dwellings in the flats are welcome as so many small dwellings are being turned into large ones

The supporters also raised concerns about

- Signage, delivery noise, and increased traffic,

**The material planning considerations raised in objection to the application are summarised as follows:**

- Impact on the existing shops, and this is an unnecessary outlet

- Noise from delivery lorries
- Lighting from the store and parking areas would affect residents, and character of the village
- Additional traffic and associated pollution in the village
- Impact on road infrastructure, and combined with the proposed residential development in the area, an impact on the mini roundabout
- Dangerous for cars to enter and exit car park & to pedestrians including school children
- Conflict of lorries and pedestrians within the site
- Out of character with the village, inappropriate development
- Noise from the business operation from 6am to 11pm , 7 days a week
- Previous planning appeals restricted operating hours to between 7am and 7pm weekdays, Saturday mornings, and not on Sundays or Bank Holidays, and vehicle movements
- A covenant from the brewery restricts alcohol sales on businesses on the land
- There is no parking proposed for staff, potential overspill to B4009
- Potential for anti-social behaviour
- Apartments on the main route through the village would be incongruous, no objection to properties of a similar type to surrounding houses
- The development conflicts with the other proposed developments

#### **4 Planning Policy**

4.1 The statutory development plan includes the West Berkshire Core Strategy 2006-2026 and those saved policies within the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP) and the Housing Sites Allocations DPD (2006-2026).

4.2 The following policies within the West Berkshire Core Strategy (2006-2026) are relevant to this application:

- ADPP1: Spatial Strategy;
- ADPP5: North Wessex Downs Area of Outstanding Natural Beauty
- CS1: Delivering New Homes and Retaining the Housing Stock;
- CS4: Housing Type and Mix;
- CS5: Infrastructure Requirements and Delivery
- CS6: Provision of Affordable Housing
- CS10: Rural Economy
- CS11: Hierarchy of Centres
- CS 13: Transport;
- CS 14: Design Principles;
- CS15: Sustainable Construction and Energy Efficiency
- CS 16: Flooding;
- CS17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure;
- CS 19: Historic Environment and Landscape Character.

4.3 The following policies of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007 are relevant to this application:

- OVS5: Environmental Nuisance and Pollution Control

- TRANS1: Meeting The Transport Needs of New Development
- SHOP5: The Encouragement of Local and Village Shops

4.4 The following policies within the Housing Site Allocations Development Plan Document (DPD) are relevant to this application:

- C1: Location of New Housing in the Countryside;
- P1: Residential Parking for New Development

4.5 In addition, the following locally adopted West Berkshire Council policy documents are relevant to this application:

- Supplementary Planning Document, Quality Design (June 2006) – Part 2 Residential Development;
- Supplementary Planning Document, Quality Design (June 2006) – Part 3 Residential Character Framework;
- Supplementary Planning Document, Quality Design (June 2006) – Part 5 External Lighting
- Hermitage Village Design Statement July 2004

## **5. Description of Development**

5.1 The application site is situated within the defined settlement boundary of Hermitage, and is within the North Wessex Downs Area of Outstanding Natural Beauty. The site is currently occupied as a car sales site, and had previously been used for sales of garden and agricultural machinery and also for warehousing. To the east of the site are the houses within Charlotte Close, to the north-east is the White Horse public house, and dwellings known as 1 & 2 Longworthy. To the south east and south-west are fields, which are also an allocated housing site (HER001).

5.2 Planning permission is sought for the demolition of the existing buildings on the site and the erection of an A1 retail unit of 325 sq. metres to the front of the site, with four two bedroom flats above with the erection of four dwellings and associated parking to serve the dwellings and the retail unit to the rear. A total of 33 parking spaces are proposed to serve the whole development, and cycle storage is proposed for the retail unit. A communal area amenity area, with child's play area is proposed to serve the flats. The flats are each two bedroom, and 2 no. 4 bedroom houses are proposed, and 2 no. 3 bedroom houses are proposed. Plot 1 will be accessed directly onto Newbury Road. Plots 2-3 are sited to the rear of the retail/apartment building and would share the same access as the shop car park, with a residential parking area underneath a car port for the flats, and separate driveways for the houses. Garages within the gardens of plots 2-3 are also proposed. A delivery bay for the shop is proposed to the side of the building, adjacent to the access to the houses to the rear. A new vehicular access to the site is proposed.

5.3 The application was submitted with a Delivery Management Plan, which was amended during the course of the application, and also the proposed opening times for the shop were amended during the course of the application. The proposed opening hours are 6am -10 pm, 7 days a week, including Bank Holidays.

## **6. Community Infrastructure Levy**



6.1 The proposed works are liable for CIL, this is based on the GIA of the proposed retail units and the dwelling units. This is based on an initial assessment of the floor area of both parts of the application, and would be liable at a rate of £125 per square metre (indexed) for both the C3 and A1 uses, which would be £151,174.69.

## **7. Consideration of the proposal**

7.1 The main issues raised by the proposal are:

- The principle of development
- Impact on the character and appearance of the AONB
- Impact on living conditions
- Parking provision and highway safety
- Affordable housing
- Flooding and drainage
- Contamination
- Biodiversity

### **7.2 The principle of development**

7.2.1 The application site is situated within the village and defined settlement boundary of Hermitage which policy ADPP1 defines as a Service Village which has a limited range of services and some limited development potential. Policy ADPP5 sets out the spatial policy for the AONB, and sets out the potential for infill residential development of previously developed land, with the emphasis on meeting identified local needs, and that the conservation and enhancement of the natural beauty of the landscape will be the paramount consideration in assessing these sites. Within the service villages, such as Hermitage, policy ADPP5 says that a limited level of development will be accommodated to meet local needs, including amongst other things employment and housing. The policy also seeks to ensure that small, local businesses will be supported, encouraged and protected within the AONB providing local job opportunities and maintaining the rural economy.

7.2.2 Policy CS10 refers to supporting small and medium sized enterprises within rural areas, particularly within Rural Service Centres and Service Villages, and says that existing small and medium sized enterprises will be supported in order to provide local job opportunities and maintain the viability of smaller rural settlements. Policy SHOP5 says that the Council will encourage proposals for the provision and retention of local shops within existing residential areas and in village settlements. Policy CS11 says that the vitality and viability of local centres will be protected and enhanced and the existing network of town, district, local and village centres will form the focal point for uses, services and facilities serving the surrounding population. Any scheme will be of an appropriate scale and character to reflect and respond to the role and function of the centre, and should promote the individuality of the centre, responding to any distinct features.

7.2.3 Policy C1 says that there will be a presumption in favour of development and redevelopment within the defined settlement boundaries. The proposal is considered to be acceptable in principle, in accordance with the aforementioned policies, subject to the following considerations.

### **7.3 Impact on the Character and Appearance of the AONB**

- 7.3.1 Policy CS14 requires new development to demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It goes on to say that good design relates not only to the appearance of the development, but the way it functions, and says that consideration of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Policy CS19 seeks to ensure the diversity and local distinctiveness of the District is conserved and enhanced, and that particular regard will be given (amongst other things) to the sensitivity of the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the settlement, form, pattern and character.
- 7.3.2 The application site is situated on Newbury Road, on the B4009, which is the main road through the village of Hermitage. The site is currently occupied by a car sales business, with vehicles for sale parked throughout the site, and there are two large buildings, of utilitarian appearance, and no particular architectural merit. The site is bounded to the front by a metal railing fence. To the northeast of the site is the White Horse public house, and the surroundings are primarily residential in nature.
- 7.3.3 The retail building to the front of the site, will be occupied by a shop on the ground floor, and flats above. The building is 8.2 metres high, with hipped gables and half pitched dormer windows to serve the domestic windows. On the ground floor front elevation large curved frame windows will provide the shop frontage. Plot 1 to the north of the retail building is a four bedroom detached house with a slightly lower ridge height. Plot 1 and the houses to the rear of the site continue the themes, and a consistent approach to the materials proposed with clay effect tiles, with some variation on the pattern of the way the tiles are laid, and red brick elevations. In addition a car port is proposed over the parking spaces to serve the flats. The parking area to the rear will be overlooked by habitable rooms within the flats and the houses. A change in the materials within the access road, will indicate the private and residential nature of the site to the rear. The amenity space to meet the needs of the occupiers of the houses and the flats meets the requirements set out within the Quality Design SPD. A metal railing fence to the front of the site is proposed, and a landscaping scheme has also been proposed. The proposed buildings, particularly the retail/flats building is significantly higher than the existing buildings currently occupying the site. There have been objections raised to the appearance of the proposed development, however it is considered that the variety of materials proposed and the size and scale of the development are acceptable.
- 7.3.4 There have been objections raised to the impact of the creation of a convenience store in this location of the rural character and appearance of Hermitage. The village is defined as a service village, and policy ADPP5 states that the service villages will continue to provide a range of services to their communities, and that a limited level of development will be accommodated to meet local needs, which includes housing and employment. The proposed shop will employ 2 full time employees and 16 part time employees, and the site will continue to contribute to the local economy. The development of a shop in this location will enhance the range of facilities available within the village. The site already has a business use, and policy CS10 states that proposals to diversify the rural economy will be encouraged, particularly when located in or adjacent to Service Villages, and that

proposals seeking the loss of existing employment sites must demonstrate that the proposal does not negatively impact the local economy and the vitality and viability of the surrounding area. The proposed shop is considered to be of a size and scale which is proportionate to Hermitage as a Service Village. Whilst objections have been raised about the potential impact on the other shops within the village, the NPPF advises that it is not the duty of the planning system to prevent competition between businesses. The proposed shop and residential development, are of a design and scale which contribute towards the vitality of the local economy, and will not result in the loss of employment opportunities on the site. The scale of the development proposed is considered to be acceptable.

- 7.3.5 There were particular concerns about the degree of lighting within the site and the potential for advertisements. The site is situated within the North Wessex Downs AONB where dark skies are protected special characteristic to be conserved. The details of the lighting and a lighting strategy can be the subject of a condition, to ensure that the lighting, and positions of the lights do not impact the living conditions of the existing and future residents, as recommended by the Environmental Health Officer. The lighting strategy would also be used to ensure that the level of lighting is appropriate within the village in the AONB. Furthermore, a condition can also be added to ensure that all lighting is switched off when the shop is closed. The advertisements on the shop front would be the subject of an application for advertisement consent. However given the sensitivity of the site within the AONB, a bespoke scheme would be sought, rather than a standard corporate illuminated signage.

## **7.4 Impact on Living Conditions**

- 7.4.1 Policy CS14 requires new development to make a positive contribution to the quality of life in West Berkshire. Further advice on assessing the impacts of development on the living conditions of existing and future occupiers is contained within the Quality Design SPD. The shop and flats building is situated at a sufficient separation distance to ensure that the sunlight and daylight to surrounding dwellings will not be adversely impacted. The positioning of the habitable room windows in the flats and houses is such that there is sufficient distances between them to prevent unacceptable overlooking and loss of privacy. As indicated above there was a concern raised by the Parish Council about the suitability of the amenity space provided to serve the flats. A communal play area is proposed including a play area, BBQ and seating area. However the size of the area proposed, and its separation from the parking area is of a sufficient size and quality to meet the requirements of the Quality Design SPD. The private garden areas proposed to serve the four houses also meets the SPD standards
- 7.4.2 In addition the Environmental Health Officer has identified the issues of noise, lighting and dust as having potential impacts on the existing and future occupiers. Policies OVS5 and OVS6 refer to the need to protect residents from noisy development and potential pollution. Objections were also raised by nearby residents and the Parish Council to the potential for noise disturbance. The application was submitted with a Noise Assessment, which set out mitigation measures. The identified potentials sources of noise are the delivery vehicles, and their unloading, the use of the ATM outside shop hours, and the opening hours of the shop. Following the consultation process the potential opening hours have been reduced to 7 am -10 pm, seven days a week including Bank Holidays, and the

ATM machine is proposed to be brought within the shop, so it will not be available outside shop hours. The Delivery Management Plan indicated that two transit vans would arrive between 6 am- 9am, and 1-2 10.35m rigid vehicles between 8am -10 pm and 1-2 10m rigid vehicles between 8am -10 pm. Environmental Health have proposed to restrict all deliveries to between 7am and 7 pm. The existing uses on the site are also subject to conditions with regards to deliveries, with the B8 use deliveries restricted to 7 am -7pm Monday- Friday and 8am- 1pm on Saturdays and not at all on Sundays or Bank and Public Holidays. The agent has suggested that the rigid vehicles be restricted to the hours suggested by the Environmental Health Officer, but that the transit vans be allowed between 6 and 7 am to enable deliveries of newspapers and sandwiches. Given that sandwiches and newspapers are often required at the start of the day, on balance it does not seem unreasonable to allow up to 2 transit van to deliver before the shop opens. The opening hours and delivery times can be the subject of conditions, to protect the living conditions of the future and existing residents.

- 7.4.3 In addition to the potential for noise to be created by deliveries and the general shop opening hours is the potential for noise from plant and equipment. The Environmental Health Officer has requested that a condition is added requiring details with regards to the noise associated with the plant equipment and general noise from the development, such as the opening hours. This is considered to be necessary to ensure that all aspects of noise from the proposed shop are adequately mitigated against in the interests of the surrounding residents.
- 7.4.4 As discussed above there were concerns about the degree of lighting in terms of character and impact on the area. A condition can be added to ensure that a lighting strategy is submitted and approved before the development begins, to ensure that the living conditions of the future and existing residents are protected. In addition a condition requiring the lights to be switched off when the shop is closed will be added.
- 7.4.5 There is also the potential for noise disturbance and dust during the demolition and construction phases of the development. In accordance with Policies OVS5 and OVS6 conditions with regards to the hours of work for the contractors on site will be restricted to 7:30 pm Monday- Friday, 8:30 pm on Saturdays and not at all in Sundays and Bank Holidays will be added.

## **7.5 Parking Provision and Highway Safety**

- 7.5.1 Policy CS13 refers to development which will have an impact on the Highways network, and policy TRANS1 sets out the parking standards for non-residential development, and policy P1 sets out the parking standards for residential development. There were a number of concerns raised about the impact of the proposal on the safety of the road network, with the increase in traffic which the shop and residential development would cause, and the effect of that on the existing roads, particularly the mini-roundabout junction between the B4009, Station Road and Priors Court Road, given the existing committed development and pedestrian safety in the vicinity. The number of parking spaces proposed to serve the houses, flats and shop, as well as the cycle provision, meet the standards required by the policies.

- 7.5.2 The applicant's agent submitted ARCADY information which assessed the capacity of the road junction to deal with the proposed development as well as the committed development. The Highways Officer was satisfied that the results were such that the proposed development would not cause a severe impact on the junction and surrounding network, given a RFC of 0.85 was reached, and that it would not be possible to substantiate a refusal of the application on the grounds of traffic impact.
- 7.5.3 The application proposes to alter the position of the access to the site, with the closure of the existing access point. The new access will serve the retail unit, the flats and plots 2-4. A new access onto Newbury Road will be created to serve plot 1. The Highways Officer has concluded that is considered to be acceptable, subject to conditions with regards to the implementation of the access and visibility splays, the closure of the existing access, and the provision of the parking spaces and cycle storage. In addition a Construction Method Statement is required to control the parking of contractors during demolition and construction, storage of plant and materials, hoardings, and wheel washing, removal of waste and control of dust and dirt during construction. With the imposition of these conditions the proposal is considered to be acceptable as sufficient road network capacity exists and sufficient provision of parking and access visibility can be provided. The proposed delivery movements have been assessed and the delivery vehicles can adequately access the loading bay without conflicting with the cars within the site. Therefore subject to conditions the proposal accords with policies CS13, TRANS1 and P1.

## **7.6 Affordable Housing**

- 7.6.1 Policy CS6 requires that in development sites of 5-9 dwellings there should be a 20% provision of affordable housing, subject to the economics of provision. The applicants have submitted Housing Viability Assessment which states that it is not viable to provide any affordable housing on the site, and so no provision is being made for any. The submitted assessment is being reviewed on behalf on the Council by external consultants, and the results of that review is due before the Planning Sub Committee, and it will be confirmed within the update sheet.

## **7.7 Flooding and Drainage**

- 7.7.1 Policy CS16 refers to the need to ensure that development will not increase flood risk, and that on all development sites surface water will be managed in a sustainable manner. Thames Water do not have objections to the proposed drainage of the site, subject to conditions to ensure that groundwater does not discharge into the sewers, and to ensure that pooling does not damage sub-surface sewerage infrastructure. The Council's Land Drainage Engineers have confirmed that a Flood Risk Assessment is not required for the proposed development. However given that there is a risk of surface water flooding on or around the site, it is requested that ground floor levels in the development are raised to 150mm above the surrounding ground floor levels. In addition a condition is required to ensure that the flood risk is managed throughout the lifetime of the development and so approval of additional sustainable drainage measures is required before development begins on site.

## **7.8 Contamination**

7.8.1 Policies OVS5 and OVS6 refer to preventing pollution of the environment. The site is currently used for car sales, and has an existing and previous use for vehicular repairs as well as a historic used for the sale of fuel. In addition the site is within a groundwater Source Protection Zone (SPZ3). The Environment Agency is seeking conditions with regards to ensuring that the groundwater sources do not become contaminated through construction activity, and to ensure that if any contamination is encountered that there is adequate and verifiable remediation works undertaken. In addition the Environmental Health Officer also requires that a full scheme of investigation and risk assessment is submitted. Therefore condition to deal with the requirements of the Environment Agency and Environmental Health are being recommended, to ensure that all risk of contamination of the land and groundwater are assessed and fully mitigated against.

## 7.9 Biodiversity

7.9.1 Policy CS17 requires that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. A Phase 1 Habitat survey was submitted with the application. This indicated that there were no protected species on or within the site, and so no species would be affected by the development. It was proposed that bat bricks could be built into the south-west elevations of plots 1 and 4 as an enhancement measure, and that no security lighting would be placed above or below the bat bricks. These measure can be secured by condition.

## 8. Conclusion

8.1 Having regard to the relevant development plan policy considerations and the other material considerations referred to above it is considered that the proposed development is acceptable and that planning permission should be granted subject to the conditions set out below.

## 9. Recommendation

9.1 To **DELEGATE** to the Head of Development & Planning to **APPROVE PLANNING PERMISSION** subject to the following conditions;

1. 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).

2. The development hereby permitted shall be carried out in accordance with the approved drawing and other documents listed below;
  - (i) Drawing No 8966/400 Rev G received on 31<sup>st</sup> May 2018;
  - (ii) Drawing No 8966/401 received on 19th March 2018;
  - (ii) Drawing No 9866/402 received on 19<sup>th</sup> March 2018;
  - (iii) Drawing No 8966/403 received on 19th March 2018;
  - (iv) Drawing No 8966/404 received on 19th March 2018;
  - (v) Drawing No 8966/405 received on 19th March 2018;

- (vi) Drawing No 8966/406 received on 19th March 2018;
- (vii) Drawing No 8966/407 Rev C received on 31<sup>st</sup> May 2018;
- (viii) Drawing No 2137/1B received on 16<sup>th</sup> April 2018.
- (vix) Delivery and Servicing Management Plan Prepared by ADL Traffic & Highway Engineering Ltd Ref ADL/AJM/3737/16A dated March 2018, received on 16<sup>th</sup> April 2018;
- (x) Surface Water Drainage Strategy prepared by Pitman Associates dated March 2018 received on 16<sup>th</sup> April 2018;
- (xi) Noise Impact Assessment prepared by KR Associates (UK) Ltd dated 4<sup>th</sup> April 2018, received on 16<sup>th</sup> April 2018;
- (xii) Transport Statement Prepared by ADL Traffic & Highway Engineering Ltd Ref ADL/AM/3737/16A dated March 2018, received on 16<sup>th</sup> April 2018;
- (xiii) Phase 1 Desk Study prepared by Soils Ltd Reference 16616/DS dated December 2017, received on 16<sup>th</sup> April 2018

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

3. No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the dwellings 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 (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

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

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

Reason: In the interest of road safety and highway maintenance. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

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

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

7. The shop unit shall not be brought into use and no dwelling shall be occupied until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the drawing no 8966/400 Rev G received on 31<sup>st</sup> May 2018. The parking and turning space 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. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the Housing Site Allocations DPD (2006-2026).

8. No development shall take place until details of the proposed accesses into the site have been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the vehicular, access and associated engineering operations shall be constructed in accordance with the approved drawings.

Reason: To ensure that the accesses into the site are constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

9. No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. The shop unit shall not be brought into use and no dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006



(Saved Policies 2007) and Policy P1 of the Housing Site Allocations DPD (2006-2026).

10. No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority;

- (a) written details concerning any proposed air handling plant associated with the development including;
  - (i) the proposed number and location of such plant as well as the manufacturer's information and specifications
  - (ii) the acoustic specification of the plant including general sound levels and frequency analysis under conditions likely to be experienced in practice.
  - (iii) the intended operating times.

(b) The findings of a noise survey (undertaken in accordance with BS4142 or such other standard acceptable to the Local Planning Authority) to determine noise levels in the vicinity of the proposed development and calculations showing the likely impact of noise from the development;

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

(d) No development shall take place until written approval of a scheme under (c) above has been given by the Local Planning Authority. All works forming part of the scheme shall be completed before any of the dwellings is first occupied or the shop is brought into use, whichever occurs first.

Reason: To safeguard the amenities of surrounding occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

11. The opening hours of the A1 shop unit hereby permitted is to be restricted to the following hours:

07:00 -22:00 Sundays to Mondays and Bank Holidays.

Reason: To safeguard the amenities of surrounding occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

12. Notwithstanding the approved Delivery and Servicing Management Plan Prepared by ADL Traffic & Highway Engineering Ltd Ref ADL/AJM/3737/16A dated March 2018, received on 16th April 2018; no deliveries shall be taken at or despatched from the site outside the following hours:

07:00- 19:00 by vehicles larger than a transit van  
06:00 -19:00 by vehicles smaller than a transit van.

Reason: To safeguard the amenities of surrounding occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

13. 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;  
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026)

14. No development shall take place until full details of the design and external appearance of the shop front, including the fascias, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained thereafter in accordance with the approved details.

Reason: The application does not contain sufficient details of the shop fronts to enable the Local Planning Authority to give proper consideration to those matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance 'Shopfronts' and the Village Design Statement for Hermitage.

15. No development shall take place until details of the external lighting to be used in the areas around and on the A1 shop building and dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved scheme before the buildings hereby permitted are occupied. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development and to protect the amenities of adjoining landusers and the character of the area. The area is unlit at night and benefits from dark night skies. Inappropriate external lighting would harm the special rural character of the locality, and to ensure that bats are not deterred from using the bat roosts. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies C14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).16. No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with

the approved before the buildings hereby permitted are occupied. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and the Village Design Statement for Hermitage.

17. No development (except demolition and site clearance works) shall take place until a scheme to assess the nature and extent of any land contamination of the site (whether or not it originates from the site) has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment shall be completed as part of this scheme. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced and submitted. The report of the findings shall include:
- (a) A survey of the extent, scale and nature of contamination;
  - (b) An assessment of the potential risks to:
    - i. human health,
    - ii. property (existing and proposed) including buildings, pets, and service lines and pipes,
    - iii. adjoining land,
    - iv. groundwater and surface water,
    - v. ecological systems,
    - vi. archaeological sites and ancient monuments; and
  - (c) An appraisal of remedial options, and proposal of the preferred option(s).

This report shall be conducted in accordance with CLR11: Model Procedures for the Management of Land Contamination (DEFRA/EA).

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. The approval of this information is required at this stage because insufficient information has been submitted with the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

18. No development (except demolition and site clearance works) shall take place until a remediation scheme for any land contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:
- (a) Provide for the removal of unacceptable risks to human health, buildings and other property, and the natural and historical environment;
  - (b) Ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation;
  - (c) Detail proposed objectives and remediation criteria, all works to be undertaken, a timetable of works, and site management procedures; and

- (d) Include measures for the monitoring and maintenance of the long-term effectiveness of the remediation over a period agreed in writing with the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. The approval of this information is required at this stage because insufficient information has been submitted with the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

19. The remediation scheme for land contamination (approved pursuant to Condition 18) shall be implemented in full in accordance with the timetable of works thereby approved. Two weeks written notice shall be given to the Local Planning Authority prior to the commencement of the remediation scheme. Following the completion of the measures identified in the approved remediation scheme (except those for the long-term monitoring and maintenance), the development shall not be first occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

20. In the event that any previously unidentified land contamination is found at any time during the carrying out of the development, it shall immediately be reported in writing to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of Condition 18, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of Condition 19. The investigation and risk assessment, and any remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme, the development shall not be first occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

21. The remediation scheme for land contamination (approved pursuant to Condition 19) shall be implemented in full in accordance with the timetable of works thereby approved. Two weeks written notice shall be given to the Local Planning Authority prior to the commencement of the remediation scheme. Following the completion of the measures identified in the approved remediation scheme (except those for the long-term monitoring and maintenance), the development shall not be first occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

22. In the event that any previously unidentified land contamination is found at any time during the carrying out of the development, it shall immediately be reported in writing to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of Condition 18, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of Condition 19. The investigation and risk assessment, and any remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme, the development shall not be first occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

23. Following completion of the measures for the monitoring and maintenance of the effectiveness of the land contamination remediation approved under clause (d) of Condition 18 (if any), a verification report to demonstrate the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority within two months of the completion of the measures. These reports shall be conducted in accordance with CLR11: Model Procedures for the Management of Land Contamination (DEFRA/EA).

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition ensures that the implemented remediation measures are effective. This condition is applied in accordance with the National Planning Policy

24. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure, and to prevent flooding. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006).

25. No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall:
- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
  - b) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
  - c) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm + 40% for climate change;
  - d) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
  - e) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime; and
  - f) Ensure proposed finished floor levels are set a minimum of 150mm above surrounding ground levels.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings are first occupied or in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect

water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application and so it is necessary to approve these details before any development takes place.

26. No development shall take place until details of the provision for the storage of refuse and recycling materials for the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall be retained for this purpose thereafter.

Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

27. 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.

And subject to the following informative notes;

1. The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.
2. The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations

3. The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
4. In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority
5. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519169, before any development is commenced.



**EASTERN AREA PLANNING COMMITTEE  
ON 25<sup>TH</sup> JULY 2018**

**UPDATE REPORT**

**Item No:** (1)                      **Application No:** 18/00833/FULD                      **Page No.** 25-50

**Site:** Lawrence Building, Newbury Road, Hermitage, Thatcham, RG18 9TD

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**Planning Officer Presenting:** Mr David Pearson

**Member Presenting:**

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**Parish Representative speaking:** Councillor Ruth Cottingham

**Objector(s) speaking:** Mr Ian Whipp  
Mr Chris Genge

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

**Applicant/Agent speaking:** Mr Philip Holdcroft

**Ward Member(s):** Councillor Quentin Webb  
Councillor Graham Pask

**Update Information:**

**1. Publication of 2018 National Planning Policy Framework**

Members are asked to note that the National Planning Policy Framework 2018, which supersedes the previous NPPF (2012) referred to in the officer's report has now been published. The recommendation made in the report and this update sheet is considered to be consistent with the policies in this document.

**2. Dimensions and distances**

During the Committee site distance confirmation was requested about the separation distance for the existing and proposed building from the dwellings in Charlotte Close. The shop and flat building would be;

- 25 metres from 1 Charlotte Close,
- 23 metres form 2 Charlotte Close.

- The existing building is 21.4 metres from 2 Charlotte Close
- The access road up to the loading bay is 6 metres wide

The existing building is 6.2 metres high, the proposed shop and flats building is 5 metres at eaves height, 8.8 metres at ridge height. The detached house, identified as Plot 1 on Newbury Road is 7.5 metres high

### 3. Area of commercial use

The existing site area is 0.3 hectares. The floor area of the existing buildings on the site are 923 square metres, the commercial unit is 325 square metres. A net loss of 598 square metres. The shop unit will employ 3 full time employees, and 16 part time employees.

### 4. Highways Matters

The agent has confirmed that no articulated lorries will be required to make a delivery. The largest vehicle will be a 10.35 rigid vehicle.

The tracking plans indicate that the vehicles would leave and enter in a forward gear, and it would not be enforceable to impose a condition that delivery vehicles leave in forward gear.

A revised elevation plan has been submitted which indicates the position of the delivery door, and a sign saying "Keep Clear Loading Only"

The Delivery and Servicing Management Plan submitted with the application states that "All delivery vehicles are fitted with white noise reversing alarms. These alarms emit sound over a wide range of frequencies and can be directed towards the area where staff and the public may be at risk. This reduces noise nuisance for local residents". A condition has been suggested by the agent with regards to co-op delivery lorries as follows;

*No Co-op delivery vehicle shall enter the site other than those fitted with a broadband 'white noise' type of reversing warning alarm system, or an alternative system approved in writing by the Local Planning Authority. For the avoidance of doubt, this condition shall apply to Co-op delivery vehicles only.*

However, this wording of a condition limiting the condition to Co-op lorries would not be enforceable should the shop unit be sold or changed to another operator, or be enforceable should a contract lorry be used for deliveries. The monitoring of the mechanics of the white noise vehicles could not be enforced. The condition limiting the hours of delivery will be more effective in securing the amenity of surrounding residents.

### 5. Landscaping matters

It was confirmed at the site meeting that the front boundary would be 600mm high metal railings on a 600mm high brick wall. (Total height 1.2 metres). The existing boundary wall between the site and the rear of the houses in Charlotte Close will be retained. There are fences proposed between the house plots, and a close boarded fence along the boundary with the fields to the south-east and south-west. The landscaping plan proposes a detailed scheme of boundary treatments throughout the site. The wording of condition 16 within the report is proposed to be amended as set out below in the lists of revised conditions.

The existing condition requires a comprehensive landscaping scheme to be submitted.

At the site meeting it was queried whether a tree along the boundary with Longworthy was within the site. The submitted landscaping plan, appears to show the tree beyond the site boundary.

## 6. Affordable Housing

Following the publication of the Agenda, the affordable housing viability review has been received and has concluded that contrary to the submitted Affordable Housing Viability Statement which proposed nil affordable housing, it was the opinion of the Council's agents that a near policy compliant affordable housing provision could be reached. The Officer recommendation is that a S106 legal agreement is secured to provide this affordable housing, in line with the amended recommendation set out below.

## 7. Update Recommendation

"Subject to the completion of a S106 legal agreement to secure affordable housing within three months from the resolution date (or any longer period as agree in writing in consultation with the Chairman/Vice Chairman of the Eastern Area Planning Committee to **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the conditions set out in section 9.1 as updated

**OR**

If a S106 legal agreement to secure affordable housing is not completed within the above specified time, to delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION** for the reason listed below"

**"Refusal Reason**

### **S106 Planning obligation**

The application fails to provide a Section 106 Planning Obligation to deliver 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."

## 8. Update Conditions

Following the receipt of amended plans, and checking of the published agenda, the following conditions should be altered as follows;

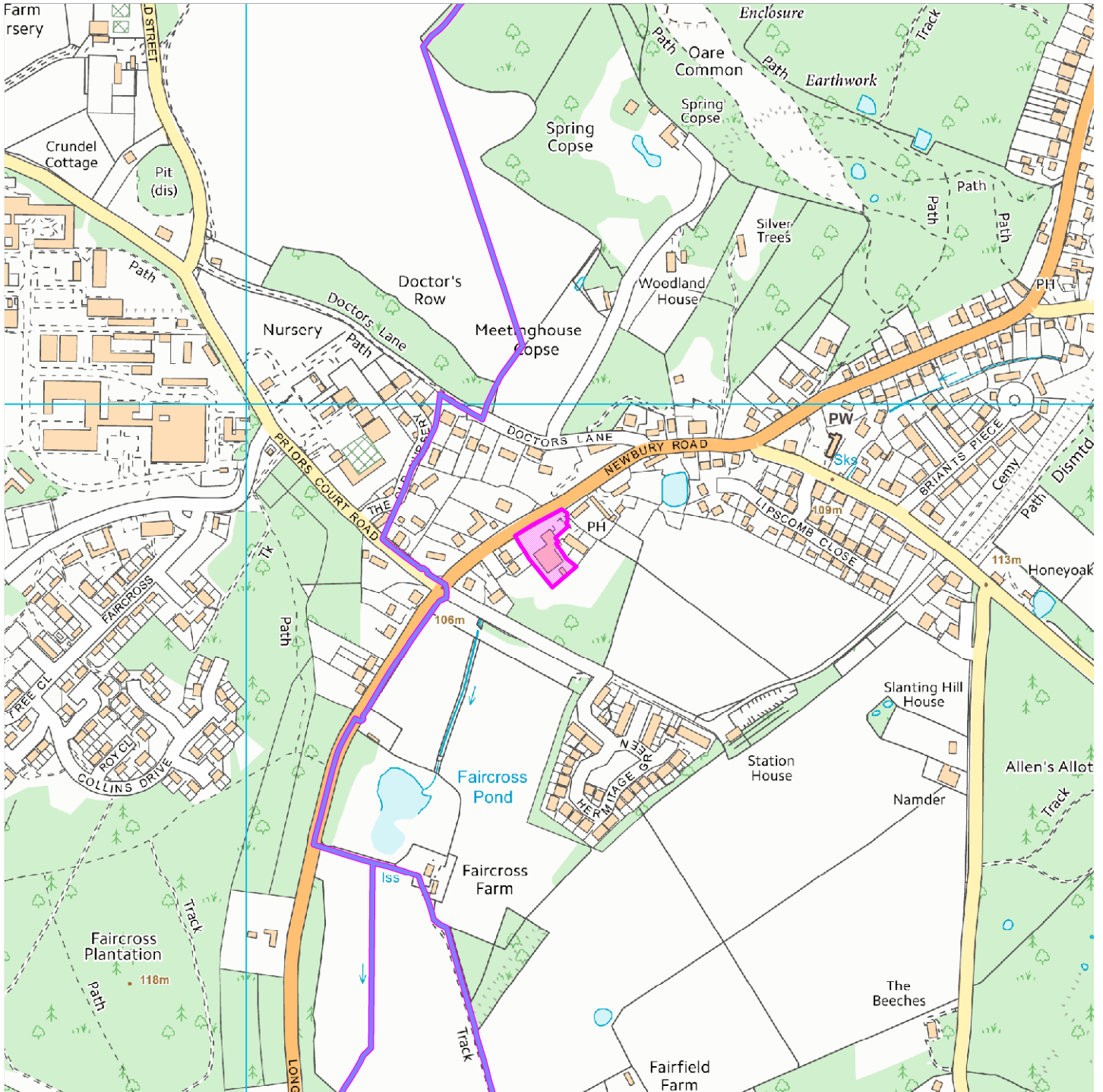
1. 2. The development hereby permitted shall be carried out in accordance with the approved drawing and other documents listed below;
  - (i) Drawing No 8966/400 Rev G received on 31<sup>st</sup> May 2018;
  - (ii) Drawing No 8966/401 Rev D received on 24<sup>th</sup> July 2018;
  - (ii) Drawing No 9866/402 received on 19<sup>th</sup> March 2018;
  - (iii) Drawing No 8966/403 received on 19<sup>th</sup> March 2018;
  - (iv) Drawing No 8966/404 received on 19<sup>th</sup> March 2018;
  - (v) Drawing No 8966/405 received on 19<sup>th</sup> March 2018;
  - (vi) Drawing No 8966/406 Rev C received on 24<sup>th</sup> July 2018;
  - (vii) Drawing No 8966/407 Rev C received on 31<sup>st</sup> May 2018;
  - (viii) Drawing No 2137/1B received on 16<sup>th</sup> April 2018.

- (vix) Delivery and Servicing Management Plan Prepared by ADL Traffic & Highway Engineering Ltd Ref ADL/AJM/3737/16A dated March 2018, received on 16<sup>th</sup> April 2018;
- (x) Surface Water Drainage Strategy prepared by Pitman Associates dated March 2018 received on 16<sup>th</sup> April 2018;
- (xi) Noise Impact Assessment prepared by KR Associates (UK) Ltd dated 4<sup>th</sup> April 2018, received on 16<sup>th</sup> April 2018;
- (xii) Transport Statement Prepared by ADL Traffic & Highway Engineering Ltd Ref ADL/AM/3737/16A dated March 2018, received on 16<sup>th</sup> April 2018;
- (xiii) Phase 1 Desk Study prepared by Soils Ltd Reference 16616/DS dated December 2017, received on 16<sup>th</sup> April 2018

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

16. The boundary treatment indicated on Drawing NO 2137/1M received on 16<sup>th</sup> April 2018 shall be completed in accordance with the approved before the buildings hereby permitted are occupied. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and the Village Design Statement for Hermitage.

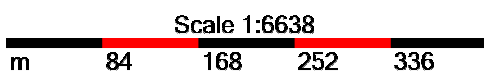


Map Centre Coordinates :

Scale : 1:6638

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	12 July 2018
<b>SLA Number</b>	0100024151

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## Agenda Item 5.

<p>ALDERMASTON 16/02019/COMIND</p> <p>PINS Ref 3179551</p>	<p>Budds Plantation Aldermaston CITP Ltd</p>	<p>Engineering grounds work, office building and scaffold forklift training tower.</p>	<p>Delegated Refusal</p>	<p>Dismissed 26.9.18</p>
<p>BURGHFIELD 16/02515/FULD PINS Ref 3178228</p>	<p>Theale Lakes Business Park Moulden Way Sulhamstead J Mould (Property) Ltd</p>	<p>Mixed use development from the construction of 9 Lakeside dwellings.</p>	<p>Non-Determination</p>	<p>Dismissed 22.10.18</p>

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