

Item No	Application and Parish	No.	8/13 week date	Proposal, Location and Applicant
(2)	17/00402/FULEXT Purley		06 July 2017	<p>Section 73: Variation of Conditions (11) Landscaping, (21) Vehicle parking and (22) cycle parking and storage of planning permission 15/01983/FULEXT - (Section 73. Variation of conditions 2 Approved Plans, 5 Code for Sustainable Homes, 15 Landscaping, 16 Tree Protection, 17 Tree Root Protection, 18 Arboricultural Method Statement, 19 Arboricultural Watching Brief, 20 Bat Tubes and Bird Nest Boxes, 21 Construction Method Statement, 28 Vehicle Parking and Turning Space/Areas and 32 Landscape Management Plan of approved reference 14/01430/FULEXT. Full planning permission for the erection of 50 dwellings 1053, 1055, 1057 Oxford Road, Tilehurst including associated access, parking and landscaping. (Revised scheme following planning approval consent 13/02227/RESMAJ))</p> <p>1053, 1055 and 1057 Oxford Road Tilehurst, Reading, Berkshire RG31 6YE Shanly Homes Ltd</p>

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/00402/FULEXT>

**Recommendation Summary:** To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION subject to the schedule of conditions (section 9.2)**.

**Ward Member(s):** Councillor Tim Metcalfe  
Councillor Rick Jones

**Reason for Committee determination:** Call in by Councillor Metcalfe: For members to see extent of development and due to major concerns from locals and the Parish Council

**Committee Site Visit:** 28 June 2017

Contact Officer Details	
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## 1. PLANNING HISTORY

1.1 Below is a summary of the relevant and recent planning history of the application site.

- 1.1.1 Refused Application 12/02111/OUTMAJ (Allowed on appeal): Outline planning permission with access, layout and scale is sought for the demolition of the existing dwellings 1055 and 1057 Oxford Road and erection of 29 No dwellings with associated access, parking, turning and landscaping.
- 1.1.2 Approved Application 13/02227/RESMAJ: Approval of reserved matters following Outline Permission: 12/02111/OUTMAJ - Outline planning permission with access, layout and scale is sought for the demolition of the existing dwellings 1055 and 1057 Oxford Road and erection of 29 no. dwellings with associated access, parking, turning and landscaping. Reserved matters for which approval is sought: Appearance and Landscaping.
- 1.1.3 Approved Application 14/01430/FULEXT: Full planning permission for the erection of 50 dwellings at 1053, 1055, 1057 Oxford Road, Tilehurst including associated access, parking and landscaping. (Revised scheme following planning approval consent 13/02227/RESMAJ).
- 1.1.4 Approved Application 15/01983/FULEXT: Section 73. Variation of conditions 2 Approved Plans, 5 Code for Sustainable Homes, 15 Landscaping, 16 Tree Protection, 17 Tree Root Protection, 18 Arboricultural Method Statement, 19 Arboricultural Watching Brief, 20 Bat Tubes and Bird Nest Boxes, 21 Construction Method Statement, 28 Vehicle Parking and Turning Space/Areas and 32 Landscape Management Plan of approved reference 14/01430/FULEXT. Full planning permission for the erection of 50 dwellings 1053, 1055, 1057 Oxford Road, Tilehurst including associated access, parking and landscaping. (Revised scheme following planning approval consent 13/02227/RESMAJ).
- 1.1.5 Refused Application 16/01855/FULEXT: Section 73 - Application for variation for conditions 11- Landscaping, 21 - Vehicle parking and 22 - Cycle storage of planning permission 15/01983/FULEXT.

## 2. PUBLICITY

- 2.1 A site notice was displayed on 10th March 2017 and expired on 30th March 2017. Neighbour notification letters have been sent to 86 (eighty six) local residents.
- 2.2 The authority has therefore discharged and exceeded the statutory requirement to publicise applications in accordance with the Development Management Procedure Order.

## 3. CONSULTATIONS AND REPRESENTATIONS

### 3.1 Consultations

**Parish Council:** Objection comments received 14 March 2017:

This application appears to duplicate application 16/01855 with specific regard to the parking at the west end of the site which borders the Oxford Road. Application 16/01855 was refused.. The additional parking to the front of the site would be

detrimental to a key feature of Purley on Thames which is the “green corridor” effect as you enter the village from Reading.

This feature has been identified by two planning inspectors and has been a key point in dismissing appeals.  
(APP/W0340/A/04/1159166 and APP/W0340/D/15/3019489).

Condition 24 (Landscape management plan - Previously Condition No. 32) was incorporated in the decision notice requiring:

*“The development shall incorporate and be completed in accordance with the Landscape Management and Maintenance Plan received 31 July 2015.*

*Reason: To ensure the long term management of the proposed wild spaces and other landscaping. 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).”*

The Parish Council does not consider the reasons for imposing this condition have changed and that they still apply.

While condition 24 clearly applies to the changes detailed in this application, no mention of Condition 24 appears in the subject of the application

The cars are parked right at the top of the bank and are very visible from the Oxford Road which totally destroys the look and feel we are looking to maintain.

The cars are very close to a 45 degree down slope onto the Oxford Road. If a car went slightly beyond the parking area they would not be able to prevent themselves from sliding down the slope and hitting any traffic travelling along the Oxford Road. The only way to prevent this would be to install steel safety barriers at the top of the slope making the street scene even more. To create these additional parking spaces some of trees agreed on the original landscaping plan have been removed. We commented on the original application that we were concerned about the lack of parking spaces in the proposed development due to the size of the houses but were assured that the proposal met the planning requirements at the time. It would seem that our concerns were well founded. However, we do not accept that this issue should be resolved by removing key aspects of the proposal that affect the whole look and feel of the development and the character of the village. These concerns would equally apply to any changes to the proposed “wild spaces”. This is not a minor change but a change that impacts on a key feature of the village and looks to flout the principles of CS14.

For the above reasons the Parish Council would expect this application to be refused and the additional parking spaces be removed and the area return to the condition as originally approved. There have been a number of other applications

along this stretch of the Oxford Road which have been refused due to the impact on the “green corridor” aspect. By granting this application concern is raised that a precedent will be created. This will result in the complete loss of one of the key attributes that gives Purley on Thames the look and feel that it has. Once lost it will be impossible to recreate it.

**Highways:**

No objection:

The application form states that the proposed variation is to allow for the wording of the condition to be revised such that it requires details to be submitted within two months. On this basis no objections are raised.

**Environmental Health:**

No comment

**Ecology:**

No objection::

No concerns are held over the planting elements of the landscaping, however it is noted that the revised landscape plans no longer show the bat and bird boxes that were on the original drawings. Revised landscape plans should be submitted to include these.

**Natural England:**

No comment

**Trees:**

No objection:

The updated landscaping information provided, on plans SH20373 11F sheets 1 has identified additional landscaping to the front of plots 1-3, to help screen the new parking spaces.

The new landscaping is in the form of additional tree planting with understory planting, which includes some evergreen species to improve cover in the winter months, this should mitigate the long term concerns over the parking of cars, at the front of the properties, the proposed species, sizes and densities, have been identified on the plans.

The additional planting would appear to be sufficient to provide the level of landscaping required to ensure the parking spaces and more specifically the parked cars are well screened when viewed from the road.

I have no objection to the proposed variation of conditions 11, 21 & 22.

**Reading Borough Council:**

No comment

**3.2 Representations**

3.2.1 Total: 16

Object: 16

Support: 0

3.2.2 15 letters of representation have been received.

- "Green Corridor" should be maintained at this location.
- Car park is contrary to the original agreement to keep the green corridor preserved on this stretch of road.
- The application is retrospective and does not respect the intent of the original application.
- The parking spaces should be removed and replanted.
- Parking has turned the view from the road into a raised used car lot which is unacceptable
- Parked cars change the character and dominate this section of the Oxford Road.
- The number of trees fronting the Oxford Road has been reduced
- There is a risk of a major accident should a driver accidentally roll down the slope.
- More robust planting of the frontage, including more evergreen species should be insisted on.
- A planting scheme similar to that shown as proposed on the west of the junction should be required.

#### 4. PLANNING POLICY

4.1 The statutory Development Plan comprises:

- West Berkshire Core Strategy (2006-2026) (WBCS)
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP)
- Housing Site Allocations Development Plan Document (May 2017) (HSA DPD).

4.2 Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (March 2012) (NPPF)
- The Ministerial Statement Planning for Growth (23 March 2011)
- Manual for Streets (DCLG/DfT)

4.3 The 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 NPPF. The following policies from the WBCS are relevant to this application:

- NPPF Policy
- ADPP4: Eastern Urban Area
- CS5: Infrastructure Requirements and Delivery
- CS13: Transport
- CS14: Design Principles
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

4.4 The HSA DPD is the second DPD of the new West Berkshire Local Plan. It allocates non-strategic housing sites and sites for gypsies, travellers and travelling show people, and provides updated residential parking standards and a set of policies to guide housing in the countryside. The HSADPD has gone through examination and following revisions by the Inspector, the final document has now been approved by the Council (09 May 2017). As such the HSADPD is now part of the development plan. The following policy from the HSA DPD are relevant to this development:

- P1: Residential parking for new development

4.5 The saved policies of the West Berkshire District Local Plan carry due weight according to their degree of conformity with the NPPF (Paragraph 215). A number of policies in the Local Plan have been superseded by policies in the WBCS. The following saved policy from the Local Plan are relevant to this application:

- TRANS.1: Meeting the Transport Needs of New Development

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

- Supplementary Planning Document Quality Design (June 2006)

## 5. DESCRIPTION OF DEVELOPMENT

5.1 The application seeks permission for the varying of condition 11: Landscaping, condition 21: Vehicle parking and condition 22: cycle parking and storage of planning permission 15/01983/FULEXT. The addition of parking spaces to the front of Plots 1-3 has already been implemented by the applicant. Notwithstanding that this element is sought retrospectively, a decision can only be made based on the planning merits of the proposals.

### 5.2 Condition 11 – Landscaping (Previously Condition No. 15: Landscaping and amended under approved discharge of condition application: 15/00947/COND5).

5.2.1. This application seeks to submit additional landscaping details requested by condition 11 that was attached to the approved application 15/01983/FULEXT. The full condition is shown below for reference.

5.2.2. *Within two months of the date of this decision amended details of the landscaping shown in drawings:*

- SH12016-11-Sheet 2 received 31 July 2015
- SH12016-11-Sheet 3 received 31 July 2015

*shall be submitted to the Local Planning Authority. No dwelling shall be occupied until details of the landscaping is approved in writing by the Local Planning Authority.*

*All landscape works shall be carried out in accordance with the amended details (above) and submitted plans, SH12016-11D-Sheet 1 received 11 November 2015 and the Landscape Management and Maintenance Plan received 31 July 2015*

*The approved landscape works shall be implemented within the first planting season following first occupation of the dwellings. 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 the approved 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. The landscaping between the site boundary and Oxford Road shall be permanently maintained and retained according to a management plan forming part of the proposed landscaping scheme.*

*Reason: To ensure the implementation of a satisfactory scheme of landscaping and to protect the character and appearance of Oxford Road. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).*

5.2.3. The application seeks to provide a satisfactory final landscaping scheme as requested by condition 11. Condition 11 seeks to ensure the submitted landscaping scheme protects and enhances the character and appearance of the Oxford Road street scene.

**5.3 Condition 28 – Vehicle parking provided to standards (Previously Condition No. 28: Vehicle parking provided to standards and amended under approved discharge of condition application: 15/00948/COND6.)**

5.3.1 This application seeks to submit additional vehicle parking details provided to standards as requested by condition 28 that was attached to the approved application 15/01983/FULEXT. The full condition is shown below for reference

5.3.2 *Within two months of the date of the decision details of the vehicle parking and turning space/areas shall be submitted to the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. No dwelling shall be occupied until details have been approved in writing by the Local Planning Authority and the turning spaces/areas have been provided in accordance with the approved details. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.*

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

5.3.3 The application seeks to provide vehicle parking provided to adopted standards as requested by condition 28. Condition 28 seeks to ensure that the submitted vehicle parking is in accordance with the parking standards as set within the HSA DPD (May 2017) in particular as to how the parking spaces are to be surfaced and marked out. Adequate parking facilities would reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic along Oxford Road.

**5.4 Condition 30 – Cycle storage (Previously Condition No. 30: Cycle storage and amended under approved discharge of condition application: 15/00948/COND6.)**

5.4.1 This application seeks to submit additional cycle storage details for Plots 13-25 only as requested by condition 30 that was attached to the approved application 15/01983/FULEXT. The full condition is shown below for reference.

5.4.2 *Within two months of the date of the decision, details of the cycle parking and storage space for plots 13-25 shall be submitted to the Local Planning Authority. Plots 13-25 shall not be occupied until details have been approved in writing by the Local Planning Authority and the cycle parking and storage space has been provided in accordance with the approved details*

*Plots 1-12 and 26-50 shall not be occupied until the cycle parking and storage space for plots 1-12 and 26-50 has been provided in accordance with the drawing 1189/1-50/001 E (received 7 April 2015) showing the proposed location of all designated cycle storage for each dwelling including:*

- *Up to four cycles at each dwelling with a garage,*
- *A cycle shed measuring 2500mm x 2000mm with storage for two cycles at all 2 & 3 bed houses*
- *A 15 cycle shelter to accommodate bikes from the flats*
- *Sheds and garages shall be secured with a Sheffield stand which is to be bolted to the garage floor or concrete base slabs (email from David Howells received 4 June 2015).*
- *Cycle shelter to accommodate for the flats shall be provided in accordance with drawings 1189/26-34/60 and SFD Semi Vertical Cycle Stands details received (15 June 2015)*

*Thereafter the approved cycle parking and storage space shall be retained for this purpose at all times.*

*Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).*

- 5.4.3 The application seeks to provide cycle parking and storage as requested by condition 30. Condition 30 seeks to ensure that adequate and safe cycle storage space is provided within the site for plots 13-25. The rest of the development's cycle parking and storage has been approved as shown on drawing 1189/1-50/001 E (received 7 April 2015).

## **6. APPRAISAL**

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

- The Impact upon the character and appearance of the site and the area.
- The impact on the highways (safety and use);
- Other Matters
- Community Infrastructure Levy
- The assessment of sustainable development

### **6.1 Principle of the development**

6.1.1 The site is located within a defined settlement boundary. The principle of the development proposed has already been established in the previous consent 12/02111/OUTMAJ (Allowed on appeal under reference - APP/W0340/A/12/2189422). The existing conditions would need to be amended in line with current policies and procedures, as outlined above.

6.1.2 In allowing the appeal APP/W0340/A/12/2189422 on 13 May 2013, the Inspector highlighted that: "This length of Oxford Road has a particularly sylvan appearance characterised by a wide verge and mature trees with development set well back from the carriageway, and is defined as being of a semi-rural character typically found along arterial routes..... Although the new access would puncture the existing



green screening alongside the road and open up views into the site, this would be offset by the closure of the two existing driveways and the appellants' stated intention to introduce new landscaping between the development and the highway which would maintain the verdant appearance of Oxford Road. The most important trees on the site are to be retained and protected throughout the development. The scope for additional landscaping would help to mitigate any loss and would be the subject of a reserved matters application, thereby enabling the Council to agree the extent of the future landscaping."

## **6.2 The Impact upon the character and appearance of the site and the area**

### **Landscaping details**

- 6.2.1 Under the previous Section 73 application reference: 15/01983/FULEXT, condition 11- Landscaping was attached to ensure that a satisfactory final landscaping scheme would be submitted to protect and enhance the character and appearance of the key Oxford Road street scene.
- 6.2.2 Policy CS 18 Green Infrastructure states that the District's green infrastructure will be protected and enhanced.
- 6.2.3 The landscaping scheme submitted under application 16/01855/FULEXT was considered inadequate and was refused by the Council due to concerns that the landscaping would not be sufficient to provide screening of the development from Oxford Road and that there would be harm on the character and appearance of the area and the street scene.
- 6.2.4 It is acknowledged that the Parish have raised strong concerns for the proposed changes to the landscaping scheme and the loss of part of the originally approved landscaping buffer. Prior to the re- submission of this current application the applicant sought landscaping guidance from the Council. Planning Officers sought advice from the Tree Officer on whether a robust landscaping scheme could be achieved on the site. The Tree Officer was also advised to be as prescriptive as possible to ensure an effective scheme is produced. The Tree Officer recommended a comprehensive landscaping scheme which included plant species and densities.
- 6.2.5 The Tree Officer has reviewed the updated landscaping information as provided on plan SH20373 11G sheet 1 and has indicated that the additional landscaping to the front of plots 1-3 is now acceptable. The submitted landscaping includes additional tree planting with understory planting, which includes some evergreen species and boundary hedge to improve cover in the winter months. The proposed species, sizes and densities, have also been identified on the plans. The Tree Officer considers that the landscaping scheme should mitigate the long term concerns over the parking of cars at the front of the properties on Plots 1-3, particularly when viewed from the Oxford Road street scene. Whilst the car parking spaces have been completed, it is worth noting that the submitted landscaping has not been implemented at the site.
- 6.2.6 Whilst the encroachment on the landscaping buffer is unfortunate, it is the Officers' view that the submitted landscaping scheme is sufficient to ensure the implementation of a satisfactory scheme of landscaping that would protect the character and appearance of Oxford Road. The final amended plan SH20373 11G Sheet 1 REVISION G received on 22 June 2017 is in accordance with the NPPF (March 2012), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **6.3 The impact on the highways (safety and use);**

#### **Vehicle parking and cycle storage details**

- 6.3.1 The construction of the four additional parking spaces to the north west of the site is required to meet the current parking standards, however the additional parking spaces encroach onto the previously approved landscape buffer adjacent to Oxford Road. The cars will be parked on the edge of the steep bank adjacent to the street scene and will reduce the size and depth of the landscape buffer. The vehicle parking has been completed, as such this is the retrospective element of this application.
- 6.3.2 Road safety in West Berkshire is a key consideration for all development in accordance with WBCS Policy CS13.
- 6.3.3 Policy P1 of the HSADPD outlines the new standards for residential parking for new development. The Council's Highways Officer was consulted and has reviewed the additional parking spaces and the cycle storage submitted for plots 13-25 as required by condition 21 and 22. The Highways Officer has raised no objection and has not raised any concerns with regard to any vehicles rolling down the slope. The cycle parking and storage has been shown on the submitted plans, with some of the plots retaining their integral garages for additional cycle storage.
- 6.3.4 The vehicle parking variations will alter the principle design, character and appearance of the site and how it will be viewed from the Oxford Road street scene. However as outlined in Section 6.2 of this report, the submitted landscaping scheme is considered to be sufficient to adequately screen any vehicles parked to the front of Plots 1 -3. Officers have considered this in arriving at the recommendation.
- 6.3.5 Overall, it is considered that the proposed development would not have a material impact on highway safety and would be provided with sufficient parking. The application is therefore considered to comply with WBCS Policy CS13 and the parking standards as set out within the published HSADPD (May 2017).
- 6.3.6 The varying of conditions 11- Landscaping, 21 - Vehicle parking and 22 - Cycle storage is considered acceptable. The relevant conditions have been amended accordingly, as shown in Section 9.2 of this report.

## **7. OTHER MATTERS**

### **7.1 Ecology comments**

- 7.1.1 The Ecologist has stated that the landscape plans no longer show the bat and bird boxes that were on the original plans and has requested that the bat boxes should be shown on the latest plans. However as the applicant is applying to vary landscaping and parking conditions only, the Ecological mitigation previously secured by condition remains relevant. For the purposes of clarity and completeness the wording in condition 14 in Section 9.2 includes the latest plans.

### **7.2 Parish Council comments**

- 7.2.1 The Parish has referred to Condition 24 (Landscape management plan) in their objection comments. Condition 24 will not be amended by this application. However the submitted landscaping scheme, if approved by members will be incorporated into the Landscape Management and Maintenance Plan secured under Condition

24, which would require the developer to manage and maintain the landscaping scheme.

### 7.3 Community Infrastructure Levy

- 7.3.1 WBCS Policy CS5 (Infrastructure) 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.
- 7.3.2 There is no increase in the gross internal floor space of the approved development. However under the CIL regulations covering Section 73, the application remains CIL Liable

### 7.4 The assessment of sustainable development

- 7.4.1 At the heart of the NPPF is a 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.
- 7.4.2 Social dimension: Social considerations overlap those of environmental in terms of the impact on the visual amenity of the area. As these have been found to be acceptable the development is considered to constitute sustainable development.
- 7.4.3 Economic Dimension: It is considered that the proposal makes no significant contribution to the wider economic dimensions of sustainable development. The broader economic benefit of new housing is demonstrated.
- 7.4.4 Environmental dimension: With regards 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 and street scene has been assessed as part of this application. It is considered that the proposed variations sufficiently protect and enhance the character and appearance of the area and street scene. The proposed landscaping will provide year round cover and will sufficiently screen the parked vehicles and the development from the street scene. The environmental considerations have been assessed in terms of amenity and impact on the character and appearance of the area.
- 7.4.5 For the above reasons it is considered that the proposed development is supported by the NPPF's presumption in favour of sustainable development

## 8. CONCLUSION, PLANNING BALANCE AND RECOMMENDATION

- 8.1 Having regard to the relevant development plan policy considerations and the other material considerations referred to above, it is considered that having regard to the clear reasons in favour of the proposals, the varying of conditions 11- Landscaping; 21 - Vehicle parking and 22 - Cycle storage is recommended for approval for the following reasons:
- 8.2 The proposal will not unduly harm the character and appearance of the area and street scene. The proposal will provide sufficient landscaping cover to protect and enhance

the Oxford Road street scene. These considerations carry significant weight and indicate that planning permission should be approved.

8.3 This decision has been considered using the relevant policies related to the proposal. These are; ADPP1, ADPP4, CS1, CS4, CS5, CS13, CS14, CS16, CS18, and CS19 of The West Berkshire Core Strategy 2006 - 2026, Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007, Policy P1 of the West Berkshire Council Housing Site Allocations Development Plan Document (May 2017), and the National Planning Policy Framework

## **9. FULL RECOMMENDATION**

**9.1 DELEGATE to the Head of Development & Planning to GRANT PLANNING PERMISSION subject to the schedule of conditions (Section 9.2).**

### **9.2 Schedule of conditions**

#### **1. Previously Condition No. 2 Standard list of approved plans**

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

Location Plan, received 12 November 2014

1189\_PLN\_319C - street scenes, received 12 November 2014

1189\_PLN\_331 - tracking layout 1, received 12 November 2014

1189\_PLN\_332 - tracking layout 2, received 12 November 2014

Amended Plans:

1189\_PLN\_401E, received 17/12/15

1189\_PLN\_402F, received 13/1/16

1189\_PLN\_436D, received 15/1/16 excluding first 1 metre of driveways of plots 4, 5, 20 and 21

1189\_PLN\_427, received 31/7/15

1189\_PLN\_437A, received 25/11/15

1189\_PLN\_438, received 17/12/15

House Plans:

1189\_PLN\_303A - plot 1, received 12 November 2014

1189\_PLN\_304B - plots 2, 3 & 49, received 12 November 2014

1189\_PLN\_306D - plots 4 & 5, received 24 November 2014

1189\_PLN\_307 - plots 6-8, 17-19, received 12 November 2014

1189\_PLN\_308A - plots 9-12, received 12 November 2014

1189\_PLN\_309D - plots 20 & 21, received 24 November 2014

1189\_PLN\_311B - plots 23 & 25, received 12 November 2014

1189\_PLN\_313A - plot 35, received 12 November 2014

1189\_PLN\_314A - plot 36, received 12 November 2014

1189\_PLN\_315A - plot 37, received 12 November 2014

1189\_PLN\_316B - plots 38 -40, received 12 November 2014

1189\_PLN\_317A - plots 41 - 44, received 12 November 2014

1189\_PLN\_318B - plot 50, received 12 November 2014

1189\_PLN\_320 - plots 13-16, received 12 November 2014

1189\_PLN\_321B - plot 24, received 12 November 2014

1189\_PLN\_322A - plots 45 - 47, received 12 November 2014

1189\_PLN\_323B - plot 48, received 12 November 2014

Amended House Plans:  
1189\_PLN\_412B, received 17/12/15  
1189\_PLN\_416A, received 31/7/15

Drainage Strategy 140572/KBL/DS-01A, received 25 June 2014  
Flood Risk Assessment 140572/FRA/KTP/01, received 25 June 2014  
Transport Statement 140572/KBL/TS-01 Rev A, received 25 June 2014  
Arboricultural Impact Assessment SH19196aia, received 25 June 2014  
Ecological Assessment Report, received 31 July 2015  
Landscape Management and Maintenance Plan, received 31 July 2015

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

## **2. Previously Condition No. 3 Materials as specified**

The materials to be used in the development of the dwellings and garages hereby permitted shall be as specified on the schedule of materials submitted (sheets 1-3, received 31 July 2015) and 1189-DF-426A received 1 September 2015. No work shall commence on the carport shown on drawing number 1189\_PLN\_438, received 17 December 2015, until a schedule of the materials to be used in the construction of its external surfaces have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials to be used for the carport shall be made available for inspection on site on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the materials are of a quality appropriate to the nature of the development, the site and its surroundings. This condition is imposed to comply with the National Planning Policy Framework (March 2012), Policies ADPP4, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

## **3. Previously Condition No. 4 Windows PD removal**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows, dormer windows or other openings in the roof (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B or C of that Order shall be constructed at first floor level or above on:

The north elevation of plots 21 and 47  
The south elevation of plots 26-34(the flats)  
The east elevation of plots 6 and 19  
The west elevation of plots 1, 8, 12, 13 and 25  
without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).

#### **4. Previously Condition No. 6 Domestic ext.s/outbuildings PD remov - whole site**

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

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 of the West Berkshire Core Strategy (2006-2026) and the Supplementary Planning Document Quality Design (June 2006).

#### **5. Previously Condition No. 7 Floor levels**

The development shall be constructed in accordance with the approved details in relation to the finished floor levels as shown on the following plans:

- Survey Contour Plan, received 7 April 2015
- Cut and Fill Contour Plan, received 7 April 2015
- Levels Methodology, received 7 April 2015
- 1189\_PLN\_427, received 31 July 2015
- 1189\_PLN\_439, received 17 December 2015

And in relation to this details not amended as part of this application:

- External Works Layout received 7 April 2015

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

#### **6. Previously Condition No. 8 Boundary treatment**

The boundary treatment shall be completed in accordance with the approved details submitted under condition discharge 15/00947/COND5:

- 1189/1-50/001E, received 7 April 2015
- and email from David Howells, received 10:00 15 June 2015

The boundary treatment shall be completed in accordance with the approved scheme before the dwellings hereby permitted are occupied. The approved boundary treatments shall thereafter be retained.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and the Supplementary Planning Document Quality Design (June 2006).

## **7. Previously Condition No. 9 Removal of spoil**

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details submitted under condition discharge 15/00943/COND1:

- Survey Contour Plan, received 7 April 2015
- Cut and Fill Contour Plan, received 7 April 2015
- Levels Methodology, received 7 April 2015

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. 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 the Supplementary Planning Document Quality Design (June 2006).

## **8. Previously Condition No. 10 Hours of work (construction)**

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 be limited to:

7:30am to 6:00pm Mondays to Fridays;  
8:30am to 1:00pm Saturdays;  
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and 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 Policy OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

## **9. Previously Condition No. 13 Protection from external noise 15/00996/COND8**

The scheme of works for protecting the occupiers of the development from externally generated noise submitted under condition discharge 15/00996/COND8, (Noise Impact Assessment10976NIA01 received 23 April 2015), which includes glazing installed on each facade (including trickle vents etc), should meet the requirements for Type 1, Type 2 and Type 3 glazing. No dwelling shall be occupied until the scheme of works has been implemented in accordance with the approved details.

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

## **10. Previously Condition No. 14 Refuse Storage (details required) 15/00948/COND6 and 16/00577/COND1.**

No dwelling shall be occupied until the refuse and recycling facilities have been provided in accordance with the approved drawing number 1189/1-50-001E, received 7 April 2015 (submitted under conditions discharge 15/00948/COND6) and the cover letter received on 03 March 2016 (submitted under conditions discharge 16/00577/COND1)

The refuse and recycling facilities shall be shall be retained for this purpose at all times.

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

(March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

#### **11. Previously Condition No. 15 Landscaping AMENDED 15/00947/COND5**

The development shall be carried out and completed in accordance the landscaping details shown on the following approved drawings:

- SH20373-11G-Sheet 1 REVISION G received 22 June 2017
- SH20373-11G-Sheet 2 REVISION G received 22 June 2017
- SH20373-11G-Sheet 3 REVISION G received 22 June 2017

All landscape works shall be carried out in accordance with the above amended landscaping plans and the Landscape Management and Maintenance Plan received 31 July 2015

The approved landscape works shall be implemented within the first planting season following first occupation of the dwellings. 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 the approved 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. The landscaping between the site boundary and Oxford Road shall be permanently maintained and retained according to the approved landscape management plan forming part of the proposed landscaping scheme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping and to protect the character and appearance of Oxford Road. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

#### **12. Previously Condition No. 16 Tree protection scheme AMENDED 15/00947/COND5**

The protective fencing and provision for the protection of the root zones of trees 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 numbers:

- SH19196-01a, received 7 April 2015
- SH20016-03D received 11 November 2015
- Arboricultural Impact Assessment & Method Statement received 31 July 2015
- Tree Report SH19196tr all received 7 April 2015

Within the fenced areas, there shall be no excavations, no storage/mixing of lime based products or fuels, no storage of materials, or machinery, no parking of vehicles, no fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

#### **13. Previously Condition No. 18 Arboricultural Method Statement AMENDED 15/00947/COND5**

The implementation, supervision and monitoring of all temporary tree protection, any special construction works within any defined tree protection area and the arboricultural



watching brief shall be carried out in accordance with the Arboricultural Impact Assessment & Method Statement received 31 July 2015.

Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

**14. Previously Condition No. 20 Bat roost voids/means of access AMENDED 15/00947/COND5**

No dwelling shall be occupied until the bat tubes and woodcrete bird nest boxes to be placed in retained trees have been provided and no dwelling with a bat tube or woodcrete bird nest box shall be occupied until that individual dwelling has been constructed with the appropriate bat tube or woodcrete bird nest box as shown in relation to the site on approved drawing numbers SH19196-12B (sheets 1-3), received 7 April 2015; 1189PLN337 received 26 May 2015 and 1189/PLN/338A received 9 June 2015 showing the retained trees and the approved drawings SH20373-11G-Sheet 1 REVISION G, SH20373-11G-Sheet 2 REVISION G and SH20373-11G-Sheet 3 REVISION G received 22 June 2017 showing the amended landscaping. Thereafter the bat tubes and woodcrete bird nest boxes shall be maintained and permanently retained in accordance with the approved details.

Reason: To ensure the protection of bats and woodcrete 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).

**15. Previously Condition No. 21 Construction method statement AMENDED**

The construction works shall incorporate and be completed in accordance with the approved construction method statement received 31 July 2015 and drawing 1189-PLN-7434A received 1 September 2015.

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).

**16. Previously Condition No. 22 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. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

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 1991-2006 (Saved Policies 2007).

**17. Previously Condition No. 24 Footway/cycleway provision (details) 15/00945/COND3**

No dwelling shall be occupied until the footway/cycleway has been provided in accordance with the H716-1189-202, H716-1189-152 and H716-1189-153 received 7 April 2015 and any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

**18. Previously Condition No. 25 Uncontrolled pedestrian crossing (detail 15/00945/COND3**

No dwelling shall be occupied until the uncontrolled pedestrian crossing has been provided in accordance with the H716-1189-202 and H716-1189-152 received 7 April 2015 and any statutory undertaker's equipment or street furniture located in the position of the uncontrolled pedestrian crossing has been re-sited to provide an unobstructed crossing facility.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

**19. Previously Condition No. 26 Gradient of private drive**

The gradient of private drives shall not exceed 1 in 8 or, where buildings are likely to be occupied by the mobility impaired, 1 in 12.

Reason: To ensure that adequate access to parking spaces and garages is provided. 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).

**20. Previously Condition No. 27 Visibility splays before occupation**

No dwelling shall be occupied until the visibility splays at the proposed access have been provided in accordance with drawing number 14-T065 03 rev.D received on 22 September 2014. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

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

**21. Previously Condition No. 28 Vehicle parking provided to standards AMENDED 15/00948/COND6**

No dwelling shall be occupied until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details within drawings No SH20373-11G-Sheet 1 REVISION G, SH20373-11G-Sheet 2 REVISION G and SH20373-11G-Sheet 3 REVISION G received 22 June 2017. The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which 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), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the Housing Site Allocations DPD (May 2017).

## **22. Previously Condition No. 30 Cycle storage 15/00948/COND6**

Plots 13-25 shall not be occupied until the cycle parking and storage spaces have been provided in accordance with the approved details within drawings SH20373-11G-Sheet 1 REVISION G, SH20373-11G-Sheet 2 REVISION G and SH20373-11G-Sheet 3 REVISION G received 22 June 2017.

Plots 1-12 and 26-50 shall not be occupied until the cycle parking and storage space for plots 1-12 and 26-50 has been provided in accordance with the drawing 1189/1-50/001 E (received 7 April 2015) showing the proposed location of all designated cycle storage for each dwelling including:

- Up to four cycles at each dwelling with a garage,
- A cycle shed measuring 2500mm x 2000mm with storage for two cycles at all 2 & 3 bed houses
- A 15 cycle shelter to accommodate bikes from the flats
- Sheds and garages shall be secured with a Sheffield stand which is to be bolted to the garage floor or concrete base slabs (email from David Howells received 4 June 2015).
- Cycle shelter to accommodate for the flats shall be provided in accordance with drawings 1189/26-34/60 and SFD Semi Vertical Cycle Stands details received (15 June 2015)

Thereafter the approved cycle parking and storage space shall be retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the Housing Site Allocations DPD (May 2017).

## **23. Previously Condition No. 31 SUDS 15/00946/COND4**

The dwellings hereby permitted shall not be occupied until the sustainable drainage measures have been implemented in accordance with the approved details listed below:

- H716-1189-102K received 30 November 2015
- H716-1189-101L received 30 November 2015
- H716-1189-142C received 30 November 2015
- H716-1189-161D received 30 November 2015
- H716-1189-203C received 30 November 2015
- H716-Issue Sheet received 30 November 2015
- H716-SA3REVA received 30 November 2015
- H716-SA4REVA received 30 November 2015
- H716-SA1-2REVA received 30 November 2015

Thereafter the sustainable drainage measures shall be maintained and managed in accordance with the approved details.

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).

**24. Previously Condition No. 32 Landscape management plan AMENDED  
15/00947/COND5**

The development shall incorporate and be completed in accordance with the Landscape Management and Maintenance Plan received 31 July 2015.

Reason: To ensure the long term management and maintenance of the proposed wild spaces and all other approved landscaping. 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).