<table>
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<th>Item No</th>
<th>Application No. and Parish</th>
<th>Proposal, Location and Applicant</th>
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<td>13/02781/FULD Stanford Dingley Parish Council</td>
<td>New 3 bed house and demolition of foundations of extant scheme as well as foundations of earlier buildings remaining on the site. Land adjacent to Middle Cottage, Stanford Dingley, Reading, Berkshire Mr and Mrs John Francis</td>
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To view the plans and drawings relating to this application click the following link: [http://planning.westberks.gov.uk/rpp/index.asp?caseref=13/02781/FULD](http://planning.westberks.gov.uk/rpp/index.asp?caseref=13/02781/FULD)

**Recommendation Summary:**

To DELEGATE to the Head of Planning and countryside to GRANT PLANNING PERMISSION subject to the completion of a Section 106 agreement by the 14th June 2014 and the conditions set out in section 8.

Or if an agreement is not completed by the 14th June 2014 to refuse planning permission by reason of the failure to mitigate the impact of the development on local infrastructure as set out under section 8.2

**Ward Members:**

- Councillor Webb
- Councillor Pask

**Reason for Committee Determination:**

Receipt of more than 10 letters of objection

**Committee Site Visit:**

7th May 2014

**Contact Officer Details**

- Name: Emma Fuller
- Job Title: Principal Planning Officer
- Tel No: (01635) 519111
- E-mail Address: efuller@westberks.gov.uk
1. Site History

**Application number 102531**
Demolish derelict cottage and rebuild new dwelling
Approved 21\textsuperscript{st} January 1976

**Application number 135740**
Replacement of 2 cottages with garages and new access
Application withdrawn

**Application number 135741**
Demolition of existing cottage and building a retaining wall against adjoining properties
Approved 1\textsuperscript{st} November 1989

**Application number 135742**
Demolition of existing cottage and building a retaining wall against adjoining properties
Approved 1\textsuperscript{st} November 1989

**Application number 00/0167/FUL**
Proposed new dwelling
Refused 22\textsuperscript{nd} May 2001

**Application number 09/01184/FULD**
Erection of single dwelling with associated car port and landscaping
Refused 14\textsuperscript{th} August 2009.
Dismissed at appeal 3\textsuperscript{rd} March 2010

**Application number 13/01513/FULD**
Invalid

**Application number 102531**
It was established at an Inquiry on 9\textsuperscript{th} August 1978 that works had commenced on site regarding the implementation of application 102531. The history files demonstrate that footings were begun but the house was never completed.

In June 2008, following legal advice, the Local Planning Authority confirmed in accordance with Counsel's advice that planning permission 102531 is extant. As such this scheme could be completed. Accordingly the principle of a new dwelling in replacement of the extant scheme is acceptable.

**Application 09/01184/FULD**
The proposal currently being considered reflects the layout, scale and design of this earlier application. The 2009 application was refused for 3 reasons:
1. Concern that the proposal would give rise to an unacceptable risk of flooding;
2. The effect the proposal would have on the free flow of traffic and highway safety;
3. Whether the proposal would make appropriate provision to secure archaeological interests.

This scheme was subsequently appealed and dismissed on two grounds; flood risk and archaeology. The Inspector examined in detail the impact of the scheme on flood flows, absorption of water and the impact on neighbouring properties. Supporting the
Environment Agency’s objection to the scheme the Inspector upheld the decision on these grounds. The Inspector further concluded that the scheme failed to preserve and protect the archaeological integrity of the site.

The Inspector concluded that the proposal would not result in a significant adverse impact on highway safety or traffic flows. The visibility splays were considered to be acceptable.

The Inspector supported the requirement for financial contributions to mitigate the impact of the development on local infrastructure.

Neither the Council or the Planning Inspector raised concern for the design of the building or its impact on the conservation area.

2. Publicity of Application

Press Notice Expired: Not required
Site Notice Expired: 25th December 2013

3. Consultations and Representations

Stanford Dingley Parish Council: 16th December 2013:
Objections raised and support with reservations. The following comments have been made:

- A summary of the site history.
- Concerns that the Flood Risk Assessment focuses on river flooding and does not address groundwater flooding. Concern is raised for ground water flooding during the winter months and there is currently a Flood Management Plan for the Pang Valley being drawn up. In 2007 the site was submerged through a combination of fluvial, groundwater, sewage and surface water flooding.
- Concern that the Flood Risk Assessment does not address the concerns raised by the Environment Agency in 2009 with respect to:
  - Development impedes the flow of flood waters
  - Reduce flood water storage
  - Report does not address the causes of flooding in 2007
  - Whether neighbouring properties will be put at risk
- Concerns the scheme may prejudice the village’s outline flood alleviation scheme.
- Development in the heart of the conservation area directly opposite the village green.
- Request information relating to materials.

- Concern for the visual impact of the garage and its intrusive siting obstructing views through to the open countryside.

- Concern for the impact on the foundations of Tall Trees.

17\textsuperscript{th} February 2014:
Additional comments made following recent flooding and bad weather. The comments made relate to:

- There has been extensive sewer flooding in Stanford Dingley since 23 December 2013. The road bordering this site has been flooded since that date. Thames Water have not been able to deal with the flows in the sewer other than by using 20,000 litre road tankers on a continuous basis to reduce levels at the pumping station situated 250 metres away;

- Ground water has been ponding on the site and has been flowing into the road.

- The Pang overtopped its banks in the early hours of 15\textsuperscript{th} February causing more flooding in the road and on to the site. There was some water ingress into a couple of houses.

- Reaffirm the need for the flood relief channel that the Parish Council proposed should be a condition of the new house being built. That channel should improve the risks of flooding from the sewer, from groundwater and from the Pang not only for the new house but also five existing properties that are at risk of flooding.

3\textsuperscript{rd} April 2014: Additional comments received. The comments made relate to:

- Welcomes consideration being given to groundwater movements. Ditches should be repaired and maintained.

- Any permission should be conditional on the creation of a flood alleviation channel as previously proposed.

- For a period of nearly 3 months the road outside the site has been subject to sewer flooding which extended into four properties. There has been some groundwater flow from the site onto the road. When the river Pang burst its banks 2 properties were flooded.

- Reiterate request to reposition the driveway to the north of the new property.
Highways: An objection was raised on the 2009 application regarding the proposed visibility splay however the splay was accepted by the Appeal Inspector. In view of this no objection is raised on these grounds.

There is adequate parking and on-site turning proposed. A garage has been included which can be utilised for cycle storage.

No objections subject to conditions and a S106 Agreement to mitigate the effects of the development onto the surrounding highway.

Conservation: The design of the proposal has not changed since the previous application (09/01184/FULD) for which no objections were raised.

It is not considered that the proposal would harm the character or appearance of the conservation area in accordance with the NPPF and Policy CS19 of the Core Strategy.

It is recommended that landscaping and boundary treatment conditions are attached to ensure that the new dwelling sits comfortably in its rural setting.

Archaeology: An archaeological evaluation was carried out in 2012 and the report for this has been submitted with the application. The site lies within the historic core of the village of Stanford Dingley. This is mentioned in the Domesday Book and is therefore of Saxon origins. There is some evidence of earlier occupation in the wider area from stray finds dating to the later prehistoric and Roman periods.

No objections are raised to the scheme subject to a programme of archaeological sampling and dating of the peat during the excavation of the foundations and any related groundworks for the development. This can be secured by condition in accordance with paragraph 141 of the National Planning Policy Framework, and West Berkshire Council Core Strategy CS19.

Public protection: • No objections

Trees: • In light of the extant consent no objection is raised to the scheme subject to conditions relating to tree protection, arboricultural method statement (for works within the root protection area of the trees to be retained at the front of the site) and a landscaping condition.

Ecology: • No objections.
Thames Water: With regard to sewerage and water infrastructure no objections are raised. With regard to wastewater it should be noted that this locality is at risk of foul water flooding in extreme rainfall events as the volume of floodwater overwhelms the downstream Sewage Pumping Station. It would be prudent to consider this before construction so that mitigation can be factored into the design. Further comments have been received advising that the final works/design of the system does not need to be approved by Thames Water.

Environment Agency: 12th December 2013:
No objections are raised subject to conditions which require the development to be carried out in accordance with the submitted Flood Risk Assessment and for details of the flood compensatory storage area to be submitted. Further advice is provided to the applicant regarding flood levels, access and egress and surface water flooding.

27th December 2013 & 2nd April 2013
Confirming the above details are still required to be submitted as part of the conditions.

Drainage: For full comments see main report below.

North Wessex Downs AONB management Board
No comments received at time of writing.

Neighbour letters: 13 letters of objection received as of the 23rd April 2014.

Please note that many residents have sent in more than one representation. All comments made have been considered, however for the purposes of counting the number of representations, those received from the same people/person are only counted once. It should also be noted that 1 of the letters partly supported the scheme and partly objected to it.

A number of concerns have been raised which are not material planning considerations, for example; impact on neighbouring foundations and comments relating to the party wall act. The main planning concerns relate to:

- The area floods badly as a result of the Pang overflowing at times of intense rainfall. Any house in this region will be affected and an additional house will increase flood risk for others.
Neighbour letters continued:

- The application site was part of the original flood plain. After the river’s course altered the land was drained by a network of ditches developing into a water meadow.
- The existing ditches have silted up and are poorly maintained. The ditches should be dredged as part of any pre-condition.
- River Pang needs to be diverted/flood relief channel is required.
- Site flooded 2009 and 2011.
- An additional house in this region is not in the spirit of the recently formulated Village Design Statement.
- Concern for the design and appearance of the garage.
- Questions regarding materials.
- Impact on the foundations of Tall Trees.
- Request the driveway serving the new dwelling is repositioned to the northern boundary therefore reducing impacts from noise and vibration on Tall Trees.
- Visibility at the access is poor.
- Impact on the conservation area.
- Flooding of the road as the river Pang burst its bank during December 2013/early 2014.

Section 106 Contributions

Contributions are sought with respect to the following to mitigate the harm of the development:

- Transport: £3300
- Education: £821.75
- Open Space: £1177
- Libraries: £307
- Health Care: £0
- Adult Social Care: £729
- Waste Management: £56.20

A Section 106 agreement is being prepared in accordance with Policy CS5 of the West Berkshire Core Strategy 2006-2026, July 2012 and Supplementary Planning Guidance ‘Delivering Investment from Sustainable Development.’

4 Planning Policy

4.1 The statutory development plan comprises the West Berkshire Core Strategy 2006-2026, July 2012 and those saved policies within the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP).

4.2 Other material considerations include government guidance, in particular:
- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance (March 2013) (PPG)

4.3 The policies within the West Berkshire Core Strategy (2006-2016) July 2012 attract full weight. The following policies are relevant to this application:
- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty
- CS1: Delivering New homes and Retaining the housing Stock
- CS4: Housing Type and Mix
- CS5: Infrastructure Requirements and Delivery
- CS13: Transport
- CS14: Design Principles
- CS15: Sustainable Construction and Energy Efficiency
- CS19: Historic Environment and Landscape Character

4.4 Paragraph 215 of the NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The following saved policies from the Local Plan are relevant to this application:
- TRANS.1: Meeting the Transport Needs of New Development

4.5 In addition, the following locally adopted policy documents are relevant to this application:
- SPD 4/04: ‘Delivering Investment from Sustainable Development.’
- Supplementary Planning Document Quality Design (June 2006)
  - Part 1 Achieving Quality Design
- Stanford Dingley Parish Design Statement, 2010

5. Description of Development

5.1 This application seeks full planning permission for the construction of a detached 3 bedroom property and detached garage. The proposed dwelling has a cottage style appearance with small dormer windows within the roof reflective of other properties within the vicinity. The eaves and ridge height of the dwelling are comparable to that of Tall Trees the nearest neighbouring property.

5.2 The proposed garage is sited to the side of the property and is set back within the rear garden. Limited details of the materials to be used in the construction of the buildings have been provided at this stage however these can be conditioned.

5.3 The application has been accompanied by a full Flood Risk Assessment and an Archaeological Evaluation. A Pre-Assessment Estimator has also been submitted demonstrating that Code Level 4 can be achieved.

6. Consideration of the Proposal

The main issues raised by the proposal are:

6.1 The Principle of Development
6.2 The Impact on the Character of the Area, North Wessex Downs Area of Outstanding Natural Beauty and Conservation Area
6.3 The Impact on Neighbouring Amenity
6.4 Highways Matters
6.5 Impact on Trees
6.6 Flood Risk
6.7 Archaeology
6.1 Principle of development

6.1.1 The application site is located within the village of Stanford Dingley which is situated within the North Wessex Downs Area of Outstanding Natural Beauty. While situated within the heart of the village, in the absence of any defined settlement boundary, the site is considered in planning policy terms to be within the open countryside where there is a presumption against isolated new residential development.

6.1.2 However, as discussed above (section 1 – site history) there is currently an extant permission for a new detached dwelling as approved under application 102531. Following legal advice in June 2008 the Council accepted that this earlier, implemented consent still provides a valid fall back position. As such the dwelling approved under 102531 could be completed at any time. This is a material consideration in the determination of this application and on this basis the principle of a new dwelling on the site is considered to be acceptable. The Inspector in his decision in March 2010 accepted the Council’s position on this matter.

6.2 Impact on the Character of the Area, the North Wessex Downs Area of Outstanding Natural Beauty and the Conservation Area

6.2.1 Stanford Dingley is a small rural and historic village. The application site is situated immediately adjacent to a detached property, Tall Trees, which comprises a small detached period property in the heart of the conservation area. Wrapping around the north western and north eastern boundaries of the application site lies Butcher’s Piece which comprises a large area of open land which appears unmanaged but makes a valuable contribution to the rural setting of the village.

6.2.2 The site is in a prominent and sensitive location within the village and the new dwelling will be particularly open to views when approaching the site from the north west. The design of the front elevation echoes several elements of the adjacent property, with a gabled roof, central porch, segmental arches over ground floor windows and multi-paned casement windows. Furthermore the siting of the driveway to the rear of the property to allow for a garden area to the front of the dwelling is in keeping with the style of properties within the village.

6.2.3 The Inspector states in his assessment of the previous application that ‘Taking into account that the open setting provided by the land to the north-west would be retained, I…consider that the character and appearance of the Conservation Area and the AONB would be preserved.’ The appearance of the scheme now presented is the same as that previously considered.

6.2.4 The Conservation Officer has raised no objection to the scheme and for the reasons discussed above the proposal is considered to protect and preserve the character of the conservation area and the area as a whole in accordance with Policies ADPP1, ADPP5, CS14 and CS19 of the Core Strategy and the guidance set out within the NPPF with respect to good design and development within the countryside and the historic environment.
6.3 Impact on neighbouring amenity:

6.3.1 The nearest neighbouring property is Tall Trees which lies immediately to the south east of the site. There are no windows in the site elevation of this property facing the application site. The proposed gable to the back of the new dwelling will extend beyond the rear elevation of Tall Trees, however it is set back approximately 7m from the side of the neighbouring property and, is not considered to have an un-neighbourly overbearing or loss of light impact. Two windows are proposed in the side elevation of the proposed dwelling at a ground floor level. These serve a WC and a secondary kitchen window. Given the absence of any windows in the side of Tall Trees and that these windows are at a ground floor level it is not considered that the proposal would result in a detrimental overlooking impact. Given the siting and design of the property the proposal is not considered to present any impacts in terms of overlooking, overbearing or loss of light sufficient to warrant a refusal.

6.3.2 Concern has been raised by the occupiers of this neighbouring property regarding the impact of the proposal on the structural condition of Tall Trees. This is however, not a material planning consideration and as such does not hold any weight as part of this assessment. Concern has also been raised for the siting of the proposed driveway adjacent to the boundary with Tall Trees. The concerns raised relate to noise and vibrations from vehicles. In the absence of any windows in the side elevation of Tall Trees and given the frequency of vehicle movements associated with the new property it is not considered that the new driveway would have a harmful impact sufficient to warrant a refusal.

6.3.3 The proposal is not considered to have an impact on any other neighbouring properties. As such the proposal accords with the key planning principles set out within the NPPF with respect to protecting the amenity of neighbours and Policy CS14 of the Core Strategy.

6.4 Impact on Highways:

6.4.1 No objections have been raised with respect to highways safety subject to conditions as attached. Residents have however, commented on the visibility at the access given the proximity of the site to a bend. This matter was discussed under the appeal associated with application 09/01184/FULD where the Inspector concluded that the access would not pose a risk to road safety. The same visibility splays are now proposed.

6.5 Impact on Trees:

6.5.1 It is recognised that there are a number of large trees within the site which make a valuable contribution to the character of the area. As part of these proposals 7 trees will have to be removed. In assessing this scheme consideration has been given to the site history and the condition of the trees. No objections have been raised to the loss of the trees subject to the attachment of necessary conditions to secure the protection of those trees which are to be retained and a landscaping scheme. It is recognised that a number of trees will be removed from the site should the extant scheme be completed.
6.6 Flood Risk:

6.6.1 The application site lies within Flood Zone 3 with a high probability of flooding from river sources. Residential development is within the ‘more vulnerable’ category of use. As part of a risk-based approach to determining the suitability of land for development in flood risk areas the NPPF requires the application of a sequential test. Supported by Policy CS16 of the Core Strategy it must be demonstrated that there are no reasonably available sites with a lower probability of flooding that would be appropriate for development.

6.6.2 The impact of a new dwelling on flood risk was considered by the Planning Inspector under application reference 09/01184/FULD where it was noted that in the context of the extant permission, under which a residential use could be provided, such a material consideration was thought to render it unnecessary to submit a sequential test. Aside from this it should be noted that in the absence of any defined settlement boundary within Stanford Dingley there is a general presumption against new residential development where there is no justified need and as such no alternative site within the village would be available.

6.6.3 Following on from a sequential test, the NPPF requires an exception test as set out within paragraph 103 where it states… ‘It can be demonstrated that:

- Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.’

6.6.4 At the beginning of 2014, when areas of West Berkshire were severely affected by flooding, water was seen to pool within the lowest parts of the application site. The cause of this was high ground water levels.

6.6.5 Concerns raised by the Parish Council and residents relate to a number of different forms of flooding: fluvial, groundwater, sewer and surface water run-off. These are managed by different bodies and the report below brings this information together in light of the current policy requirements/guidance.

6.6.6 The application is supported by a Flood Risk Assessment (FRA). The ground floor level of the new dwelling will be set 0.6m above the 2007 estimated flood levels so that the property and its contents remain dry and safe during a flood event. This also allows for future climate change effects upon local flood behaviour. It is recognised that the road to the front of the site would be affected by a similar event, and it was flooded earlier this year, although to a lesser degree.

6.6.7 The Flood Risk Assessment provides details on safe access and escape routes to the satisfaction of the Environment Agency who have requested that a condition is attached to request further details of an evacuation plan which shall be retained with the property. Such a condition has been attached accordingly. As such the Environment Agency are satisfied that an appropriately designed dwelling at the site can be accommodated without risk to future occupiers.
6.6.8 Significant concern is held by the Parish Council and residents for the impact of the scheme on the wider flood risks. Concerns have been raised expressly for the impact of the building on the flow of flood waters over the site and a reduction in flood storage capacity on the site thus increasing risk to neighbouring properties. As part of the application a topographic survey has been commissioned which indicates that the existing site is unlikely to be a flow route. The survey indicates various points of high ground between the road and the river that would prevent any flow across the main site. The Environment Agency are satisfied that subject to the measures outlined in the FRA the scheme will not impede the flow of flood waters.

6.6.9 The applicant proposes to provide flood storage for the small area of the building footprint below the 2007 estimated flood level of 58.7m OD. This will offset any loss of potential water storage currently provided on site and will avoid the risk of displacing flooding off-site and raising flood levels elsewhere. The location and size of such an area will be determined as part of the site’s landscaping, taking into account the positions of mature trees on the site and in consultation with the Environment Agency to ensure its efficiency. An indicative plan has been submitted to show the extent and position of such work. The details of this element of the scheme will be secured by condition.

6.6.10 The applicants also propose as an additional measure to incorporate voids under floor level to allow any flood waters to pass under the building such that it would cause negligible impedance of flow should such a catastrophic flood occur. These will show as openings 1500mm wide by 300mm high at ground level and will have black painted railings to ensure that they are not used for storage by future residents. Details of the voids created under the property have been provided. Additionally the applicants have confirmed that they are happy to accept a condition detailing the type of foundations to be used on the basis that the structural works should minimise the disruption to groundwater movements as much as possible. The use of piled foundations is seen to be most favourable by the Council as such an approach will allow more sideways groundwater movements than other solutions.

6.6.11 The NPPF states that priority should be given to the use of sustainable drainage systems. The applicants recognise the need to incorporate such measures managing run-off from the roof and the use of porous materials for the construction of the driveway. Furthermore a comprehensive condition has been agreed with the applicant to ensure that suitable SuDS measures are incorporated into the scheme. The final design will be shaped around the results of a ground investigation survey which will establish the soil characteristics, infiltration rates and groundwater levels. Full details of the condition imposed are set out within section 8 of this report. These works are considered to be necessary to mitigate the impact of the development.

6.6.12 A number of concerns have been raised by the parish and neighbours with regards to the unmanaged condition of the ditches around the site. From a planning perspective, this scheme needs to mitigate its own impact. It cannot be used as an opportunity to resolve existing problems off site. Should the clearance of the ditches/some of the ditches be necessary as part of the SUDs mitigation measures these works can be secured through condition 8 which allows for the final mitigation measures to be agreed.
6.6.13 With respect to waste water it is acknowledged that the locality is at risk of foul water flooding in extreme rainfall events as the volume of floodwater overwhelms the downstream sewage pumping station. This became evident during the flood event in early 2014 where flooding occurred on the road to the front of the site. Similar events have occurred more recently as it is understood from a third party that one of the two pumps at the station stopped working. The system works using two pumps operating intermittently in series and it is likely that for significant periods no pumping was taking place. It is understood that 5 action points have been agreed with Thames Water to ensure the pumping station operates at its intended design level.

6.6.14 Foul water flooding is an existing problem within the locality. The information provided by a third party suggests that the cause is associated with the operation of the pumping station which serves the village, a matter which is beyond the control of the applicant. Thames Water have been consulted on this application and have advised that it would be prudent to consider the disposal of foul water before construction so that mitigation measures can be factored into the design. An informative has been attached accordingly advising the applicants of this.

6.6.15 A large number of residents and the Parish Council have requested that an over flow channel, which is being considered as part of the wider flood alleviation plans for Stanford Dingley, should be constructed before works commence. The exact design and location of this channel has however, not been agreed at this time. In planning terms, the proposed new dwelling cannot be used to resolve existing flooding/drainage issues within the village. The test that must be applied is whether the development mitigates its own impact. For this reason it is not considered reasonable or necessary for the purposes of planning to attach such a condition. It would also relate to works on land which is partly or wholly outside of the applicant’s control. For this reason, the proposal set out by residents and the Parish and discussed with the drainage officer would not meet with the tests set out within Planning Practice Guidance.

6.6.16 The Environment Agency and West Berkshire Council Drainage officers are satisfied that, with the implementation of the measures set out within the Flood Risk Assessment and subject to compliance with the condition requested, the impact of the new development can be successfully mitigated so as not to impact on future occupiers or increase the risk of flooding off site. For this reason the scheme is considered to meet with the guidance within the NPPF and PPG and the requirements of Policy CS16 of the Core Strategy.

6.7 Archaeology:

6.7.1 The application to construct a new house on this plot is of some archaeological interest. An archaeological evaluation was carried out here in 2012, and the report for this has been submitted with the application. The site lies within the historic core of the village of Stanford Dingley, this is mentioned in the Domesday Book and is therefore of Saxon origins. There is some evidence of earlier occupation in the wider area from stray finds dating to the later prehistoric and Roman periods.

6.7.2 The evaluation that has been undertaken uncovered a thick deposit of peat in one trench, which is likely to represent an old channel of the river Pang. Peat is widespread in the Kennet Valley but rarer in the Pang Valley. It is important
archaeologically because of the potential for environmental remains to survive within it. Waterlogged animal and plant remains, charcoal, pollen, and other ‘ecofacts’ can reveal much about past landscapes and indicate what the environment was like in the past, and how it has changed. When this kind of information is combined with dating techniques such as radio-carbon dating a sequence of past land-use can add to our understanding of heritage assets such as the historic settlement of Stanford Dingley, perhaps pushing back our knowledge of the area beyond a thousand years ago.

6.7.3 In light of this a condition has been recommended to secure the commissioning of a programme of archaeological sampling and dating of the peat during the excavation of the foundations and any related ground works for the development. Such an approach follows the guidance set out in paragraph 141 of the National Planning Policy Framework, and West Berkshire Council Core Strategy Objective 9.

6.8 Other matters:

6.8.1 Developer contributions have been requested in accordance with the Council’s Supplementary Planning Document 4/04 “Delivering Investment from Sustainable Development”, in order to ensure that financial provision is made towards the impact of the development on local services. The applicant has opted to enter into a section 106 legal agreement. Legal services have been instructed accordingly and an agreement is pending completion.

6.9 Presumption in favour of sustainable development:

6.9.1 The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals.

6.9.2 The NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.

6.9.3 Providing new housing in sustainable locations is a clear social benefit which supports strong, vibrant and healthy communities. The NPPF clearly seeks to significantly boost the supply of housing. As such, it is considered that the proposal would have clear and demonstrable social benefits which weigh in favour of granting planning permission.

6.9.4 In terms of the economic role of planning, sustainable growth is supported, including the provision of infrastructure. The applicant has been invited to enter into a legal agreement with the Council to ensure the infrastructure, services and amenities made necessary by this development will be provided at the appropriate time by way of developer contributions. As such, it is considered that the proposal would have economic benefits which weigh in favour of granting planning permission.

6.9.5 Contributing to protecting and enhancing our natural, built and historic environment is fundamental to fulfilling the environmental role of planning. The impact on the character and appearance of the conservation area and the surroundings has been
assessed as part of this application and it is considered that the proposal would respect the prevailing pattern of development. As such, it is considered that there are no environmental reasons to justify refusing planning permission.

6.9.6 For the above reasons it is considered that the proposed development is supported by the presumption in favour of sustainable development.

7. Conclusion

7.1 The principle of residential development has been established by the extant consent granted under application 102531. Following from a recent appeal decision in 2010 this submission has sought to resolve two key issues, namely the potential impact on features of archaeological interest and secondly the increase in flood risk. The Inspector raised no concern for the impact of the scheme on the conservation area or the wider Area of Outstanding Natural Beauty.

7.2 Following receipt of a detailed Archaeological Evaluation, Flood Risk Assessment and details of further flood mitigation measures which are to be incorporated into the design of the scheme no objections have been raised by the Archaeologist or the Environment Agency and for the reasons set out above the scheme is considered acceptable subject to conditions. It is also a material consideration that the house approved under 102531 could be completed at any time.

7.3 Having taken into account all of the relevant policy considerations and the other material considerations referred to above, it is considered that there are strong reasons to support the proposed development and conditional approval is justified for the reasons set out above.

8. Recommendation

Subject to the completion of a Section 106 agreement by 14th June 2014 to DELEGATE to the Head of Planning and Countryside to GRANT conditional permission, subject to the receipt of amended plans showing the parking arrangements for the site and the following conditions:

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans/documents:
   Location Plan and Block plan – drawing number 005b
   Proposed Plans – drawing number 002b
   Proposed Elevations and Street Scene – drawing number 003a
   Proposed Garage – drawing number 004a
   Tree Survey – drawing number 006
   Sight Lines – 1438/007
Archaeological Evaluation by Thames Valley Archaeology

Reason: To ensure the development is carried out in accordance with national planning guidance and the relevant policies within the West Berkshire Core Strategy 2006-2026, July 2012 and the West Berkshire District Local Plan 1991-2006, Saved Policies 2007.

3. No development shall commence on site until samples of the external materials to be used in the development and the hard standings and other hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. All hard surfaces should be permeable where possible. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, July 2012 and in accordance with the guidance within the National Planning Policy Framework.

4. No development shall take place until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

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

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

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, July 2012 and in accordance with the guidance within the National Planning Policy Framework.

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

Note: The protective fencing should be as specified at Chapter 9 and detailed in figure 2 of B.S.5837:2005.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, July 2012 and in accordance with the guidance within the National Planning Policy Framework.

6. Any gates to be provided at accesses where vehicles will enter or leave the site shall open away from the adjoining highway and be set back a distance of at least 5 metres from the edge of the highway.

Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interest of road safety in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026, July 2012 and the guidance within the National Planning Policy Framework with regards to highway safety.

7. No development shall commence until details of the surfacing arrangements for the vehicular access to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access for a distance of 3 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest of road safety in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026, July 2012 and the guidance within the National Planning Policy Framework.

8. The dwelling shall not be occupied until the visibility splays at the entrance have been provided in accordance with drawing number 1438/007 received on 8th November 2013. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

9. No development shall commence until a parking plan is submitted to and approved in writing by the Local Planning Authority to show where contractors and vehicles associated with the construction process will park for the duration of the works. This area shall be used by the above persons and vehicles and kept available for these purposes for the duration of the works.

Reason: To ensure the development is provided for adequate parking facilities in order to reduce the likelihood of roadside parking which would be a danger to other road users in accordance with Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

10. No development shall commence on site until details of all fencing and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary...
include a schedule of materials and drawings demonstrating the layout of the means of enclosure. The dwelling hereby approved shall not be occupied until the fencing and other means of enclosure have been erected in accordance with the approved details.

Reason: The fencing and other means of enclosure are essential elements in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters in accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, July 2011 and the guidance within the National Planning Policy Framework.

11. Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revision), no additions or extensions to the dwellings shall be built or ancillary buildings or structures erected within the curtilage, unless permission in writing has been granted by the Local Planning Authority on an application made for the purpose.

Reason: To prevent the overdevelopment of the site and to safeguard the amenities of neighbouring properties in accordance with Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, July 2012.

12. The dwelling hereby permitted shall achieve Level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme). The dwelling shall not be occupied until a final Code Certificate relevant to it, certifying that Code Level 4 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for house design which replaces that scheme) has been achieved, has been issued and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

13. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA), dated 7 March 2013 (and 22 October 2012), reference MID3426/L.001/td, prepared by JMP Consultants and the following mitigation measures detailed within the FRA:
- Finished floor levels are set no lower than 59.3 m above Ordnance Datum (AOD.)
- Porous surfacing for the driveway
- Material used at and below the ground level should be resilient to submergence in water and resist transmission of damp through soakage.

The dwelling hereby approved shall not be occupied until the mitigation measures have been implemented in full in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority. Thereafter the approved flood mitigation measures shall be retained in accordance with the approved FRA.
Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the National Planning Policy Framework (March 2012) and Policy CS16 of the West Berkshire Core Strategy (2006-2026), July 2012.

14. No development shall commence until full details of the level for level compensation to mitigate the building footprint below the estimated flood level of 58.70m OD has been submitted to and approved, in writing, by the Local Planning Authority. The dwelling hereby approved shall not be occupied until the compensatory excavations have been constructed in full in accordance with the approved details and shall thereafter be maintained as agreed by the Local Planning Authority.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with the National Planning Policy Framework (March 2012) and Policy CS16 of the West Berkshire Core Strategy (2006-2026), July 2012.

15. No development shall commence until a flood evacuation plan has been submitted to and approved in writing by the Local Planning Authority. The agreed plan shall thereafter be made available to all future residents.

Reason: To protect future occupiers in accordance with the National Planning Policy Framework (March 2012) and Policy CS16 of the West Berkshire Core Strategy (2006-2026), July 2012.

16. No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall:
   a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with best practice and the proposed national standards;
   b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
   c) Include details of how the existing flood plain will be sustained or mitigated (any measures for loss of flood plain shall not increase flood risk elsewhere);
   d) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
   e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
   f) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +30% for climate change;
   g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
   h) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
   i) Include details of how the SuDS measures will be maintained and managed after completion.
The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwelling hereby permitted is occupied. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. To prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CC1, CC2 and NRM4 of the South East Plan (May 2009), Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

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

Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), and the Stanford Dingle Parish Design Statement.

18. No development 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. Such an approach follows the guidance set out in paragraph 141 of the National Planning Policy Framework, and West Berkshire Council Core Strategy CS19 2006-2026, July 2012.

19. No development shall commence until details of the type of foundations to be used for the dwelling and the garage have been submitted to and approved in writing by the Local Planning Authority. The building shall thereafter be constructed in accordance with the approved details.

Reason: To reduce the risk of flooding to the proposed development in accordance with the National Planning Policy Framework (March 2012) and Policy CS16 of the West Berkshire Core Strategy (2006-2026), July 2012.

20. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2,
Part 1, Classes A of that Order shall be constructed at first floor level in the west facing elevation of the dwelling 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 neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

8.2 OR in the absence of a completed legal agreement by the 14th June 2014 to DELEGATE to the Head of Planning and Countryside to REFUSE planning permission for the following reason:

The development fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to government guidance as set out within the National Planning Policy Framework, Policy CS5 West Berkshire Core Strategy 2006-2026 as well as West Berkshire District Council's adopted Supplementary Planning Document - Delivering Investment from Sustainable Development.

Informatives should permission be granted:

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.

2. Wastewater - It should be noted that this locality is at risk of foul water flooding in extreme rainfall events as the volume of floodwater overwhelms the downstream Sewage Pumping Station. It would be prudent to consider this before construction so that mitigation could be factored into design.

3. The Highways (Planning) Manager, West Berkshire District Council, Highways and Transport, Council Offices, Market Street, Newbury RG14 5LD, telephone 01635 519169, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks notice, to obtain details of underground services on the applicants behalf.

4. The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

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