

<b>Item No.</b>	<b>Application No. and Parish</b>	<b>8/13 Week Date</b>	<b>Proposal, Location and Applicant</b>
(1)	18/00529/FULEXT Greenham Parish Council	31 <sup>st</sup> May 2018.	Land West of New Road, North of Pyle Hill, Newbury  Erection of 36 dwellings with associated roads, amenity open space, and access to New Road.  Rivar Limited

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00529/FULEXT>

**Ward Member(s):**

Councillor Drummond  
Councillor Bartlett

**Reason for Committee determination:**

Councillor Drummond has called the application to Committee, given the site history.

**Committee Site Visit:**

10<sup>th</sup> May 2018.

**Recommendation.**

**The Head of Development and Planning be authorised to GRANT conditional planning permission, subject to the first completion of a s106 planning obligation.**

**Contact Officer Details**

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## 1. Site History

126373 Application for gravel extraction. Refused in 1986.

17/02524/fulext. Identical application to the current one [save for the footpath access]. Resolved to be approved but subsequently found to be invalid - February 2018.

## 2. Publicity of Application

Site notice displayed 19<sup>th</sup> March 2018. Expiry 9<sup>th</sup> April 2018.

## 3. Consultations and Representations

<b>Greenham Parish Council</b>	Concerns raised re. the increase in local traffic and the footpath. Need a new transport plan for the parish. Permeability of the land is not joined up.
<b>Newbury Town Council</b>	No objection.
<b>Highways</b>	Conditional permission. Parking and access is acceptable as is the projected increase in local traffic generation.
<b>Environmental Health</b>	Conditional permission recommended.
<b>SuDS</b>	Conditional permission is now recommended.
<b>Tree officer</b>	Potential concerns with loss of Lime Tree group in site and the hedgerow along New Road. Clarification sought with amended plans –if acceptable conditional permission is recommended.
<b>Planning Policy</b>	Notes that the application exceeds the approximate number of 30 dwellings by 6, otherwise, acceptable in principle as a part of the HSA4 allocation. The case officer will need to be satisfied that the application is acceptable in drainage and ecological terms. The 40% affordable housing is acceptable.
<b>Housing</b>	14 of the dwellings proposed for affordable purposes. This equates to 40% for a greenfield site which is accepted. A degree of pepper potting on the site, in addition. 70% for affordable rent, 30% for shared equity. To be achieved via a s106 obligation.
<b>Minerals</b>	The site is underlain by potentially commercially valuable gravel deposits. Pre-condition recommended re exploratory works.
<b>BBOWT</b>	Object to the application on a range of grounds. Fails to mitigate impact on Greenham and Crookham Commons SSSI. No overall biodiversity net gain achieved on the site. If the Council is minded to grant permission, a range of conditions is advised regarding protected species on the application site. Amended details submitted

by applicant. BBOWT still object.

**Natural England**

No comments to make on the application.

**Ecology**

Originally objected but following negotiations and further information being submitted, satisfied that a slight net gain in biodiversity on the site is achievable.

**Environment Agency**

No response received. Standing advice refers. Flood risk assessment has been submitted with the application.

**Waste Services**

Application layout is accepted.

**Education**

CIL will be acceptable to mitigate the education services impact.

**Thames Water**

Conditional permission – impact studies on water supply required.

**Archaeologist**

Conditional permission – written scheme of investigation.

**Fire Service**

Additional hydrants required – condition as required.

**Travel Policy**

Conditional permission is recommended.

**Mod**

No safeguarding objections raised.

**Public Open Space**

Level of public open space on site is acceptable but detail of children's play equipment should be varied. Amended plans accepted. Conditional permission.

**Public Representations**

7 letters of objection received. Town already overdeveloped. Impact on local infrastructure, including schools and health. Impact on drainage. Loss of green space. Impact on local highways. What is to happen to the boundary treatment of the hedge on New Road? Non-compliance with the policy in the HSADPD about comprehensive development of the 4 sites under HSA4 in Greenham. Need protection in perpetuity of internal green space. Loss of existing views. High density. Development out of character. Increased overlooking, impact on wildlife, increased noise and disturbance. One further letter welcoming the affordable units but querying the potential impact upon Greenham Church.

**4. Policy Considerations**

National Planning Policy Framework 2012.

National Planning Practice Guidance 2014.

West Berkshire Core Strategy 2006 to 2026.

HSADPD May 2017. Policies GS1 and HSA 4 - land off Greenham Road.

Policies ADPP1, CS1, CS4, CS6, CS13, CS14, CS16, CS18, and CS19.

## **5. Description of development**

- 5.1 The application site lies immediately to the west of New Road in Greenham. The whole application site is roughly rectangular, but the actual form of built development is triangular, incorporating 36 dwellings, with associated access road direct onto New Road, with associated parking and individual garden areas. The northern part of the site will include a drainage swale pond plus public open space area. The whole red line site area is 3.05ha which gives a gross density of just 12 units per ha which is low, although the net density is about twice that. Included in the red line is a proposed new footway /cycle way link to the west to connect with the existing permission off Pyle Hill for over 70 dwellings.
- 5.2 Of the 36 dwellings, 40% will be affordable i.e. 14 in total and these will be pepper potted, to a reasonable extent through the site. In total there will be twelve 4 bed houses, fourteen 3 bed, and ten 2 bed houses. No flats are proposed. In terms of parking standards meet policy P1 in the adopted HSADPD of May 2017. The submitted application is full so no matters are reserved for future consideration. Finally, under the 2017 EIA regulations, no Screening Opinion was required, since the application site does not lie in a sensitive area as defined in the Regulations, nor does the size of the site, or number of dwellings, exceed the relevant thresholds in Schedule 2. In addition, although the application site is greenfield, outside any defined settlement boundary, it does not comprise a departure from the Development Plan as it is allocated under policy HSA4 in the HSADPD of 2017.

## **6. Consideration of the application**

The application will be considered under the following headings.

- 6.1. Policy
- 6.2. Highways
- 6.3. Ecology
- 6.4. Landscape Impact
- 6.5. Other issues

### **6.1. Policy**

6.1.1 In terms of planning policy, the application is acceptable in principle as it forms the last part of the four distinct allocations within HSA4. Members will recall application 17/00223 for 71 dwellings to the north west of the site already resolved to be approved, as is the 157 dwelling site by Rivar under reference 17/01096 also resolved to be approved by Council. Both are now approved. Policy GS1 notes that [inter alia] a single planning application will be submitted for each allocation. This has not been possible to achieve in HSA4 since the Council is unable to control differing land ownership across the area, unless CPO powers are to be used - wholly unnecessary in this case. Officers have attempted to see a more active combination of the sites and this has now been achieved [in part] by the proposed footway / cycleway access connection between the application site and the allocation under 17/00223. In addition, policy GS1 seeks a comprehensive drainage strategy, a comprehensive ecology strategy, and suitable access/walking routes. The applicants have submitted sufficient information to address all these issues, to the satisfaction of all consultees, with the exception of BBOWT.

6.1.2 In relation to the specifics under HSA4, it is noted that approximately 30 dwellings will be allocated on this site. The applicants have submitted 36. This is 20% above the allocation. The applicants [and officers] pray in aid a number of points to address this. Firstly by "allowing" a further 6 dwellings on the site this increases the number of affordable units by two, to 14, from 12. Secondly, the increased numbers will make more efficient use of land, at no real expense to any harmful density or indeed over development. However, officers were still not satisfied with this position so sought an additional planning "gain" in terms of increased affordable housing over and above the 40% figure in policy CS6 in the HSADPD of 2017. What the applicants have agreed to is by way of an equivalent off site contribution, to be achieved via a s106 obligation, one further

affordable unit will be provided off site. On this basis the additional dwellings is considered acceptable, and not a diversion from policy.

## 6.2. Highways

6.2.1 In accord with advice in the NPPF the applicants have submitted a Transport Assessment for the additional 36 dwellings to be imposed on the local highway network. The simple T junction arrangement onto New Road is deemed to be acceptable, and the available forward visibility splays in both directions is accepted. Current flows along New Road are low in any event as are traffic speeds. The junction access onto Burys Bank Road in the south is also “good” in terms of the expected traffic generation. In relation to on-site parking, this now complies with policy P1 so will not create any additional off site car parking pressures. Local accessibility to the town centre by sustainable means is available via the footpath/cycleway which extends from the north of New Road towards the town centre. The proposed new footway will also help in this regard. The internal access road layout has been accepted as being capable of turning / swept paths for the Council refuse vehicles, as well. It is anticipated in this regard that the internal roads will be adopted. So, in conclusion, whilst it is of course inevitable that the occupation of 36 additional dwellings will impact local flows, this will not be severe in terms of the advice in para 32 of the NPPF, and so the application is accepted, in transport terms. It is noted in addition, that transport policy colleagues have accepted the application, subject to conditions.

## 6.3. Ecology

6.3.1. The applicants, in accord with National Policy advice, have prepared a number of ecological reports in support of the application. Their conclusions are that the application site comprises species poor semi improved grassland with ruderal vegetation and scrub. It was noted that no great crested newts are present, bat activity is low, and the breeding bird community was typical of such grassland. There is however a large population of slow worms and a low, but not insignificant population of grass snake and common lizard. No evidence of badger activity was found. It is identified that given the north west triangle of the site will now be actively managed with ecological mitigation measures to be put in place [to be secured by condition] the overall bio diversity net gain on the site will be 0.06 units i.e. marginally positive. Whilst Natural England have made no comments on these matters, BBOWT have continued to object to the detail. The applicant’s agents have responded to these issues now on 2 occasions. BBOWT have duly responded and still object on similar grounds as before. The case officer, in advising the Committee, is satisfied that **on balance**, there will be no overall harm in the long term to local bio diversity, although of course short term during construction there will inevitably be. The crux of this ecological issue rests upon how the applicant’s ecological consultants and BBOWT are identifying and measuring the existing ecological status and value of the present semi improved grassland on the application site. BBOWT maintain that it is better than poor as the applicant’s agent believe it to be. This has an impact on the overall scoring matrix which leads to the differing conclusions of the ecologists in question, i.e. the applicants believe there will be a slight net gain in local biodiversity, BBOWT consider no net gain will be achieved.

6.3.2 The Council as LPA is specifically required to take into account the Wildlife and Countryside Act of 1982 [as amended] and the advice in the Conservation of Habitats and Species Regulations of 2010 [as amended] .These note that in determining planning applications, there should be no adverse impact on biodiversity or indeed protected species. Officers have duly taken the following matters into account in the advice to Committee to recommend approval to the application:

- 1] The site is allocated and already approved in principle under the adopted HSADPD. Ecological matters were discussed at the Local Plan Inquiry.
- 2] Natural England have not objected to the application in principle—they are the statutory consultee in this instance.
- 3] The Council’s Ecologist has determined, on balance, that it would not be correct to sustain an objection on ecological grounds.

4] The case officer, in advising the Committee on the application, has had due regard to the advice in the advice in the text of policy CS17 in the Adopted Core Strategy, and the advice in the NPPF on ecological issues, considers that given the purely technical basis upon which the BBOWT objection is sustained, and having regard to the substantial planning gains to be achieved from the development assuming it proceeds, approval is appropriate in this case.

6.3.3. As with the other application sites under HSA4, BBOWT continue to object on the lack of mitigation in terms of the impact of the increased population derived from the site, once occupied [perhaps 90] on the local Greenham and Crookham Commons SSSI. Clearly there will be some impact on the SSSI, given the proximity of the site to the Common. However, it is the Council's view that the CIL charges [circa £240,000] will be sufficient to offset this. It is noted that only a small % of this CIL charge will be available to ecological purposes, however.

6.3.4 Accordingly, officers consider that, since the principle of the new housing has already been accepted by the Council, by definition, these impacts have already been taken into account, having regard to the advice contained within policy CS17 in the Adopted Core Strategy, and the inevitable loss of green infrastructure – policy CS18. In respect of mitigation, it is identified in the application that not only will a marshy swale be set out on site, but also significant new landscaping, 36 individual gardens, planting new trees, hedgerows and placing refugia for local reptiles, new bat and bird boxes and the planting up of a mosaic of lowland meadow and scrub.

6.3.5 The recent changes to National Policy on Ancient Woodlands [November 2017] has no impact on this application, given the distance of the application site from such woodland.

#### **6.4. Landscape Impact**

6.4.1. In accord with policy advice, the applicants have submitted a full landscape appraisal of the site, to understand how the local landscape character will be impacted, should the scheme be approved and built out. It is noted that the site is bounded by existing built form to the south and east, West Wood to the north and open fields to the west. It is a plateau area, once forming part of the designated gap between Newbury and Greenham. Whilst it is still physically is of course a gap, the policy no longer applies, [since the NPPF has replaced Gap policy] having not being saved in the current Development Plan. The land is elevated at circa 120m AOD, falling to the north. Its sensitivity is deemed medium, but in terms of its character, it has no special features which are worthy of retention. The sole important consideration is the visual setting of the Grade 2\* St Marys church to the north east of the site. The site enjoys no special scenic quality, nor is it rare in any way. It has no public access either. Its principal visual function is thus to provide an open gap between buildings, assisting the perception of openness and tranquillity in this otherwise “urban” fringe area of the parishes of Newbury and Greenham.

6.4.2. The application site, by locating the built form to the south adjacent the existing settlement boundary, has ensured that open views will still be retained from New Road across towards West Wood and beyond. In addition the setting of the church will still be fully respected by the distances involved - over 100m separation. The hedgerow along New Road will be similarly re-reinforced where possible, by condition to soften the overall appearance of the development. At the time of writing this report officers are seeking to see if the necessary footpath on the west side of New Road up to the new access for the scheme can be accommodated without too much detriment to the existing hedgerow. It is anticipated that an amended block plan will be reported on the update sheet. Given all of this officers are content that whilst there will clearly be a degree of visual and local impact on the local landscape, this will be minimised insofar as it is possible to do, to make the scheme acceptable in terms of the allocation process. Accordingly the scheme complies with the advice in policy CS19 in the Adopted Core Strategy.

#### **6.5. Other issues**

6.5.1. One issue which the officers consider the Committee should take into account is the potential impact upon local amenity for existing residents to the south of the site in Drayton's View

and Spa Meadow. It is noted that the closest dwelling proposed will be 20m distant from any existing dwelling so loss of privacy should not be an issue. In addition, whilst presently owners to the south enjoy open views across the site, these will be lost, to an extent; but a loss of view is not a planning matter. Clearly there will be a degree of noise and disruption during the construction process, but this is the same for any large application site: a construction management plan including hours of working will be included in any permission as conditions. A number of objectors have raised pressure on local infrastructure: this is the same for all new housing applications and the impacts will be mitigated by the CIL charges included in the development. Finally, the application is made in full, so design is a factor to be taken into account at this stage. The submitted elevation plans show dwellings of a traditional character, with full hips, gables, porch features and pitched roofs, all combining to create an attractive detail, with the proposed traditional materials of brick, tile, and slate. This will accord with the conservative character of the adjoining dwellings.

6.5.2 One objection in particular raises the point about the 4 sites allocated under policy HSA4 being comprehensively master planned. This is noted in policy GS1 and in addition, the wording of HSA4 in the adopted HSADPD. Officers were able to accommodate these linkages both physically and policy wise within the NEW047D sites to the west of Pyle Hill already approved by the Council. Members may recall that this connectivity issue was comprehensively discussed at the last Committee held in January this year. What has now been achieved in this application is the ability to link this new site with the one to the west under 17/00223/fulext. Via a proposed new footpath/cycleway link. This can be conditioned as it lies in the red line application site. This will of course enhance local permeability and make the scheme comply “more” with policy GS1. What the Council is still unable to control, unless CPO powers were to be used, is the protection in perpetuity of the intervening parcel of land, co incidentally owned by the applicant - if the application were rejected on the grounds of non-inclusion of this additional green space, the Council would have [without prejudice] almost nil justification at any appeal, given the generous amount of public green space already provided in the present application site. So, in the interests of maintaining the Council's 5 year housing land supply, and the fact that this application is policy compliant in all respects, it is strongly advised that it would not be appropriate to reject the application on this single basis. It is also noted that this identical issue was raised under the consideration of application number 17/00223/fulext, but the Committee elected not to reject that application.

## 7. Conclusion

7.1 The NPPF advises local planning authorities to determine planning applications having regard to the three principles of sustainability. The first is economic. This application will clearly assist the local construction business during the build out phase. In addition 90 further residents in the District will assist future local expenditure in the Town and beyond. Secondly, in social terms, the development will secure 15 more affordable dwellings for the area, which is obviously of benefit. Finally, in environmental terms, whilst there will be a degree of ecological, visual, transport and physical impact, the introduction of these 36 houses will, on balance, be acceptable for the reasons noted above.

7.2 The application forms a relatively small but nevertheless important component of the Council's overall housing strategy to 2026, to accommodate a growing population. It is considered to be acceptable in both principle and detail. Given the strong reasons to support the application, a recommendation of conditional approval is made.

## 8. Recommendation

**The Head of Development and Planning be authorized to GRANT Conditional Planning Permission subject to the first completion of a s106 planning obligation, to secure the 14 affordable housing units plus the additional off site contribution of £175,000 towards affordable housing.**

## CONDITIONS

### 3 YEARS

Subject to the following conditions (if any):-

#### TIME

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against the advice in the DMPO of 2015, should it not be started within a reasonable time.

#### MATERIALS

2. No development shall commence until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with HSA4 of the HSADPD of May 2017.

#### HOURS OF WORKING

3. The hours of work for all contractors (and sub-contractors) for the duration of the site development shall, unless otherwise agreed in writing by the Local Planning Authority, be limited to; 7.30 am to 6.00 pm on Mondays to Fridays, 7.30 am to 1.00 pm on Saturdays, and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding residents in accordance with policy OVS6 of the WBDLP 1991 to 2006 [Saved 2007].

#### FLOOR LEVELS

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

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with HSA4 of the HSADPD of 2017.

#### FIRE HYDRANTS

5 No development shall commence until full details of additional fire hydrants are agreed on site. The development shall be implemented in strict accord with these approved details.

Reason: To ensure public safety in accord with NPPF advice.

#### DUST SUPPRESSION

6 No development shall commence until the applicant has submitted to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of



dust during the development construction period. The construction process shall be carried out in accord with that scheme of works, once approved in writing by the Council.

Reason: In the interests of the amenities of neighbouring occupiers. In accord with NPPF advice.

## LAND CONTAMINATION

7. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition 4 has been complied with in relation to that contamination.

### 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

### 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

If required:

#### 5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accord with the advice in the NPPF.

CMS

8. 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).

LAYOUT

9 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 and the Developer to enter into a S278/S38 Agreement for the adoption of the site. 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 and to ensure waste collection. 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).

#### ACCESS

10. As a first development operation, the vehicular, pedestrian/cycle access and associated engineering operations shall be constructed in accordance with the approved drawing(s). For the avoidance of doubt this shall include the sole vehicle access onto New Road.

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

#### VISIBILITY

11. 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).

#### PARKING

12. No dwelling shall be occupied until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). 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. In addition, no dwelling shall be occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development allows for appropriate car parking on the site, and to reduce reliance on private motor vehicles and assists with the parking, storage and security of cycles. 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).

#### PLANTING SCHEME

13. On the first planting season post the first occupation of any dwelling hereby permitted the soft landscaping scheme as identified on the Golby and Luck plan number GL0726 01a dated 17/08/17 will be commenced. This scheme shall then be completed in its entirety to the satisfaction of the Council and maintained for a 5 year period post first occupation.

Reason. To enhance the visual aspects of the scheme in accord with policy HSA4 in the HSADPD of May 2017.

## BADGERS

14. No development works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and / or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include; a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches / excavations or by using planks placed into them at the end of each working day and b) open pipework greater than 150mm outside diameter being blanked off at the end of each working day.

Reason. To conserve this protected species on the site in accord with the advice in the NPPF.

## CEMP

15. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following;

- a) Risk assessment of potentially damaging construction activities
- b) Identification of biodiversity protection zones
- c) Practical measures to avoid and reduce impacts during construction
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities of the ecological clerk of works or similarly competent person
- h) Use of protective fences, exclusion barriers and warning signs"

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected species on site in accord with policy CS17 in the WBCS of 2006 to 2026.

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## LIGHTING STRATEGY

16. Prior to occupation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:-

- Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites or resting places or important routes used to access key areas of their territory, for example for foraging; and
- Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To protect light sensitive species on site in accord with policy CS17 in the WBCS 2006 to 2026.

## MINERALS

17 No development shall commence until a statement of mineral exploration and associated development management plan has been submitted to and approved in writing by the Local Planning Authority. This statement shall include:

- i. A method for investigating the extent and viability of the potential construction aggregate mineral resource beneath the application site.
- ii. A methodology that ensures that construction aggregates that can be viably recovered during development operations are recovered and put to beneficial use, with such use to be agreed with the Local Planning Authority.
- iii. A method to record the quantity of recovered mineral (for use on and off site) and the reporting of this quantity to the Local Planning Authority.

Reason: The approval of this information is required at this stage because insufficient information has been submitted with the application. To ensure compliance with Policy GS1 of the Housing Site Allocations DPD (2006-2026), and Policies 1, 2 and 2A of the Replacement Minerals Local Plan for Berkshire as the application does not provide sufficient information in respect of the potential mineral resources located beneath the application site.

## SUDS

18 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;
- e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than 1 in 1 year greenfield run-off rates;
- 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;
- k) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- 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;
- r) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)
- v) Attenuation storage measures must have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;
- w) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development;

- x) Written confirmation is required from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow;
- y) Details of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and where the flows exit the site both pre-development and post-development must be provided.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings approved are occupied. The 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.

## ARCHAEOLOGY

19 No development/site works/development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. In accord with NPPF advice.

## WATER SUPPLY.

20 Development must not commence until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand. In accord with advice in the NPPF.

## TREE PROTECTION

21 No development (including site clearance and any other preparatory works) shall commence on site until an amended 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.

## TREE WORKS

22 No development or other operations shall commence on site until an amended detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority. In addition no development or other operations shall commence on site until an amended landscape management plan including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall include any areas of existing landscaping including woodlands and also include any areas of proposed landscaping other than areas of private domestic gardens.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

## AMENDED PLANS

23 To be annotated on the update sheet

## INFORMATIVES

1 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](http://www.westberks.gov.uk/cil)

2 This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

3 This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the xxxx date. You are advised to ensure that you have all the necessary documents before development starts on site.

DC