

Item No	Application and Parish	No.	8/13 date	week	Proposal, Location and Applicant
(1)	17/00182/COMIND		04 th May 2017		<p>The scheme comprises the construction of a flood detention basin with an area of 1.7 ha. and 2.8 m high earth bund to the south, in farmland to the north of Floral Way, Thatcham. The crest of the bund will have a level of 90.5m AOD and accommodate a 50m length spillway at a level of 90.0m AOD. A 0.6m diameter flapped culvert will incorporate an existing ditch to the east of the proposed basin. As a feature of the scheme, there will be realignment of 370m of the existing ditch to the north of the site taking the flow through the basin. The base level of the detention basin is to be set at 87.25m AOD and will utilise the existing 1.2m by 0.6m box culvert under Floral Way as an outlet control. The scheme will provide a Standard of Protection against flooding of 1 in 100 year plus Climate Change.</p> <p>Thatcham Council Town</p> <p>Land North Of Floral Way, Opposite Foxglove Way, Thatcham, Berkshire</p> <p>West Berkshire Council</p>

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/00182/COMIND>

Recommendation Summary:

To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION.**

Ward Members:

Councillor Sheila Ellison
Councillor Lee Dillon

Reason for Committee determination:

1. Regulation 3 application under the Town & Country Planning General Regulations 1992 (SI No.1492).
2. The application is a Major development and it is submitted by West Berkshire Council.

Committee Site Visit:

26th April 2017

Contact Officer Details

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1. PLANNING HISTORY

1.1 There is no recorded planning history on the site.

2. PUBLICITY

2.1 A site notice was displayed on 9th February 2017 and expired on 2nd March 2017. Neighbour notification letters have been sent to 125 (one hundred and twenty five) local recipients. The application was advertised in the Newbury Weekly News on 9th February 2017.

2.2 The Council has therefore complied with the publicity requirements of the Town and Country (Development Management Procedure) Order 2015.

3. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

3.1 The development has been assessed against the requirements of The Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2011. It is considered that the proposed development is not EIA development and does not trigger the requirement for an Environmental Statement.

4. CONSULTATION

4.1 Consultations

Thatcham Town Council:	Support
Highways Officer	No objection subject to condition
Environmental Health Officer	No objection subject to conditions to minimise dust and noise impacts on neighbouring amenity.
Archaeology Officer	No objection, subject to a condition requesting the submission of a written scheme of investigation
Tree Officer	No comments received at time of report
Public Right of Way Officer	No objection
Ecology Officer	No comments received.
Natural England	No objection

4.2 Representations

A total of 3 letters have been received from residents.

Summary of comments:

- Footpath THAT6/2 is outside of the boundary of the proposed developments in which case the Ramblers have no objection.
- The location plan red line to the south of Floral Way may be partly on a neighbouring property's land.
- The potential for increased risk of flooding to properties along Foxglove Way.
- Building of the flood basin may mean that the fields adjacent to Floral Way will be developed.
- Concerned as the top of the bund is at the end of properties along Farmhouse Mews.
- Concerned with regard to the impacts on neighbouring amenity in terms of dust, noise and loss of light.

5. PLANNING POLICY

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises:

- West Berkshire Core Strategy (2006-2026)
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

5.2 The National Planning Policy Framework (NPPF) was published in March 2012. The Framework sets out Government planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions.

5.3 The Planning Practice Guidance (PPG) was published on 6 March 2014. The Planning Practice Guidance is a material consideration for all planning decisions. It provides guidance on procedural matters (including planning conditions and obligations), and on numerous material planning considerations.

5.4 The following material considerations are also relevant to this application:

- Manual for Streets (DfT; March 2007)
- Manual for Streets 2 (DfT; September 2010).

5.5 The West Berkshire Core Strategy (WBCS) was adopted on 16 July 2012 and carries full weight in decision-making as a development plan document adopted since the publication of the Framework. The following policies from the Core Strategy are relevant to this application:

- Area Delivery Plan Policy (ADPP) 1: Spatial Strategy
- Area Delivery Plan Policy (ADPP) 3: Thatcham.
- WBC Core Policy CS 5 Infrastructure Requirements and Delivery
- WBC Core Policy CS13: Transport
- WBC Core Policy CS14: Design Principles
- WBC Core Policy CS16: Flooding

- WBC Core Policy CS17: Biodiversity and Geodiversity
- WBC Core Policy CS 18: Green Infrastructure
- WBC Core Policy CS19: Historic Environment and Landscape Character.

5.6 The West Berkshire Core Strategy replaced a number of planning policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- HSG.1: The Identification of Settlements for Planning Purposes
- OVS 5: Environmental Nuisance and Pollution Control
- OVS 7: Hazardous Substances

6. OTHER MATERIAL CONSIDERATIONS

6.1 In addition, the following government legislation and locally adopted policy documents and guidance are material considerations relevant to this application:

- West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (adopted June 2006)
- West Berkshire Supplementary Planning Document: Quality Design: Quality Design : Part 1 Achieving Quality Design
- The Wildlife and Countryside Act 1981 (as amended).
- The Conservation of Habitats and Species Regulations 2010.
- National Planning Practice Guidance (Use of Planning Conditions reference ID: 21a)

7. INTRODUCTION AND DESCRIPTION OF DEVELOPMENT AND THE SITE

7.1 Following the floods of July 2007, West Berkshire Council undertook a Flood Survey which identified Thatcham as one of the areas which experienced surface water flooding. In 2009, in partnership with DEFRA, West Berkshire Council undertook a Strategic Flood Risk Assessment (SFRA) Level 2 for the North East Thatcham Development Area and a Surface Water Management Plan (SWMP) for Thatcham which analysed flooding from ordinary watercourses and overland flow.

7.2 As part of the SWMP and through engagement with the Thatcham community, Thatcham Town Council and the Thatcham Flood Forum Group, a series of Flood Alleviation detention basins were proposed. Phase 1 and 2 of the detention basins at Tull Way and Cold Ash Hill have been approved by the Council. The current application presents Phase 3 of the Flood Alleviation proposals. According to the SFRA Level 1 updated by West Berkshire Council in October 2015, an additional detention basin is proposed in the Francis Baily area.

7.3 This application seeks full planning permission for a Flood Alleviation Scheme (FAS) on Dunston Park farmland to the north of Floral Way, Thatcham.

7.4 In order to provide adequate capacity the basin will be contained behind a bund which follows the northern boundary along Floral Way. The bund will be set behind the line of trees, the ditch and hedgerow along Floral Way in order to retain both the trees and hedge line either side of the ditch.

7.5 The site will be classified as a reservoir under the Reservoirs Act and the design and construction will be overseen by an appointed Reservoir Panel Engineer. It is proposed

that the crest of the bund will have a level of 90.5 metres Above Ordnance Datum (AOD) or Mean Sea Level. The base level of the detention basin will be set at 87.25 metres AOD (indicating a level difference of approximately 3.25 metres AOD). The crest of the bund will accommodate a 50 metres length spillway at a level of 90.0 metres AOD.

- 7.6 The development comprises the construction of the flood detention basin with an area of 1.7 Hectares and the 2.8 metres high earth bund to the south of the site. The bund is designed in a “U shape”, with two “bund wings”. The bund wing to the east will extend for a distance of approximately 70 metres and the bund wing to the west will extend for a distance of approximately 100 metres, before the two wings tie into the existing ground levels. The majority of the bund is to be planted with wildflower grass.
- 7.7 It is proposed to provide a realignment of 370 metres of the existing ditches to the north of the site, thus taking the flow of water through the detention basin. The surface area of the basin would be approximately 16000 square metres. A 0.6 metre diameter flapped culvert will also incorporate an existing ditch to the east of the proposed basin. It is also put forward that the FAS will utilise the existing 1.2 metres by 0.6 metre box culvert under Floral Way as an outlet control.
- 7.8 The FAS would generally consist of new pre-cast concrete headwalls and inlet forebays for each of the two existing ditches located to the north of the site. A two stage channel into the detention basin will be created.
- 7.9 The control outlet structure would be constructed with numerous galvanised mild steel flats and high mild steel tubular hand rails. Details of the post and rail fence and gates will be required and normally these details can be secured by condition.
- 7.10 A landscaping assessment and mitigation scheme has been submitted with the application. The indicative planting scheme includes new hedgerows along the new field boundaries around the entire site, a replacement mix of trees along Floral Way, and hedgerow and tree planting next to the new housing at Harts Hill Farm to the east.
- 7.11 The existing high voltage overhead cables will be diverted. The three mature trees to the north of the site will be removed and the site’s hedgerow boundaries will be redefined in line with the submitted landscaping scheme.
- 7.12 A reinforced inlet structure will be constructed at the foot of the new bund. This will allow for the controlled release of water into the new PCC culvert which connects to the existing culvert under Floral Way. The outlet structure to the south of Floral Way will be further reinforced.
- 7.13 The bund’s spillway will be located along Floral Way and is designed to allow water to overtop the embankment during extreme storm events where the storage capacity of the basin is exceeded. It is proposed that the scheme will provide a standard of protection against flooding of 1 in 100 year plus climate change and that the basin would contribute to the prevention of a repeat of the devastating floods that affected the town in July 2007. The flooding event can be partly attributed to the overland flows from the higher ground areas to the north of Thatcham which exceeded the capacity of the existing ditches to the north and south of Floral Way.
- 7.14 A new access is proposed off Floral Way and a stretch of track (approximately 4.8 metres wide) is proposed around the entire basin to provide access for construction and maintenance visits. A turning area for vehicles will be located to the east. A public right of way footpath THATCH6/2 currently runs parallel to Floral Way and will cross the proposed new access road at the entrance off Floral Way. Footpath THACTH/6/1 is located on an elevated part of the field to the west and runs in a north to south direction.

7.15 The applicant has not included a construction compound as part of this application. However the General Permitted Development Order allows for the provision of a temporary site compound, as such this has not been requested as part of this scheme. A condition can also ensure that the new access is constructed first before any other development can take place.

7.16 The basin will be owned and maintained by West Berkshire Council and will be planted to create a new wild meadow. The surrounding fields will be retained by the current owner for agricultural use.

8. MATTERS FOR CONSIDERATION

- 8.1 The principle of development,
- 8.2 The impact on the character and appearance of the area
- 8.3 Impact on amenity of adjacent land uses
- 8.4 Impact on transport, highway safety and public rights of way matters
- 8.5 Impact on Flooding and Drainage
- 8.6 Impact on Biodiversity

Other matters:

- 8.7 Planning Balance
- 8.8 The assessment of sustainable development

8.1 The principle of development

- 8.1.1 The site is located outside of but adjacent to the defined settlement boundary of Thatcham. As such the application site falls within the open countryside for planning purposes as identified within Policy ADPP1 of the Core Strategy.
- 8.1.2 Paragraph 10 of the NPPF states that plans and decisions “need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas”.
- 8.1.3 The NPPF requires local authorities to “approach decision-making in a positive way to foster the delivery of sustainable development’ (paragraph 186). Paragraph 187 further stresses that “decision-takers at every level should seek to approve applications for sustainable development where possible”.
- 8.1.4 Policy ADPP1 states that only appropriate limited development will be allowed, with a focus on addressing identified needs and maintaining a strong rural economy. The policy also encourages the maximum use of land and infrastructure.
- 8.1.5 Policy ADPP3 of the Core Strategy is applicable to development within Thatcham and states that “the risk of flooding within the area will be reduced and managed through the implementation of schemes within the Thatcham Surface Water Management Plan (SWMP) and in accordance with Policy CS16”. The proposed FAS is incorporated within the SWMP. The scheme is the third basin, as part of a wider Thatcham flood alleviation plan. The scheme follows similar proposals at Cold Ash Hill and Tull Way.
- 8.1.6 Policy CS 5 states that the LPA will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery, whilst

protecting and enhancing local amenities and environmental quality. The applicant has engaged with relevant stakeholders including DEFRA, Environmental Agency and the local community, including the Thatcham Flood Forum. As such the proposal accords with Policy ADPP 1, ADPP 3 and CS 5.

8.1.7 In principle, it is therefore considered that the proposed development is in general accordance with the development plan. The NPPF would also advise granting planning permission unless significant adverse impacts are identified or specific policies indicate development should be restricted. The relevant considerations are assessed in this report, otherwise the principle of development is considered acceptable in accordance with the development plan and the NPPF.

8.2 Impact upon the character and appearance of the site and the area

8.2.1 The Government attaches great importance to the design of the built environment, and securing high quality design is one of the core planning principles of the NPPF. Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area.

8.2.2 The site lies within the open countryside and within Dunstan Park, located to the north of Floral Way and the town of Thatcham. The site is outside of the North Wessex Downs Area of Outstanding Natural Beauty (AONB), which has its boundary approximately 1.2 km to North West and approximately 1 km to the north east. The site is approximately 1.2 km from Upper Bucklebury to the north-east.

8.2.3 In terms of the immediate landscape, the proposed development site is situated on the north-eastern margins of the town of Thatcham. Floral Way almost provides a physical boundary between the urban and rural areas. A small paddock is situated in the south-east corner. An access and surfaced track traverses the southern part of the site, leading to a small yard complex located at the northeastern corner. Two drainage channels, flanked by lines of mature trees, run north to south through the central and eastern parts of the site.

8.2.4 The northern and western boundaries of the site are open fields with a steady rising of the ground levels to the west and north west. The footpath that runs from Floral Way up this hillside to the west (THACTH/6/1) provides pleasant open views of the site. There are no footpaths within the site itself.

8.2.5 Views from local properties include those along the southern side of Floral Way in Thatcham, including Foxglove Way and those properties within the new estate at Harts Hill Farm. The properties at Harts Hill Farm will have their rear gardens backing onto the proposed site.

8.2.6 The maximum height of the bund is set at 2.8 metres, due to the nature and scale of the proposed development, it is considered that there will be a significant alteration of the natural character and appearance of the landscape in this area. The area immediately west of the site is more open and prominent with sweeping fields sloping to higher vantage points. The higher ground to the west will further expose the nature and scale of the development. As such there would be a detrimental impact on the existing character and appearance of the area. Due to the distance to the AONB boundaries and the sloping terrain it is considered that there would be no impact on any views from within the AONB boundary. The bund will be set back from Floral Way and the gardens to the east.

- 8.2.7 An extensive landscaping scheme including a schedule of the plant species and densities has been submitted to mitigate the harm on the character and appearance of the area. The scheme will provide landscape enhancements through new hedgerows with hedgerow trees along the entire site boundary. The Tree Officer has been asked to review the landscaping scheme and schedule of plants. Unfortunately no comments have been received at the time of writing this report. It is anticipated that comments will be made available on the committee update sheet.
- 8.2.8 During the construction phases the appearance of the site and landscape will also be significantly altered. However once the proposed bund has been constructed, and the proposed landscaping established, the development will be softened considerably. The views from the public right of way footpath to the south will be greatly altered for the short section of the footpath along Floral Way. Once the landscaping scheme is established, any impacts will be well mitigated.
- 8.2.9 The views from the footpath to the west and north west will be significantly altered, notwithstanding the proposed landscaping scheme. The bund will be seen as an extensive man made feature with urbanising concrete and steel materials, however, as the landscaping proposed becomes well established this will be partly softened in the views from the footpath to the west. The bund and proposed landscaping will obscure some views of the site from the residential properties to the south and east. It is considered that the proposed hedgerow will provide some limited level of cover.
- 8.2.10 Overall the proposal will result in a significant change to natural ground levels and views into and out of the countryside. The proposal will be seen as a man made structure within the countryside but on the urban edge of the settlement of Thatcham. The landscaping proposed will greatly soften the impact of the development and will help to ensure the development blends in with the surrounding fields to the north and west and reduce the visual impact from Floral Way as much as possible. Despite the extensive landscaping scheme submitted, the proposal is considered to have a detrimental impact on the character and appearance of the area.

8.3 **Impact upon amenity and adjacent land uses**

- 8.3.1 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Core Strategy Policy CS14 further states that new development must make a positive contribution to the quality of life in West Berkshire. The Council's Supplementary Planning Document 'Quality Design' provides guidance on the impacts of development on neighbouring living conditions.
- 8.3.2 The distances from the crest of the bund to the garden boundaries to the east are shown below:
- No 8 The Spinney, approximately 13 metres.
 - No 9 The Spinney, approximately 12 metres.
 - No 9 Farmhouse Mews, approximately 10 metres.
 - No 8 Farmhouse Mews, approximately 9 metres.
 - No 7 Farmhouse Mews, approximately 9 metres.
 - No 6 Farmhouse Mews, approximately 9 metres.
- 8.3.3 The maximum bund height to the east will have an adverse impact on the above six properties. The bund will also create an enclosed feel for the neighbouring residents. As these properties back onto the site, there will be a detrimental impact on the outlook from these residential properties.

- 8.3.4 The distances to the bund crest and the bund slope ensures that there will be no significant impact on neighbouring amenity in terms of overshadowing and loss of light into the garden areas and any of the properties. It is considered that some light will be lost from the proposed landscaping along the boundaries, however the separation distance between the bund and the properties is considered sufficient to maintain acceptable levels of amenity.
- 8.3.5 The construction works themselves will cause potential noise disturbance. A construction method statement has not been submitted with the application. A condition is proposed that requires the submission of a construction method statement can be attached, if the application is approved.
- 8.3.6 The crest of the bund will be accessible by personnel for inspection and maintenance purposes. It is considered that there will be overlooking into the rear gardens of the properties, resulting in some loss of privacy for residents during this time. The periods for maintenance and inspection would be minimal, such that the overlooking impact would be infrequent.

8.4 **Impact on transport, highway safety and public rights of way matters**

- 8.4.1 In accordance with Core Strategy Policy CS13, development that generates a traffic impact will be required to reduce the need to travel, improve and promote opportunities for healthy and safe travel, improve travel choice and facilitate sustainable travel, and mitigate the impact on the local transport network and the strategic road network. The main transport and highway issues relating to this application are the duration of works, impact on local highway network, access for construction phase works, and trip generation.
- 8.4.2 The construction of the bund will require the importation and likely exportation of material. This will result in significant traffic generation mainly by HGV accessing and exiting the site.
- 8.4.3 A Construction Method Statement will be required and can be secured by a planning condition. There will be disruption to the public right of way footpath route during construction. However the Public Right of Way Officer has raised no objections. An advisory informative has been attached for the applicant. The proposal is therefore not considered to have a detrimental impact on the public right of way.
- 8.4.4 Overall the application's highway impacts are considered acceptable under development plan policies CS 13 and CS 18 of the Core Strategy and TRANS.1 of the Local Plan.

8.5 **The impact upon green infrastructure and biodiversity**

- 8.5.1 With regard to biodiversity, paragraph 118 requires that planning applications should ensure that new developments conserve and enhance biodiversity.
- 8.5.2 Core Strategy Policy CS17 (Biodiversity and geodiversity) also states that, in order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.
- 8.5.3 The application has been reviewed by Natural England and they have not raised any objections and no comments have been received from the Council's Ecologist. A condition will be attached to ensure protection of species. The provision of suitable landscaping will be required and has been secured by the applicant. The proposed

landscaping scheme will offer biodiversity enhancements in accordance with Policy CS17 of the Core Strategy.

- 8.5.4 Policy CS18 seeks to protect and enhance the District's green infrastructure. No comments have been received from the Council's Tree Officer.

8.6 **Impact on Flooding and Drainage**

- 8.6.1 The Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS16 (Flooding) applies across the district and highlights the cumulative impacts of development on flooding within the district.

- 8.6.2 As previously noted the development proposed has been detailed in the Thatcham Surface Water Management Plan (2010). The applicant has also consulted with the Thatcham Flood Forum.

- 8.6.3 As a FAS, the development proposed cannot be carried out elsewhere. It is considered that the development accords with Policies ADPP3 and CS16 of the Core Strategy as it will enable management and reduction of flooding. The FAS will be managed and maintained by West Berkshire Council. It is considered that the proposed development would have beneficial effects and will reduce the overall flood risk within the area.

8.7 **Other matters**

Agricultural land

- 8.7.1 The construction of the proposed development would not lead to the direct loss of agricultural land.

Environmental Protection

- 8.7.2 Environmental Health Officers have not raised any environmental protection concerns, such as contaminated land or air quality. Matters such as effects of dust and noise are covered by way of conditions requesting additional information and restricting the hours of work.

Construction Impacts

- 8.7.3 It is acknowledged that construction works can result in temporary disturbance to a local area and households. Construction impacts are covered in this report and there are no significant concerns with potential construction impacts that cannot be made acceptable by conditions on any planning permission.

Planning Balance

- 8.7.4 It is considered that the proposed FAS will have a significant impact on the character and appearance of the area and can be viewed from vantage points to the west. The bund is set within terrain that rises to the north, north-west and west.

- 8.7.5 Your officers consider that the proposed development would be harmful to the character and appearance of the area and will also present limited harm to immediate neighbouring properties in terms of the outlook from the properties to the east. In considering the planning balance, it is concluded that the harm to the character and appearance of the area has been mitigated as far as possible by the

proposed landscaping scheme. Due to the terrain and despite the landscaping, the proposal still presents significant harm to the character and appearance of the area.

8.7.6 It is considered that the harm to the character and appearance of the area is outweighed by the significant social, economic and environmental public benefits that the FAS would provide. The development would provide benefits to the public, particularly the residents and businesses within Thatcham. The development will provide flood protection and will reduce the risk of flooding to the town. In addition, the development will have a limited impact on the amenity currently enjoyed by the six properties located to the eastern boundary.

8.7.7 As such Officers have applied significant weight to the identified benefits of the scheme. Therefore on this basis, and having carefully considered both the benefits and disadvantages of the scheme it is concluded that the benefits of the scheme to the local community significantly outweigh the harm that will result from the proposal.

8.7.8 **Presumption in Favour of Sustainable Development**

8.7.9 For the reasons detailed in this report, it is considered that the proposed development is in accordance with the relevant development policies that provide a general framework for decision making with respect to this application. The proposed development is considered essential infrastructure for the purposes of preventing loss through extreme flood events.

8.7.10 Paragraph 14 of the NPPF sets out the Government's economic, environment social planning policies for England, with the presumption in favour of sustainable development. 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 and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal.

8.7.11 Economic Dimension: It is considered that the proposal makes a significant contribution to the wider economic dimension of sustainable development. There would be major benefits in terms of protecting homes and business within Thatcham from future floods and any losses attributed to flood events.

8.7.12 Environmental dimension: With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding area has been assessed as part of this application. It is considered that whilst the proposal has significant negative impacts on the landscape, the development will also safeguard against the environmental devastation caused by flooding. In addition the development will provide some biodiversity enhancements to the area. It is therefore considered that the proposal would on balance respect and preserve the existing natural and built environment and that the proposal protects and enhances the immediate local area and the site specifically. The ecological and flood prevention benefits have been discussed and add to the positive weight attributed to the development.

8.7.13 Social dimension: It is considered that the proposal makes no immediate significant contribution to the wider social dimensions of sustainable development, however social and neighbourliness considerations overlap those of environmental in terms

of neighbouring amenity. Disruptions to adjacent land users have been assessed and are considered to be limited. In addition any harm to the amenity of neighbouring properties is considered limited. Conditions can be attached to the planning application to ensure amenity is preserved as much as possible. The long term reduction in the threat of flooding to the surrounding area is considered to make a significant contribution to the social dimension of sustainable development.

- 8.7.14 For the above reasons, it is considered that the proposed development is supported by the NPPF's presumption in favour of sustainable development.

9 CONCLUSION

- 9.1 Having regard to the relevant development plan policy considerations and the other material considerations referred to above, it is considered that the development is justified and necessary for the following reasons:
- 9.2 The principle of the development proposed has been detailed in the Thatcham Surface Water Management Plan (2010) and is in accordance with the Core Strategy specifically Policies ADPP1 and ADPP3 as well as CS 5 and CS 16.
- 9.3 The development would contribute a significant public benefit through the reduction in the risk of flooding to the north-east of Thatcham. The detention basin created would provide flood protection to residential properties and business, improving the safety of the public. Therefore, whilst some harm to the character and appearance of the area and neighbouring amenity has been identified, this is considered to be significantly outweighed by the public benefits that the FAS would provide.
- 9.4 This recommendation has been considered using the relevant policies related to the proposal. These are; ADPP1, ADPP3, CS5, CS13, CS14, CS16, CS17, CS18 and CS19 of The West Berkshire Core Strategy 2006 - 2026, Policy OVS5, OVS7, HSG1 and TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

10 FULL RECOMMENDATION

- 10.1 **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the following conditions:

1. Time

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Approved plans and documents

The development hereby permitted shall be carried out in accordance with the approved plans and/or documents listed below (subject to minor amendments as stipulated by other conditions below):

- 1) Geotechnical Interpretative Report
- 2) Archaeological Desk-Based Assessment November 2014.

- 3) Landscape Appraisal, Proposed Landscape Scheme, Planting Details and Landscape Management Plan by Kirkham Landscape Planning dated October 2016.
- 4) Landscape Scheme Drawing – WBC/237/SK1
- 5) Access Road Details Drawing - R512-008
- 6) Sheet Piling Detail Drawing - R512-010
- 7) Reservoir Inlet Details Drawing - R512-101
- 8) Proposed Earthworks Strategy Drawing - R512-109
- 9) Control Structure Elevations (Sheet 1 of 3) Drawing - R512-102 REVISION A
- 10) Control Structure Elevations (Sheet 2 of 3) Drawing - R512-103
- 11) Control Structure Elevations (Sheet 3 of 3) Drawing - R512-104
- 12) Proposed Flood Alleviation General Arrangement Drawing - R512-001 REVISION C
- 13) Sealed Chamber Details Drawing - R512-106
- 14) Spillway and Bund Cross Sections Drawing - R512-105
- 15) Utilities Plan Drawing - R512-003 REVISION A

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

3. Materials as specified

Unless otherwise agreed in writing by the Local Planning Authority the materials to be used in the development hereby permitted shall be as specified on the plans and supporting documents

Reason: To ensure that the materials respond to local character. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policies CS14, CS17, and CS 19 of the West Berkshire Core Strategy 2006-2026.

4. Access construction before development commences

As a first development operation, the vehicular access and associated engineering operations shall be constructed in accordance with the approved drawing(s).

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

5. 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 or fencing.
- (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).

6. Visibility splays before use

No development shall take place until the proposed new access and the visibility splays at the access onto Floral Way have been provided in accordance with drawing number R512-008 received on 31 January 2017. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

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

7. Vehicle access track, parking and turning spaces

The vehicle access track, parking and turning spaces shown on approved drawings shall be provided within four weeks of the bund becoming operational. The parking and turning space shall thereafter be kept available for parking 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 2012, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan Saved Policies 2007.

8. Hours of work condition

The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing is 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.

Reason: In the interests of the amenities of neighbouring occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS 5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

9. Minimise the effects of dust

No development shall commence until the applicant has submitted to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of dust from the development. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works and thereafter no works shall be undertaken until the approved dust prevention measures have been implemented and these measures shall remain in operation until the development has been completed.

Reason: In the interests of the amenities of neighbouring occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS 5 and OVS7 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

10. Gates at accesse(s)

Any gates to be provided at the accesse(s) where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least five metres from the edge of the highway.

Reason: In the interest of road safety and to ensure that vehicles can be driven off the highway before the gates are opened. This condition is imposed in accordance with the National Planning Policy Framework 2012 and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

11. Hard and soft landscaping

The hard and soft landscaping as detailed on the Landscape Scheme Drawing – WBC/237/SK1 received on 31 January 2017 shall be implemented in full within the first planting season following the completion of the development. Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the next planting season by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping and enhance the biodiversity of the area. This condition is imposed in accordance with the National Planning Policy Framework 2012 and Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

12. Fence and gate details

No development shall take place until details, to include a plan and elevations, indicating the positions, design, materials and type of fences and gates (boundary treatment) to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the development hereby permitted becomes operational 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 fence and gate shall thereafter be retained in accordance with the approved details.

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, in the interest of neighbouring amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

13. Written scheme of Archaeological investigation

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. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS19 of the West Berkshire Core Strategy (2006-2026).

14. Encountering protected species

In the event that bats and/or nesting birds or other protected species are encountered during the course of the planned work, the work should stop immediately and a licensed ecologist called to site to provide advice on how to proceed. Work should recommence only if a report by a suitable qualified ecologist has first been submitted to and approved in writing by the Local Planning Authority. The report should show the identified protected species and the proposed mitigation measures. Thereafter all works shall be undertaken in accordance with the requirements of the approved report.

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

Informative:

Access construction

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

Excavation in close proximity to the highway

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

Incidental works affecting the highway

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

Minimisation of noise on construction and demolition sites.

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.

Footpath must not be affected or obstructed at any time

The footpath must not be adversely affected or obstructed at any time. No alteration of its surface may take place without the prior approval of the West Berkshire Council Public Rights of Way Team.