

Item No	Application and Parish	No.	8/13 week date	Proposal, Location and Applicant
(1)	18/00628/FULD Thatcham		05 July 2018	Section 73: Variation of Condition 9 -Treatment Plant and removal of Condition 12 - Minimise the effects of dust, of planning permission reference 17/00883/FULD (To erect 2 no. detached 4-bed houses and one pair of semi-detached 3-bed houses). Midgham Cottage, Station Road Woolhampton, Reading, Berkshire RG7 5SE. Michael Bundy (Woolhampton Design Centre Ltd)

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00628/FULD>

Recommendation Summary: To **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION**

Ward Member(s): Councillor Dominic Boeck

Reason for Committee determination: Call in by Councillor Boeck:

To allow Members to familiarise themselves with the local characteristics that affect the flood risk in the village. Woolhampton Parish Council are concerned that the variation of condition 9 as requested will increase the flood risk to unacceptable levels.

Committee Site Visit: Not required as the application is concerned with varying and removing conditions.

Contact Officer Details

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1. PLANNING HISTORY

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

Approved application: 16/00628/FULD	Erection of 4 No. detached 4 bed houses and 3 No. garages, following demolition of Midgham Cottage.
Refused application: 17/00111/FULD	Erect 2 No. detached 4-bed houses and 4 No. semi-detached 3-bed houses following demolition of Midgham Cottage
Approved application: 17/00883/FULD	To erect 2 no. detached 4-bed houses and one pair of semi-detached 3-bed houses
Application pending consideration: 18/00549/COND1	Approval of details reserved by conditions: 3: Schedule of Materials, 4: Construction Method Statement, 7: Landscaping scheme, 8: Sustainable drainage, 9: Treatment Plant, 10: Noise insulation, 11: Contamination, 12: Dust mitigation, 13: Spoil removal, 15: Boundary treatment, 17: Hard surfacing materials, of planning permission 17/00883/FULD.

2. PUBLICITY

2.1 A site notice was displayed on 15th March 2018 and expired on 05 April 2018. Neighbour notification letters have been sent to 10 (ten) local recipients.

2.2 The authority has therefore discharged and exceeded the statutory requirement to publicise applications in accordance with the DMPO.

3. CONSULTATIONS AND REPRESENTATIONS

3.1 Consultations

Parish Council: Objection:

The Parish Council strongly objects to the variation of condition 9 (Treatment Plant) until the applicant can demonstrate to the residents of Woolhampton, West Berkshire Council and Thames Water that the addition of the proposed additional housing from this application will have no adverse impact on the capacity of the Woolhampton Pumping Station. Any breach in capacity will result in residents of the Station Road again experiencing foul sewage issues.

The Parish Council has no objection to the removal of condition 12.

Drainage Team:

No objection following the consultation response from Thames Water:

Referring to the stipulations imposed by Thames Water regarding acceptance of the foul sewer proposals, the applicant does not intend to discharge any surface water into the foul system so Thames Water's requirement is met. Similarly, the Lead Local Flood Authority (LLFA) would not sanction discharge into the foul system either.

The applicant proposes instead a self-contained SuDS system to deal with surface water run-off using storage and a certain amount of infiltration within the site boundary which generally meets LLFA requirements. The Drainage Officer noted that the current proposals no longer include the voided floors which were part of the initial application but as long as the finished floor levels are set as per the layout drawing and the flood bund is in place this will be acceptable and that condition (part h) can be disregarded.

The Drainage Officer indicated that they were happy that the SuDS Conditions can be discharged based on the information submitted.

The Drainage Officer also highlighted a final point to emphasise that in accordance with part m) of the conditions, the Drainage Officer strongly suggest that the applicant informs future purchasers of each property that it is imperative that the ponds/swales are retained and maintained throughout the lifetime of the properties as part of the flood protection measures for the properties and are not filled in or altered by anyone wishing to re-landscape gardens or on the grounds improving safety for children and pets.

(The drainage conditions will be discharged as part of application 18/00549/COND1)

Environmental Health:

No objection with regard the removal of Condition 12.

Thames Water:

No objection:

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided. The application indicates that surface waters will not be discharged to the public network and as such

Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then Thames Water would consider this to be a material change to the proposal, which would require an amendment to the application at which point Thames Water would need to review their position.

Supplementary Comments

Thames Water would advise that with regard to the foul water sewage network, Thames Water would not have any concerns with this development (17/00883/FULD) of 4 dwellings, discharging foul water to the public foul sewer. The comments are based on the assumption that foul flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer.

Archaeology: No objection

Network Rail: No objection

Providing additional or increased flows of surface water are not discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, soakaways/attenuation ponds/septic tanks are not to be constructed within 20 metres of Network Rail's boundary. Surface / foul water is to be discharged into the public sewer. Any surface water run-off from the site must drain away from the railway boundary and must not drain in the direction of the railway as this could import a risk of flooding and / or pollution onto Network Rail land. The Land Drainage Act is to be complied with.

Network Rail has concerns over the potential for dust affecting the railway signal sighting. Therefore, adequate measures for preventing dust blowing onto Network Rail property are to be in operation.

3.2 Representations

Total: 0 Object: 0 Support: 0

No letters of representation objecting or supporting the proposal have been received.

4. PLANNING POLICY

4.1 The statutory Development Plan includes the West Berkshire Core Strategy (2006-2026) (WBCS), the saved policies in the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP), and the Housing Site Allocations DPD (2006-2026).

4.2 The West Berkshire Core Strategy was adopted on 16 July 2012. The following policies from the WBCS are relevant to this application:

- NPPF Policy
- ADPP1: Spatial Strategy
- ADPP 6: The East Kennet Valley
- Policy CS1: Delivering New Homes and Retaining the Housing Stock
- Policy CS4: Housing Type and Mix
- Policy CS5: Infrastructure Requirements and Delivery
- Policy CS13: Transport
- Policy CS14: Design Principles
- Policy CS15: Sustainable Construction and Energy Efficiency
- Policy CS16: Flooding
- Policy CS 17 Biodiversity and Geodiversity
- Policy CS19: Historic Environment and Landscape Character

4.3 The Housing Site Allocations Development Plan Document (HSA DPD) is the second DPD of the new West Berkshire Local Plan. It allocates non-strategic housing sites and sites for gypsies, travellers and travelling show people, and provides updated residential parking standards and a set of policies to guide housing in the countryside. The following policies from the HSA DPD are relevant to this development:

- P1: Residential parking for new development

4.4 The WBCS and HSA DPD 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 are relevant to this development:

- OVS 5: Environmental Nuisance and Pollution Control
- OVS 7: Hazardous Substances
- TRANS 1 : Meeting the Transport Needs for New Development

5. OTHER MATERIAL CONSIDERATIONS

5.1 In addition, the following government legislation, locally and regionally adopted policy documents and guidance are material considerations relevant to this application:

- The National Planning Policy Framework (March 2012) (NPPF).

- West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (adopted June 2006)
- West Berkshire Supplementary Planning Document: Part 1; Achieving Quality Design
- West Berkshire Supplementary Planning Document: Quality Design: Part 2: Residential Development
- West Berkshire Supplementary Planning Document: Quality Design: Part 4: Sustainable Design Techniques
- West Berkshire Supplementary Planning Document Planning Obligations
- National Planning Practice Guidance (Use of Planning Conditions reference ID: 21a)
- The Ministerial Statement Planning for Growth (23 March 2011)
- Manual for Streets (DCLG/DfT)

5.2 No Neighbourhood Plan is being prepared within the area.

6. DESCRIPTION OF DEVELOPMENT

6.1 The application seeks permission for the varying of condition 9 -Treatment Plant and removal of condition 12 - Minimise the effects of dust, of planning permission reference 17/00883/FULD (To erect 2 no. detached 4-bed houses and one pair of semi-detached 3-bed houses).

7. APPRAISAL

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

7.1 Principle of the development

7.2 The Impact upon foul water infrastructure, flooding and drainage (Condition 9)

7.3 The impact upon neighbouring amenity in terms of construction dust (Condition 12).

7.4 Other Matters

- Community Infrastructure Levy
- The assessment of sustainable development

7.1 Principle of the development

7.1.1 The principle of the proposed development has already been established by the approved planning permission under reference 16/00628/FULD and the subsequent application under reference 17/00883/FULD.

7.1.2 The site is located within the defined settlement boundary of Midgham, therefore there is a presumption in favour of new residential development on this site.

7.2 The Impact upon Flooding and Drainage (Condition 9)

7.2.1 Varying condition 9 -Treatment Plant

- 7.2.2 This application seeks to amend the requirement for a package sewage treatment plant to service the development. Condition 9 of application reference: **17/00883/FULD** is outlined below:

Development of the approved dwellings shall not commence until details of a package treatment plant to service the development have been submitted and approved under a formal discharge of conditions application. No dwelling shall be occupied until the approved package treatment plant has been installed on the site in accordance with the approved details.

Reason: In order to ensure that the site is provided with sufficient sewage infrastructure to deal with sewage on site in order to address local concerns regarding surface water infiltration into the sewage system in accordance with the NPPF (2012) and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

- 7.2.3 By way of history on this issue, an application was submitted on 02nd March 2016 under reference **16/00628/FULD** (Erection of 4 No. detached 4 bed houses and 3 No. garages, following demolition of Midgham Cottage.). Concerns were raised by the Parish Council and local residents with regard to the increase in the foul water load to the then pumped foul water network provided by Thames Water. It was indicated that blockages affected the foul water pump on a regular basis resulting in foul water flooding which in turn affected the local foul water sewage network for the properties along Station Road. Separately, Thames Water agreed to meet with the Parish Council to discuss proposals to increase the capacity on the foul water sewage network to serve the site allocated for residential development beyond Orchard Close, to the north of the A4 Bath Road (**16/01760/OUTMAJ**: Land Adjacent to Telephone Exchange, Bath Road, Woolhampton).
- 7.2.4 Thames Water stated under application 16/00628/FULD that they had no capacity objections with regard to foul water drainage. However due to the concerns raised at the time by the Parish Council and local residents, the applicant indicated they were prepared to install a package sewage treatment plant to serve the proposed development at Midgham Cottage, it was then that condition 9 was first attached to the planning permission **16/00628/FULD**.
- 7.2.5 The condition was repeated under application **17/00883/FULD**, which granted planning permission for a revised scheme.
- 7.2.6 Thames Water have confirmed that since the granting of the above permissions, a developer funded Impact Study from Thames Water was conducted and repair work had been undertaken to the existing network in the area that was creating a lot of infiltration into the system and that no further survey work was required.
- 7.2.7 As part of this current application, the applicant outlines that the sewer has been repaired to significantly reduce the ingress of surface water. As

such the applicant proposes to now connect foul water discharge into the existing sewer network.

7.2.8 Planning Officers consulted Thames Water on this current application on 14 March 2018 and we received consultation comments on 14 May 2018. Thames water have advised that with regard to the foul water sewage network infrastructure capacity, they would not have any objection to the current planning application and the varying of condition 9, based on the information provided. In addition Thames Water outline that they would advise that with regard to the foul water sewage network, Thames Water would not have any concerns with the current development (17/00883/FULD) of 4 dwellings, discharging foul water to the public foul sewer and that their comments are based on the assumption that foul water flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer. The LLFA Drainage Officer has stated that the applicant does not intend to discharge any surface water run-off into the foul system so Thames Water's requirements are met. Similarly, LLFA would not sanction surface water run-off discharge into the foul system either.

7.2.9 The applicant proposes instead a self-contained SuDS system to deal with surface water run-off using storage and a certain amount of infiltration within the site boundary which generally meets the LLFA's requirements. The drainage conditions will be discharged as part of application 18/00549/COND1

7.2.10 Officers consider that condition 9 can be varied to stipulate that foul water flows will be connected to the public sewer by gravity only and not pumped into the existing foul water system. In addition condition 9 will be varied to stipulate that foul water shall not be pumped into the public sewer and that no surface water run-off flows shall be discharged to the public sewer. Officers consider that in its current form condition 9 is no longer necessary and is considered unreasonable, specifically following the no objection comments from Thames Water. Officers consider that condition 9 can be varied and the recommended amended condition is listed at Section 9 of this report.

7.3 The impact upon neighbouring amenity in terms of construction dust (condition 12).

7.3.1 Removal of Condition 12 - Minimise the effects of dust

7.3.2 This application also seeks to remove condition 12 from the permission. Condition 12 is no longer relevant to the permission as under application **17/00883/FULD**. Midgham Cottage will be retained and only a concrete sectional shed shall be dismantled and re-positioned in plot 2 to serve as a garden / cycle store, as opposed to being demolished. Environmental Health have stated they have no objection to the removal of condition 12. The Parish Council have also not objected to the removal of condition 12. Officers have removed condition 12 from the conditions listed at Section 9 of this report.

7.4 Other matters

7.4.1 No other objections have been received.

Community Infrastructure Levy

7.4.2 Core Strategy Policy CS5 (Infrastructure) states that the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery.

7.4.3 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations, residential development of 100m² or more will be liable to pay the Community Infrastructure Levy.

7.4.4 Under application **17/00883/FULD** the proposal's new gross internal floor space area (GIA) was 380.1 square metres (total proposed gross internal floor space area).

7.4.5 As such the proposed development remains CIL Liable and the Community Infrastructure Levy liability notice detailing the chargeable amount will be sent under separate cover. Applicants may claim an exemption (subject to meeting the criteria) from the charge where the required forms for the Assumption of Liability, Exemption request and supporting documentation have been provided to the local authority.

Presumption in favour of sustainable development

7.4.6 When considering development proposals the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

7.4.7 The NPPF identifies three dimensions to sustainable development: economic, social and environmental. The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal.

7.4.8 Economic Dimension: It is considered that the proposal makes no significant contribution to the wider economic dimension of sustainable development. There would be small benefits in terms of additional employment during the construction period and the addition of four dwellings to the housing stock.

7.4.9 Environmental dimension: With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding area has been assessed as part of this application. It is considered that the proposal sufficiently respects and preserves the existing natural and built environment and that the proposal protects and enhances the prevailing pattern of development in the local area and the site specifically. Environmental aspects have been considered in terms of drainage and any impacts on the existing foul water infrastructure system.

7.4.10 Social dimension: It is considered that the proposal makes no significant contribution to the wider social dimension of sustainable development, however social and neighbourliness considerations overlap those of environmental in terms of neighbouring amenity. These have been assessed in terms of the impact of foul water flooding within the area and these previous concerns are considered too be adequately addressed within this application.

7.4.11 For the above reasons, it is considered that the proposed development is supported by the presumption in favour of sustainable development.

8. CONCLUSION

8.1 Having taken into account all the relevant policy considerations and the other material considerations as discussed in this report, there are sound reasons to justify approving the application to vary condition 9 and to remove condition 12. Your Officers consider that the grant of planning permission is justified.

9. FULL RECOMMENDATION

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

9.1 Schedule of conditions

1. Section 73 time limit

The development hereby permitted shall be begun before the 7th June 2020, that being three years from the date of the planning permission granted in respect of application 17/00883/FULD.

Reason: To comply with Section 73 and 91 of the Town & Country Planning Act 1990 (as amended by Section 51 of the Planning & Compulsory Purchase Act 2004); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

2. Standard approved plans

The dwellings hereby approved shall be constructed in accordance with the application form, the design and access statement and the approved drawings:

- a) Proposed site layout plan drawing No 13/031/05 REVISION C received on 17 March 2017.
- b) Plot 1 floor plans drawing No 13/031/11 received on 17 March 2017.
- c) Plot 1 elevations drawing No 13/031/10 received on 17 March 2017.
- d) Plot 2 floor layout plan drawing No 13/031/12 REVISION A received on 17 March 2017.
- e) Plot 2 elevations drawing No 13/031/09 received on 17 March 2017.
- f) Plots 3 and 4 floor layout plan drawing No 13/031/10 received on 17 March 2017.
- g) Plot 3 and 4 elevations drawing No 13/031/08 received on 17 March 2017.
- h) Proposed building cross sections drawing No 13/031/13 received on 17 March 2017.
- i) Access visibility plan drawing No 13/031/10 received on 17 March 2017.
- j) Network Rail proposed right of way plan drawing No 13/031/15 received on 12 May 2017.

Reason: for the avoidance of doubt and in the interests of proper planning.

3. Schedule of materials

Development of the approved dwellings shall not commence until full details of the external materials to be used, including a schedule and samples of materials, have been submitted and approved under a formal discharge of conditions application. The development shall take place using only the approved materials thereafter.

Reason: In the interests of visual amenity in accordance with Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

4. 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 TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the HSADPD.

5. Vehicle parking and turning space

No dwelling shall be occupied until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the HSADPD.

6. Cycle storage

No dwelling shall be occupied until the cycle storage has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the storage of cycles at all times.

Reason: To ensure the development reduces 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) , Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the HSADPD

7. Detailed scheme of landscaping

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

- a) Completion of the approved landscape scheme within the first planting season following completion of development.
- b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

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

8. sustainable drainage measures

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;
- c) Include details of how the existing flood plain will be sustained or mitigated (any measures for loss of flood plain shall not increase flood risk elsewhere);
- d) Include a drainage strategy for surface water run-off from the site since no discharge of surface water from the site will be accepted into the public system by the Lead Local Flood Authority;
- 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 Greenfield run-off rates;
- f) Include attenuation measures to retain rainfall run-off within the site, off site discharge will not be permitted;
- g) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- h) 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;
- i) Include elevated floors with voids underneath for flood storage to minimise the loss of flood storage capacity. Arches shall be fitted with grills to prevent access under the building by children or animals, or for storage of materials which would remove flood storage volume;
- 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.
- l) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- 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;
- n) Include a Flood Risk Assessment (FRA) for developments located in areas at risk of flooding (Flood Zone 2 and 3) or developments larger than 1 hectare;
- o) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);

- p) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)
 - aa) Site Level control shall be tied in to the same level datum as the WBC topographic survey used to produce the WBC Flood Study Report in order to ensure that critical site levels (for FFLs for example) are not compromised by use of different datums;
 - bb) The development shall include the construction of a flood bund in accordance with West Berkshire Council's specification

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

9. Foul water drainage

The site's foul water drainage shall be constructed in accordance with the foul sewage to existing sewer drawing No 2017/010C received on 28 February 2018. The foul water flows shall be connected to the public sewage system by gravity only and the foul water shall not be pumped into the public sewage system. No surface water run-off flows shall be discharged into the public sewage system. The dwellings hereby approved shall not be occupied until the approved foul water drainage details have been installed on the site in accordance with the approved details. Thereafter the foul water drainage details shall be retained and maintained in accordance with the approved details.

Reason: In order to ensure that the site is provided with sufficient sewage flow system to deal with sewage produced on site in order to address local concerns regarding historic surface water infiltration into the sewage system in accordance with the NPPF (2012), Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

10. Noise assessment

No development of the approved dwellings shall commence until a noise assessment conducted under the World Health Organisation Guidelines for Community Noise and the relevant guidance on sound insulation and noise

reduction for buildings has been submitted and approved under a formal discharge of conditions application. Such an assessment shall include detailed recommendations for the mitigation of noise disturbance on the site. The development shall not be occupied until those recommendations have been implemented in full. Thereafter the approved noise mitigation measures shall remain permanently in place.

Reason: In the interests of the amenity of future occupants of the site in accordance with the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

11. Scheme of remediation

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 the requirements of sections 1 to 4 of this condition have been complied with under a formal discharge of conditions application. 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 section 4 has been complied with in relation to that contamination under a formal discharge of conditions application.

(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,
 - archaeological 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 approved 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 section 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 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 section 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 of years (to be agreed with the Local Planning Authority), 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. This condition is imposed in accordance with the National Planning Policy Framework (2012) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

12. Spoil removal

No works to develop the approved four dwellings shall be carried out until details of how spoil arising from the development is to be disposed of has been submitted and approved under a formal discharge of conditions application. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenity and residential amenity in accordance with Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

13. PD Removal - windows

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof no additional windows shall be constructed at first floor level or in the roof of the northern elevation of the approved dwelling identified as Plot 4 on the approved drawings. Plot 4 shall not be occupied until the windows approved at first floor level in the northern elevation of Plot 4 have been obscure glazed and fixed shut unless the parts that can be opened are more than 1.7 metres above the finished floor level of the room that they serve. The windows shall remain obscured and fixed shut in accordance with the requirements of this condition at all times thereafter.

Reason: In the interests of neighbouring amenity in accordance with the National Planning Policy Framework (2012) and Policy CS14 of the West Berkshire Local Plan (2006-2026) 2012.

14. Boundary Treatment details

Irrespective of the details given in the submitted drawings no development of the approved dwellings shall commence until full details of all boundary treatments of the site have been submitted and approved under a formal discharge of conditions application. The dwellings shall not be occupied until the boundary treatments have been constructed in accordance with the approved scheme.

Reason: In the interests of visual amenity in accordance with Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

15. PD Removal – extensions

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof no extensions or outbuildings shall be constructed to serve the dwellings hereby approved without planning permission first having been granted on a planning application made for that purpose.

Reason: In order to prevent the overdevelopment of the site and to ensure that the dwellings are provided with sufficient amenity space and to ensure that the risk of flooding is satisfactorily addressed on the site in accordance with Policies CS14 and CS16 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

16. Hard surface materials

Irrespective of the details given in the submitted drawings no development of the approved dwellings shall commence until full details of all materials to be used in the hard surfacing of the site have been submitted and approved under a formal discharge of conditions application. The dwellings shall not be occupied until the hard surfaces have been constructed in accordance with the approved scheme.

Reason: In the interests of visual amenity and to ensure that flood risk is addressed satisfactorily on the site in accordance with Policies CS14 and CS16 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

17. Hours of work

The hours of work on site for all persons employed in the development of the dwellings hereby approved shall be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with the National Planning Policy Framework (2012) and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

Informatives:

1. 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 secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.
2. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the

Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

3. 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.
4. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
5. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Highways (Planning) Manager, West Berkshire Council, Highways and Transport, Council Offices, Market Street, Newbury, RG14 5LD, tel. no. 01635 519169, before any development is commenced.
6. 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.
7. Nothing connected with either the development or its construction must adversely affect or encroach upon the Public Right of Way (PROW), which must remain available for public use at all times. Information on the width of the PROW can be obtained from the PROW Officer.
8. 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. Before the canopy or structure is erected a licence must be obtained under Sections 177/178 of the Highways Act, 1980, with respect to any part of it which overhangs the highway. A licence may be obtained from the Highways (Planning) Manager, West Berkshire Council, Highways and Transport, Council Offices, Market Street, Newbury, RG14 5LD, tel. no. 01635 519169.
10. The applicant is advised that the Rights of Way Officer must be informed prior to the laying of any services beneath the Public Right of Way.
11. Where the ground levels adjacent to the path are to be raised above the existing ground levels, a suitable drainage system must be installed adjacent to the Public Right of Way, to a specification to be agreed with the Local Planning Authority prior to development commencing.