

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(2)	18/00837 /FULEXT Hungerford Town Council.	18 <sup>th</sup> June 2018.	Erection of 30 flats and associated parking, landscaping and amenity space, with coffee shop. Land at former Oakes Bros site, Station Yard, Hungerford. Oakes Bros Limited.

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00837/FULEXT>

**Member(s):**

Councillor Hewer  
Councillor Podger

**Reason for Committee determination:**

Councillor Hewer has called the application in whatever the officer recommendation. In addition the application is a departure.

**Committee Site Visit:**

21<sup>st</sup> June 2018.

**Recommendation.**

**The Head of Development and Planning be authorised to GRANT planning permission. Subject to the completion of a s106 obligation.**

**Contact Officer Details**

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## 1. Site History

12/02732/FUL. Change of use from industrial to temporary car park for 96 vehicles. Expired February 2016 but remains in use. Officer comment – not considered expedient to enforce.

Application 16/00787/FULD. Erection of 8 dwellings on car park. Refused but allowed at appeal on 28 July 2017. [NB - not on application site but in Station Yard].

17/01833/fulext. Erection of 30 dwellings on the site with associated parking and landscaping. Refused September 2017.

## 2. Publicity of Application

Site notice displayed 11<sup>th</sup> April 2018. Expiry 2<sup>nd</sup> May 2018.

Advertised as departure 19<sup>th</sup> April 2018.

## 3. Consultations and Representations

**Hungerford Town Council** Strongly supported.

### Highways

Whilst further clarification is required on detailed points including pedestrian routes, the application only now involves the loss of 3 network rail car parking spaces so on balance now acceptable. The loss of the 96 private car park is still regrettable however, in the interests of sustainability. The on-site parking for the 30 flats is accepted.

### Education

CIL will be sufficient to offset any additional impact from new residents on local schools.

### SuDS

Following drainage testing on the site it is considered that conditional permission is now acceptable.

### Planning Policy

Objection. The scheme is residential and so as the site lies on a protected employment site under policy CS9, the development is contrary to this policy. In addition the Council has in excess of a 5 year housing land supply. No objection to the coffee shop.

### Housing

Support. This is a brown field site in the town where the Council would expect 30% of the units to be for affordable purposes i.e. 9 in number - s106 required to achieve this.

### Environmental Health

Two principal issues correspond to the site. The first is noise [from the rail line, the Tavern, and the coffee shop] the second is possible land contamination. These can both be resolved by appropriate conditions.

### Network Rail

Initially objected to the loss of car parking. Now note the loss is just 3 car parking spaces, This is arising and is subject to control by NR. In addition the Council must take into account noise arising from the Railway Line and

Yard.

<b>Tree Officer</b>	No objections. Conditional permission. Impact on local tree accepted as is the proposed landscape scheme.
<b>Environment Agency</b>	No objections. Conditional permission.
<b>Fire and Rescue Service</b>	No further hydrants needed.
<b>Thames Water</b>	Conditional permission is recommended. Regarding waste drainage, and no piling. [Pre conditions].
<b>Waste Services</b>	Suitable waste collection/storage facilities are available on the site as is access recently demonstrated by the appeal on the Yard further to the east for 8 dwellings. Conditional permission.
<b>Conservation</b>	The application site lies outside but adjacent the town conservation area. The proposed elevations are generally considered to be acceptable, although there will be some impact on the "ambulance" site to the east should the extant permitted scheme for 6 flats be built out on that site. Impact on Railway Tavern to the west is accepted. No objections.
<b>Natural England</b>	No objection re. any impact on SSSI or protected species. However, as the site lies in the AONB, the advice in paras 115 and 116 of the NPPF must be taken into account.
<b>Archaeology.</b>	No objections to the site itself being developed but the historical context of the two adjacent non listed but historic buildings i.e. the Railway Tavern and the Old Police Station should be taken into account.
<b>Public Rights of Way</b>	No objections.
<b>Transport Policy</b>	Objection to the application. It will result in the loss of an important car park at the Station, which will impinge upon wider strategic and longer term objectives for encouraging commuter use of Hungerford Rail line, in the interests of sustainability. If approved recommends a £30,000 contribution towards new cycle parking at the Station to offset the loss of the 3 NR parking spaces.
<b>Great Western Railway</b>	Strongly objects to the application. Will result in the loss of a very valuable car park serving the rail station. Services will be enhanced in 2019 so to reduce car parking at this location is unacceptable.

## Public Representations

4 letters of objection received. Seriously concerned about the loss of over 90 parking spaces at the Rail Station. The loss will have an immediate impact on Hungerford viability and commuters and in addition increase local on street parking. Safety will be an issue as well, plus impact on existing local coffee shop, and other retail uses in the town centre.

## 4. Policy Considerations

National Planning Policy Framework 2012.

National Planning Practice Guidance 2014.

West Berkshire Core Strategy 2006 to 2026.

Policies ADPP5, CS6, CS9, CS14, CS19.

West Berkshire District Local Plan 1991 to 2006. Policy OVS6.

## 5 Description of development.

- 5.1. The application site comprises an existing temporary car park operated by the applicants on a private commercial basis. It has capacity for up to 96 vehicles and is well used during the working week for local employees and commuters. The site itself is 0.3 ha in extent and roughly square in shape. It lies in the Station Yard employment area immediately to the south of the railway station, and to the east of the Railway Tavern. It lies to the north of the former Police Station and Crofton House a scheme of flats. To the east of the application site lies the former ambulance station which has an extant permission for 6 flats. The site itself lies adjacent to, but not in the Town Conservation Area, and also lies in the North Wessex Downs AONB, which washes over the identified settlement boundary of Hungerford as identified under policy C1 in the now adopted HSADPD of May 2017. Finally, the site lies in a protected employment area [PEA] under policy CS9 in the Core Strategy.
- 5.2. Members will have noted from the site visit that the levels in the area have a considerable height difference: the land to the south is some 5/6 m higher than that on the car park itself, with some significant trees on the existing southern boundary.
- 5.3. The applicant is proposing to redevelop the site for 30 flats [9 of which are to be affordable] over a maximum of 5 floors. It is proposed that 15 will be one bedroomed and 15 will be 2 bedroomed. There is to be associated landscaping, with a new ground floor coffee shop on the eastern frontage. On the ground floor will be 33 parking spaces [undercroft]. On each of the next 3 floors there will be 10 flats, 2 of which will be duplex, so creating a 5<sup>th</sup> floor to the east – flats 21 and 22. There will be communal bin storage and cycle storage provided, with vehicle access obtained via Station Yard onto Station Road to the west. There will be some external amenity space of 893m<sup>2</sup> in addition. It is also proposed to erect a new coffee shop on the site frontage. Finally 18 existing network rail parking spaces will be retained across the site frontage, entailing a net loss of 3 spaces, in addition to the 96 lost on the existing private car park.
- 5.4. In terms of elevational treatment, the proposal has an “interesting” curved roof form with a varied palette of external facing materials including brickwork, vertical timber cladding, metal cladding panels, and render, the precise nature and colour of which will be agreed at discharge of conditions stage should the application be approved. The maximum height of the building when taken from the north perimeter will be 16m and the full frontage width of 40m. The depth of the site is 45m bringing the site

forward building line further to the north than existing built form in the vicinity. Finally the application would comprise a net density of circa 100 dwellings per ha if built out.

- 5.5. The Council, on 29<sup>th</sup> September 2016, wrote to the applicant's agent in regard to a pre application enquiry on the site for 31 flats under reference 16/00026/pre app. In addition under the Environmental Impact Assessment Regulations of 2017, the Council informed the applicants on the 6<sup>th</sup> June 2018, that no Environmental Statement was required to be submitted with the application. Members will also need to be aware that the application was advertised as a departure from the Development Plan on the 19<sup>th</sup> April 2018, as it comprises a non-employment generating use on a protected employment area as designated under policy CS9 in the CS. Finally the Committee may recall that in September last year a similar but not identical application was considered and refused –that application was not appealed.

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

The application will be considered under the following issues:-

Design, massing and scale  
Planning policy position  
Access and car parking and  
Other issues.

### **6.1. Design, massing and scale.**

- 6.1.1. As noted above the application site lies immediately to the north and east of the town conservation area. Accordingly, any new development here should fully respect the setting and value of that conservation area, without detriment, if it is to accord with policy CS19 in the Core Strategy and the advice on respecting designated heritage assets as noted in the NPPF. Para 137 of the latter notes that proposals that enhance or better reveal the significance of such areas should be treated favourably. In addition, CS19 replicates this advice in principle. Firstly, it is recognised that whilst the existing car park forms a highly useful function in the local context of pressured parking capacity, its visual appearance is relatively very poor and does little to enhance the conservation area; it merely provides a feeling of openness in an otherwise built up area. On the other hand it is concluded by officers that the introduction of this new built form will obviously remove this open character, but given the proposed design and massing will not harm the overall balance and setting of the local urban context and indeed will potentially improve that visual appearance. Whilst design is of course a subjective matter to a degree, and the case officer appreciates that a contemporary appearance is not to all tastes, the degree of both horizontal and vertical articulation through the use of varying materials and roof form over 5 floors, is on balance, attractive and so satisfactory in the local context and street scene.
- 6.1.2. Clearly the nature of the area will change considerably should the scheme proceed, but the area is already/will become more built up with the advent of the 8 dwellings to the east, which in itself is a dense scheme, although not of the same height. It is the physical relationship with adjoining buildings around the site which the Committee is required to carefully address, to see if the scheme is acceptable. Officers, including the Council conservation officer has accepted that this relationship is satisfactory, given the levels difference and the separation afforded by the new amenity space to the houses to the south, and the good separation to the Railway Tavern to the west; this is helped by the set down to 3 floors only of the scheme on the western side.
- 6.1.3. Some have commented upon the forward building line of the new scheme particularly in relation to the St Johns Ambulance Scheme to the east - by 14m. This is substantial. However, should this current

application be approved it is quite conceivable that a fresh application for the latter can be considered in its new context: the planning history is a material consideration but does not carry so much weight as an implemented scheme. In addition the forward building line of the current scheme, accords with the Railway Tavern to the west.

- 6.1.4. Accordingly, having regard to the advice in the NPPF, the advice in policy CS19, and the surrounding visual context, it is considered in terms of impact on the conservation area, the massing and scale is acceptable as is the design. However, the Council also needs to examine if the application is a major development in the AONB albeit in the settlement. If it were to be taken as major then the advice in para 116 of the NPPF would apply and exceptional reasons would be needed to permit the application. Officers have determined that it is NOT major development and thus the tests in para 115 applies: i.e. great weight needs to be given to any visual impact which might arise. It is “fortunate” that the application site is bounded by built form to all sides and has a very mature tree screen to the north in addition. Any wider visual impact on the AONB is thus minimal, and so the thrust of policy ADPP5 is met. This is important in relation to the advice identified in the consultation response from Natural England. In addition, it is important to note that the Council in defending a housing planning appeal at Kintbury recently, concluded that a 32 dwelling scheme was not major for the purposes of para 116 in the NPPF.

## 6.2. Planning Policy

- 6.2.1 Hungerford is defined as a Rural Service Centre in the Council Core Strategy. Policy ADPP1 notes that most development will be within these settlements, in conjunction with the urban areas and service villages. In addition, under bullet point 4 in policy ADPP5 relating to the AONB, it is noted that Hungerford will be the prime location for new housing. Next, policy CS1 relates to the delivery of new homes. This application site corresponds to the first bullet point, being brown field lying in a settlement. The location is obviously highly sustainable. Next policy CS4 examines the type of housing to be delivered. More dense schemes can be delivered in town centres and this site is one such type. The density at about 100 dwph is considerable, but the policy does allow for densities in excess of 50. This in turn makes efficient use of urban land. Policy CS6 seeks to ensure that affordable housing is delivered. If this application were to be approved it would need to combine 9 units as affordable to comply with this policy. The next policy is certainly the most contentious for both officers and the Committee to consider. CS9 seeks to conserve employment land over the Plan period, such that the Council is not placed in a position where fresh allocations of employment land are made on green field sites, in order to supply enough jobs for an increasing population. It is clear that the planning policy objection is based on this very point.
- 6.2.2 Officers, in advising the Committee are required to take into account other factors which might sway this policy position. The first is that the site has been marketed for some considerable time for employment purposes to no avail. The only material interest according to the submitted marketing report has been for housing. Secondly para 22 in the NPPF makes it clear that planning authorities should avoid the long term protection of employment sites where there is little prospect of a site being used for that purpose. Thirdly, a recent appeal decision at Station Yard for the approval of 8 dwellings on land to the east of the application site was published in July last year. [16/00787/fuld refers]. The Inspector at that appeal specifically mentions the advice in para 22 in his letter, in para 7, and thought the site would remain undeveloped in the future, so making no meaningful contribution to the towns economy. The test for the Council is whether this recent and relevant appeal decision should be brought to bear on this application site—which is for a much larger scheme. On balance, given the Governments continuing advocacy of pressing for more homes, especially in sustainable locations, the application is not recommended for rejection on the basis of policy CS9, This officer recommendation is **ONLY made on the basis that the specific PEA at Station yard should not continue to be protected**; it

does not relate to other employment areas in the Town such as Charnham Park which continue to serve a very valuable economic function.

6.2.3 Next, policy CS11 considers the hierarchy of centres in the District. Hungerford is identified as a Town Centre second down in the overall range. Policies seek to sustain the vitality and viability of such centres. The inclusion of the coffee shop in the scheme is considered to be a useful adjunct to the application, which will assist such diversification and be helpful in social terms. It is considered to accord with CS11 on this basis. Policy CS13 considers access and transport, which will be examined later in this report. Policy CS14 considers design which has already been examined. Policy CS17 considers ecological and biodiversity issues: the applicants have submitted a phase 1 ecological assessment, which has concluded that no species or sites of special ecological value relate to the application site. Policy CS19 considers the historic environment, which has been examined earlier in the section on design.

6.2.4 Officers now conclude that the application scheme conforms to all policies in the Core Strategy, apart from CS9 for the reasons identified. Members are reminded in this context that should they conclude in approving the application, it will have to be taken to District Planning Committee since it would comprise a departure from the Development Plan.

### 6.3. Access and parking

6.3.1 The applicants' highway consultants have projected traffic generation for the previous, current and proposed use is as shown within the table below:

	Previous use – agricultural business		Current use – temporary car park		Proposed use – 30 flats	
	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures
AM peak 08.00 to 09.00 hours	11	11	30	0	2	6
PM peak 17.00 to 18.00 hours	11	11	0	30	6	4

The applicants therefore suggest that the proposed use will result in a reduction in traffic generation. Highway officers agree with this to an extent as it is possible that many commuters that use the temporary car park will seek parking elsewhere within Hungerford and will therefore still travel to and from Hungerford. There is also concern that the traffic projection for the previous agricultural business maybe somewhat excessive. Overall highway officers conclude that there is likely to be a reduction in traffic but not as much as has been claimed.

6.3.2 The proposal complies with Council's new car parking standards, and Highway Officers are generally content with the overall layout of the site internally. By retaining the 18 spaces across the new site frontage, the minimum width obtained for vehicles accessing the Station Yard will be 3.8m. This is considered to be satisfactory, although it will only allow for one way traffic at any one time. Given low flows in the Yard even at peak times and low traffic speeds this is acceptable.

6.3.3 Highway Officers still have concerns regarding the loss of the RCP Parking Ltd temporary car park approved with planning application 12/01229/FUL, because it is likely that the car parking will be displaced elsewhere within Hungerford as commuters would have got used to using the car park. However as this car park is temporary, [and is private so can be closed at any time] it is clearly difficult to object to its loss but highway officers will be keen to cooperate with Network Rail and GWR in seeking a longer term solution for additional parking for Hungerford Station. It is also the case of

course that should an employment application be submitted on this car park this would be fully compliant with local policy, but still entail the loss of the 96 spaces.

- 6.3.4 While it may be difficult to object to the loss of the temporary car park, highway officers are now on balance satisfied that the net loss of just 3 car parking spaces from the public network rail car park in the Yard will not be so harmful as to merit a recommendation of refusal. This is clearly different from the past rejected scheme, which proposed the loss of all 21 spaces, which was not acceptable. In lieu of this loss a £30,000 contribution towards cycle parking at the Station, will be requested.
- 6.3.5 A further concern that highway officers have is the somewhat poor pedestrian routes to and from the site up to and across Station Road, along with no convenient place to cross Station Road itself. Routes into Hungerford town centre are also relatively poor. The route via Park Street is disjointed in some locations along Park Street with footways being narrow without any dropped kerbing around the Park Street / Station Road / Fairview Road crossroads. Highway officers consider it essential to ensure a safe pedestrian route to and from the site and to encourage walking as a sustainable mode of travel. Further detailed plans are to be submitted by the applicant to cover this point.
- 6.3.6 In conclusion highway officers therefore recommend approval of this application now, in the light of the above, with appropriate conditions to be applied, and any CIL funding to be directed towards improving local pedestrian links into the town centre.

#### **6.4 Other issues.**

- 6.4.1 One of the environmental factors which need to be taken into account on this site is the effect of noise on future occupants from the rail line to the north. Policy OVS6 in the Saved Local Plan makes it clear that applicants and the Council must take this into full account prior to determining applications. The application site at its closest point lies just 20m from the rail line. Accordingly the applicant has submitted a detailed acoustic report, which has concluded that if appropriate conditions are applied to the most sensitive fenestration on the north elevation, such as double glazing with windows that cannot be opened, the internal living environment will be acceptable. The Environmental Health [EH] officer has concurred with this. In addition, the same Report has analysed the potential for vibration impinging on the new scheme from the rail line. Again if proper building regulation approvals are applied, the rail line will not have a detrimental impact. Next, the proximity of the Railway Tavern to the west has been examined, particularly if noisy outdoor music events are occurring. Via the design of the floor plans in the western-most units, and the positioning of windows on the west elevation, this impact will be reduced satisfactorily and the EH officer has agreed. Finally, with respect to noise, the use of the cafe has been considered. This would be conditioned in regards to opening times so as not to impact on amenity, should the application be approved.
- 6.4.2 The Council requires all new dwellings to have at least a degree of external amenity space available for future residents. A total of just under 900m<sup>2</sup> is to be provided on the site, namely a communal garden area to the south and a hard paved area to the west. This is almost 30m<sup>2</sup> per flat which is considered to be acceptable. It is recognised however that the rear amenity space will be unfortunately rather dark with the new building to the north and the significant rise in levels to the south - but at least it is south facing.
- 6.4.3 The Council is also required to examine any harmful amenity issues which might arise from overlooking or overshadowing impacts. The dwellings to the south are significantly higher than the application site. This means that any possible overshadowing or indeed overlooking will be minimal if non-existent. If the application is approved and built out, there will however be an amenity impact on the approved residential scheme to the east , via overshadowing - but given this may never be implemented this

application should not be rejected on that basis. The application thus complies with policy CS14 in the CS.

- 6.4.4 In terms of CIL the application, if approved, would comprise a total net gain of circa 3457m<sup>2</sup> of new C3 space. This is currently charged @ £125/m<sup>2</sup>. Taking out the 30% affordable housing, which is not CIL liable, this equates to a sum of approximately £301,500 under CIL. It is stressed that this figure is for illustrative purposes alone.

## 7.0 Conclusion

- 7.1. All planning applications are required to be determined in accord with the three principles of sustainability in the NPPF. In economic terms the application is neutral, to negative, since if approved it will involve the loss of employment land and of course if refused that employment land will remain available for future users - although there is no guarantee that this would occur over the Plan period. The build out of the scheme would create local employment and the perhaps 60 new occupants in the flats will spend additional money in the local economy. In social terms the benefits are clear since 9 further affordable units would be created, with new activity being brought into Station Yard, with the advent of the coffee shop. In environmental terms the benefits are less apparent. Whilst officers have accepted the built form mass and scale of the new scheme in regard to the conservation area, the loss of the 99 car parking spaces need to be taken into careful account. This is a matter for the Committee to consider, but officers, on balance, given the reasoning on highways issues as above, have accepted this position.
- 7.2. Given the above reasons on which a decision can be justified to approve the application, officers recommend that the application be granted conditional planning permission, subject to the completion of a s106 planning obligation.

## 8. Recommendation.

**Western Area Planning Committee resolve to recommend approval to the District Planning Committee, with conditions, subject to the first completion of a s106 planning obligation to secure the 9 affordable dwellings, and the £30,000 cycle contribution towards on site cycle store facilities at the Station.**

### CONDITIONS.

3 years

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 Policy CS19 of the WBCS of 2006 to 2026.

#### Floor levels

3 No development shall commence until all details of floor levels in relation to existing and proposed ground levels 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 Policy CS19 of the WBCS of 2006 to 2026.

#### Contamination

4. Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:-

i) A preliminary risk assessment which has identified:-

- a) all previous uses
- b) Potential contaminants associated with those uses
- c) a conceptual model of the site indicating sources, pathways and receptors
- d) potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii) The results of the site investigation and detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason. To protect Controlled Waters from pollution. In accord with the advice in the NPPF.

#### Verification report

5 No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results

of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that contamination at the site is remediated, such that the site does not pose a threat to controlled waters. In accord with advice in the NPPF of 2012.

#### Unforeseen contamination

6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason. To protect Controlled Waters from pollution. In accord with advice in the NPPF.

#### Tree fencing

7 Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan 980-02. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires. In addition, no development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. In addition, no trees, shrubs or hedges shown as being retained on tree survey 980-02 shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation. In addition, no development shall take place (including site clearance and any other preparatory works) until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing and materials to be used, a 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 landscaping within the first planting season following the completion of the development; and b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species. In addition the as approved landscaping plan 5 shall be implemented within the first planting season following completion of development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority. 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 objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006 to 2026.

## Waste Water Network.

8 No properties shall be occupied until confirmation has been provided that either:- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. In accord with the protection of public health in accord with the NPPF advice of 2012.

## SUDS

9 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 confirms the soil characteristics, infiltration rate and groundwater levels (to be monitored through the winter months);

c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;

d) 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;

e) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;

f) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;

g) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings are first occupied or in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West

Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

#### Noise mitigation

10 The applicant shall implement the noise mitigation measures recommended in the submitted 'Assessment of Noise and Vibration '(Ian Sharland Limited Ref M3863 Dated 09/03/18 v.4) to achieve suitable internal noise levels in accordance with BS8233 guideline values. Noise from building plant services shall not at any time exceed a level 10dB below the prevailing background sound when measured at the facade of the nearest noise sensitive location.

Reasons: To protect the amenity of future residents and to minimise the potential commercial impact on the existing public house, in accord with policy OVS6 in the WBDLP of 1991 to 2006.

#### Construction method statement

11 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).

#### Footway/cycleway details

12 The development shall not be brought into use until the 1.5 metre wide footway fronting the site from the proposed Café eastwards has been constructed in accordance with the approved drawing(s) and any statutory undertaker's equipment or street furniture located in the position of this footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

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

#### Vehicle parking

The development shall not be brought into use 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.

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

#### Gradient of private driveway

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

Reason: To ensure that adequate access to parking spaces and garages is provided. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

#### Access construction

15 No development shall take place until details of the proposed accesses into the site have been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the vehicular, pedestrian/cycle access and associated engineering operations shall be constructed in accordance with the approved drawing(s).

Reason: To ensure that the accesses into the site are constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

#### Train station cycle parking

16 No dwelling shall be occupied until a financial contribution of £30,000 has been provided for the provision of addition cycle storage facilities within Hungerford Train Station.

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

#### Station Road footway improvements

17 No dwelling shall be occupied until dropped kerbing and tactile paving is provided across Station Road south of the Railway Tavern under a Section 278 Agreement or other appropriate mechanism.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the encouragement of walking as a sustainable mode of travel. 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).

18 Approved Plans.

The development must be carried out in accord with the following approved plans--site plan number 2478, P1-02 Rev B, floor plans P2-06, A, P2-01, Rev B, P2-05 A, P2-04A, P2-03B, P2-02A, 2478-P5-01, P3-02 A, P3-01 A.

Reason. To clarify the permission in accord with the advice in the DMPO of 2015.