

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	18/00964/FULEXT Thatcham	21 st September 2018	The erection of 91 residential dwellings together with associated infrastructure and landscaping. Land South of Lower Way, Thatcham Persimmon Homes
¹ Extension of time agreed with applicant until 29 th April 2022			

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00964/FULEXT>

Recommendation Summary:	Delegate to the Service Director of Development and Regulation to grant planning permission subject to conditions and the completion of a legal agreement.
Ward Members:	Councillor Jeff Brooks Councillor Keith Woodhams
Reason for Committee Determination:	The Council has received in excess of 10 objections to the application.
Committee Site Visit:	19 th January 2022

Contact Officer Details

Name:	Emma Nutchey
Job Title:	Principal Planning Officer
Tel No:	01635 519111
Email:	emma.nutchey@westberks.gov.uk

1. Introduction

- 1.1 The proposal seeks full planning permission for the construction of 91 dwellings on land to the south of Lower Way. The site comprises a broadly triangular parcel of land of approximately 4.2ha. The site slopes gently from the north east to the south west and is defined along the north, eastern and western boundaries by mature hedgerows and to the south by a line of mature trees. Lower Way runs parallel to the northern site boundary beyond which lies an established residential area, with detached and semi-detached pre-war properties fronting the site in a linear arrangement. Further north and to the east of the site the residential development is defined by 1980s detached and semi detached properties arranged in cul de sacs.
- 1.2 To the south lies the Thatcham Discovery Centre and the Thatcham Reed Beds Site of Special Scientific Interest (SSSI). Footpath THAT/17/1 runs alongside the eastern site boundary and continues south to provide part of a circular walk around the lakes and linking into the wider network of paths which extend south of Thatcham. An existing public right of way, THAT/34/1 runs through the application site. Access to the footpath is achieved opposite Paynesdown Way and is accommodated within the layout of the development. This links into footpath THAT/17/1 that runs parallel to the eastern site boundary.
- 1.3 The site is to be accessed via a single vehicular entrance off Lower Way. The proposed residential development will extend across approximately two thirds of the site with 1.54ha retained as public open space and an open space corridor/buffer of approximately 13m deep along the southern boundary. The boundary here will be enhanced by further native shrub planting supporting the existing mature trees along this boundary. An attenuation basin is proposed within the area of open space.
- 1.4 The proposed development of 91 homes comprises a mix of 15 x 2 bed houses, 40 x 3 bed houses and 16 x 4 bed houses alongside 14 x 1 bed flats and 6 x 2 bed flats. It is noted that all of the flats are affordable units alongside a mix of 2, 3 and 4 bed houses. The proposal makes provision for 40% affordable housing in accordance with Policy CS6.

2. Planning History

- 2.1 The application site was allocated for housing as part of the Housing and Site Allocations Development Plan Document (HSA DPD). Policy HSA5 of the HSA DPD sets out a series of parameters to guide the development of this site to provide for approximately 85 dwellings.
- 2.2 There is no other relevant planning history for this site.

3. Procedural Matters

- 3.1 **Environmental Impact Assessment (EIA):** The development falls within the description of development in column 1 of Schedule 2 (10a) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The development is not located within an environmentally sensitive area and is below the given thresholds as defined by the Regulations. A screening opinion was carried out under application 15/01906/SCREEN for 100 dwellings (a larger development than now proposed). This confirmed that the proposal is not considered to be EIA development.
- 3.2 **Publicity:** The application was originally advertised by way of a site notice which expired on the 18th July 2018. Following the receipt of amended plans further notices were

displayed at the site which expired on the 25th June 2019. Since this time amendments have been made to the drainage strategy and discussions have taken place with regards to ecological issues. All new information has been subject to the necessary consultations.

- 3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the development. All new dwellings are CIL liable and as such CIL will be charged on this scheme. The relevant forms have been completed by the applicant and CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Thatcham Town Council:	<p>Objection raised for the following reasons:</p> <ul style="list-style-type: none"> - Under the Local Plan Thatcham has already met its housing allocation. - Concern about further strain on existing facilities and infrastructure. - Concerns about potential flood risk of the site. <p>Comments made in respect of amended plans 17.06.2019:</p> <ul style="list-style-type: none"> - Express concerns for the risk of flooding and concerns Flood Risk Assessment is incomplete. - Impact on Lower Way/A4 junction and safety requires further assessment. - Visually intrusive view from Paynesdown Road looking onto flats. - Condition required to protect the hedgerow along the northern boundary and seek assurance hedgerows will not be netted. - Permanent access should be secured to the open space and footpaths and their maintenance. - Double yellow lines should be considered on Lower Way. - Plot 28 looks directly into number 16 Lower Way. - Landscape masterplan insufficient due to absence of planting along the eastern boundary. - Concerns over ecological impacts. <p>Comments made in respect of amended plans 04.09.2019</p> <ul style="list-style-type: none"> - Green transport with easy cyclist and pedestrian access should be promoted. - Request pedestrian crossing reinstated - Planting along the eastern boundary should be retained or new trees planted. <p>Comments made in respect of amended plans 22.10.2020</p> <ul style="list-style-type: none"> - Removal of a crossing on Lower Way is disappointing.
-------------------------------	---

	<ul style="list-style-type: none"> - Welcome additional provision for bat/bird boxes, log piles - Request public footpath on southern edge of Lower Way upgraded to a cycle and pedestrian path. <p>Comments made in respect of amended plans 19.08.2021</p> <ul style="list-style-type: none"> - Seek clarification on who will adopt the footpath running through the site.
Highway Authority (WBC):	Amended plans have been received during the course of the application alongside a Transport Assessment by Milestone Transport Planning. Following amendments to the scheme no objections are raised subject to conditions.
Waste Management (WBC):	Amended plans have been received during the course of the application. No objection raised subject to a condition seeking details of refuse storage.
Environment Agency:	No objection raised subject to conditions relating to contaminated land.
Trees (WBC):	No objections raised subject to conditions.
Thames Water:	No objection raised with regards to the disposal of waste water. Investigations have however identified an inability of the existing water network infrastructure to accommodate the needs of the proposal. A condition is required for an infrastructure phasing plan. A further condition is required to ensure no development takes place within 5m of the water main.
Berks, Bucks and Oxon Wildlife Trust:	<p>BBOWT defer to the expert opinion of Natural England.</p> <p>BBOWT have agreed a series of off-site mitigation measures with the applicant by way of a financial contribution to address any impact of the development on the nature reserve to the south of the application site.</p>
Natural England:	Following the receipt of amended plans it is considered the development will not have significant adverse impacts on designated sites and no objections are raised.
Ecology (WBC):	Following a series of amendments no objections are raised subject to conditions.
Archaeology (WBC):	An archaeological desk based assessment accompanies the scheme. It was requested that further work be undertaken however following discussions a condition securing the implementation of a programme of archaeological works before development commences has been agreed.
Housing (WBC):	There is a slight shortfall in the provision of 1 bedroom units and in turn in other units. Given the location on the edge of town and the need for more family accommodation in Thatcham no objections are raised.

Lead Local Flood Authority (WBC):	On-going discussions are being held with the applicant with regards to the final drainage strategy. The applicant has suggested a condition and demonstrated a commitment to work to resolve the latest points raised by the drainage engineers. Drainage officers would like to see the final strategy approved prior to planning consent being granted.
Education Authority (WBC):	Primary schools have sufficient capacity and the impact on secondary schools is very small. The impact can be mitigated by CIL.
Countryside (WBC):	The scheme delivers sufficient open space however concern is held for the potential for antisocial behaviour should the site boundaries not be adequately overlooked. Amended plans have been received to increase overlooking however no further comments have been received from the open space team.
Environmental Health (WBC):	No objection raised subject to hours of work, dust and contamination conditions.
Berkshire Fire & Rescue Service:	There is a requirement for fire hydrant provision on the site. This should be secured by condition.
Public Rights of Way (WBC):	Should the proposed right of way not be secured as part of the application a separate agreement will be completed outside the planning process as claims have been made about historic rights of access.
Mid and West Berkshire Local Access Forum	The forum notes that a new public footpath runs along the southern boundary of the site and then crosses the site to join Lower Way close to its junction to Paynesdown Road. It is suggested this route could be enhanced and extended as a traffic free cycle route along the southern boundary to the entrance of the Discovery Centre and extended eastwards towards The Moors.
West Berkshire Ramblers Association:	Welcome the creation of the new formalised path which traverses the boundary of the development from Lower Way on the West and joins up with Bridleway THAT/17/1 and /17/2 on the east. Wish for consideration to be given as to whether there is the opportunity to create an additional footpath linking up with the Nature Discovery Centre.

Public representations

4.2 Representations have been received from 24 contributors, 0 of which support, and 24 of which object to the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Loss of wildlife – impact on bats
- Increase in traffic particularly at peak times. The junction at Lower Way and the A4 is at or over capacity. There are congestion hotspots and safety problems along Lower Way. Traffic issues will deter shoppers/businesses from Thatcham. Zebra crossing in the development.

- Local infrastructure insufficient to accommodate additional pressure of more residents for example with respect to doctors, West Berkshire Community Hospital, schools, libraries,
- Impact of loss of open space on resident's health, loss of footpaths.
- Proximity of new houses to the hedge and absence of a 12m buffer.
- Absence of details regarding the run-off of surface water and how contaminated water or pollutants created during the construction phases will be disposed of.
- Visual impact on the landscape. Concerns regarding the appearance of the buildings, ridge heights, materials, over development of the site. Plots 77-84
- Additional noise and pollution will impact on the living environment.
- Impact of street lighting.
- Thatcham does not need additional housing.
- Negative impact on wildlife at the Nature Reserve
- Insufficient parking on site
- Increase in crime
- Loss of greenfield land
- Flooding along Lower Way exacerbated by run off from the site.
- Field has been used for recreational purposes
- Concerns about sewer at capacity
- Provision for charging of electric cars
- Environmental Impact Survey required
- Plan inaccuracies: landscaping plan does not match site plan
- Number of dwellings greater than Policy specifies. Provision made for 85 dwellings proposal is greater than this.
- Impact of plot 28 due to east facing outlook and overbearing nature on properties along Lower Way.
- Other properties along the eastern boundary have an overbearing impact on number 14 Lower Way dwellings. Absence of a street scene for the eastern elevation.
- Future potential overdevelopment of the site.
- Reduction in numbers to 91 does not address concerns.
- Flooding
- Loss of open space
- Concern for appearance of the buildings and their height. Density too high.

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP3, CS1, CS4, CS6, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies GS1, HSA5 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies TRANS1, RL1, RL2, RL3, OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

- Manual for Streets
- Conservation of Habitats and Species Regulations 2017
- Supplementary Planning Guidance: Quality Design SPD (2006)
- Supplementary Planning Document: Sustainable Drainage 2017
- West Berkshire Cycle and Motorcycle Advice and Standards for New Development 2014
- West Berkshire Planning Obligations Supplementary Planning Document (2015)
- West Berkshire CIL Charging Schedule

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Impact on neighbour amenity and the amenity of future residents
- Highways
- Ecology / Natural England/ BBOWT
- Waste management
- Trees
- Archaeology
- Flood Risk & Drainage
- Housing
- Public Rights of Way
- Sustainable Construction & Energy Efficiency

Principle of development

- 6.2 The application site is located within the settlement boundary of Thatcham. Policy ADPP1 of the Core Strategy seeks to locate new development within the settlements identified within the hierarchy. Thatcham is classified as an urban area which is identified as having a wide range of services and is the focus for the majority of development. Policy ADPP3 states that Thatcham will accommodate approximately 900 homes over the plan period with some of this delivered through the Site Allocations and delivery DPD.
- 6.3 According to Policy CS1, new homes will be located in accordance with the Spatial Strategy and Area Delivery Plan Policies. New homes will be primarily located on suitable land within settlement boundaries, and other land allocated for development within the Local Plan. In this context, Policy C1 of the HSA DPD gives a presumption in favour of development and redevelopment within the settlement boundary of Thatcham. It qualifies that planning permission will not be granted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB or where development would have an adverse cumulative impact on the environment or highway safety.
- 6.4 The application site is allocated for residential development in accordance with Policy HSA.5 of the Housing Site Allocations DPD. As part of a review of the settlement boundaries the settlement boundary for Thatcham has been amended to now include this site which was previously within the countryside. The policy allows for the provision of approximately 85 dwellings with a mix of house types and sizes. The proposed scheme seeks permission for 91 dwellings. Whilst this exceeds the approximate figure set out within the policy it is considered that a scheme of this scale can be accommodated without significant adverse harm as demonstrated by the technical

considerations below. Furthermore this makes efficient use of the site, which is encouraged by national and local policies. The proposal provides a mix of dwelling sizes which is reflective of the area and meets local demand with an emphasis on family housing. As such the proposal is considered to meet with the first criterion of Policy HSA5 and with the aims of policy CS4 of the Core Strategy.

- 6.5 In conclusion the principle of development is considered to be acceptable. The scheme is assessed in detail below in accordance with the Development Plan and other material planning considerations.

Character and appearance

- 6.6 The scheme has been informed and supported by a Landscape and Visual Impact Assessment as required by criterion 3 of Policy HSA5. Policy CS19 of the Core Strategy seeks to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved and enhanced. Consideration must be given to the sensitivity of the area to change and ensuring that the development is appropriate in terms of its scale and design. At a local level, the change from enclosed field to a developed site would represent a noticeable change to the local landscape character. However, there would remain a distinct separation between the residential/developed edge of Thatcham and the sensitive valley floor landscape to the south which incorporates a matrix of lakes and waterways with associated vegetation. The provision of a landscape/open buffer of approximately 13m deep along the southern boundary further allows for a transition between the built up settlement and the lakes and open land to the south. The proposal seeks to retain the existing established boundary treatments and supplement them along the southern and eastern boundaries with further planting which will soften the impact and frame the development.
- 6.7 The scheme has also been designed such that the taller, two and a half storey buildings are located towards the middle of the site. Furthermore the scheme provides for an open buffer adjacent to the eastern and southern boundaries thus creating a softer edge to the development. Policy HSA5 seeks to ensure the built form is set back from the existing public rights of way and this requirement is adhered to. The layout also provides for greater separation distances between properties on the southern edge of the site thus allowing for views through the site and breaking up the built form to help avoid creating a hard edge.
- 6.8 The proposal is highly visible from the existing properties on Lower Way which front the site and to pedestrians and other road users. The proposed properties adjacent to Lower Way are set back to allow for the existing mature hedge to be retained and face towards the road to create a frontage of development, reflecting the linear arrangement of properties to the north. This arrangement of dwellings reflects the requirements of Policy HSA5 and ensures the retention of the hedge adjacent to Lower Way as sought by Thatcham Town Council.
- 6.9 Short and longer views can also be obtained from the network of footpaths which neighbour the site. Along the eastern and southern boundaries the buildings are arranged so that there are larger separation distances between properties thus avoiding hard edges and allowing views through the site. Amendments have been received during the course of the application to ensure these dwellings overlook the open spaces around the site boundaries to provide some natural surveillance and to deter anti- social behaviour.
- 6.10 The proposed layout ensures that the dwellings are served by gardens which meet with the private amenity standards as set out in Supplementary Planning Guidance Quality Design. Provision has also been made for the opportunity for landscaping within the site with areas of green space wrapping around the buildings and trees adjacent to the

highway. Paragraph 131 of the NPPF recognises that trees make an important contribution to the character and quality of the built environment and seeks to encourage the creation of tree lined streets.

- 6.11 In conclusion, the change brought about by the proposal would have very local effects upon the landscape which is already in parts strongly influenced by existing residential development and infrastructure. The proposed buildings are of an architectural form and scale which is appropriate to the character of the existing development along Lower Way and is respectful to the open countryside to the south and longer views from the lakes. A development of this scale which retains a large area of open space at the western end of the site and is viewed against the existing residential backdrop is not considered to have a significant negative impact on the character of the area or on views from within the wider landscape.
- 6.12 For the reasons set out above the proposal is considered to accord with the landscape and visual impact criteria as set out in policy HSA5 of the HSA DPD and Policies CS14 and CS19 of the Core Strategy. The proposal is also considered to meet with the guidance within the NPPF with respect to good design and the need to ensure new development is sympathetic to the landscape setting of the site and conserves the natural environment.

Impact on neighbour amenity and the amenity of future residents

- 6.13 The existing properties fronting Lower Way are in excess of 30m from the nearest proposed dwellings. This is sufficient to mitigate any adverse overlooking impacts. Concern has been raised by some residents for the loss of the view however this is not a material planning consideration and cannot be afforded any weight in the decision making process.
- 6.14 There is a distance of approximately 6.5m between the edge of number 16 Lower Way (an existing property on the south of Lower Way) and the application site and 19m between this neighbour and the nearest new dwelling (plot 27). No windows are proposed in the side elevation of plot 27. These distances and the design of the proposed dwelling are considered to mitigate any un-neighbourly impacts.
- 6.15 During the course of the application amended plans have been received to remove the proposed first floor windows in the front elevation of plot number 28 which is orientated such that it faces towards the garden of number 16 Lower Way. The removal of any first floor windows eliminates officers' concerns for potential overlooking as raised by the occupiers of number 16 Lower Way. The presence of a 10m buffer along the eastern site boundary and the retention of the 3m high hedge also allows for some mitigation. Permitted development rights have also been removed for new openings above ground floor level in the east facing elevation of this plot and number 72.
- 6.16 The layout of the scheme allows for adequate separation distances between the proposed dwellings with back to back distances of 21m in accordance with the design guidance within SPD Quality Design. The properties are also served by the amenity space standards set out within the guidance. The on site public open space provides for 1.54ha of green open space which is also accessible to existing Thatcham residents.
- 6.17 The proposal is not considered to have an adverse impact on the amenity of neighbouring residents in respect of overlooking, overbearing or loss of light and provides for a quality living environment for future occupiers. As such the proposal complies with Policy CS14 of the Core Strategy and the guidance within the NPPF with regards to protecting neighbouring land uses.

Highways

- 6.18 Paragraph 110 of the National Planning Policy Framework states that “In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users; and
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.19 Paragraph 109 states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

Traffic Impact

- 6.20 A Manual Classified Turning Count (MCTC) was undertaken on September 28th 2016 at the Lower Way / The Moors Roundabout. An Automatic Traffic Counter (ATC) was also conducted near the site along Lower Way from September 28th to October 4th 2016.
- 6.21 Lower Way has a 30mph speed limit enforced by a nearby speed camera. The ATC also collected 85th percentile speed data of 34.9 mph eastbound and 33.9 mph westbound. In accordance with *Manual for Streets*, such speeds require visibility splays at the access of 2.4m x 51m and 2.4m x 49m. These required splays are shown on Drawing No. 16141/003 Rev D.
- 6.22 To model the impact on nearby junctions, Junction 9 Software that incorporates PICADY software for T junctions and ARCADY software for roundabouts has been used. The Lower Way / Sites access and the Lower Way / The Moors Roundabout has been modelled. For the AM and PM peaks the following scenarios have been modelled:
- a) 2016 base
 - b) 2027 base with traffic growth without development
 - c) 2027 as above with development
- 6.23 To account for future traffic growth, the traffic survey results have been factored up to 2027 using the data from the governments TEMPRO growth database. The distribution of development traffic has been based on turning count data and from the ATC surveys considering the proportional flows east and west on Lower Way. The distribution used by Milestone is circa half and half in each direction between east and west. Highways Officers suggest that the distribution is more 2:1 towards the west however this should not be an issue as the higher distribution towards the east is helpful in modelling the Lower Way / The Moors Roundabout. From the results on pages 35 and 36 of the Transport Assessment, it is considered that the proposed Lower Way / Site access junction is well within capacity along with the Lower Way / The Moors roundabout.
- 6.24 With funding from the Newbury Racecourse housing development, the A4 / Hambridge Road / Lower Way traffic signal junctions were improved for capacity reasons during 2020.
- 6.25 Personal Injury Accident (PIA) data for a six year period ending in October 2017 was obtained from WBC and Thames Valley Police. The area covered near the site includes the A4, Green Lane and Lower Way. Within this area there were a total of 10 PIAs, of

which 7 were classified as '*slight*' (minor) and 3 as '*serious*'. Most are in a cluster around the A4 / Green Lane junction. However considering the volume of traffic that uses the A4, while any PIA is regrettable, it is not considered that the number of PIA's is unusually high. Data for the A4 / Hambridge Road / Lower Way has also been reviewed. Again there is cluster of PIA's. However considering the volume of traffic that uses the A4, while any PIA is regrettable, the number of PIA's is not considered unusual. Officers therefore concur with the Transport Assessment on pages 19 and 20 that there is no significant pattern or trend or no issues attributable to deficiencies on the highway network.

Sustainable Travel

- 6.26 The Chartered Institution of Highways and Transportation's (CIHT's) publication 'Providing for Journeys on Foot' (2000) states that the average length of a walk journey is 1 kilometre with a maximum walking distance of 2 kilometres for commuting / school journeys. Highways Officers concur with the Transport Assessment on page 11 that there are many local amenities within those distances.
- 6.27 The site's sustainability is enhanced by the provision of National Cycle Network Route 4 along the frontage of the site that connects the site to Newbury to the west and towards Reading to the east.
- 6.28 A number of concerns have been raised by residents and the Town Council to the removal of a zebra crossing on Lower Way. Such a crossing was not justified or required as the level of pedestrian's to vehicles does not meet the thresholds set by the Department of Transport Guidance. Notwithstanding the removal of the crossing the scheme seeks to upgrade the existing uncontrolled crossing situated adjacent to the site's north-east corner by providing dropped kerbs and tactile paving at this crossing point. Details of these works are secured by condition.
- 6.29 The application is also supported by a Travel Plan (TP), the implementation, monitoring and updating of which is secured by condition.

Access and Site Layout

The site will be accessed from Lower Way. The new access will be 5.5 metres wide and is shown on Drawing No. 16141/001 Rev G. The design is supported by an independent Stage 1 Road Safety Audit (RSA), undertaken by Gateway TSP on 4th July 2017. All access roads serving more than five houses are designed and built to adoptable standard.

- 6.30 Policy P1 of the Housing Site Allocations DPD was adopted in May 2017. This sets out the parking standards for new development across the district. The site is within parking zone 2. Following the receipt of a series of amended plans the parking levels across the site meet with the policy requirements, this is provided both within curtilage and on street. Concern has been raised by objectors for the possibility of overspill parking from the development on existing residential roads due to insufficient on site parking provision. The scheme however meets the parking requirements set out in policy and therefore there are no grounds to object in relation to parking provision.
- 6.31 In conclusion, the Highways Officer has advised that a robust Transport Assessment has been submitted to accompany the application which demonstrates that alongside the recent improvement scheme to the A4/Hambridge Road and Lower Way traffic signals the proposal will not have an unacceptable impact on the highways network. Furthermore the proposed access arrangements and site layout are deemed to be acceptable. The access roads are to be built to adoptable standards and the layout meets with the Councils standards with respect to car parking. As such the proposals,

alongside the recommended conditions, are considered to meet with the requirements of criterion a) to c) of paragraph 110 of the NPPF and Policy CS13 of the Core Strategy, Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (saved policies 2007) and Policy P1 of the Housing Site Allocations Plan Development Plan Document.

Ecology/ Natural England/ BBOWT

- 6.32 The site is located on the western side of Thatcham with significant housing to the north and east of the site. To the south of the site is an extensive area of lakes and woodlands, which extend into designated sites including Thatcham Reed Beds. The site is approximately 1.6km east of the River Lambourn Special Area of Conservation (SAC). Further south are the Bowdown, Chamberhouse Woods Site of Special Scientific Interest (SSSI) and River Lambourn SSSI, River Kennet SSSI, and Woolhampton Reedbed SSSI. These areas are protected by the Habitats Directive (EC Directive 92/43/EEC on the Conservation of Natural and Semi-Natural Habitats and of Wild Fauna and Flora) and the Habitats Regulations (The Conservation (Natural Habitats &c.) Regulations 1994).
- 6.33 The site was originally surveyed in 2014 by Keystone Environmental. The site comprised a ploughed arable field. Improved grassland was located on the edges of the site, with some scrub, a thick tree line and species poor hedgerow. Subsequent surveys conducted by The Ecology Partnership included a hedgerow assessment, reptile, GCN, bat, bird and invertebrate surveys. The site's habitats had not materially changed during the course of the survey period during 2015 and 2017, with an update walkover undertaken in 2020 and 2021.
- 6.34 The site lies approximately 460m north of the Kennet and Lambourn Floodplain SAC which is designated under The Conservation of Habitats and Species Regulations 2017 as being of international importance because of its population of Desmoulin's Whorl Snail (a very rare snail that is only found in a few locations in Europe). This species lives in permanently wet conditions such as marshes lakes and ponds. Natural England and the Consultant Ecologist appointed by the Council conclude that there is no likely significant effect on the Kennet & Lambourn Floodplain SAC and as such an appropriate assessment under the Habitats Regulations is not required.
- 6.35 The Nature Discovery Centre lies directly to the south of the application site, adjoining its boundary. Within the reserve is the Thatcham Reed Beds Site of Special Scientific Interest (SSSI) which overlaps the SAC. The SSSI is designated because of its extensive reed bed, species rich alder woodland and fen habitats and the species that it supports. The reed beds are owned by West Berkshire Council and managed by the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT). This is a flagship site for BBOWT.
- 6.36 The proposals will result in an increased recreational pressure on the Nature Discovery Centre and the Thatcham Reedbeds. Policy CS18 of the Core Strategy seeks to protect and enhance areas of green infrastructure. This policy recognises the Thatcham Nature and Discovery Centre and Reedbeds as an important natural space (para 5.126). In accordance with the three tests set out in paragraph 57 of the NPPF a financial contribution of £79,065 has been agreed between the applicant and BBOWT to secure mitigation works through the maintenance and upgrade of paths around the main lake and to prevent bank erosion by dogs alongside other mitigation measures.
- 6.37 Policy HSA5 requires the development of the site to 'support and make a positive contribution to the West Berkshire Living Landscape.' The West Berkshire Living Landscape is a partnership between BBOWT and West Berkshire Council. Its objective is to restore, reconnect and enhance biodiversity. In accordance with Policy HSA5 and paragraph 57 of the NPPF a contribution of £68,250 has been secured to deliver

appropriate on site landscape and biodiversity enhancements and new home owner packs.

- 6.38 The application is supported by a series of ecological reports and demonstrate that the proposals are unlikely to affect bats, badgers reptiles or great crested newts and will not result in the direct loss of any 'priority habitats' as defined in the NPPF except small sections of native hedgerow.
- 6.39 The application is supported by a Net Gain Biodiversity Calculator. Policy CS17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. It further states that habitats designed or proposed for designation as important for biodiversity or geodiversity at an international or national level or which support protected, rare or endangered species will be protected and enhanced. Changes to the Environment Act 2021 received royal assent on the 9th November 2021 which means that the Bill is now law. In due course it will be a statutory requirement for new development to deliver a 10% net gain in biodiversity across the site. The site delivers a net gain of 11.94% in habitat units and 83.58% hedgerow units. The site therefore delivers the required net gain.
- 6.40 The scheme will deliver these ecological benefits through enhanced landscaping and the large area of public open space to the west of the site. The design of the attenuation basin however does not have any real ecological value other than for water storage. This is a missed opportunity however given the net gain demonstrated through hedgerow enhancements, scrub and woodland management, no balance no objections are raised to this.
- 6.41 The application is supported by full landscape proposals and a Landscape and Ecological Management Plan which has been approved by the Council's Tree Officer. Amended plans have been submitted showing gaps within the fences for hedgehogs. Conditions have been requested relating to the request for full details of the bat and bird box locations. Plans show which trees/buildings they are to be positioned on but not the height or elevations on which they are to be placed. Other conditions are ones of compliance to secure works and ensure reports are updated if necessary.
- 6.42 In conclusion the information submitted demonstrates that the proposals will not have a likely significant effect on the Kennet & Lambourn Floodplain SAC with the impact of the development on the Desmoulin's Whorl Snail being of particular importance. The proposals will further not impact on the other nearby Special Areas of Conservation or Sites of Special Scientific Interest. The proposals are unlikely to materially affect bats, badgers reptiles or great crested newts and will not result in the direct loss of any 'priority habitats' as defined in the NPPF except small sections of native hedgerow. No objections have been raised to the scheme by Natural England, BBOWT or the Council's consultant Ecologist. As such it is considered that the proposals comply with Policies CS17 and CS18 of the Core Strategy, Policy HSA5 of the HSA DPD and the guidance within the NPPF with regards to protecting and enhancing biodiversity and with regards to securing off site financial contributions.

Waste management

- 6.43 Policy CS14 of the Core Strategy seeks to promote high quality and sustainable design. Good design relates not only to the appearance of a development but the way it functions. A part of providing for safe and attractive environments is to ensure that refuse and recycling collection facilities can be adequately provided. The internal road layout is to be designed to adoptable standards and the site layout plan is supported by drawing No. 16141/TK01 Rev F which shows a swept-path analyses of a large refuse truck manoeuvring through the layout. No objections have been raised by the Waste Management Officer subject to a condition to ensure the works are carried out in

accordance with the approved plans and a condition seeking details of the proposed refuse and recycling facilities, detailing collection points for the flats in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

Trees

- 6.44 The application is supported by a tree survey and impact assessment from Keen Consultants ref 8661-KC-XX-YTREE Rev 0, dated March 2018. This includes a tree protection plan which has been undertaken in accordance with the BS5837:2012 recommendations.
- 6.45 The existing trees and hedges on site are predominately located around the boundary. The proposals seek to retain all of the trees with the exception of T27, a Poplar which has died and the removal of a section of hedge adjacent to Lower Way to facilitate the creation of the vehicular access. The tree protection plan provided will ensure that the existing trees and hedges are suitably retained and protected throughout the development.
- 6.46 The landscaping for the site has been divided up into 2 separate areas. The public open space landscape proposals plan by Pegasus design reference P16-0191_22 rev. H relates to the creation of the formal open space to the west of the site which contains new native shrub and tree planting. The plan also includes new tree planting along the northern boundary with more ornamental planting proposed closer to the new properties. Additional tree planting is proposed adjacent to the southern boundary with understorey native planting. The scheme secures a landscape buffer along this boundary as required by Policy HSA5 however the presence of the footpath THAT/34/1 has influenced the type of planting proposed which is more low level to ensure a safe and open route for pedestrians. It is considered that a balance has been achieved in delivering a well landscaped softer edge to the development and a safe route for users of the footpath.
- 6.47 The existing hedge along the eastern boundary is to be retained and supplemented with native plants to extend it northwards up to the boundary with Lower Way. The importance of retaining this hedge has been raised within a number of representation letters. There is little opportunity for additional planting along this boundary with the exception of wild grasses given the presence of services which run in a north south alignment and thus requiring access for future maintenance however the retention of the existing hedge provides for a soft edge to the development and enhances the privacy of properties to the east.
- 6.48 Overall the proposed level of landscaping for the area of public open space and around the site boundaries is considered to be acceptable.
- 6.49 The second part of the landscaping covers the areas in and around the new development titled Detailed on Plot Landscape proposals. The proposed landscaping includes new tree and shrub planting. This is however restricted to small spaces in and around the buildings, with the majority of the species being medium size trees. The presence of trees within the grass verges are a welcomed addition to the street scene and no objections have been raised by Highways however details of planting methods etc are required to ensure there are no long term maintenance issues or impacts on the adopted highway. Tree Officers have confirmed that the tree species proposed are suitable in this location.
- 6.50 The proposed landscaping within the public realm is considered to be acceptable and additional street trees have been added. Planting within the proposed gardens is more limited with an absence of any trees or structural planting. This would add value to the scheme aesthetically and ecologically however this has not been forthcoming. No objections can however be raised on this alone.

- 6.51 To conclude, the proposals incorporate suitable tree protection measures to allow for the retention of trees and hedges around the site boundaries. The landscape strategy is comprehensive and allows for the creation of an attractive area of open space within the site and provides for a suitable landscape buffer along the southern boundary as required by policy HSA5. The long term management and maintenance of these areas is secured by the Landscape Management Plan. Notwithstanding the request by the Tree Officer for some garden trees the open space and on plot landscaping is considered to be acceptable. As such the proposal is considered to comply with Policy HSA5 of the HSA DPD and policies CS14 and CS19 of the Core Strategy and the guidance within the NPPF.

Archaeology

- 6.52 The application is supported by an archaeological desk based assessment as required by Policy HSA5. This demonstrates that the site is of archaeological interest. The site is located within the Kennet Valley where there is extensive evidence of prehistoric and Roman activity. Deposit modelling carried out by Wessex Archaeology and the University of Reading suggests that there is medium archaeological potential for the Upper Palaeolithic to Mesolithic period, although some gravel quarrying has taken place in part of the land parcel. No intrusive archaeological fieldwork is known for this site and it is unfortunate that further information about the presence or character of below ground archaeological remains has not been obtained prior to the submission of this planning application. It is acknowledged however that the applicants accept that further work will be required and are agreeable to a condition to secure a phased programme of archaeological assessment in advance of any groundworks taking place. Subject to such a condition no objections are raised to the scheme.
- 6.53 Such work is likely to start with a geophysical survey, followed by trial trenching and further investigation if needed. Allowance should be made for recording significant archaeological assets, with reporting and archiving. Subject to this work being undertaken it is considered that the proposal will accord with the requirements of Policy CS19 of the Core Strategy with respect to the conservation of the historic environment and the guidance within the NPPF at paragraphs 192 and 193.

Flood risk and drainage

- 6.54 The site is located within Flood Zone 1. While outside of the application site land to the north of Lower Way is defined as a critical drainage area. Policy CS16 of the Core Strategy requires the submission of a Flood Risk Assessment to accompany applications for development on sites of 1ha or more. Policy HSA5 similarly seeks the submission of such an assessment.
- 6.55 With regard to flood risk the risk of fluvial flooding at the site from adjacent water courses, drains and other water bodies is low. Environment Agency maps show the risk from surface water flooding to be largely 'very low' while those areas of the site with a higher risk are to be public open space and as such no risk is posed to properties. With regards to surface water drainage an attenuation pond is to be located within the public open space to the south-west of the site which will drain the entire site.
- 6.56 It is acknowledged that Thatcham Town Council have raised concerns for flooding and how the development will impact on flood risk off site and particularly with regard to those properties to the north of Lower Way. In accordance with paragraph 167 of the NPPF when assessing planning applications Local Authorities should ensure that flood risk is not increased elsewhere.

- 6.57 The application is supported by a comprehensive drainage strategy which has been subject to discussion and amendments over the course of the application. While a final strategy has not been approved the drainage officers latest comments are being actioned by the applicant and a final strategy will be approved as part of the conditions. The applicant has demonstrated their commitment to resolving the recent points raised by the drainage engineers and planning officers consider it is appropriate to secure the agreement of the final design by way of a condition. The wording of the two drainage conditions have been agreed with the applicant.
- 6.58 The application has been reviewed in the context of national guidance and no objections have been raised by the Environment Agency. While drainage officers have expressed a preference to agree the strategy prior to a decision planning officers recognise that comprehensive discussions have taken place to date and progress has been made with the designs. The applicant is currently working on the latest points raised by the drainage engineer and a condition to secure the completion of this work to the satisfaction of all parties provides a suitable tool to achieve this. Subject to compliance with the two drainage conditions attached the proposal complies with Policy CS16 and HSA5 with respect to flood risk and the guidance within the NPPF.

Housing

- 6.59 In accordance with Policy CS6 of the Core Strategy 40% of the dwellings should be provided as affordable. The proposed scheme seeks to deliver 37 affordable units in accordance with the policy. This equates to 14 x 1 bed flats, 6 x 2 bed flats, 7 x 2 bed houses, 8 x 3 bed houses and 2 x 4 bed houses. 26 units are provided as affordable rented and 11 shared ownership in accordance with the tenure split set out in the policy. National planning policy now seeks new developments to deliver an element of First Homes. First Homes are a specific kind of discounted market sale housing. To qualify as First Homes the properties must meet with a number of criteria to include a discount of at least 30% against the market value which must be passed onto subsequent buyers and buyers have to meet certain eligibility criteria. The New First Homes policy requirement does not apply to applications where there has been significant pre-application engagement and are determined before 28th March 2022. This application was originally submitted in April 2018 and as such by virtue of these timescales the First Homes Policy does not apply to this application.
- 6.60 During the course of the application amended plans have been received altering the dwelling mix and the way the units are distributed across the site. While Housing officers note that the mix falls slightly short on the provision of 1 bed units and in turn higher on all other sizes, given the fact that the scheme sits on the edge of Thatcham and that there is a requirement within the town for more family housing, no objection is raised.
- 6.61 The affordable units will be secured through a legal agreement to ensure their delivery and retention in perpetuity in accordance with Policy CS6 of the Core Strategy.

Public rights of way

- 6.62 It is understood that the owners of the application site have allowed informal access to walkers across the land for a number of years. This has subsequently resulted in a number of claims of rights of access across the site. Separate to the planning process, on the 25th July 2019 a creation order was signed which saw the establishment of Public Footpath Thatcham 34. The definitive route defined by this agreement matches the route for a footpath as shown on the proposed site plan and open space drawings.
- 6.63 This newly established route is accommodated within the development and will be surfaced with a self binding gravel unless otherwise agreed with the Council's Rights of

Way team. This path is likely to be maintained by the Rights of Way team going forward. No objections have been raised to the scheme by the Rights of Way Officer.

- 6.64 Comments have been received from the Mid and West Berkshire Local Access Forum requesting that the new public footpath within the site be enhanced and extended to link to the entrance of the Discovery Centre and eastwards beyond the site to The Moors. While not a formerly designated right of way a pedestrian path will cross the new area of open space and in the south western corner of the site connects to the Thatcham Nature Discovery Centre. As such the scheme delivers a direct pedestrian route from the site as is being sought by the Forum.
- 6.65 At the south eastern corner of the site the new footpath links into an existing right of way which runs in a north/south alignment connecting to Lower Way at the north. The path doesn't extend further eastwards as is being sought by the Mid and West Berkshire Local Access Forum however it does contribute to an existing walking route. In conclusion the scheme is considered to meet with the overall aims of the forum which is in part to promote routes for travel by non-motorised users and provide continuous off road connectivity across routes.

Sustainable construction and energy efficiency

- 6.66 Policy CS15 also requires residential development to reduce CO2 emissions alongside energy efficiency measures. Whilst sustainable construction methods have largely been moved into Building Regulations with the cancellation of Code for Sustainable Homes, the Council still seeks to reduce carbon emissions in accordance with Policy CS15.
- 6.67 The application is supported by an Energy Statement by Southern Energy Consultants. This confirms that the applicant will commit to delivering at least a 20% reduction in carbon dioxide emissions compared to the standard set by Part L1a of Building Regulations. This can be achieved via energy efficiency measures, introduction of on-site renewable energy technologies or a mixture of these approaches. Such measures include: photovoltaic panels on the roofs of some properties. A total of approximately 54 kWp (approximately 375m² in panel area) of solar photovoltaic output across the site would be necessary to achieve compliance with the sought-after emissions reduction of at least 20%. Other energy efficiency measures are proposed within the buildings with regards to energy efficiency of materials, specification of highly efficient heating and ventilation systems.
- 6.68 While the requirements of achieving zero carbon are not met in full it is considered that the inclusion of an energy strategy shows a level of commitment to achieving the aims and objectives of Policy CS15. A condition will be attached to secure the implementation of these measures.

7. Planning Balance and Conclusion

- 7.1 All planning authorities are required to determine planning applications in accordance with the development plan, unless material considerations indicate otherwise. In addition, the NPPF seeks to significantly boost the supply of homes and advocates a plan-led approach. The provision of 91 dwellings, 37 of which would be affordable is a significant public benefit in the balance. This site has been allocated for this scale of development, following comprehensive assessment at the plan-making stage against reasonable alternatives at a district level and within the Newbury/Thatcham area. The proposal complies with the housing supply policies and this attracts substantial weight in favour of granting planning permission.

- 7.2 The loss of the current greenfield site is an adverse effect of the development, but the principle of this loss has already been accepted as necessary through the plan-making process. The application is accompanied by detailed layout and landscaping plans which demonstrate that the scale and form of development, incorporating an area of public open space and landscaping buffers around the edge of the site will not have a significantly harmful impact on the rural setting of the site to the south. Furthermore the layout with properties fronting onto Lower Way addresses the street scene and reflects the linear pattern of development opposite. The proposal by virtue of its layout, scale and design is in keeping with the prevailing residential character.
- 7.3 Ecologically the site will deliver a net gain in biodiversity and following a detailed review of the scheme by the Council's consultant Ecologist, Natural England and BBOWT the scheme is not considered to have any significant negative effects on the nearby Sites of Special Scientific Interest or Special Areas of Conservation. The application is supported by a series of ecological reports and demonstrate that the proposals are unlikely to affect bats, badgers reptiles or great crested newts and will not result in the direct loss of any 'priority habitats' as defined in the NPPF except small sections of native hedgerow. A package of mitigation and enhancement measures have also been agreed in accordance with Policy CS17, HSA5 and the guidance within the NPPF. It is recognised that the scheme will not be zero carbon however measures are included to reduce carbon emissions by 22.3% below Building Control standards per year. While not fully compliant with Policy CS15 of the Core Strategy, other environmental and ecological enhancements that are important on this specific site are delivered which weigh in favour of the scheme.
- 7.4 There will be some environmental disadvantages arising from the scheme however. Some of these are temporary in nature and confined to the construction process, for example disruption to local amenity during the construction phase and an increase in traffic movements, albeit within acceptable levels. These matters will be managed to a degree by conditions. Concern has also been raised by some for the impact of additional residents on services within Thatcham, particularly doctors and schools. The development will generate a CIL income and some of this money will be directed to such services. This level of residential growth was planned for within the Local Plan and associated Infrastructure Delivery Plan. Alongside this there are some other public benefits, common to any housing site, for example employment opportunities during the construction phase, an increased choice of homes, and new public open space provision.
- 7.5 Overall it is considered that the public benefit of the proposed housing in this location attracts substantial weight in the planning balance and that the residual adverse impacts would not outweigh the benefits. As such, it is concluded that planning permission should be granted subject to conditions.

8. Full Recommendation

- 8.1 PROVIDED THAT a Section 106 Agreement has been completed by 25th April (or such longer period that may be authorised by the Service Director of Development and Regulation, in consultation with the Chairman or Vice Chairman of the Eastern Area Planning Committee), to delegate to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 8.2 OR, if a Section 106 Agreement is not completed to REFUSE PLANNING PERMISSION for the reasons listed below.

Conditions

1. Commencement of development

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. Approved plans and documents

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Planning Drawings

Site Location Plan drawing number P16-0191_23 Rev. A

Site Layout drawing number P16-0191_12 Rev. U

House Type Pack P16.0191_15F, July 2019

Plans and Elevations:

Plot 28 drawing number P16-0191_15_10-WPLTH3520A

Apartment Type B drawing number P16-0191-15-21E

Apartments LTH 748 Type B drawing number P16-0191-15-21E

Bin Store Plots 1-4 drawing number P16-0191_17 Rev. A

Bin Store Plots drawing number 52-55 & 73-80 Rev. A

Bin/Cycle Store drawing number Plots 84-87 Rev. A

Cycle Store Plots drawing number 52-55 & 73-80 Rev. B

Single/Twin Carport: Plans and Elevations drawing number P16-0191_16 Rev. A

Materials Plan drawing number P16-0191_18 Rev. E

Parking Assessment Plan drawing number P16-0191_13 Rev. G

Garden Assessment Plan drawing number P16-0191_14 Rev. H

Building Heights drawing number P16-0191_20 Rev. B

Tenure Plan drawing number P16-0191_28 Rev. D

Enclosure Details drawing number P16-0191_25

Landscape Drawings and Documents:

Landscape Masterplan drawing number P16-0191_21 Rev. I

Detailed Public Open Space Landscape Proposals number P16-0191_22 Rev. H

Detailed on Plot Landscape Proposals P16-0191-26 Rev E

Tree Pit Details P16-0191-34

Landscape and Ecological Management Plan by Pegasus ref: P16-0191-33D

Tree Protection Plan drawing number 8661-KC-XX-YTREE-TPP02REVA DATED Feb 2018

Tree Constraints Plan drawing number 8661-KC-XX-YTREE-TCP01Rev0

Tree Survey and Impact Assessment by Keen Consultants ref 8661-KC-XX-YTREE Rev C, dated March 2018

Highway Drawings and Documents:

Proposed Access Arrangements drawing number 16141/001 Rev. G

Swept Path Analysis Large Refuse Vehicle drawing number 16141/TK01 Rev. F

Swept Path Analysis Fire Tender drawing number 16141/TK02 Rev. D

Swept Path Analysis Private Car drawing number 16141/TK03 Rev. D

Visibility Splay Requirements drawing number 16141/003 Rev. D

EVCP Plan P16-0191-35

Proposed Road Lighting and Illuminance Layout by Nick Smith Associates drawing reference 2474-D-01-B

Lighting Report by Nick Smith Associates reference 2474-SD-Rev B

Transport Assessment by Milestone Transport Planning dated June 2021

Travel Plan by Milestone Transport Planning dated April 2018

Ecological Documents:

Bat Activity Survey 2017 by The Ecology Partnership, September 2017
Bird Breeding Bird Survey by The Ecology Partnership, August 2016
PEA and Protected Species Assessment by The Ecology Partnership, September 2017
Biodiversity net Gain Calculator and maps dated 10.08.2021
Invertebrate Survey by the Ecology Partnership dated August 2016
Reptile Survey by The Ecology Partnership dated September 2017
The Ecology Partnership, Ecological Enhancement Strategy, May 2019
The Ecology Partnership, Report to inform Habitat Regulations Assessment Screening Assessment, July 2019

Other Documents:

Planning Statement, Pro Vision, March 2018
Design and Access Statement P16-0191_09 Rev. E
Archaeology Desk Based Assessment by Thames Valley Archaeology Services dated September 2016
Phase I Desk Study by Soils Limited reference 15766/DS September 2016
Phase II Ground Investigation Report by Soils Limited reference 15766/GIR October 2016
Soil Gas Monitoring Letter from Soils Limited dated 20th February 2017
Additional Investigations letter from Soils Limited dated 3rd November 2017
Gravel Pit Overlain on Site Layout drawing
Gravel Pit Capping Areas, drawing number THA-SD-001 Rev.A Nov 2021
Capping Details drawing number THA-SD-002 Rev.A Nov 2021
Energy Statement 29th November 2021 Southern Energy Consultants

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

3. **Samples of materials**

No development shall take place until samples and an accompanying schedule of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved 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, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

4. **Finished floor levels**

No development shall take place until details of the finished floor levels of the dwellings hereby permitted in relation to existing and proposed ground levels 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: To ensure a satisfactory relationship between the proposed development and the adjacent land and to ensure suitable drainage from the site. A pre-commencement condition is necessary as the levels need to be determined from the outset. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

5. **Boundary treatments**

No dwelling hereby permitted shall be occupied until the boundary treatment for that property has been constructed in accordance with the details shown on the Enclosures Plan drawing number P16-0191_24 Rev. A, the Enclosure Details drawing number P16-0191_25 and the drawing titled Landscape Masterplan drawing number P16-0191_21 Rev. I which shows the wildlife permeable fencing. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development. Measures are also necessary to incorporate biodiversity in and around the development. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 and CS17 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

6. Hard surfaces

No development above ground level shall take place until a plan detailing the materials for the block paving and areas of hardstanding within the gardens has been submitted to and approved in writing by the Local Planning Authority. The block paving shall be laid so that it is permeable where possible. The hard surfacing shall be completed in accordance with the approved scheme before dwellings hereby permitted are 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 approved hard surfacing shall thereafter be retained.

Reason: In the interests of visual amenity. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS13 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

7. Plots 28 and 72 – removal of PD rights for additional windows

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed at first floor level or above in the east facing elevations of plots 28 and 72 hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: In the interests of the privacy and amenity of number 16 Lower Way. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (2006).

8. Remove PD rights for extensions to plots 5 and 6

With respect to plots 5 and 6 only, Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C or E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: Ground remediation works have been approved within the site to remove an area of contamination. The measures have been approved with the Local Planning Authority however if new foundations were dug this could be disturbed and

as such special construction measures would need to be employed were the approved dwellings extended by future occupiers. This condition is applied in accordance with the National Planning Policy Framework and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

9. 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 development shall be carried out in full in accordance with the approved details and retained until the development has been constructed. Any deviation from this Statement shall be first agreed in writing with the Local Planning Authority. The statement shall provide for:

- (a) Phasing of any construction works;
- (b) The parking of vehicles of site operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials used in constructing the development;
- (e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- (f) Wheel washing facilities;
- (g) Measures to control the emission of dust and dirt during construction;
- (h) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (i) Lorry routing and potential numbers;
- (j) Delivery time to avoid school opening and closing times;
- (k) Details of any temporary lighting required during the construction phase.

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed as a pre-commencement condition as it seeks to mitigate the impact of construction works in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

10. Electric vehicle charging points

The dwellings hereby permitted shall not be occupied until the EVCP as shown on drawing P16-0191-35 have been provided. A 7kw charging point shall be provided for each house with one 22kw charging point for each block of flats. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

11. Footway/cycleway provision

The dwellings hereby permitted shall not be occupied until details of the dropped kerbs and tactile paving to be constructed at:

- (a) the existing uncontrolled crossing situated adjacent to the site's north-east corner and
- (b) where the footway joins the turning head between plots 1 to 4 and plots 53 to 56

have been submitted to and approved in writing by the Local Planning Authority and thereafter constructed in accordance with the approved details. Any statutory

undertaker's equipment or street furniture located in the position of the footway / cycleway shall be re-sited to provide an unobstructed footway / cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

12. Parking and turning

No dwelling shall not be first occupied until vehicle parking and turning spaces for that dwelling have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private 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 applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

13. Access construction before development

Unless otherwise agreed in writing by the Local Planning Authority, the vehicular, pedestrian and cycle accesses and associated engineering operations shall be constructed in accordance with the approved drawings as the first development operation.

Reason: To ensure that the access 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 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

14. Cycle parking/storage

No dwelling shall be first occupied until cycle parking/storage facilities for that dwelling have been provided in accordance with the approved drawings. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and 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, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

15. Refuse Storage

No dwelling shall be occupied until a storage area for refuse and recycling receptacles (and collection areas if necessary) has been provided for that dwelling in accordance with the approved details. These facilities shall be retained for this purpose thereafter.

Reason: To ensure that there is adequate refuse and recycling storage facilities within the site, to ensure safe and adequate collection in the interests of highway safety and local amenity. 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 the West Berkshire Quality Design SPD (Part 1, Section 2.13).

16. Visibility splays before development

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 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

17. Travel Plan

The Travel Plan by Milestone Transport Planning dated April 2018 shall be implemented from the date the first property is occupied. It shall be reviewed and updated if necessary within 6 months of first implementation. After that the Travel Plan shall be annually reviewed and updated and all reasonable practicable steps made to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.

Reason: To ensure the development reduces reliance on private motor vehicles and provides the appropriate level of vehicle parking. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policy P1 of the Housing and Site Allocations Development Plan Document and Supplementary Planning Document Quality Design (June 2006).

18. Fire hydrants

No development shall commence until details of suitable private fire hydrants, or other suitable emergency water supplies have been submitted to and approved in writing by the Local Planning Authority and thereafter constructed in accordance with the approved details prior to the occupation of the first dwelling.

Reason: For the safety of future residents in the event of a fire. This condition is imposed in accordance with the guidance contained within the National Planning Policy Framework and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

19. Thames Water

There shall be no occupation beyond the 50th dwelling until confirmation has been provided that either:

- (a) all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
- (b) a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues. This is required in accordance with the guidance within the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy 2006-2026.

20. Landscaping

Within the first planting season following the completion of building operations / first occupation of the new dwellings (whichever occurs first), all landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including drawing entitled Detailed On Plot Landscape Proposals (approved drawing P16-0191_26 Rev E) and supported by the Landscape and Ecological Management Plan reference P16-0191-33D. Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

21. Tree protection

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing number 8661-KC-XX-YTREE-TPP02REVA DATED Feb 2018 and supported by the tree report by Keen Consultants ref 8661-KC-XX-YTREE Rev 0, dated march 2018. Within the fenced areas there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

22. Ecological mitigation

All ecological measures and works shall be carried out in accordance with the details and timescales contained in the Lower Way, Thatcham, Landscape and Ecological Management Plan November 2020, reference P16-0191_33D.

Reason: To enhance biodiversity across the development in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the guidance within the National Planning Policy Framework.

23. Bat and bird boxes

No works shall progress beyond slab level until full details, to include elevational drawings have been submitted to show the location of the bird nest and bat roosting features, to include bird and bat boxes or bricks on and around new buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter no dwelling hereby approved shall be occupied until the approved biodiversity enhancement measures have been implanted in full in accordance with the approved details

Reason: This condition is necessary as the LEMP specifies the number of bat and bird boxes to be provided and their approximate location is shown on the Landscape Masterplan however it is not clear where they will be positioned within the buildings or how high up in the trees. To enhance biodiversity across the development in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the guidance within the National Planning Policy Framework.

24. Update ecology surveys

If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 1 year from the date of the planning permission, the approved ecological measures secured through Condition number 22 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of bats and other protected species and (ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to works continuing on site. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

IMPORTANT: If any protected species are identified in the new surveys that were not previously known to be on site, and are likely to be harmed by the development, then a protected species licence might be required before works can commence. Advice should be sought from Natural England and/or a suitably qualified ecologist.

Reason: This condition is required as the ecological survey work accompanying this application is already more than 3 years old. As such further survey work may be necessary to ensure the approved mitigation measures are appropriate for the site. The condition is imposed in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the guidance within the National Planning Policy Framework.

25. Lighting Design Strategy

All external lighting shall be installed in accordance with the specifications and locations set out in the Lighting Report by Nick Smith Associates reference 2474-SD-Rev B and as shown on the Proposed Road Lighting and Illuminance Layout by Nick Smith Associates drawing reference 2474-D-01-B and shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Bats and birds are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

26. Protection of breeding birds during construction

No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. This condition

is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

27. Construction Environmental Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of “biodiversity protection zones”.
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- (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 on site of an ecological clerk of works (ECoW) or similarly competent person.
- (h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction. To enhance biodiversity across the development in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the guidance within the National Planning Policy Framework.

28. Hours of work (construction)

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

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.

29. Contamination

The dwellings hereby approved shall not be occupied until the site remediation works have taken place in accordance with the following documents:

- (a) Phase I Desk Study by Soils Limited reference 15766/DS September 2016
- (b) Phase II Ground Investigation Report by Soils Limited reference 15766/GIR October 2016
- (c) Soil Gas Monitoring Letter from Soils Limited dated 20th February 2017
- (d) Additional Investigations letter from Soils Limited dated 3rd November 2017
- (e) Gravel Pit overlay drawing
- (f) Gravel Pit Capping Areas, drawing number THA-SD-001 Rev.A Nov 2021
- (g) Capping Details drawing number THA-SD-002 Rev.A Nov 2021

The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority.

Following completion of remediation measures identified in the approved remediation scheme and prior to occupation, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is attached in accordance with the National Planning Policy Framework and Policy OVS.5 of the West Berkshire Local Plan (1991-2006 Saved Policies 2007).

30. Piling

No piling or any other foundation designs using penetrative methods shall be used other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling at this site could potentially mobilise shallow contamination into the underlying chalk principal aquifer. This risk would need to be assessed and addressed. This condition is attached in accordance with the guidance within the National Planning Policy Framework and Policy OVS.5 of the West Berkshire Local Plan (1991-2006 Saved Policies 2007).

31. Drainage

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. The approved strategy shall thereafter be implemented in full in accordance with the approved plans/details.

Reason: The detailed drainage of the site is a fundamental part of the design and its implementation will form some of the initial site works it is therefore essential these details are agreed prior to work commencing. The information is requested in accordance with Policy CS16 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

32. Drainage verification report

No occupation of dwellings shall take place until a verification report is carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted to and approved in writing by the Local Planning Authority on completion of construction. This shall include: plans and details of any key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter.

Reason: The detailed drainage of the site is a fundamental part of the design and without the implementation of the approved strategy there could be adverse flood risks. The information is requested in accordance with Policy CS16 of the West

Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

33. Archaeology

No development or site works shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded in accordance with the guidance within the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

34. Carbon emissions

The scheme will deliver a 20.3% reduction in carbon emissions per annum compared to the Part L1a baseline standard set by Building Regulations (2013). No development beyond damp proof course level shall take place until details of the solar photovoltaics (to include plans to show the location of the buildings and which elevations the cells are to be attached to and details of the appearance of the cells along with a specification of the other measures to be adopted as outlined in the Energy Strategy) have been submitted to and approved in writing by the Local planning Authority. Thereafter no dwelling shall be occupied until the approved measures to be installed in that dwelling have been implemented in full in accordance with the approved details.

Reason: To help deliver a reduction in carbon emissions in accordance with Policy CS15 of the West Berkshire Core Strategy 2006-2026 and the National Planning Policy Framework.

Heads of Terms for Section 106 Agreement

1. Affordable housing

- 40% on-site affordable housing which equates to 37 units. 26 of which shall be social rented and 11 shall be shared ownership.

2. Public open space

- Provision of public open space and the establishment of a management company to carry out the long term management and maintenance of the open space.

3. Wildlife

- Provision of an off site habitat strategy contribution and recreational impact mitigation contribution alongside the provision of a contribution towards the preparation of new homeowners packs providing information on the Nature Discovery Centre and other relevant informative print materials.

Refusal Reasons in the event the legal agreement is not completed in time.

1. **Planning obligation**

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

- (a) To deliver 40% on-site affordable housing, 37 units, without which the proposal would be contrary to the National Planning Policy Framework, Policy CS6 of the West Berkshire Core Strategy 2006-2026, and the Council's adopted Planning Obligations SPD.
- (b) Provision of public open space and the establishment of a management company to carry out the long term management and maintenance of the open space within the development, without which the development would be contrary to the National Planning Policy Framework, Policy 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 Council's adopted Planning Obligations SPD.
- (c) Provision of an off site habitat strategy contribution and recreational impact mitigation contribution alongside the provision of a contribution towards the preparation of new homeowners packs providing information on the Nature Discovery Centre and other relevant informative print materials without which the development would be contrary to the National Planning Policy Framework, Policy CS17 of the Core Strategy 2006-2026 and the Council's adopted Planning Obligations SPD.

Informatives

1. **Proactive statement**

The Council have sought to work proactively with the applicant to produce a scheme which meets with the policies within the Local Plan and National Planning Policy Framework to deliver a sustainable form of development. Extensive negotiations have been undertaken to find solutions to the issues raised during the consideration of the application.

2. **CIL**

The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

3. **Construction / Demolition 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 the Environmental Health and Licensing Manager.

4. **Advice to applicant – dewatering**

The Environment Agency note that dewatering may take place on this site. Please be aware that this may now require an abstraction license. These can take up to 3 months

to determine. We would advise that you consult the Environment Agency at the earliest possible stage.

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. The dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk: www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction

5. Informative on breeding birds

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

6. Street naming and numbering

Please complete and online street naming and numbering application form at <https://www.westberks.gov.uk/snn> to obtain an official postal address(s) once development has started on site. Applying for an official address promptly at the beginning of development will be beneficial for obtaining services. Street naming and numbering is a statutory function of the local authority.