

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(3)	15/03468/FULEXT Thatcham Town Council	15 th April 2016 (Extension of time agreed until 24 th July 2017)	Demolition of existing facilities, and the erection of 47 new dwellings, including internal access road. Pound Lane Depot, Pound Lane, Thatcham, Berkshire. Persimmon Homes North London.

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=15/03468/FULEXT>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 9.1) and the completion of a Section 106 agreement.

OR

If the legal agreement is not completed by the 24th July 2017, to **DELEGATE** to the Head of Development and Planning to **REFUSE PLANNING PERMISSION**, for the reason set out in Section 9.2 or to extend the period for completion if it is considered expedient to do so.

Ward Members: Councillor Ardagh-Walter
Councillor Goodes

Reason for Committee determination: This is a major application on land owned by West Berkshire Council. Amended plans have been received to achieve the lifetime homes requirement. These plans represent a material change that needs to be considered by members as the original resolution to grant planning permission subject to the completion of a S106 agreement was made by the Eastern Area Planning Committee.

Key background documentation: Eastern Area Planning Committee on 13th July 2016 and 24th August 2016, agenda report, update sheet and minutes.

Contact Officer Details

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1. PLANNING HISTORY

No previous applications of relevance.

2. PUBLICITY

Site Notice Expired: 24th February 2016
Revised Site Notice Expired: 27th April 2017
Neighbour Notification Expired: 12th February 2016
Additional Neighbour Notification Expired: 18th April 2017

3. RECONSULTATIONS AND REPRESENTATIONS

3.1 Reconsultations

Thatcham Town Council: No further comments received.

Highways: The site layout plan (drawing title S278 Works) looks to be the same drawing I provided conditions on - P712/4 dated May 2016 - and so no further comments.

Thames Water: No objection. Thames Water have assessed and responded to the application based on the information provided to date. The proposed drainage strategy "DRAINAGE STRATEGY - 17602/THAT/5/100 A" involves connecting surface water flows into the public surface water sewer at manhole SU49679253 in Clerewater Place, restricting the discharge to 40 l/s by a flow control chamber, and reducing the amount of impermeable area from 0.882 hectares to 0.496 hectares, thereby providing betterment. Foul water flows will be connected into the public foul sewer at manhole SU50671301 in Pound Lane. Should the development proposal change, Thames Water would need to re-assess the application and review the comments accordingly.

Environmental Health: I have reviewed the additional information received from Persimmon and would refer you to previous comments I made on this application. I am satisfied that comments remain appropriate.

No additional investigations appear to have taken place to characterise the gassing regime or determine whether a hydrocarbon

resistance membrane will need to be installed in properties. Whilst I note the Geotechnical report makes reference to a Soil Environmental Services Limited report carried out in December 2011 it would be inappropriate for me to make any assumptions about the site without reviewing this report.

Drainage:

I note your comment that the latest revised layout for the development results in a reduction of garden sizes and a higher density of housing. Both of these are potentially detrimental to the provision of SuDS and will make an already 'difficult' situation worse.

By way of response to the recently submitted information, including a revised drainage statement (Revision A dated Feb 2017), I have a number of questions and comments :-

Under para.2.7 in the "Ground Conditions" section of the drainage statement (DS), as a way of dealing with existing ground contamination, it is proposed to use a capping layer of 600mm thickness. I previously asked whether or not this will have an impermeable base to it which has not been addressed. If this layer is impermeable, then any rainfall occurring on it will not be able to drain away and hence will lead to saturated ground conditions in the gardens. If it is permeable, then presumably, water will be able to infiltrate through this layer potentially taking contaminants below further into the ground. Further information is needed.

I note the appendices in the DS containing information from Thames Water and reference to this in para 5.13. The email in appx G states that "... drainage situated in land not owned by the property... would have transferred to TW in Oct 2011." Does "land not owned by the property" mean all of the land along the southern boundary of the site? I require a definitive statement from Thames Water that they managed / maintain everything south of the site boundary as I have checked their records and the quoted statement is not borne out by the TW records. The planted channels introduced into the scheme are welcomed, although they are very limited in the area covered.

In para 7.2, it states that "The responsibility of permeable paving maintenance will fall to the individual house holders." I would prefer that this is further clarified by stating that this refers only to private driveways. Obviously this will not apply to the access roads.

In paras 7.3 and 7.4, further advice should be given relating to the washing of dirty vehicles and the tipping of building materials / topsoil etc on the permeable surfaces. Both will lead to premature clogging of the block joints if not protected. In the geotechnical SI report (appx B), para 10 discusses foundations. What precautions will be taken to ensure the foundations do not become pathways for the migration of contamination being leached downwards?

Regarding previous correspondence :-

Around a year ago there were a number of communications involving my SuDS comments (sent on 19th May, 21st June and 4th July) and the developer's responses to these. My opinion has not changed in the intervening time and the additional proposed measures (planted channels) do not really fulfil our desire to see additional SuDS on the site.

In addition to that, there is the issue of the off-site discharge. I am not convinced that 40l/sec is a safe flow and I still require evidence that this is a substantial reduction in the existing off-site discharge and a calculation as to what the greenfield run-off rate would be. Despite Thames Water's acceptance of the proposal as it stands, it is still down to the LLFA to approve the actual flow and therefore it must be demonstrated that the receiving system has spare capacity for this since downstream, that network forms part of the highway drainage system.

Further to the comments above relating to paras 7.2 - 7.4 of the DS, it was previously suggested by the developer that appropriate wording can be included in the deeds of sale for each property dealing with maintenance and responsibility for private SuDS; we would want to see draft wording for these agreements to ensure potential residents are adequately informed of their obligations.

Finally the central part of the proposed drainage strategy is the storage of water in the oversize pipes. I have previously stated that the highway authority would not want to adopt a road containing these and the solution offered is for maintenance of the road/drainage by a private management company. We need to have confirmation from our development control team that this is in fact an acceptable solution as there are risks to WBC involved in this strategy.

I therefore still remain unhappy with the drainage proposals for the site.

Tree officer:

The application has considered the trees at the site as part of the redevelopment, and whilst the majority are to be removed, the previous use of the brownfield site has left a number of poor quality trees. This is fully supported in the arboricultural report. The overall loss is considered acceptable as new landscaping will mitigate the losses in the long term, subject to agreement on the final scheme.

I have no objection to the application subject to conditions.

Archaeology:

The site has been subject to some disturbance, although it lies in quite an archaeologically rich area. It was considered that the eastern side in particular might contain some buried archaeology, and a watching brief was therefore requested.

The standard archaeological condition that we use has been worded so as to cover the eventualities of phasing, ie what they are asked to

submit for condition discharge is just the Written Scheme of Investigation (and evidence that they have secured this). It's quite legitimate within the WSI to say we'll develop this bit first, then move on to other areas and I will ensure that when their contracting archaeologist liaises with me over the content of the WSI that this clause is included. Once the WSI is approved and the condition discharged, as far as I am concerned development can start in line with what has been agreed, in whatever way is most practicable for the client. I appreciate there are unknown factors involved in buried archaeology and thank them for their cooperation.

3.2 Additional letters of representation

Neighbouring residents have been reconsulted with regard to the amended plans received. Two letters of objection have been received, concerning;

- Lack of car parking facilities.
- Traffic implications.

4. PLANNING POLICY

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

4.2 Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (March 2012) (NPPF)
- The Planning Practice Guidance (March 2014) (NPPG)
- By Design: urban design in the planning system: towards better practice (DETR/CABE)

4.3 The following policies from the West Berkshire Core Strategy are relevant to this application:

- ADPP1: Spatial Strategy
- ADPP3: Thatcham
- CS1: Delivering New Homes and Retaining the Housing Stock
- CS4: Housing Type and Mix
- CS5: Infrastructure Requirements and Delivery
- CS6: Provision of Affordable Housing
- CS13: Transport
- CS14: Design Principles
- CS15: Sustainable Construction and Energy Efficiency
- CS16: Flooding
- CS17: Biodiversity and Geodiversity
- CS19: Historic Environment and Landscape Character

4.4 The following policies from the West Berkshire District Local Plan, Saved Policies 2007 are relevant to this application:

- OVS.5: Environmental Nuisance and Pollution Control
- OVS7/OVS8: Hazardous Substances

- TRANS1: Meeting the Transport Needs of New Development

4.5 The West Berkshire Council Housing Site Allocations Development Plan Document (May 2017) (DPD) is a key material consideration. The following policies from the DPD are relevant to this application:

- GS1: General site policy
- C1: Location of new housing in the countryside
- P1: Residential parking for new development

4.6 In addition, the following locally adopted policy document is relevant to this application:

- Supplementary Planning Document (SPD) Quality Design (June 2006)
 - Part 1 Achieving Design Quality
 - Part 2 Residential Development
 - Part 4 Sustainable Design Techniques
- Planning Obligations SPD (December 2014)
- West Berkshire Supplementary Planning Guidance: House Extensions. (July 2004) (SPG).

5. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

5.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). A screening opinion has been issued confirming the proposed development is not EIA development and therefore an Environmental Statement is not required.

6. DESCRIPTION OF AMENDMENTS

6.1 The proposed amendments intend to accord with the Council's lifetime homes requirement. The amended housing site layout will meet with this requirement.

6.2 The majority of the affordable housing will move from the south-eastern area of the site to the north-western area. The total number of residential dwellings and affordable homes will remain the same as previously proposed. The main impact of the amendments will result in taller housing, and a higher density to the north of the site, there will also be a slight reduction in the rear garden amenity of the proposed dwellings. However, these will still accord with the minimum garden amenity size requirements stated in the Council's Quality Design SPD.

7. APPRAISAL

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

- Principle of the development
- Affordable housing
- The impact upon the character and appearance of the area
- Design
- The impact upon neighbouring amenity
- Highway implications

- Drainage
- Other matters
- Community Infrastructure Levy (CIL)
- The presumption in favour of sustainable development

7.1 Principle of the development

- 7.1.1 Policy ADPP1 of the West Berkshire Core Strategy 2006 - 2026 (WBCS) designates Thatcham as an urban area within its district settlement hierarchy. These are areas with a wide range of services. The policy seeks to focus the majority of development within these areas.
- 7.1.2 Policy ADPP3 of the WBCS re-emphasises Policy ADPP1. It sets out the criteria for the principle of development within Thatcham in which the site is situated. Policy ADPP3 permits such development providing it preserves the surrounding environment. It seeks to conserve and enhance the character of the area, ensuring that any development responds positively to the local context.
- 7.1.3 Policy CS1 of the WBCS sets out the Council's approach to delivering new homes and retaining the housing stock. Provision will be made for the delivery of at least 10,500 net additional dwellings and associated infrastructure over the period of 2006 to 2026. New homes will be located in accordance with the settlement hierarchy outlined in Policy ADPP1. It states that there should be no net loss from the existing stock of homes in West Berkshire whilst new homes will be primarily developed on suitable previously developed land within settlement boundaries.
- 7.1.4 The development is located in a settlement boundary within an area that benefits from a range of services. It will provide 47 additional dwelling units in West Berkshire, meeting the Council's requirement for the delivery of new homes. The development is considered to accord with the context of the surrounding area.
- 7.1.5 In view of the above the principle of development is acceptable providing it maintains the character and appearance of the surrounding area. Furthermore, although the principle of development is acceptable the proposal still needs to accord with other relevant development plan policies and other relevant material and planning considerations need to be taken into account.

7.2 Affordable housing

- 7.2.1 Policy CS6 of the WBCS is concerned with the provision of affordable housing. In order to address the need for affordable housing in West Berkshire a proportion of affordable homes will be sought from residential development. The Council's priority and starting expectation will be for affordable housing to be provided on-site in line with Government policy. The affordable units will be appropriately integrated within the development. The Council will expect units to remain affordable so as to meet the needs of both current and future occupiers.
- 7.2.2 The proposal will provide a total of 14 affordable housing units. The proposal therefore complies with Policy CS6 of the WBCS which requires 30% affordable housing provision on development sites of 15 dwellings or more on previously developed land. This provision will be secured through a planning obligation.

7.3 The impact upon the character and appearance of the area

- 7.3.1 Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant in this instance. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 7.3.2 The criteria contained within the policy state that development shall contribute positively to local distinctiveness and sense of place. This is achieved by making efficient use of land whilst respecting the density, and character of the area.
- 7.3.3 Policy CS19 seeks to conserve and enhance the functional components of the landscape character and environment. Particular regard will be given to the sensitivity of the area to change, and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Proposals for development should be informed by and respond to features identified in various settlement character studies including the Quality Design West Berkshire Supplementary Planning Document, and community documents which have been adopted by the Council such as Parish Plans and Town Design Statements.
- 7.3.4 The site is currently vacant brownfield land with industrial buildings centred around the service yard to the south-west of the site. The surrounding area is characterised by modern high density dwellings that are uniform in appearance. Three storey flats are situated to the south and east of the site, whilst two storey dwellings are situated to the north-east. A public park is situated to the north and west of the site.
- 7.3.5 Taking the above policies into account, the proposed development is considered to improve the character and appearance of the surrounding area. The development reflects the overall appearance and density of neighbouring dwellings.
- 7.3.6 In view of the above the proposed development will be in accordance with the character and appearance of the area and is in compliance with Policy CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

7.4 Design

- 7.4.1 The NPPF is clear that good design is indivisible from good planning, it attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings.
- 7.4.2 The NPPF also adds that the visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Great weight should be given to outstanding or innovative designs which raise the standard of design more generally in the area.

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 7.4.3 Policy CS14 of the WBCS states that new development must demonstrate high quality and sustainable design that relates not only to the appearance of a development, but the way in which it functions.
- 7.4.4 Policy CS4 of the WBCS states that residential development will be expected to contribute to the delivery of an appropriate mix of dwelling types and sizes to meet the housing needs of all sectors of the community, including those with specialist requirements. The mix on an individual site should have regard to; the character of the surrounding area, the accessibility of the location and availability of existing and proposed local services, facilities and infrastructure, the evidence of housing need and demand from housing market assessments and other relevant evidence sources. Development proposals will be expected to demonstrate how these matters have been addressed within the proposed dwelling mix.
- 7.4.5 Policy CS4 states that developments will make efficient use of land with greater intensity of development at places with good public transport accessibility. Higher densities above 50 dwellings per hectare may be achievable in town centres, particularly in parts of Newbury town centre, and along main transport routes and close to transport nodes. In the areas outside town centres, new residential development will predominantly consist of family sized housing which should achieve densities of between 30 and 50 dwellings per hectare, and should enhance the distinctive suburban character and identity of the area. Lower density developments below 30 dwellings per hectare will be appropriate in certain areas of the District. Some parts of the urban areas and some villages are particularly sensitive to the impact of intensification and redevelopment because of the prevailing character of the area, the sensitive nature of the surrounding countryside or built form, and/or the relative remoteness from public transport.
- 7.4.6 The development proposes eight different housing types, including 6 x 2 bed flats. The houses will consist of 2, 3, and 4 bed dwellings. The houses will range from 2 to 2.5 storeys high, whilst the flats will be three storeys in height. The various designs will be dispersed throughout the site. Each dwelling type will be finished with different materials.
- 7.4.7 The density is relatively high at 52 dwellings per hectare. Although not situated within a town centre this density is considered acceptable. The site is comparable to the density of neighbouring residential units to the south and east whilst it is situated within an area that is close to a main transport route where high density dwellings are located.
- 7.4.8 The design and overall appearance of the development will fit with the general scale and features of the surrounding area. There will be adequate amenity space, parking and privacy for the future occupants.
- 7.4.9 In view of the above the design and appearance of the proposed development is in compliance with the advice contained within the NPPF, and Planning Policy CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

7.5 Impact upon neighbouring amenity

- 7.5.1 Policy CS14 of the WBCS is of importance with regard to the potential impact upon neighbouring amenity. Policy CS14 requires new development to make a positive contribution to the quality of life in West Berkshire.
- 7.5.2 The proposed impact upon neighbouring occupants is considered to be minimal. The development will be adequately distanced and screened from the views of neighbouring occupants. There will be some impact on the amenity of the future occupants of plot 21 from the dwellings in Clearwater Place to the south. The neighbouring first floor windows will be approximately 16 metres from the rear garden. A minimal loss in privacy will occur on the rear garden amenity space of plot 21. Paragraph 1.14.2 of the West Berkshire Quality Design SPD states that occupants should experience a high level of privacy at the rear of a dwelling and that overlooking windows, whether in neighbouring workplaces or other homes, should be avoided or be some distance away. There is a long standing good practice guideline of 21 metres as a privacy distance between houses backing onto each other. At 16 metres the distance between the rear garden of plot 21 and the first floor windows at Clearwater Place is less than the recommended 21 metre distance. However, the distance is not considered to create sufficient harm to the privacy of the future occupants of plot 21 to justify refusal as the neighbouring window will be situated at a 90 degree angle.
- 7.5.3 In view of the above the proposed development is not considered to create a detrimental impact towards neighbouring amenity. The proposal accords with policies CS14 of the West Berkshire Core Strategy 2006 – 2026 July 2012, and the advice contained within the NPPF which seeks to protect neighbour amenity.

7.6 Highway implications

- 7.6.1 Policy CS13 of the WBCS concerns transport. It emphasises that road safety in West Berkshire is a key consideration for all development. Particular focus should be given to the safety of pedestrians, cyclists, and other vulnerable road users.
- 7.6.2 Policy CS13 states that development generating a transport impact will be required to; reduce the need to travel, improve and promote opportunities for healthy and safe travel, mitigate the impact on the local transport network and the strategic road network, and prepare transport assessments to support planning proposals in accordance with national guidance.
- 7.6.3 Policy P1 of the Housing Site Allocations DPD states the parking standards for new residential development. The layout and design of parking spaces should follow the parking design guidance from the Building for Life Partnership 2012 and principles contained in the Manual for Streets in order that good quality homes and neighbourhoods are created. This site is in parking zone 2, the policy states that a minimum of 2 car parking spaces should be available for 2 bed dwellings, 2.5 spaces for 3 and 4 bed dwellings, and 1.5 spaces for 2 bed flats, plus 1 additional space per 5 flats. The parking requirement for this location therefore equates to a total of 107 car parking spaces. The application proposes 94 car parking spaces.
- 7.6.4 Policy TRANS1 of the West Berkshire Local Plan Saved Policies 2007 states that the transportation needs of new development should be met through the provision

of a range of facilities associated with different transport modes including public transport, walking, cycling and parking provision. The level of parking provision will depend on the availability of alternative modes, having regard to the maximum standards adopted by West Berkshire Council. Standards below the maximum level may be applied in more accessible locations. The local plan requires 1.5 car parking spaces per dwelling, this equates to 71 car parking spaces for the proposed development. This is clearly different from the requirements of Policy P1 of the DPD. A judgement must therefore be made on what parking requirement is appropriate in this instance.

- 7.6.5 Highway officers acknowledge that the proposed parking spaces are below the required standard stated within Policy P1 of the DPD, however they are above the older WBDLP parking standards. The development site is located within close proximity to a main transport route which is served well by public transport services. In addition to this adequate cycling spaces are proposed. In view of this the proposed level of parking is considered acceptable in this location having regard to the advice of highway officers.
- 7.6.6 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development. It states that transport assessments must; ensure safe and suitable access to the site can be achieved for all people, and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. It further states that, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.6.7 Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, development should be located and designed where practical to accommodate the efficient delivery of goods and supplies, and give priority to pedestrian and cycle movements. Proposed development must have access to high quality public transport facilities, create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and avoid street clutter.
- 7.6.8 The Council's highways service has reviewed the proposed plans raising no objections. Adequate car parking and access is available. It is therefore considered that the proposed development will comply with the criteria contained within Policy CS13 of the WBCS and the NPPF.

7.7 Drainage

- 7.7.1 Policy CS16 of the WBCS concerns flood risk from any source of flooding, including critical drainage areas and areas with a history of groundwater or surface water flooding. Proposals for development within these areas will only be accepted if it is demonstrated that they are appropriate, and there are no suitable and available alternative sites at a lower flood risk. When development has to be located in flood risk areas, it should be safe and not increase flood risk elsewhere, reducing the risk where possible.
- 7.7.2 The site is situated outside of a critical drainage area, and is not designated as being within flood zones 2 or 3. The Council's drainage officers have raised concerns with regard to drainage and possible implications on the future occupants

of the site. Drainage officers have requested additional information to overcome these concerns. Further information will therefore be required via condition to satisfy the concerns raised by West Berkshire Council drainage officers.

7.8 Contribution to the Thatcham Nature Discovery Centre

- 7.8.1 The Berkshire Oxfordshire and Buckingham Wildlife Trust (BBOWT) have requested a S106 contribution of £20,000 to mitigate the cost of development towards infrastructure maintenance at the Thatcham Nature Discovery Centre which is situated 200m to the south-east of the site.
- 7.8.2 BBOWT have stated that they intend to use this contribution to upgrade the footpaths at the Thatcham Nature Discovery Centre (NDC) and maintain the main lake. They have demonstrated that the proposed development will result in new local residents that will visit the NDC. BBOWT's calculations equate to an additional 146 visits to the NDC each year as a result of the new development.
- 7.8.3 BBOWT state that, "the new development is within easy walking distance of the Thatcham Nature Discovery Centre and Reserve and can therefore be demonstrated to lead to increased footfall / visitor pressure. There is therefore a direct link between the proposed development and the increased requirement for footpath maintenance. In line with WBC S106 / CIL policy documentation, it can be argued that footpath maintenance and upgrade is therefore 'infrastructure required off-site'. Works can be tied to this particular proposed development and is therefore 'required solely as a result of any large scale development'. The proposed development is one of a number of local developments that all lead to a cumulative increase in visitor pressure. Our S106 request therefore constitutes a contribution towards larger footpath maintenance and upgrade costs. This takes account of the flexibility within S106 to pool contributions from up to 5 separate developments".
- 7.8.4 Policy CS5 of the WBCS states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery, whilst protecting local amenities and environmental quality.
- 7.8.5 Paragraph 204 of the NPPF states that planning obligations should only be sought where they; are necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development. These tests are also given statutory force by the CIL Regulations.
- 7.8.6 BBOWT have provided a detailed consultation response to justify the need for a S106 contribution in this instance. However, officers would recommend that this would fail to accord with the above tests. The contribution is not necessary to make the development acceptable in planning terms, is not directly related to the development, and is not fairly and reasonably related in scale and kind to the development. Furthermore, the proposed works requested by BBOWT could be covered by the Community Infrastructure Levy (CIL), in accordance with the CIL Regulation 123 list (which defines what infrastructure is to be mitigated by CIL receipts or by planning obligations).

7.9 Community Infrastructure Levy (CIL)

- 7.9.1 Planning Policy CS5 of the WBCS states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery. The Council has implemented its Community Infrastructure Levy (CIL) as from 1st April 2015. Planning applications which are decided after 1st April 2015 may be liable to pay the levy.
- 7.9.2 The proposed new build in terms of the gross internal floor space area (GIA) as defined by the Royal Institute of Chartered Surveyors (RICS) is 2585.73m². Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations, new dwellings and residential development of 100m² or more will be liable to pay the Community Infrastructure Levy. In this instance the site is within the Newbury and Thatcham Area under which the chargeable rate is £75 per m².
- 7.9.3 As such this application is CIL Liable as consent is sought for new dwellings. CIL is managed separately, but in parallel to, the planning application process. A CIL Liability Notice will be issued shortly after the planning decision notice if planning permission is granted.

7.10 Sustainable Development

- 7.10.1 When considering development proposals, the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 7.10.2 The National Planning Policy Framework places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal. Future residents would make a contribution to the local economy, and the development would provide employment in construction for a short period. The environmental considerations have been assessed in terms of the impact on the character and appearance of the area, and neighbouring amenity and for the reasons given above are considered acceptable. The development would bring social benefits in terms of providing housing required to meet the needs of present and future generations, including affordable housing. As these have been found acceptable the development is considered to constitute sustainable development.

8. CONCLUSION

- 8.1.1 Having taken account of all the relevant policy considerations and the other material considerations referred to above, it is concluded that having regard to the clear reasons to support the proposed development and the grant of conditional permission is justified for the following reasons.
- 8.1.2 The proposal will not unduly harm the character and appearance of the surrounding area, or neighbouring amenity, and there are no other material considerations that

indicate planning permission should otherwise be refused. It is recommended that the application be approved.

- 8.1.3 This decision has been considered using the relevant policies related to the proposal. These are; ADPP1, ADPP3, CS1, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, and CS19 of The West Berkshire Core Strategy 2006 - 2026, Policy OVS5, OVS7, OVS8, and TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007, Policy GS1, C1 and P1 of the West Berkshire Council Housing Site Allocations Development Plan Document (May 2017) (DPD), and the National Planning Policy Framework.

9. FULL RECOMMENDATION

DELEGATE to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 9.1) and the completion of a Section 106 agreement.

OR

If the legal agreement is not completed by the 24th July 2017, to **DELEGATE** to the Head of Development and Planning to **REFUSE PLANNING PERMISSION**, for the reason set out in Section 9.2 of the report or to extend the period for completion if it is considered expedient to do so.

9.1 Schedule of conditions

1. Full planning permission time limit

The development shall be started within three years from the date of this permission.

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

2. Approved plans

The development hereby permitted shall be carried out in accordance with drawing numbers 13.055.20DD, 13.055.GA.02B, 13.055.GA01B, 13.055.F01B, 13.055.G01, 13.055.H01, 13.055.E01B, 13.055.A01B, Hanbury – Type B, 13.055.C01B, 13.055.FL01B, 13.055.100DD, 13.055.100.MPDD, 13.055.100.SHDD, 13.055.100.TPDD, 100E, 200E, 500E, 701B, 13.055.104DD, POU-L-001B, 13.055.DM1A, 13.055.BS01, and 0135-1001A received on 4th April 2017.

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

3. Samples

No development hereby permitted, except the demolition operations and construction of the building foundations, shall take place until samples, and an accompanying schedule of the materials to be used in the construction of the external surfaces of the dwellings and any other external surface to the development hereby permitted, have been submitted to and permitted in writing by

the Local Planning Authority by way of a discharge of condition application. 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 ADPP1, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

4. Cycle storage

A dwelling hereby permitted shall not be occupied until the cycle storage has been provided for that dwelling in accordance with the approved drawings.

Reason: To encourage the use of cycles in order to reduce reliance on private motor vehicles. This condition is imposed in accordance with the National Planning Policy Framework, 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).

5. Archaeological supervision

No development shall commence until a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority via a condition discharge application. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 141 of the National Planning Policy Framework and Policy CS14 of the West Berkshire Core Strategy 2006 - 2026.

6. Bat/ Bird boxes

None of the dwellings hereby permitted shall be occupied until three built-in bat boxes and ten bird boxes have been provided within the site in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proposed development enhances local biodiversity. This condition is imposed in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

7. Reptiles

No development shall commence until plans showing the location and construction details of a reptile hibernaculum have been submitted to and approved by the Local Planning Authority via a condition discharge application. No dwelling shall be occupied until the approved hibernaculum has been provided in accordance with the approved plans and thereafter shall be permanently retained on site in accordance with the approved plans.

Reason: To accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.

8. 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(s) numbered plan JSL2325_701 Rev B, dated 22/12/2015 and supported by RPS tree report RPS ref JSL2325_770 dated December 2015. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

9. Construction management plan

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

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

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 Saved Policies 2007.

10. Refuse storage

No dwelling hereby permitted shall be occupied until an area for refuse/recycling storage has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

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

11. Management plan

No development shall commence until a landscape and ecological management plan has been submitted to and approved by the Local Planning Authority via a condition discharge application. The landscape and ecological management plan must incorporate the recommendations outlined within Section 5.2 'Conclusions and

Recommendations' of the 'Pound lane, Thatcham Bat Survey Report' dated November 2015.

The landscape and ecological management plan should include adequate details of the following;

- Description and evaluation of features to be managed and created
- Aims and objectives of management
- Appropriate management options to achieve aims and objectives
- Prescriptions for management actions
- Preparation of a costed work schedule for securing biodiversity enhancements in perpetuity
- Ongoing monitoring and remedial measures.

Thereafter the landscape and ecological management plan shall be implemented in strict accordance with the approved details

This condition is required to ensure compliance with the sustainable development objectives of the NPPF and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

12. Spoil

No development shall commence on site until full details of how spoil arising from the development will be used and/or disposed of have been submitted to and permission in writing by the Local Planning Authority in respect of a planning application. These details shall:

- a) Show where any spoil to remain on the site will be deposited,
- b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels),
- c) Include measures to remove the spoil from the site.
- d) Include a timescale for the spoil removal and associated works.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that any raising of ground levels on the site will not harm the character and amenity of the area. In accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

13. Hours of work

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 by way of an appropriate planning consent 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.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006 - 2026.

14. Layout and design standards

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. The developer must enter into a S278 Agreement for the access,

footway link fronting the site, and the relocation of the traffic calming along Pound Lane.

Reason: In the interest of road safety and 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 Saved Policies 2007.

15. Access closure with reinstatement

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

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

16. Visibility splays

No dwelling shall be occupied until visibility splays of 2.4 metres by 43 metres have been provided at the vehicular access onto Pound Lane. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

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

17. Parking/turning in accord with plans

No dwelling shall be occupied until the vehicle parking and any turning space related to that dwelling have 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 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 Saved Policies 2007.

18. Access construction

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

Reason: To ensure that the access(es) 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.

19. Sustainable drainage

No development shall commence until a surface water drainage scheme has been submitted to and approved by the Local Planning Authority via a condition discharge application. The scheme shall incorporate 'sustainable urban drainage' (SUDS) methods and attenuation measures, to restrict run-off from the site to no more than the equivalent greenfield rate, based on a 1 in 100 year storm plus 30% for possible climate change. The scheme shall also include measures to prevent any contamination from entering the soil or groundwater. It shall also provide a SUDS management and maintenance plan for the lifetime of the development, and a timetable for implementation. The surface water drainage scheme shall thereafter be carried out as approved, and no dwelling shall be occupied until the relevant surface water infrastructure serving that dwelling has been installed and brought into operation. Thereafter, the surface water drainage system shall be retained and maintained in proper working order.

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

20. Hard landscaping (as submitted)

A dwelling hereby permitted shall not be occupied until the hard landscaping for that dwelling has been completed in accordance with the details of boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) shown on the approved plans (drawing numbers 100E, 200E, and 500E received 4th April 2017).

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP3, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

21. Soft landscaping (as submitted)

Soft landscaping works for a dwelling shall be completed in accordance with the approved soft landscaping scheme (drawing numbers 100E and 500E received 4th April 2017) within the first planting season following completion of building operations. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP3, CS14,

CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

22. Land contamination 1: site characterisation.

The construction of the dwellings hereby permitted shall not take place until a scheme to assess the nature and extent of any land contamination of the site (whether or not it originates from the site) has been submitted to and approved in writing by the Local Planning Authority via a condition discharge application. An investigation and risk assessment shall be completed as part of this scheme. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced and submitted. The report of the findings shall include:

- a) A survey of the extent, scale and nature of contamination;
- b) An assessment of the potential risks to:
 - c) human health,
 - d) property (existing and proposed) including buildings, pets, and service lines and pipes,
 - e) adjoining land,
 - f) groundwater and surface water,
 - g) ecological systems,
 - h) archaeological sites and ancient monuments; and
- i) An appraisal of remedial options, and proposal of the preferred option(s).

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

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

23. Land contamination 2: remediation scheme submission

The construction of the dwellings hereby permitted shall not take place until a remediation scheme for any land contamination has been submitted to and approved in writing by the Local Planning Authority via a condition discharge application. The scheme shall:

- (a) Provide for the removal of unacceptable risks to human health, buildings and other property, and the natural and historical environment;
- (b) Ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation;
- (c) Detail proposed objectives and remediation criteria, all works to be undertaken, a timetable of works, and site management procedures; and
- (d) Include measures for the monitoring and maintenance of the long-term effectiveness of the remediation over a period agreed in writing with the Local Planning Authority.

Reason: To ensure the site is suitable for its new use taking into account ground conditions, including from pollution arising from previous uses. This condition

ensures that the implemented remediation measures are effective. The approval of this information is required at this stage because insufficient information has been submitted with the application. This condition is imposed in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan (Saved Policies 2007).

24. Land contamination 3: remediation scheme implementation.

The approved remediation scheme for land contamination shall be implemented in full in accordance with the timetable of works approved by the Local Planning Authority. Two weeks written notice shall be given to the Local Planning Authority prior to the commencement of the remediation scheme. Following the completion of the measures identified in the approved remediation scheme (except those for the long-term monitoring and maintenance), no dwelling shall be occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority via a condition discharge application.

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

25. Land contamination 4: unexpected contamination.

In the event that any previously unidentified land contamination is found at any time during the carrying out of the development, it shall immediately be reported in writing to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of condition 22, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of condition 23. The investigation and risk assessment, and any remediation scheme shall be submitted to and approved in writing by the Local Planning Authority via a condition discharge application. Following completion of the measures identified in the approved remediation scheme, no dwelling shall be occupied until a verification report to demonstrate the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.

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

26. Land contamination 5: monitoring and maintenance

Following completion of the measures for the monitoring and maintenance of the effectiveness of the land contamination remediation approved under clause (d) of condition 23 (if any), a verification report to demonstrate the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority via a condition discharge application. These details shall be submitted within 2 months of the completion of the measures. These reports shall be conducted in accordance with CLR11: Model Procedures for the Management of Land Contamination (DEFRA/EA).

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

27. Obscure glazing

Plots 1, 2, 3, 4, 16, 17, 20, 21, 24, 26, 37, and 41 hereby approved shall not be occupied until the bathroom windows at first floor level are fitted with fixed, obscure top hung glazing. The first floor north elevation window of plot 32 shall not be occupied until it is fitted with fixed, obscure glazing. The obscure glazing shall thereafter be retained in position. Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no additional openings shall be inserted in the first floor elevations without the prior permission in writing of the Local Planning Authority by way of a planning application.

Reason: In the interests of amenity of neighbouring properties in accordance with Policy CS14 of The West Berkshire Core Strategy 2006 - 2026.

28. Removal of PD

Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent revision), no additions or extensions to the dwellings, car ports or garages shall be built or ancillary buildings or structures erected within the curtilage, unless permission in writing has been granted by the Local Planning Authority via a planning application made for that purpose.

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

29. No openings

Irrespective of the provisions of the current Town and Country Planning (General Development) Order 2015 (or any subsequent revision), no additional openings shall be inserted in the dwellings, car ports or garages without the prior permission in writing of the Local Planning Authority via a planning application made for that purpose.

Reason: To prevent overlooking of adjoining properties and in the interests of the amenity of neighbouring properties in accordance with Policy CS14 of The West Berkshire Core Strategy 2006 - 2026.

Informatives:

1. Proactive actions of the LPA

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

development that improves the economic, social and environmental conditions of the area.

2. CIL liability

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

3. Infiltration drainage

No infiltration drainage should be installed in any area of where contamination is known/suspected.

4. Thames Water

Thames Water have assessed and responded to the application based on the information provided to date. The proposed drainage strategy involves connecting surface water flows into the public surface water sewer at manhole SU49679253 in Clerewater Place, restricting the discharge to 40 l/s by a flow control chamber, and reducing the amount of impermeable area from 0.882 hectares to 0.496 hectares, thereby providing betterment. Foul water flows will be connected into the public foul sewer at manhole SU50671301 in Pound Lane. Should the development proposal change, Thames Water would need to re-assess the application and review the comments accordingly.

5. Construction/demolition noise

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

6. Surface water drainage

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

7. Developer co-ordination

Any works/events carried out either by or at the behest of the developer, whether they are located on, or affecting a prospectively maintainable highway,

as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway shall be coordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in West Berkshire.

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

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

8. Damage to footways, cycleways and verges

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

9. Damage to the carriageway

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

10. 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.

11. 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.

9.2 OR in the absence of a completed legal agreement by 24th July 2017 to **DELEGATE** to the Head of Development and Planning to **REFUSE** planning permission for the following reason, or to extend the period for completion if it is considered expedient to do so;

The development fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of development on local infrastructure, services, amenities, or affordable housing, or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to government guidance as set out within the National Planning Policy Framework,

Policies CS5 and CS6 of the West Berkshire Core Strategy 2006-2026 as well as West Berkshire District Council's adopted Planning Obligations SPD.

10. APPENDICES

- 1 EAPC Committee Report of 13th July 2016
- 2 Update report of EAPC on 13th July 2016
- 3 Minutes of meeting held on 13th July 2016
- 4 EAPC Committee Report of 24th August 2016
- 5 Minutes of meeting held on 24th August 2016