<table>
<thead>
<tr>
<th>Item No</th>
<th>Application No. and Parish</th>
<th>8/13 week date</th>
<th>Proposal, Location and Applicant</th>
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<tbody>
<tr>
<td>(2)</td>
<td>14/02910/OUTD Basildon</td>
<td>12th January 2015</td>
<td>Outline application for demolition of existing dwelling and erection of 2 x dwellings; new access to Church Lane. Matters to be considered access and layout. Basil Corner, Reading Road, Lower Basildon, Reading Trustees of The Child Beale Trust</td>
</tr>
</tbody>
</table>

To view the plans and drawings relating to this application click the following link: [http://planning.westberks.gov.uk/rpp/index.asp?caseref=14/02910/OUTD](http://planning.westberks.gov.uk/rpp/index.asp?caseref=14/02910/OUTD)

**Recommendation Summary:**

To DELEGATE to the Head of Planning & Countryside to GRANT PLANNING PERMISSION subject to the schedule of conditions (Section 8.1) and subject to the completion of a legal agreement by 23rd February 2015 where expedient to do so.

OR

If the legal agreement is not completed by the 23rd February 2015 where expedient to do so to DELEGATE to the Head of Planning & Countryside to REFUSE PLANNING PERMISSION given the failure of the application to mitigate the impact of the development on the local Infrastructure as set out in section 8.2.

**Ward Member(s):**

Councillor Alan Law

**Reason for Committee determination:**

Member call in the event of approval, and also over 10 letters of objection received.

**Committee Site Visit:**

11th February 2015.

**Contact Officer Details**

- **Name:** Cheryl Willett
- **Job Title:** Senior Planning Officer
- **Tel No:** (01635) 519111
- **Email:** cwillett@westberks.gov.uk
1. **PLANNING HISTORY**

12/02557/FULD: Demolition of existing dwelling; demolition of retail unit attached to ‘The Old Tavern’; erection of 4 x new dwellings (2 x 3 bed and 2 x 4 bed); new access to Church Lane; landscaping, parking and associated works. Returned as Invalid 29.11.12

12/02558/LBC2: Demolition of 3A Reading Road, attached to ‘The Old Tavern’. Returned as Invalid 29.11.12.

2. **PUBLICITY**

Site Notice Expired: 23rd December 2014.

Neighbour Notification Expired: 17th December 2014.

3. **CONSULTATIONS AND REPRESENTATIONS**

3.1 Consultations

**Basildon Parish Council:**

- Clarification sought on the residential curtilage and settlement boundary;
- Legal complications about tenancy and access to woodland, though recognise these are outside of the scope of planning;
- Unsatisfactory as an outline application. Limited information on the appearance, and how well they will fit in with the area and adjacent countryside. These should not be left to reserved matters as they are at the root of what decision should be made;
- The scheme fails to comply with the linear pattern of the village, which benefits from a well established principal line of development, with little development on side roads. An additional dwelling would worsen the gradual erosion of the linear appearance following recent appeal decisions;
- The general pattern of development is one of substantial houses in large gardens allowing views to the open countryside. Whilst limited infill development is supported in the Core Strategy and VDS it does not mean that any development is acceptable;
- The site is not within a sustainable location, with no ready access to services not involving travel. The scale of development which has occurred recently has meant that there would be a strain on local services;
- The proposal fails to accord with the three components of sustainable development as defined in the NPPF, on environmental and social grounds;
- There is lack of sewerage capacity; and Thames Water should be asked to address the problem;
- Issues with parking in the village, and could worsen due to visitors and delivery vehicles associated with the houses;
- Access onto Church Lane is unsatisfactory as close to accesses at Greensleeves and Grey Kite House. Visibility splays may further degrade existing hedges to detriment of the character of the area.
Highways: Initially requested details of visibility splays. On receipt of plans visibility splays were found to be acceptable. It is recognised that sight lines are poor to the right from Church Lane to the A329. The road already serves Church Farm, Child Beale Trust, a number of residential properties and a boat depot. Therefore, any increases from the proposal may be relatively small, and it is expected that there may be on average circa eight vehicle movements per day per property. In considering the appeal decision at the Thames Heritage Boat Museum, there were no highway objections for the current application. The existing access to the A329 will be stopped up as part of this application. Three spaces are proposed for each of the four bedroom dwellings and the parking provision is thereby satisfactory. If the internal clearances of the garages are less than 6m x 3m, secure cycle storage should be provided for two cycles per dwelling.

Waste

No concerns with regard to the storage and collection of refuse and recycling. The collection point for both properties will be at their nearest point to the public highway, at Church Lane.

Tree Officer

No objection to the application. The trees at the site are mostly very poor quality but have been considered as part of the proposed changes and those that are being retained can be protected as part of the development, with the need for some minor encroachment in the root protection area of a few trees. Conditions requested for landscaping, tree protection (scheme submitted), and arboricultural method statement.

Conservation Officer

The application site is not situated in a conservation area, and the adjoining site to the south comprises the grade II listed “The Old Tavern” at number 3 Reading Road and an extension on its north side, separately addressed number 3A. No objections when considering the setting of the listed building due to separation distance and intermediate boundary treatment.

The application is submitted in outline, with approval being sought for full details of access and layout only at this stage, but the layout clearly indicates two quite large detached “4+” bedroom houses and large shared garage. Care will therefore be necessary in design terms to ensure that the reserved matters of “appearance”, “landscaping” and “scale” are in keeping with the varied but quite rural village character of Lower Basildon and to not introduce obviously urbanising features such as high walls and gates. The village has however, witnessed a variety of redevelopment and infill housing schemes within the designated settlement boundary, including a large new house on the site opposite and to the north of the application site, such that the principle of redeveloping the application site is not an issue.
**Environmental Health**

There is a railway approximately 75m from the site which might cause excessive noise to future residents. Mitigation might be required to protect residential internal and external noise levels. Standards to be met and any mitigation measures will need to be agreed prior to commencement of the development.

Demolition and construction activities should be controlled to minimise the impact of noise and dust on local residents living in close proximity to the site.

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**Ecology Officer**

No objections. Conditions required to secure implementation of the recommendations in the bat and reptile surveys, and the phase 1 environmental survey and bat inspection.

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**Natural England**

The site lies within close proximity to the Hartslock Woods Site of Special Scientific Interest (SSSI). Natural England are satisfied that if undertaken in strict accordance with the submitted details there should be no impact upon this designated land. Advice given on location within the AONB, and that LPA should refer to Standing Advice on protected species.

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**North Wessex Downs AONB Board**

No comments received.

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**Thames Water**

There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings.

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to the ground, to water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Thames Water do not object to the application with regard to water infrastructure capacity.

Informative recommended with regard to water pressure.
Running Adjacent to the north of the proposed development there are easements and way leaves. These are Thames Water Assets. The company will seek assurances that these will not be affected by the proposed development.

3.2 Developer Contributions

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
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<tr>
<td>Transport:</td>
<td>£7,700</td>
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<tr>
<td>Education:</td>
<td>£2,304.56</td>
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<td>Open Space:</td>
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<td>Libraries:</td>
<td>£511</td>
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<td>Healthcare:</td>
<td>Not requested</td>
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<tr>
<td>Adult Social Care:</td>
<td>£779</td>
</tr>
<tr>
<td>Waste Management:</td>
<td>£56.20</td>
</tr>
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3.3 Representations

Total: 11 Object: 11 Support: 0 Comment 0

Object:
- Improvement on previous application, though still objectionable;
- Errors in planning submission, including available services and public transport, and therefore the sustainability credentials are over-exaggerated;
- No comment on other recent development in Lower Basildon;
- Additional development in the village is adequate to address any additional housing need, and little demand for large executive style houses;
- Would not conserve or enhance the AONB;
- Continuous noise and disruption from various developments in the village;
- Loss of view to the wider countryside and AONB;
- Likely height does not compare favourably to the existing height and of the 2012 withdrawn scheme;
- Cannot be described as linear development, and is tandem development;
- With the building of Grey Kites House the area is turning a semi-rural land into a built environment;
- A329 is a busy road, with traffic increasing substantially during the closure of Whitchurch Bridge;
- Visibility from Church Lane is poor, and experienced two recent accidents;
- Church Lane used as an exit from Beale Park, and lead to queues which are outside the proposed access;
- Consulta appeal is out of date, and the withdrawal of the bus service makes Beale Park inaccessible except by private car, thus increasing vehicle movements;
- As an outline application the information submitted is limited it is difficult to see how the proposal would have an acceptable impact on the character of the area, AONB, and neighbour amenity;
- The proposals would not be in keeping with surrounding development;
- Precedent already set by allowance of Grey Kites House (to rear of Greensleeves);
- Capacity of sewerage an issue, particularly with recent new development, and applicant should be made to pay for upgrades;
- Concern about future development on applicant land to the rear, which has been used by local people;
• Traffic travels at more than 30mph;
• Application will result in homelessness for current tenant, employed in agriculture, and the onus will be on West Berkshire Council to rehome occupants;
• Unlikely that new houses will be for local people;
• Current planting along the A329 belongs to the current tenant not the applicant and cannot be relied on;
• House currently very low carbon footprint, and doubtful that new houses could be as efficient;
• Access on land owned by Network Rail;
• Village needs affordable housing;
• Brownfield sites should be made more use of first;
• Parking an issue in Church Lane, and development will worsen it;
• Full preliminary ecological appraisal should be undertaken before permission is given. Bats and slow-worms known on the site;
• Traffic survey is out of date;
• The ecological assessments are valid for 12 months;
• Existing property is sound and should not be demolished.

4. PLANNING POLICY

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

4.2 Other material considerations include government guidance, in particular:
  ▪ The National Planning Policy Framework (March 2012) (NPPF) and the supporting Technical Guidance
  ▪ Planning Policy Guidance (March 2014)
  ▪ Basildon Village Design Statement (2001)

4.3 Paragraph 215 of the NPPF advises that, for the 12 months from the day of its publication, 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

4.4 In addition, the following locally adopted policy documents are relevant to this application:
  ▪ Supplementary Planning Document Quality Design (June 2006)
    ▪ Part 1 Achieving Quality Design
    ▪ Part 2 Residential Development

4.5 The West Berkshire Core Strategy (2006-2016) July 2012 now forms part of the development plan and therefore its policies 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
  ▪ CS 1: Delivering New Homes and Retaining the Housing Stock
  ▪ CS 4: Housing Type and Mix
5. DESCRIPTION OF DEVELOPMENT

5.1 The application seeks outline planning permission for the demolition of Basil Corner and the erection of two dwellings, each of up to 5 bedrooms. The application is made in outline with access and layout to be determined in detail at this stage. This leaves appearance, scale, and landscaping as the reserved matters to be determined at a later date. It is proposed for plot 1 to be angled to face the corner of the A329 and Church Lane. Plot 2 would be located to the rear in a similar location to the existing property. Single garages would be provided for each property. The access would be as existing from Church Lane. All existing outbuildings are proposed to be demolished.

5.2 The site lies within the defined settlement boundary, and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

5.3 A corrected proposed site plan was submitted during the course of the application to ensure that all proposed development correlated with the location plan (red line plan). A post and rail fence and existing hedging will be used to demarcate the edge of the residential curtilage, which is considered to be consistent with the existing lawful residential curtilage. The area to the east of this land is within the applicant’s ownership, though outside of the planning application area. It will not form the residential curtilage. The applicants still require vehicular access to this land and other land, and this will be taken from the proposed new access.

6. APPRAISAL

The main issues for consideration in the determination of this application are:

- The principle of development
- The impact on the character and appearance of the area.
- The impact on the character and amenity of the North Wessex Downs Area of Outstanding Natural Beauty.
- The impact on highway safety
- The impact on neighbour amenity
- The impact on ecology and biodiversity
- The impact on Heritage Assets
- Other matters raised.
- Presumption in favour of sustainable development

6.1 The principle of development

6.1.1 As the application is made in outline the applicants are seeking to establish whether the principle of development is acceptable, subject to determining the layout and access in detail at this stage. The site is located within the defined settlement...
boundary of Lower Basildon. The section to the east of the site is outside the settlement boundary, and the structures and other animal associated paraphernalia currently on this land would be sought to be removed and a condition is recommended to ensure this occurs. Policy ADPP1 of the Core Strategy identifies Lower Basildon as being in the category of smaller villages, which are suitable for limited infill development subject to the character and form of the settlement. Policy ADPP5, in consideration of the AONB, allows infill development and for development on previously developed land. The Basildon Village Design Statement (VDS) recommends sympathetic infilling and for the settlement boundary to be maintained.

6.1.2 The dwelling is classified as previously developed land, though the garden is excluded from the definition outlined in Annex 2 of the National Planning Policy Framework (NPPF). The NPPF in Annex 2 makes it clear that it should not be assumed that all land within the curtilage of a building should be developed. It is considered that two dwellings are appropriate on site, given the size and plot coverage. An appropriate sense of spaciousness would be retained.

6.1.3 There are limited services in the village, with existing services being converted to residential uses, and the bus service no longer serving the village. The proposal is for a net increase of one dwelling which aids in increasing the housing stock in the settlement boundary, and would represent limited infill development. By being in the settlement boundary the development is considered to represent appropriate development.

6.1.4 It is recognised that there is limited information as this is an outline application, though the layout provides a good indication of the likely size of the dwellings. If approved there will be an opportunity to consider appearance, scale and landscaping in detail, and an assessment will be made on these three factors when reserved matters applications are received.

6.2 Impact on the character and appearance of the area and AONB

6.2.1 Lower Basildon is a small contained village, generally linear in nature. Basil Corner is located on the corner of Church Lane and the A329, with Greensleeves and a recently built dwelling to the rear, allowed on appeal, on the opposite corner. There are other examples of dwellings built along the edge of access roads, notably at Park Wall Lane. There have been examples of recent development within the village aside from Grey Kite House, including Trees, the development at Country Cars and the conversion of The Tamarind Tree. The character of the village has changed in recent years with these developments.

6.2.2 Reference is made in the representations to the effect of tandem development. However, it is not considered that the proposal represents tandem development as it is not a dwelling erected behind another. The layout suggests that both houses front on to Church Lane with a shared access, and are therefore similar in pattern to Greensleeves and Grey Kite House which lie on the opposite side of Church Lane.

6.2.3 The layout is considered to be in keeping with the established character of the area. Grey Kites House is located opposite to plot 2, and whilst approval of this dwelling does not necessarily set a precedent, it is now part of the character of the area. The proposed two dwellings would follow this pattern of development, as well as
established properties facing onto Park Wall Lane. This latter point was recognised by the Planning Inspector when considering the merits of Grey Kite House (Greensleeves reference 10/00265/FULD and APP/W0340/A/10/2127353).

6.2.4. The layout suggests that both dwellings will benefit from a reasonable set back, both from the A329 and Church Lane. Basil Corner is well contained in the site with established planting. Whilst this outlook would change with appropriate landscaping and a suitable design it is considered that the houses would appear appropriate in the street scene.

6.3. Impact on the character and amenity of the North Wessex Downs Area of Outstanding Natural Beauty.

6.3.1. The site is located in the North Wessex Downs Area of Outstanding Natural Beauty (AONB), and the Basildon Village Design Statement (VDS) states that there are outstanding viewpoints over the Thames Valley to the Chiltern Hills from the village. Whilst the view across the site to the Chilterns beyond would be altered it would be contained within the existing settlement boundary, and with appropriate landscaping and design, the dwellings should assimilate into this backdrop. When considering development on the edge of settlement boundaries there does need to be a softer edge, and this is where landscaping will be of importance. Indicatively it is shown that boundary hedges and trees will be enhanced. The current tenants’ comments on the existing planting belonging to them is noted, though ultimately it will be for the developer to secure appropriate landscaping. It would be expected that sufficient landscaping would be provided on all sides of the site. This is not necessarily to screen the development, but to soften the impact and in recognition of the semi-rural character of Church Lane.

6.3.2. It is considered appropriate to limit the height and the floor area, having regard to the character of the area and the need to ensure a sense of spaciousness in close proximity to the edge of the settlement boundary. A maximum height of 8 metres would appear appropriate, and limiting the floor area to that set out on the proposed site plan should be conditioned. This should then aid in guiding the design and scale of the development under the reserved matters applications.

6.3.3. In terms of enhancing the AONB and the character of the area of land to the east of plot 2, as shown on the proposed site plan, is recommended to be restored back to agricultural status. The land is currently being used in connection with Basil Corner outside of the lawful residential curtilage and outside of the defined settlement boundary, and contains outbuildings and animal (chicken) related paraphernalia. Removing such structures would be of benefit to the character of the area. Although not within the application site the land is within the blue line and its restoration to agriculture can be secured through an appropriately worded condition. The works will need to take into account the ecological value of the buildings and land.

6.3.4. In terms of the layout of the scheme it is considered that two dwellings can be accommodated on the site and would respond to the local pattern of development. It will be for the reserved matters applications to fully assess whether the appearance, scale and landscaping respond positively to local context.
6.4. **The impact on highway safety**

6.4.1. The existing access would be moved to the east. The Highways Authority is mindful that the access onto the A329 to the right is poor, and the application is therefore considered in terms of the increase in traffic from the proposal that will use this junction. Church Lane already serves the Church Farm, Child Beale Trust, a number of residential properties, and a boat depot. Therefore any increases from this proposal may be relatively small in the context of this existing use of Church Lane. It is expected that there could be some eight vehicle movements per day for each of the properties.

6.4.2. The Highways Authority is also mindful of the approved Thames Heritage Boat Museum (Consuta Trust) application, reference 13/00575/OUT. The Highways Authority raised no objections to this development. The additional trips as a result of the current application at Basil Corner are almost negligible in comparison to the traffic from the museum and other properties down Church Lane. For this reason it appears unreasonable to object to the application on the basis of trip intensification and the use of the Church Lane / A329 junction.

6.4.3. The existing access on the A329 will be stopped up as part of this application, and a condition will ensure this occurs before any dwellings are occupied.

6.4.4. No comment has been made about relationship of the access to that from Greensleeves and Grey Kite House. The accesses will not be directly opposite from each other, and additional information was supplied by the applicant to demonstrate the sufficient visibility splays could be provided. Therefore, there would be no conflict.

6.4.5. The applicants have confirmed that no gates are proposed. It would be preferable for the site to be kept open, and as the access is shared between the Child Beale Trust and occupiers of the dwellings it is likely that this will continue to be the case. The continuation of the path from the existing pathway to the north of the site is proposed.

6.4.6. In conclusion, although it is recognised that visibility from the A329 is poor, given the existing use of Church Lane and the limited increase in vehicle movements there are no objections. Sufficient parking is provided on site at three spaces per house with some additional room in the access road. This exceeds the parking level set out in the Local Plan. The proposal is considered to have an acceptable impact on highway safety.

6.5. **The impact on neighbour amenity**

6.5.1. The layout of the dwellings means that there would be in excess of 21 metres distance to surrounding residential properties. Based on the layout it is not considered that the dwellings would have an effect on light or privacy to surrounding residences. It is not considered that the proposal will result in an overbearing impact on neighbouring properties.

6.5.2. The design and landscaping of the proposal will be important elements in ensuring that there would not be any perceived overlooking. Given the orientation of the dwellings it is not expected that this would be the case.
6.6. The impact on ecology and biodiversity

6.6.1. The application is supported by an Extended Phase 1 Ecological Assessment and Bat Inspection, and a Phase 2 Bat and Reptile Survey. The bat inspection found no evidence of bats within the existing house or outbuildings, though there was potential to support roosting bats. The trees, hedgerow and grassed areas have the potential to support widespread reptiles and nesting birds. There are recommendations outlined in the surveys to enhance biodiversity measures. Further survey work will be required to establish reptile presence/absence within areas of suitable habitat on site. The Council’s ecologist in reviewing these surveys raises no objections, and has requested conditions to ensure his recommendations are followed. The ecologist has recommended the conditions in knowledge of the date of the surveys.

6.7. The impact on Heritage Assets

6.7.1. The site is not located within a conservation area, though adjacent to a listed building; 3A Reading Road. Owing to the separation distance and the landscaping to be placed in between the development site it is not considered that the proposal will have a detrimental impact on the setting of the listed building.

6.8. Sustainable Construction

6.8.1. The application is supported by a pre-assessment calculator showing that Code Level 4 of the Code for Sustainable Homes can be achieved. Whilst this is more difficult to prove as the application is made in outline with the design not known at present, it nevertheless complies with Core Strategy Policy CS15. It is recommended that the pre-assessment report is re-evaluated as part of formulating the detailed design under the reserved matters application to ensure the dwellings continue to achieve Code Level 4.

6.8.2. The current sustainability credentials of the existing house are appreciated, though this in itself is not a reason not to permit the demolition of the house and erection of two others, particularly when the houses are to be designed to meet Code Level 4.

6.9. Section 106 Obligation

6.9.1. Contributions have been requested in relation to the advice contained within the Council’s SPD on Delivering Investment from Sustainable Development and reviewing site specific circumstances. The contributions requested are considered appropriate to the impacts of the proposed development. A legal agreement is being prepared to secure such contributions.

6.9.2. The Planning Practice Guidance has been updated in November 2014 outlining that schemes with fewer than 10 dwellings should not pay developer contributions if based on a tariff system, and in rural areas this reduces to 5 dwellings. This is an important material consideration and represents up to date guidance from Government. However, the Council’s SPD on Delivering Investment from Sustainable is also a material consideration and is in line with Core Strategy Policies CS5 and CS6 and the National Planning Policy Framework. As the development plan policies have been through the process of public examination,
and as the SPD was formulated using evidence about the impact of development on services, it is considered that this material consideration has more weight than the guidance in the Planning Practice Guidance. Therefore, the developer contributions are justified and required to mitigate the impact of development.

6.10. Other matters raised

6.10.1. Comments made in relation to the potential homelessness of the current tenants of Basil Corner as a result of this application are noted and appreciated. However, it is not considered that this issue is a material planning consideration as matters of tenure are a private matter between the landowner and the tenants.

6.10.2. The impact of development on sewerage capacity is noted. Thames Water advise that it is the developer’s responsibility to gain prior approval for discharging to a public sewer. The developer should also ensure there is 3 metres distance between the building and the public sewer. Ultimately the impact on the sewerage system is a further separate process which the developer needs to go through with Thames Water. It is not considered that the application can be refused based on the capacity of the existing sewerage and water system.

6.10.3. Suitable protection will be required for the future residents to mitigate noise from the nearby railway.

6.10.4. It is claimed that the access is in the ownership of Network Rail. The Title Documents have been submitted, which do not indicate that Network Rail own any of the land within the application site.

6.11. Presumption in favour of sustainable development

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

6.11.2. In support of the economic role the proposal seeks to make efficient use of land for housing development within the defined settlement boundary of Lower Basildon, an appropriate location for limited development. The legal agreement would secure contributions to mitigate against the impact of the additional population.

6.11.3. In support of the social role the proposal would provide an additional unit of accommodation, with the layout following the general pattern of the locality.

6.11.4. When considering the environmental dimension, the site is located within the AONB, and with appropriate design and landscaping it is considered that there would not be a detrimental impact on this designated land. The development can adequately provide parking and has appropriate visibility splays. The dwellings seek to meet Level 4 of the Code for Sustainable Homes and seek measures to protect and enhance biodiversity.
7. CONCLUSION

7.1 Having taken into account all the relevant policy considerations and the other material considerations the proposed development is considered to contribute to the aims of delivering sustainable development. Whilst the issues are balanced, in recognition of the level of objection and comments raised, it is considered that the access and layout elements of this outline application are acceptable.

8. FULL RECOMMENDATION

DELEGATE to the Head of Planning & Countryside to GRANT PLANNING PERMISSION subject to the completion of a Section 106 agreement by the 23rd February 2015 and the conditions set out below.

8.1 Recommended conditions

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

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

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

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

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

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

4. Approved drawings
The development hereby permitted shall be carried out in accordance with the approved drawing numbers 1246/P101 received 17th November 2014 and 1246/P102 Rev E received 15th January 2015, and with any plans and documents approved in respect of any reserved matter application or any further conditions attached to any further reserved matter approval.

Reason: For the avoidance of doubt and in the interest of proper planning.
5. **Visibility Splays**
No dwelling shall be occupied until the visibility splays at the access have been provided in accordance with drawing number 1246/V01 received on 16th December 2014. 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).

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

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006), and the Village Design Statement for Basildon.

7. **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. 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), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).

8. **Boundary Treatment**
No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the boundary treatment has been completed in accordance with the approved scheme 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 boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters.
This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006) and the Village Design Statement for Basildon.

9. **CSH**

The dwellings 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). No dwelling shall 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).

10. **PD Removal**

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 extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A and 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: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area and Area of Outstanding Natural Beauty. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006) and the Village Design Statement for Basildon.

11. **Ecology Phase 1**

The recommendations made in Sections 6.4 – 6.7 of the Extended Phase1 Ecological Assessment and Bat Inspection Survey by PV Ecology and dated June 2012 shall be implemented in full. With regard to the bird boxes, no dwelling shall be occupied until two of each type shown in appendix G have been erected on site.

Reason: To ensure the protection of bat, bird and reptile species, which are subject to statutory protection under European Legislation, and to enhance biodiversity on site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

12. **Ecology Bat and Reptile**

The recommendations made in Section 6.0 of the Phase 2 Bat and Reptile
Surveys by PV Ecology and dated October 2012 shall be implemented in full. Should construction of the dwellings not be commenced by the end of 2015 the Phase 2 Bat and Reptile Survey shall be undertaken again, and the mitigation and enhancement measures shall be revised in consultation with the Local Planning Authority, and agreed under an application to discharge this condition.

Reason: To ensure the protection of bat, bird and reptile species, which are subject to statutory protection under European Legislation, and to enhance biodiversity on site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

13. **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 numbered plan 416/001 dated Oct 2014 and Supported by Arboricultural Impact Assessment & Method Statement ref SJ Stephens 416 dated 29.10.2014. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006), and the Village Design Statement for Basildon.

14. **Arboricultural Method Statement**
No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.

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, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006), and the Village Design Statement for Basildon.

15. **Cycle Parking**
No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To promote cycling by providing convenient and safe bicycle storage. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan
1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).

16. **Vehicle Parking**

No dwelling shall be occupied until the vehicle parking and turning space has been surfaced, marked out and provided in accordance with the approved plans. The parking and turning space shall thereafter be kept available for parking of private motor cars and for vehicles associated with the Child Beale Trust at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

17. **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 accordance with the approved details. The statement shall provide for:

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

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

18. **Hours of work**

The hours of work for all contractors and persons working on the site for the duration of the site development shall be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.


19. **Noise from railway**

No development shall commence until details of a scheme of works, for protecting the occupiers of the development from externally generated noise, has been
submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling shall be occupied until all works forming part of the approved scheme of works have been completed.

Reason: In order to protect the amenities of the proposed occupiers of the dwellings. This condition is imposed in accordance with the National Planning Policy Framework, and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

20. **Finished height**
The finished height of the new dwellings shall not exceed 8 metres.

Reason: To ensure a satisfactory relationship between the proposed buildings and the adjacent land and properties, located in the North Wessex Downs Area of Outstanding Natural Beauty, and in the interest of amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

21. **Floor area**
The finished internal floor area of each dwelling shall not exceed 185 square metres, as outlined on plan number 1246 P102 Rev E received on 15th January 2015.

Reason: To ensure the dwellings are of an appropriate size within each plot in respect of the generally spacious nature of properties and land within the locality. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

22. **Restoration of land to agricultural status**
The dwellings hereby approved shall not be occupied until the parcel of land to the east of plot 2 as identified on plan number 1246 P102 Rev E received on 15th January 2015 has been returned to agricultural status, and all buildings, fencing, animal related paraphernalia and the vegetable garden, as identified on the topographical survey received on 17th November 2014 have been removed. The removal of such development and the restoration of the land shall also be undertaken in accordance with the recommendations and mitigation measures identified in the Phase 2 Bat and Reptile Surveys by PV Ecology and dated October 2012 and the Extended Phase1 Ecological Assessment and Bat Inspection Survey by PV Ecology and dated June 2012.

Reason: To protect and enhance the amenities of the countryside and North Wessex Downs Area of Outstanding Natural Beauty, and to ensure that land outside the lawful residential curtilage is returned to agricultural status. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
23. The existing vehicular access on to the Reading Road/A329 at the site shall be stopped up and abandoned immediately after the new access at Church Lane hereby permitted has been brought into use. At the same time as the stopping-up and abandonment takes place the highway verge adjoining the stopped-up access shall be re-instated subject to a specification previously agreed in writing by the Local Planning Authority.

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

Informatives

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. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

2. This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the TBC. You are advised to ensure that you have all the necessary documents before development starts on site.

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

4. 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 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.

8.2 If the legal agreement is not completed by the 23rd February 2015 to DELEGATE to the Head of Planning & 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 the development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to the National Planning Policy Framework and Policy CS5 of the West Berkshire Core Strategy 2006-2026 as well as the West Berkshire District Council's adopted SPD - Delivering Investment from Sustainable Development.