

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	18/00223/FULD Chieveley	16/03/2018	Erection of a detached dwelling, garaging and associated works Land adjacent to Morphe Downend Chieveley Charles Manly and Jane Parkin

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00223/FULD>

Recommendation Summary: The Head of Planning and Countryside be authorise to APPROVE planning permission

Ward Member(s): Councillor Hilary Cole

Reason for Committee Determination: Called in by Cllr Cole - Neighbours concerned about effect on public footpath which is the only access to the site. Also, 10 letters of objection have been received.

Committee Site Visit: 29th March 2018

Contact Officer Details	
Name:	Catherine Ireland
Job Title:	Planning Officer
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1. Relevant Site History

78/08238/ADD - Residential development - Approved

81/14989/ADD - Erection of detached house and garages complete with services access etc - Approved

86/26957/ADD - 2 bedroom bungalow - Refused, Appeal dismissed

89/35969/ADD - Single storey building to garage garden machinery - Approved

91/39817/ADD - One bungalow - Refused, Appeal dismissed

17/02846/FULD - Erection of a detached dwelling, garage and associated works - Unable to Determine

2. Publicity of Application

Site Notice Expired: 28/02/2018

Press Notice Expired: 01/03/2018

Ten notification letters sent to neighbouring properties.

3. Consultations and Representations

3.1 Consultations

Chieveley Parish Council	<p>No objection subject to the appropriate informatives and controls being covered by essential conditions in the permission should the application be approved.</p> <p>Due to the West Berkshire Council settlement boundary review this site is now within the village settlement boundary and it was agreed that on substantive planning grounds there are no material grounds of objection.</p> <p>However the Parish Council have become aware of concerns about whether there is an established right of access to this site over the PROW. Whilst this is a legal matter these need to be properly addressed by the relevant parties before any development occurs.</p> <p>Morphetts Lane is narrow in places and is not a through road. It is very important that any site, contractor or delivery vehicles visiting this site be appropriate in size to negotiate a narrow lane and a very tight corner from the lane to access the site. The site should have on site parking and an area for the contractors and delivery vehicles to turn within the site before exiting. Any parking or offloading in the lane will restrict access and cause inconvenience to neighbours, other PROW users and cause damage to the lane. Urge West Berkshire Council to ensure appropriate controls are imposed through planning conditions to ensure this is adhered to.</p> <p>The Parish Council fully endorsed the two Highways Development Control Officer informatives HI 3 and HI 4 in the email dated 15 February 2018 and see them as planning conditions. Can the Highways Development Control Officer confirm that he has checked the turning angle off Morphetts Lane into the site is suitable for building delivery trucks and HGV's?</p> <p>The Parish Council also fully endorsed the PROW informatives provided by the Senior Rights of Way Officer in the email dated 28 February 2018 and see them as planning conditions.</p> <p>Morphetts Lane and PROW has special historical interest and should be protected.</p> <p>Landscaping and Screening - request that the applicant is asked to</p>
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	<p>improve the screening and landscaping to reduce overlooking particularly along the boundaries of neighbouring properties to the east of the proposed house and south of this site.</p>
Public Rights of Way	<p>The 'unadopted lane' to which the applicant refers is a public footpath, number 16/1 Chieveley.</p> <p>The development is very large, and there could be some adverse impact on the surface of the footpath during construction. The District Council only maintains footpaths for pedestrian traffic, and requires residents to remedy any damage or wear and tear caused by private vehicular traffic. The footpath rural in character and must remain so.</p> <p>The use of a public footpath with vehicles is an offence without the possession of private rights of vehicle access. Would wish to see such proof of such rights.</p> <p>No objections subject to providing proof of possession of private rights for vehicle access is submitted, and providing improvement work to the surface of the footpath is undertaken prior to, during, and after construction, in a manner which is sensitive to the character of the footpath. Provide a condition and informatives to be attached to any planning permission granted.</p>
Rambler's	<p>Would like to point out that the track that will be used to carry construction traffic and access to the completed building is also a dedicated Public Footpath, named CHIE/16/1. There will be walkers using this path at all times of the day and we would request that signage be posted to warn construction traffic that there will be continuous use by vulnerable members of the public.</p>
Trees	<p>No objection subject to conditions.</p> <p>The submitted arboricultural information prepared by SJ Stephens Ltd ref 1075 dated 10/10/2017 is considered to be adequate for the purpose of determining this application as far as tree implications are concerned and the protection measures specified along with close arboricultural supervision should be sufficient to minimise the impact of the development on retained trees.</p> <p>Request conditions for tree protection, arboricultural supervision, tree retention and landscaping.</p>
Highways	<p>No highway objections.</p> <p>Believe Morphetts Lane is classified as footpath no. CHIE/16/1 and as such should only be used by vehicles accessing the dwellings that are located on the lane. Note, rights of access is not usually a planning issue.</p> <p>The proposed large house would be expected to generate circa eight vehicle movements per day (four in, four out). The point at which the path joins Downend Lane and the impact of the additional vehicle movements for one new dwelling are the primary highway considerations for this application. It is considered the additional impact of these eight trips in this location would be negligible and as such affords no consideration to substantiate a highway objection.</p> <p>Any matters concerning the footpath, such as the impact on the surface of these eight daily trips, plus the construction traffic, would be assessed by colleagues in Public Rights of Way (PRoW).</p>

	<p>Given the distance from the public highway, do not consider that parking or cycle conditions are required. Adequate provision has been proposed.</p> <p>Swept path of a fire tender has been checked and can make the tight left turn off of the track into the site.</p> <p>Request conditions for a construction method statement and public footpath survey and informatives for damage to footways, cycleways and verges and damage to the carriageway.</p>
SUDs	Application discussed and condition recommended.
Waste Management	<p>The proposed new dwelling is set much further back from the footpath chie/16/1 than the dwellings nearby, however the collection point for refuse and recycling will still be on the footpath. The footpath in question is Highway land and accessible for waste collection vehicles.</p> <p>The distance from the property to the road may cause a problem for elderly or disabled residents who may struggle to place their bins on the highway for collection, this can be mitigated by ensuring there is flat level access with a path free of gravel or grass as wheeled bins are difficult to manoeuvre over these surfaces.</p>
Environmental Health	No comments
Royal Berkshire Fire and Rescue Service	<p>Access requirements for Fire Fighting are required to meet the functional requirements of the Building Regulations 1991 and the relevant provisions of the Berkshire Act. Any gates required for emergency access should provide a minimum of 3.1m clear opening.</p> <p>Layout plans provided have not been reviewed for fire safety provisions. This is the responsibility of your Buildings Regulations Department or Approved Inspector in consultation with this Authority.</p> <p>Recommend consideration of making domestic sprinklers a requirement for this particular development.</p>
Ecology	Application discussed, recommended informatives for bird nesting and reptiles and amphibians.
Environment Agency, Thames Water, NWD AONB	No response received as of 20 th March 2018.

3.2 Representations

3.2.1 10 Letters of representation received. Comments include:

3.2.2 Character of the area - overdevelopment, siting, scale, precedent, impact on trees

3.2.3 Access - highways safety, use of PROW (footpath), condition/deterioration, width, visibility at junction, ownership. Rights of access.

- Amenity - Loss of privacy/overlooking, light, impact on outlook, overbearing on amenity space, noise disturbance from use of access. Impact from development on users of PROW.

3.2.4 Covenant on the site limits number of dwellings to one.

4. Policy Considerations

4.1 The statutory development plan comprises:

- West Berkshire Core Strategy (2006-2026)

- Housing Site Allocations DPD
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

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

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty
- CS 1: Delivering new homes and retaining the housing stock
- CS 4: Housing Type and Mix
- CS 5: Infrastructure requirements and delivery
- CS 13: Transport
- CS 14: Design Principles
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

4.3 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:

- TRANS1: Meeting the Transport Needs of New development.
- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution

4.4 The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:

- C1: Location of New Housing in the Countryside
- P1: Residential Parking for New Development

4.5 Other material considerations for this application include:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance
- The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019
- Quality Design Supplementary Planning Document (SPD)
- Chieveley: A Village Design Statement

5. Description of Development

5.1 The application seeks full planning permission to erect a two storey, chalet style dwelling on land off of a track known as Morphetts Lane, to the rear of Downend Farmhouse and to the north of Morphe. The site would be accessed via an existing track from Morphetts Lane between Downend Farmhouse and Morphe. It is within the settlement boundary of Chieveley, and is within the North Wessex Downs AONB. The access track along Morphetts Lane is a public footpath (CHIE/16/1).

5.2 The site is bordered on three sides by residential properties and to the north by agricultural land. The boundaries between the site and the property to the east of the site (Downend Farmhouse) and the agricultural land to the north are formed by mature Leyland cypresses. Those between the site and Downend Farmhouse have been cut back and now have clear stems which will not re-grow. Between the site and the dwelling to the north is a close board

fence 1.8 metres high, changing to a chain link fence just beyond the end of the driveway access. The western boundary is formed by a post and wire fence 1 metres high.

- 5.3 Currently on the site is a red brick garage building which would be removed to make way for the proposed development. The site is overgrown and contains a number of trees, most of which will be retained.
- 5.4 The properties immediately adjacent to the application site are large, two storey dwellings set back from the edge of Morphetts Lane.
- 5.5 The new dwelling will comprise an entrance hall, snug, office, living room, utility room, WC and open plan kitchen/dining/family area at ground floor. At first floor would be a master bedroom with dressing areas and en-suite, four further bedrooms, three with en-suites and a family bathroom. A detached one and a half storey garage would be set next to the dwelling, and would have two vehicle bays at ground floor level with a home office and en-suite bathroom above accessed via an external staircase.
- 5.6 The house would be almost directly to the west of Downend Farmhouse, approximately 27 metres from this neighbouring dwelling, and 13.5 metres from the shared boundary. The plot in which the property Morphe sits is to the south of the application site. The dwelling on this neighbouring plot sits approximately 37.5 metres away to the south east. The shared boundary with this neighbour is approximately 7.5 metres away from the proposed dwelling. The proposed dwelling has been sited to be more than 35 metres from the boundary with neighbouring properties to the west.

6. Consideration of the application

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

- 6.1 The principle of development
- 6.2 The impact on the character of the area including the NWD AONB
- 6.3 The impact on neighbouring amenity
- 6.4 Highway safety
- 6.5 Public rights of way
- 6.6 Drainage and flooding
- 6.7 Ecology
- 6.8 The assessment of sustainable development
- 6.9 Community Infrastructure Levy
- 6.10 Environmental Impact Assessment

6.1. The Principle of Development

- 6.1.1. The NPPF takes the development plan as the starting point for all decision making, and applications that accord with the development plan should be approved unless material considerations indicate otherwise. The current development plan for West Berkshire comprises several documents including the West Berkshire Core Strategy (adopted 2012), Housing Sites Allocation DPD and the Saved Policies of the West Berkshire District Local Plan 1991-2006.
- 6.1.2. The application site is within the identified settlement boundary of Chieveley. Area Delivery Plan Policy 1 of the Core Strategy directs development to areas within existing settlement boundaries, with consideration to be given to the scale and density of development in relation to the site character and surroundings. Policy CS1 states that new houses will be primarily developed on suitable previously developed land within settlement boundaries, or other suitable land within settlement boundaries. As there is currently a garage on the site, it could be considered to be previously developed land. Even if it were not to fall within this definition, as it is within the settlement boundary of Chieveley, it would be considered suitable land.

6.1.3. There is therefore a presumption in favour of development on the site subject to other material planning considerations which are addressed below.

6.2. The Impact on the Character of the Area including the NWD AONB

- 6.2.1. Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 6.2.2. Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.2.3. Paragraph 115 of the NPPF places great weight to conserving the landscape and scenic beauty in AONBs, which is also reiterated by Core Strategy Policy ADPP5.
- 6.2.4. The plot and footprint of the proposed are commensurate with others in the area, and whilst on the edge of the settlement boundary, with suitable landscaping the proposal is not considered to cause unacceptable harm to either the character of the area or the AONB. Whilst the development of this site would result in a tandem form of development, the impact is not considered to be sufficiently detrimental to the character of the area as to warrant refusal of this application.
- 6.2.5. The proposed dwelling would be set behind existing properties when viewed from Morphetts Lane and so would be largely hidden from public view points. Some views back to the site may be possible from north of the site when viewed from the public right of way, and the removal of the existing leylandii hedging would result in a loss of screening. However a condition securing additional planting could be attached to any permission to ensure that suitable, native planting as screening is implemented.
- 6.2.6. There are a variety of trees currently on the site many of which are to be retained as part of this application. As part of the application arboricultural information has been submitted. The Tree Officer has been consulted on this application, and raised no objections to the development subject to conditions for tree protection, arboricultural supervision, tree retention and landscaping.
- 6.2.7. Indications as to the materials to be used in the development have been provided in the application. To ensure that these are suitable to the local context a condition is recommended to be applied to any permission granted requiring a schedule of materials with the option for samples to be viewed on site if necessary.
- 6.2.8. It is considered that the proposed development would not adversely affect the character of the area, street scene or the NWD AONB. The development is therefore found to comply with development plan policies ADPP5, CS 14 and CS 19 and advice set out within the NPPF.

6.3. The impact on neighbouring amenity

- 6.3.1. Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. SPD Quality Design - West Berkshire outlines considerations to be taken into account with regard to residential amenity, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies considers the potential noise impact of development.
- 6.3.2. The dwelling has been positioned so that the front elevation will face the house at Morphe. This would mean that openings on the south east elevation would have an oblique view of Downend Farmhouse to the east. There is a separation distance between the properties of approximately 27 metres. The separation distances involved between these, other neighbouring properties and the application site are considered sufficient so as to prevent unacceptable levels of the overlooking or a loss of privacy to neighbouring amenity. A condition to secure additional fencing along the boundary to the south could be attached to any permission to help to protect neighbouring amenity space.
- 6.3.3. The proposed dwelling is not considered to detrimentally harm neighbouring amenity in terms of loss of sunlight or daylight. Nor is it considered to have an overbearing impact on neighbouring amenity.
- 6.3.4. The siting of the proposed garage and separation distances is such that there will be no direct overlooking of any neighbouring properties.
- 6.3.5. The access to the site will be down the side of Morphe, and will increase the amount of vehicular traffic using this existing access. The Environmental Health Officer has been consulted on this application and raised no objections, and therefore any additional impact is not considered to be sufficiently detrimental as to warrant the refusal of the application. Conditions could be attached to any permission however restricting working hours during construction to protect neighbouring amenity.
- 6.3.6. It is noted that concern has been raised in representation letters regarding the use of the proposed outbuilding/garage block. The use of this building for ancillary purposes is not seen as harmful, and a condition could be attached to any permission ensuring that this building remain ancillary. This would ensure that the building could not be used separately by a business, however, could be used for home working by residents of the property.
- 6.3.7. The application is therefore found to be acceptable in terms of neighbouring amenity and is in accordance development plan policies CS14 and OVS.6 as well as guidance in SPD Quality Design and the NPPF.

6.4. Highway safety

- 6.4.1. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.
- 6.4.2. Morphetts Lane is a classified footpath (CHIE/16/1) it should only be used by vehicles accessing the dwellings that are located on the lane.
- 6.4.3. The Highways Officer has raised no objections to the proposal. The development would be expected to generate circa eight vehicle movements per day (four in, four out). It is not considered that the additional trips would adversely affect highway safety.

- 6.4.4. The Highway Officer has requested a condition securing a Construction Method Statement and a photographic survey of the public right of way. This would help to ensure that any damage caused by the proposed development could be identified. Given the distance from the public highway, it was not considered that parking or cycle conditions are required. Informatives for damage to footways, cycleways and verges and for damage to the carriageway were recommended.
- 6.4.5. Concern was raised in a representation letter regarding access for emergency service vehicles. The Highways Officer has confirmed that the swept path of a fire tender would be able to make the tight left turn off of the track into the site.
- 6.4.6. It is therefore considered that the proposed development will comply with the criteria contained within Policy CS13, TRANS.1, P1 and advice contained within the NPPF and would not result in an adverse impact to highway safety.

6.5. **Public rights of way**

- 6.5.1. Policy CS18 of the Core Strategy covers green infrastructure, which is defined as including Public Rights of Ways. The District's Green Infrastructure should be protected and enhanced and developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted unless in exceptional cases a suitable replacement is proposed.
- 6.5.2. The application site would be accessed off of a public footpath, 16/1 Chieveley. The Public Rights of Way Officer has stated that it is an offence to use a public footpath with vehicles without the possession of private rights of vehicle access. The PROW Officer raised no objections, providing proof of possession of private rights for vehicle access is submitted, and providing improvement work to the surface of the footpath is undertaken prior to, during and after construction, in a manner which is sensitive to the character of the footpath. They suggested a condition to secure this as well as informatives which are to be attached to any permission granted.
- 6.5.3. It is noted that the use of the public right of way is a matter of concern raised in many of the representation letters. It is considered that with suitable conditions to ensure the repair of any damage caused during construction the application is appropriate in terms of policy CS 18.

6.6. **Drainage and flooding**

- 6.6.1. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS 16 addresses issues regarding flood risk. The application site falls within flood zone 1, and is not within a critical drainage area. A flood risk assessment has not been required to be submitted with this application, however the Land Drainage Engineer recommended condition to secure details of sustainable drainage measures to manage surface water within the site.
- 6.6.2. The proposal is therefore considered to be in accordance with policy CS 16 of the Core Strategy and advice contained within the NPPF.

6.7. **Ecology**

- 6.7.1. Policy CS 17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced.
- 6.7.2. The Ecological Appraisal submitted with the application states that no legally protected or notable species were identified on site, although there is some limited potential to support

breeding birds and for small numbers of more widespread native reptile and amphibian species. Recommendations as to when works should be carried out, and suggestions for biodiversity enhancement, are set out in the Preliminary Ecological Appraisal undertaken by AE Ecology. A condition to ensure the works are carried out in accordance with these recommendations could be attached to any permission granted.

6.7.3. The proposal is therefore considered to be in accordance with policy CS 17 of the Core Strategy.

6.8. **The assessment of sustainable development**

6.8.1. The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.

6.8.2. Economic - Future residents would make a contribution to the local economy, and the development would provide employment in construction for a short period. The financial requirements arising from additional infrastructure could be secured through the Community Infrastructure Levy unless exemption is agreed.

6.8.3. Social - The NPPF supports strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations. Whilst this proposal only represents a small addition to the housing supply, it would contribute towards meeting current and future housing needs.

6.8.4. Environmental - In achieving the social role of sustainable development it is also necessary to create a high quality built environment. This thread overlaps with the environmental role, where the built environment should be protected and enhanced. The environmental impact of the proposal has been assessed in terms of the impact on the character and appearance of the area and the North Wessex Downs AONB, neighbouring amenity and highway safety and has been found to be acceptable.

6.8.5. The development is therefore considered acceptable and meets the three threads of economic, social and environmental benefits, and therefore meets the requirements set out within the NPPF.

6.9. **Community Infrastructure Levy (CIL)**

6.9.1. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations the proposal is liable for CIL. The CIL Charging Schedule sets out that the amount calculated is to be determined under the AONB Residential Rate of £125 per m² (plus indexation).

6.10. **Environmental Impact Assessment**

6.10.1. In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Local Planning Authority is required to adopt a screening opinion as to whether the proposal constitutes 'EIA development', and therefore whether Environmental Impact Assessment (EIA) is required as part of the above application.

6.10.2. The proposed development falls within the column 1 description at paragraph number 10 (b) *Infrastructure Projects* if Schedule 2. It is within a sensitive area, namely the North Wessex Downs Area of Outstanding Natural Beauty. Having regard to the nature and scale of the proposed development it is not considered to be EIA development.

7. Conclusion

- 7.1. The application site is located within the identified settlement boundary of Chieveley, and as such there is a presumption in favour of development subject to other material planning considerations. These have been assessed as above, and the development has been found to be in accordance with current development plan policies and advice set out in the NPPF subject to relevant conditions.

8. Recommendation

The Head of Development and Planning be authorised to APPROVE Planning Permission subject to conditions:

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

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

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

Location and Block Plan 17067/002 P3
Site Plan 17067/001 Rev P3
Proposed Plans and Elevations 17067/003 Rev P2
Proposed Garage Plans 17067/004 Rev P1
Proposed Roof Plan and Sections 17067/005

Associated documents
Design Statement
Planning Statement
Arboricultural Impact Assessment by SJ Stephens Associates
Preliminary Ecological Appraisal
Site Levels 17067/006

All received with the application on 19th January 2018.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

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

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS 14 and CS 19 of the West Berkshire Core Strategy

(2006-2026), Supplementary Planning Document Quality Design (June 2006), and Chieveley: A Village Design Statement.

8.4. Tree protection

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan Tree Protection Plan within the Arboricultural Impact Assessment. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

8.5. Arboricultural supervision

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

Reason: To ensure the 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.

8.6. Tree Retention

No trees, shrubs or hedges shown as being retained on tree survey project no.1075 shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

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.

8.7. Landscaping

No development or other operations shall commence on site until a detailed scheme of hard and soft landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing (to incorporate the use of a porous material to any hard surfaced areas) and materials to be used, 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.
- c) Details of the carrying out of any earth moving operations concurrently with the carrying out of the building and other works.

Thereafter the approved scheme shall be implemented in full.

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.

8.8. SUDS

No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- g) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- m) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;

The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwelling hereby permitted is occupied or in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

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 applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

8.9. Construction method statement

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

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding 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.

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).

8.10. Hours of work

No demolition or construction works shall take place outside the following hours:

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

8.11. Public footway survey

No development shall commence until a written specification for the surveying of the public footpath, between Downend and the site access, so as to assess its condition, has been submitted to and approved in writing by the Local Planning Authority.

The public footpath, between Downend and the site access, must be surveyed in accordance with the approved details before work commences, and again after work has been completed on site. Details of both surveys shall be submitted to the Local Planning Authority, along with details of any repairs or making good of any damage caused by the works hereby approved, within 1 month of the completion of the development. The repairs and making good shall then be carried out within 1 month of approval in writing by the Local Planning Authority of the submitted details or in accordance with a timetable to be agreed with the submission of the details of repairs.

Reason: To enable the Local Planning Authority to determine whether any damage to the Public Right of Way is attributable to the works carried out by the developer. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5, CS13 and CS 18 of the West Berkshire Core Strategy (2006-2026) and, Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8.12. Finished floor levels

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

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

8.13. Fencing

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 dwelling hereby permitted is

occupied or in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026).

8.14. Use of outbuilding

The detached garage building hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling hereby permitted. The garage building shall not be used as a separate dwelling unit and no separate curtilage shall be created.

Reason: The creation of a separate planning unit has not been considered as part of this application, and may not be acceptable. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026).

8.15. Permitted Development Rights

Notwithstanding the provisions 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 (other than those expressly authorised by this permission) which would otherwise be permitted shall be constructed at first floor level of above on the east elevation of the garage building hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overlooking of Downend Farmhouse in the interests of neighbouring 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 (2006).

8.16. Gates

Any gates fitted to the entrance of the property must provide a minimum of 3.1m clear opening to allow for emergency access to the site.

Reason: To ensure the creation of a safe environment and community safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS 14 of the West Berkshire Core Strategy (2006-2026).

9. Informatives (to include):

9.1. Damage to footways, cycleways and verges

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

9.2. 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.

9.3. The applicant is advised that this planning permission does not in any way allow the public right of way to be obstructed at any time during the course of the development.

- 9.4. The applicant's attention is drawn to the fact that private rights of vehicle access must be obtained before the use of the access hereby approved can be used to serve the development. Failure to do so will be an offence under the Road Traffic Act 1988 s.34.
- 9.5. The applicant is advised that all visitors to the site should be made aware that they would be driving along a public footpath. As a result they should drive with caution when manoeuvring into and out of the site, and should give way to pedestrians at all times.
- 9.6. Nothing connected with either the development or the construction must adversely affect or encroach upon the footpath, which must remain available for public use at all times.
- 9.7. The applicant is advised that the Rights of Way Officer must be informed prior to the laying of any services beneath the path.
- 9.8. No alteration of the surface of the right of way must take place without the prior written consent of the Rights of Way Officer.
- 9.9. Royal Berkshire Fire and Rescue
The developer is advised to note comments contained within the letter dated 16th March 2018 from the RBFRRS and consider the fitting of domestic sprinklers for this development.
- 9.10. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil
- 9.11. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). In the absence of avoidance measures, the clearance of woody vegetation could result in destruction of occupied birds' nests. It is therefore recommended that vegetation clearance should take place outside the bird nesting season (generally March-August inclusive), although in view of recommendations regarding dormice, this should take place in September to mid-November.
- 9.12. There may be a small number of reptiles or amphibians on the site, and therefore the following should be adhered to:
- Clearance must only take place between mid-March and mid-September. This will ensure that the hibernation season is avoided. Reptiles and amphibians are likely to die if disturbed during hibernation, and they are also far harder to find during this period if carrying out a destructive search of the area.
 - All discrete habitat features such as log / brash / rubble piles, that are within the boundary vegetation should be carefully dismantled and removed by hand while searching carefully for any reptiles present. Any reptile found during this process should be either allowed to move off of its own accord or carefully captured by hand and placed into a cool covered bucket that has a thick layer of grass / vegetation in the base of it. They can then be moved to retained boundary vegetation.
 - Following removal of these discrete features, the standing ground flora can be strimmed, which should be done in a two-stage process. Firstly, the vegetation must be strimmed to a height no lower than 150mm. Strimming should start from the side furthest from the adjacent boundary, and move slowly towards the

boundary. This will allow any reptiles present to move of their own accord out of the way into retained boundary vegetation.

- The area should then be left for a minimum of 24 hours, and then a further cut taken in the same manner to strim the vegetation down to ground level.
- The area will then be maintained as devoid of suitable reptile habitat until construction starts

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