

<b>Item No</b>	<b>Application No. and Parish</b>	<b>8/13 week date</b>	<b>Proposal, Location and Applicant</b>
(1)	17/01808/OUTD Newbury Town Council	17 <sup>th</sup> August 2017 Extension of time to 31 <sup>st</sup> August 2017	Outline application for the erection of dwelling with integral garage. Matters to be considered: Access. Garden land at No. 5 Normay Rise, Newbury, Berkshire Mr and Mrs Power

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/01808/OUTD>

**Recommendation Summary:**      **The Head of Development and Planning be authorised to GRANT planning permission subject to Conditions.**

**Ward Member(s):**                      H Baristow  
A Edwards

**Reason for Committee Determination:**      10 or more objections to a recommendation determination of Approval.

**Committee Site Visit:**                      23<sup>rd</sup> August 2017

<b>Contact Officer Details</b>	
<b>Name:</b>	Mr. Matthew Shepherd
<b>Job Title:</b>	Planning Officer
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## 1. Site History

86/2241/ADD. Side Extension. Approved 23.07.1986.

## 2. Publicity of Application

Site Notice Expired: 31<sup>st</sup> July 2017

## 3. Consultations and Representations

**Newbury Town** No objection

**Council:**

**Highways:** Access

Access is the only matter for consideration on this outline application.

Visibility splays of 2.4 metres x 43 metres or clear to the junction with Normay Rise have been identified on the submitted plans. This is in accordance with Manual for Streets and is therefore acceptable.

The access must be surfaced with a bonded material for a minimum of 3 metres from the edge of the carriageway.

### Other Matters

In accordance with West Berkshire Council's car parking standards this site is located within Zone 2. The table below identifies that a 4-bed dwelling in this location should be provided with 2.5 driveway car parking spaces. Garages are no longer included as car parking spaces by West Berkshire Council due to the likelihood of them not being used as such. They can be used for cycle storage.

The driveway depicted can easily accommodate the required level of car parking.

### Recommendation

The highway recommendation is for conditional approval

**Tree Officer**

This is a back yard development of a single dwelling. There is a mature oak within the garden covered by a TPO and a Lawson cypress hedge along the southern section adjacent Willowmead Close. There are two other trees - a cherry and a maple in the northern section of the garden adjacent No.7 Normay Rise also covered by the TPO.

There has been a tree survey carried out by Nurture Green ref. NGTS280417 dated April 2017. The survey says the conifers are dying of what is believed to be honey fungus as the primary cause but there is no sign of this pathogen. The conifers have since died and the disease is moving easterly direction through the conifers. The oak also has a sparse canopy.

The plan shows the generic circle of the RPA (Root Protection Area) but does not take into account the road or the footpath, however this is only a tree survey a further impact assessment and method statement would need to be carried out. The proposed design of the driveway from Home Architecture shows it on the edge of the RPA.

There are no objections to the access to this property however the design of the access and the location of the garage is just on the edge of the RPA and does not allow any working space which should be approximately 2m.

**Recommendation**

There are no objections in principle to the point of access subject to further more detailed Arboricultural Impact Assessment and Method Statement and additional landscaping.

**Waste Management**

The application raises no concerns with regard to the storage and collection of refuse and recycling.

**Sustainable  
Drainage Team**

No response by 16/08/2017

**Correspondence:**

13 Objections registered to the application. Issues raised are summarised below:-

Concern raised in regards to the size of the site and whether the constrained site may lead to HMO's rather than family houses which could lead to parking issues.

Issue raised in regards to potential for increased numbers of proposed dwellings to lead to increased demand for on-street parking near a busy road and corner.

Objection raised to inappropriate development in the area due to the plot size, leading to complete overdevelopment that will not accommodate parking, amenity space and adequate dwelling size.

Questions raised over the amenity impact on No. 5 Normay Rise and a new dwelling's impact on the amenity of adjoining properties and gardens. Objection raised over the potential for overlooking caused by the site's levels, boundary treatments and potential siting of the property in relation to other neighbouring properties. The pitch of the roof is perceived to tower over neighbouring property No. 2 and block out some natural light. Objection raised to the potential proximity between windows on rear elevations, the plans according to the objector include 2 or 3 bedrooms to the rear of property which would overlook their rear amenity significantly.

The impact on No. 7 Normay Rise's rear amenity space, to which some is terraced and used regularly for enjoyment and relaxing is considered unacceptable by the objector.

Objection is raised to the access - it is considered too close to the junction and is considered to be dangerous by the objector to any person so walking/playing in the close. In addition objection has been stated that the increased car movements along Willowmead Close could increase accidents and damage to the road. Objection to the possible reduction of ambient light to No. 1 Willowmead Close and surrounding houses given the set down of No. 1 Willowmead Close.

NPPF states that developments on residential gardens cannot be included in their 5 year land supply. This according to objectors is used to prevent 'garden grabbing' as shown in this application. The application could lead to further attached to 'cash in on such developments'

The proposal degrades the street scene having a visual impact altering the character of the area and creating unnecessary additional noise and disturbance. The proposed development does not respect the spacing between properties which all benefit from generous gaps.

The impact the proposal will have on the TPO and that the Root Protection area has not been taken into account properly.

The design of the garage is not in accordance with adjacent garaging and that the proposals positioning is not in accordance with the streetscene. The garden size is not in accordance with adjacent properties and therefore is not in accordance with the street scene or layout.

Objection to the supposed disappearance of a tree in the garden area.

The site is sloping and the potential for additional land subsistence could lead to reversal of effectiveness of land drainage measures and possibly lead to foundation subsidence and local flooding.

Objection raised to the devaluing of surrounding area.

Objection raised as the area is part of the test route for DVLA examination which could be affected by the proposal.

Objection raised to the proposal due to a covenant on the land restricting development.

Objection to the lack of detail included in the application.

The dormer window to the garage would indicate a two storey garage but garages in Willowmead are all single storey and this would be out of character with the area.

Major concerns raised in regards to the stability of the land and the potential harm that foundations for a new property may bring. No details of the drainage on the site has been given or considered and a number of storm drains could be affected by the proposal.

Objection to the cutting back of the conifer hedge which would leave unsightly exposed tree trunks and the objector recommended these be entirely removed and replaced with something more appropriate. The impact the proposal will have on the TPO trees on site. Potential to increase the risk of flooding on the site.

One of the principles of the Newbury Town Council Design Statement is to "conserve the 'garden suburb' character of the area" (Andover Road) - building a house in a back garden does not conserve the character, and is a clear example of garden grabbing - again something that Newbury Town Council is against.

## 4. Policy Considerations

4.1. The planning system is plan-led, which means that planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The West Berkshire Development Plan comprises:

- The West Berkshire Core Strategy 2006-2026
- The West Berkshire District Local Plan 1991-2006 Saved Policies 2007
- The West Berkshire Proposed Housing Site Allocations (DPD)
- The South East Plan 2009 insofar as Policy NRM6 applies
- The Replacement Minerals Local Plan for Berkshire 2001
- The Waste Local Plan for Berkshire 1998
- Supplementary Planning Documents and Guidance

4.2. In this instance, the following policies of the Development Plan are considered relevant to the proposal.

- Area Delivery Plan Policy 1 Spatial Strategy
- Area Delivery Plan Policy 2 Newbury
- CS 1 Delivering New Homes and Retaining and Housing Stock
- CS 4 Housing Type and Mix
- CS 13 Transport
- CS 14 Design Principles
- CS 17 Biodiversity and Geodiversity
- CS 19 Historic Environment and Landscape Character

4.3. West Berkshire Housing Site Allocations Development Plan Document (November 2015)

- P 1 Residential Parking for New Development

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

- TRANS 1 Meeting the Transport Needs of New Development
- OVS.5 Environmental Nuisance and Pollution Control
- OVS.6 Noise Pollution

4.5. The Core Strategy was adopted after the introduction of the NPPF and provides an up to date framework for development planning in West Berkshire which is consolidated by the West Berkshire Housing Site Allocations (DPD) (November 2015). Supplementary Planning Guidance;

- Quality Design (June 2006)
- House Extensions (July 2004)
- Community Infrastructure Levy (CIL) Charging Schedule

#### 4.6. Other Material Considerations

- National Planning Policy Framework (March 2012)
- Planning Practice Guidance (March 2014)

### 5. Description of Development

- 5.1. The proposed development is an outline application for the erection of a dwelling with integral garage. Matters to be considered: Access. The development is proposed in garden land at No. 5 Normay Rise, Newbury which is a well established residential area of Newbury Town that is within Settlement Boundary as defined by West Berkshire Core Strategy Policies.
- 5.2. The site is free from many constraints, notably it is not within any Flood Zone, not within the AONB, or a Conservation Area.
- 5.3. This outline application has only Access as a matter to be considered. Issues regarding Appearance, Landscaping, Layout, and Scale are reserved and will follow in subsequent applications if approved. The case officer can therefore only consider the principle of a house in this location and the highways access.
- 5.4. It is noted a number of objections have been raised relating to other reserved matters, although sympathetic to objectors concerns the case officer can only consider principle and access at this time. The reserved matters may overcome objections, but these will be subject to additional submissions of which objectors will be able to comment.
- 5.5. The description of development was amended to give the applicant greater flexibility at reserved matters stage.

### 6. Consideration of the Proposal

- Principle of Development
- Highways Implications: Access
- The Impact on the Green Infrastructure of the Site
- The Impact on the Character and Appearance of the Area
- The Impact on Neighbouring Amenity
- Other Matters

### 7. Principle of Development

- 7.1. The National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy and the Saved Policies of the West Berkshire District Local Plan.
- 7.2. The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system and strongly emphasises the need to support sustainable economic growth. The first core planning principle set out in the NPPF is that planning should be genuinely plan led, providing a practical

framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.

- 7.3. The Core Strategy was adopted after the introduction of the NPPF and provides an up to date framework for development planning in West Berkshire which is being consolidated by the preparation of the Housing Site Allocations DPD.
- 7.4. Policy CS 1 Delivering New Homes and Retaining the Housing Stock details how provision will be made for the delivery of at least 10,500 net additional dwellings within the Development Plan timescale. New homes are proposed to be located in accordance with the settlement hierarchy outlined in the spatial strategy and Area Delivery Plan policies. With specific reference being made to new homes being primarily developed on suitable, previously developed land and/or other suitable land with settlement boundaries.
- 7.5. The proposed development at the garden land at No. 5 Normay Rise, Newbury is within the settlement boundary of Newbury, as defined within The West Berkshire Core Strategy (2006-2026) and the West Berkshire Housing Site Allocations DPD (November 2015).
- 7.6. Being within the settlement boundary the principle of a new dwelling in this location is considered acceptable. A new dwelling is considered to fall within a sustainable location, close to public transport, jobs, and amenities which are all within reach of the application site. The principle of a new dwelling in this area is subject to the proposal otherwise being in accordance with development plan policies on design, impact on the character of the area, and impact on the amenity of neighbouring land uses. These issues will be subject to conditions to discharge the reserved matters which will provide more information on these matters.
- 7.7. Officers therefore consider that the principle of the proposed development is in accordance with ADDP 1 and CS1 of the West Berkshire Core Strategy (2006-2026).

## **8. Highways Implications: Access**

- 8.1. Access is the only matter for consideration on this outline application. Visibility splays of 2.4 metres x 43 metres or clear to the junction with Normay Rise have been identified on the submitted plans. This is in accordance with Manual for Streets and is therefore acceptable.
- 8.2. The access must be surfaced with a bonded material for a minimum of 3 metres from the edge of the carriageway.
- 8.3. In accordance with West Berkshire Council's car parking standards this site is located within Zone 2. The table below identifies that a 4-bed dwelling in this location should be provided with 2.5 driveway car parking spaces. Garages are no longer included as car parking spaces by West Berkshire Council due to the likelihood of them not being used as such. They can be used for cycle storage. The driveway depicted can easily accommodate the required level of car parking
- 8.4. The Highways Department are of the opinion that the application is acceptable subject to conditions. The proposal is therefore considered in accordance with



CS13 of the West Berkshire Core Strategy (2006-2026) and P 1 of the West Berkshire Housing Site Allocations Development Plan Documents (November 2015).

## **9. The Impact on the Green Infrastructure of the Site**

- 9.1. The proposal is for a back garden development of a single dwelling. There is a mature oak within the garden covered by a TPO and a Lawson cypress hedge along the southern section adjacent Willowmead Close. There are two other trees. These other trees are a cherry and a maple in the northern section of the garden adjacent No.7 Normay Rise is also covered by the TPO.
- 9.2. There has been a tree survey carried out by Nurture Green ref NGTS280417 dated April 2017. The survey says the conifers are dying of what is believed to be honey fungus as the primary cause but there is no sign of this pathogen according to the Council's Tree Officer. The conifers have since died and the disease is moving easterly direction through the conifers. The oak also has a sparse canopy.
- 9.3. The plan shows the generic circle of the RPA (Root Protection Area) but does not take into account the road or the footpath, however this is only a tree survey a further impact assessment and method statement would need to be carried out. The proposed design of the driveway from Home Architecture shows it on the edge of the RPA.
- 9.4. The Tree Officer has no objections to the access to this property however the design of the access and the location of the garage is just on the edge of the RPA and does not allow any working space which should be approximately 2m.
- 9.5. The Tree Officer does not raise objection in principle to the point of access subject to further more detailed Arboricultural Impact Assessment, Method Statement, and additional landscaping of which can be controlled by condition.

## **10. The Impact on the Character and Appearance of the Area**

- 10.1. 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, it is indivisible from good planning, 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.
- 10.2. Policy CS14 Design Principles states how a proposal should demonstrate a high quality design that respects and enhances the area and makes a positive contribution to the quality of life in West Berkshire. It should respond positively to the wider context it is placed in, not just the immediate area. CS19 Historic Environment and Landscape Character seeks proposal to respond appropriately in terms of location, scale and design reflecting a holistic approach to the local distinctiveness, sensitivity, and diversity of locations.
- 10.3. Although appearance, layout and scale are reserved matters, the case officer offers comments upon these elements at the outline stage. The case officer is aware of the objections raised to the impact on the streetscene however to an extent the

indicative plan respects the streetscene and the principle of a domestic dwelling in this location would in keeping with the surrounding buildings, if designed sympathetically. At the reserved matters stage, a design could be created that does not have an adverse impact on the character of the area.

## **11. The Impact on Neighbouring Amenity**

- 11.1. Policy CS 14 of the West Berkshire Core Strategy (2006-2026) requires a high quality and sustainable design from all new development that enhances the character of the area making a positive contribution to the quality of life in West Berkshire. The policy goes onto to state that amongst other elements new development should have regard not to just the immediate area, but the wider locality.
- 11.2. Although designs are not submitted the spacing of the indicative layout raises concerns in regards to overshadowing neighbouring amenity and overlooking of neighbouring properties.
- 11.3. The case officer cannot object as the design of the proposed dwelling is a reserved matter but wish to make the applicant aware that the design will need to be well thought out to avoid conflicting with established uses on site.
- 11.4. The case officer is also aware of the size of the plot and notes that 100sqm of high quality private amenity space must be provided alongside parking and a design that respects the streetscene.

## **12. Other Matters**

- 12.1. Issues raised by objection letters will be addressed in this section.
  - All applications are treated on their individual merits and the whether a HMO will be formed is not a matter than can be considered here.
  - The issues in regards to the increased traffic and parking that the area may experience have been assessed by the Council's Highways Department and found to be in accordance with Policy or able to be controlled by Planning Condition.
  - The issues raised in regards to the impact on the neighbouring amenity from a proposed dwelling cannot be determined as no elevations are submitted. Matters of Appearance and Scale are reserved, as such no assumptions can be made and a form of high quality design could be utilised to make a dwelling in this area acceptable. The reserved matters application will determine this.
  - As with the previous issue, issues in regards to the impact on the streetscene and the design of a proposed new dwelling cannot be determined as these matters are reserved, as such no assumptions can be made and a form of high quality design could be utilised to make a dwelling in this area acceptable. The reserved matters application will determine this.
  - The impact on the trees on site has been addressed by the Tree Officer and can be controlled by condition.
  - The proposal does not fall within a flood zone and as such no concerns can be raised in regards to flooding.
  - The sloping nature of the site can be controlled and assessed through a site levels condition at reserved matters stage.

- The objection raised to the impact on DVLA test routes is not a planning consideration.
- The objection raised to the lack of detail within the application is not something that can be considered as an outline application has met all the legislative requirements to meet the registration process.
- The concerns over foundations and subsistence are building control matters, these are beyond planning considerations.
- Devaluation of surrounding area is not a planning consideration

#### 12.2. Presumption in favour of sustainable development

12.3. 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.

12.4. Being a proposed new dwelling house, the scheme will bring economic benefit through the short term construction period and long term by adding to the available housing stock of West Berkshire. The Environmental considerations have been assessed in terms of its location within settlement boundaries creating a new dwelling in a sustainable location. Social considerations overlap those of the environmental considerations as the proposed is considered to be in a sustainable location with controlled impacts on the trees on the site and surrounding highways. Sustainable development in terms of the amenity, design and impact on the area will all be controlled and considered more closely at reserved matters stage.

12.5. Paragraph 203 of the NPPF is clear that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. The NPPF goes on to state at paragraph 206 that conditions should only be imposed where they are necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects. It is also clear that whether it is appropriate for the Local Planning Authority to impose a condition on a grant of planning permission will depend on the specifics of the case. Conditions have been placed in regards to the

- Matters Reserved Condition
- Time limit to submission of reserved matters
- Time limit to commencement
- Approved Plans
- Surfacing of Access
- Vehicle Parking provide to parking standards
- Visibility splays
- Cycle storage submission of details
- Tree Protection details to be submitted
- Arboricultural Method Statement to be submitted
- Hours of Work
- Landscaping details to be submitted
- Site levels details to be submitted
- Boundary treatments details to be submitted
- Hard surfacing details to be submitted
- Sample of materials details to be submitted

12.6. The CIL charge for a new dwelling will be £75 for development with Newbury. This will be calculated at reserved matters stage when floor plans are submitted.

### **13. Conclusion**

The proposed development within the garden land at No. 5 Normay Rise, Newbury is within the settlement boundary of Newbury, it is therefore considered a sustainable location for a new dwelling in accordance with policy. The Highways Department are satisfied that the access to serve a new dwelling in this location will not have a detrimental impact on the surrounding highways. The Tree Officer has recommended a number of conditions to control the impact on the existing trees on site. Although a number of objections have been submitted they object to matters that are controlled at reserved matters stage and therefore the case officer is unable to refuse the application upon these matters.

The proposal is therefore considered in accordance with West Berkshire Core Strategy (2006-2026) policies ADDP1, CS1, CS13, CS14, CS17, and CS19 and P1 of the West Berkshire Housing Site Allocations Development Plan Document (November 2015).

### **14. Full Recommendation**

The Head of Development and Planning be authorised to **GRANT** conditional planning permission

#### **1. Matters Reserved**

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

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

#### **2. Time Limit of Reserved Matters**

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

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

#### **3. Time Limit of Commencement**

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

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

#### **4. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved drawing number

- Drawing title "Proposed New Dwelling/ Proposed Site Plan". Drawing number 352/PO2. Date stamped 17<sup>th</sup> August 2017.

Reason: For the avoidance of doubt and in the interest of proper planning. It should be noted that the siting of the dwellings on the plan is illustrative only.

#### **5. Surfacing of access**

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

Reason: To avoid migration of loose material onto the highway in the interest of road safety. 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).

#### **6. Vehicle parking provided to standards**

No development shall take place until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. The dwelling shall not be occupied until the vehicle parking and 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).

#### **7. Visibility splays before development**

No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access. 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).

#### **8. Cycle storage**

No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To 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).

#### **9. Tree Protection**

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

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.

#### **10. Arboricultural Method Statement**

No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

Reason; To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

#### **11. 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 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. 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).

#### **12. Construction Method Statement**

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The 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;

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

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 CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

#### **13. Landscaping**

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

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

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

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

#### **14. Site Levels**

No development shall take place until details of the finished floor levels of the dwellings hereby permitted in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

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

#### **15. Boundary Treatments**

No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The 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: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

#### **16. Hard Surfacing Treatments**

No development shall take place until details, to include a plan, indicating the means of treatment of the hard surfaced areas of the site, has been submitted to and approved in writing by the Local Planning Authority. The hard surfacing shall incorporate the use of a porous material. The hard surfacing shall be completed in accordance with the approved scheme before the dwellings hereby permitted are occupied. The approved hard surfacing shall thereafter be retained.

Reason: In the interests of visual amenity. 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 Supplementary Planning Document Quality Design (June 2006).

#### **17. Submission of samples**

No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the dwellings have been submitted to and approved in writing by the Local Planning Authority. 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), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

Informatives:

#### **HI 1 Access construction**

The Highways Manager, West Berkshire District Council, Transport & Countryside, 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.

### **HI 3 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.

### **HI 4 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.

### **HI 8 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.

### **Birds' Nests**

Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

DC