

<b>Item No.</b>	<b>Application No. and Parish</b>	<b>8 Week Date</b>	<b>Proposal, Location, Applicant</b>
(2)	18/03268/FULD  Hermitage Parish Council	15 <sup>th</sup> February 2019 <sup>1</sup>	Demolish existing single storey dwelling and garage and replace with two semi-detached dwellings, and also lift and thin the crown of a TPO within the garden  Clairewood, Hampstead Norreys Road, Hermitage  Mr and Mrs Balson

<sup>1</sup> Extension of time agreed with applicant until 12<sup>th</sup> April 2019

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/03268/FULD>

<b>Recommendation Summary:</b>	To <b>DELEGATE</b> to the Head of Development and Planning to <b>GRANT PLANNING PERMISSION</b> subject to conditions
<b>Ward Member:</b>	Councillor Webb and Councillor Pask
<b>Reason for Committee Determination:</b>	The application is being recommended for conditional approval and 10+ objections have been received.
<b>Committee Site Visit:</b>	3 <sup>rd</sup> April 2019

<b>Contact Officer Details</b>	
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## **1. INTRODUCTION**

- 1.1 This application is for the construction of a pair of semi-detached properties and the demolition of the existing bungalow. The pair will be positioned over the footprint of the existing dwelling, Clairewood, set back from the highway due to a long front garden.
- 1.2 The proposal includes the creation of a new vehicular access and parking area with both hard and soft landscaping at the front. The Oak tree, protected by a Tree Preservation Order (TPO), will be lifted and thinned as part of this proposal and will be entirely located within the garden space for Plot 1.
- 1.3 The proposed dwellings will be two storey, 5 bed dwellings (the Study on the first floor is considered to be a Bedroom). The front elevation will have two bay windows with gable ends that will be oak framed. Windows on the rear elevation will be larger to allow for daylight to enter the dwellings. Amendments have been received during the course of the application to show an alteration to the roof form alongside setting back the dwellings in line with the established building line and additional landscaping within the front garden.
- 1.4 The application site is located on the established residential road, Hampstead Norreys Road (B4009), which runs south to north through Hermitage. The site is within the established settlement boundary and the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB). To the rear of the plot is an area of woodland which is visible from Hampstead Norreys Road.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 17/03425/FULD: Demolish the existing single storey dwelling and garage and replace with 2 detached dwellings. Refused. 07.03.2018. This application was refused for the following reasons:
  - The proposal failed to respect the spacious character of the area in the NWD AONB
  - The proposal failed to provide sufficient usable garden space due to the Oak tree and woodland creating significant shading
  - The Highways Authority considered that the proposal could not provide the minimum parking standards and on site turning area
  - The proposal would result in significant future pressures to the TPO which would lead to its decline.
- 2.2 14/02266/TPW: Oak in rear garden: 1. Crown thin canopy by approximately 15-20% where possible. 2. Crown lift canopy to approximately 7-8 metres. 3. Remove all significant deadwood. Refused. 09.10.2014.
- 2.3 10/01714/HOUSE: Retrospective application for a new double garage with single storey music room attached. Single storey extension to utility room and internal alterations to kitchen. Approved. 07.10.2010.
- 2.4 09/01030/HOUSE: New double garage with single storey music room attached. Single storey extension to utility room and internal alterations to kitchen. Approved. 24.07.2009.

- 2.5 04/01059/HOUSE: Demolition of existing conservatory and build new conservatory. Approved. 01.07.2004.

### **3. PROCEDURAL MATTERS**

- 3.1 Environmental Impact Assessment (EIA): The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The application was screened, the proposal is not considered to be EIA development.
- 3.2 Publicity: Site notice displayed on 14<sup>th</sup> January 2019 on a telegraph pole at the front of the application site, expired on 4<sup>th</sup> February 2019.
- 3.3 CIL: Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1-A5) development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it less than 100 square metres). The proposal will create two new dwellings and therefore the development is CIL liable. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission.

### **4. CONSULTATION**

#### **4.1 Statutory and Non-Statutory Consultations**

**Parish Council:** Objection: Concern has been raised for the proposed second floor windows in the side elevation of both houses given the impact on the amenity of the immediate neighbours. Full protection of the Oak tree in the garden. Should WBC be minded to approve the application the Parish Council would like to see the second floor windows removed and request a construction design and traffic management plan is in place before works begin.

Amended Plans: no comments received at time of writing. If comments are submitted these will be provided in the update report.

**Highways:** Two 5 bed dwellings are proposed to replace the existing dwelling. A new central access is proposed which is acceptable. Visibility splays of 2.4 metres x 43 metres are annotated on the drawings. These splays must be kept clear at all times. The access is shown surfaced with a bonded material for a minimum of 5 metres which is required in this location. Three car parking spaces per dwelling plus on-site vehicle turning are proposed, this is also acceptable. Cycle storage is provided within the rear gardens for both dwellings. There will be an increase in the number of vehicle movements from this site, this would be a minimal increase onto the B4009. The proposal is acceptable to

highways subject to conditions to secure a Construction method statement, Visibility splays before development, Parking/turning in accord with plans, Access construction, Access closure with reinstatement and Cycle parking.

Amended Plans: no further comments on the amended plans.

**Tree Officer:**

Since the previous application 17/03425/FULD there has been a number of positive changes relating to the design of the house with regards to the tree:

- They have moved the development footprint further away from the RPA of the tree.
- A full shade analysis has been undertaken to show the extent the impact of the mature oak and the woodland will have on the garden and the building.
- Large windows to the rear to allow as much natural daylight into the property as possible
- Roof lights to maximise light into the building
- Crown lifting the tree to 6m and carrying out a light thin of the canopy will reduce the impact of future requirements to carry out unnecessary pruning works, and should maintain the tree in the long term.
- The low level hedge in the rear garden boundary between the new proposed properties will aide in screening but also soften the landscaping.

Drawing 282 005 Proposed Site Plans dated 29/11/18 produced by Absolute Architecture shows new tree and shrub planting in the front and the rear gardens but no further detail of the species, sizes and numbers are provided.

Recommendation: No objection in principle subject to further detail regarding the landscaping and the following conditions: Tree protection (scheme submitted) and Landscaping (including hard surfacing).

Amended Plans: The slight amendment to the setting of the properties further back, will still ensure that the footprint of the new buildings is still outside the existing building and therefore minimise the impact on the rooting zone of the TPO'd tree.

**Environmental Health:**

No objection.

**Waste Management:**

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

**Land Drainage Engineer:**

No comments received at time of writing.

**Ecological Officer:** There is no need to place any conditions regarding bats on this application. No further works are needed with regards to Great Crested Newts (GCNs) as there is not a water body on the site.

**Thames Water (full comments on the Council's website):** With regard to surface water drainage, Thames Water advise that if the developer follows the sequential approach to the disposal of surface water no objection is raised. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Thames Water advise that with regard to the waste water network and waste water process infrastructure capacity, no objections are raised.

Informatives are requested if planning permission is granted.

**North Wessex Downs Management:** No comments received at time of writing.

## 4.2 Public representations

Original consultation:	Total: 15	Support: 0	Object: 15
Amendments consultation:	Total: 9	Support: 0	Object: 9

The following material planning considerations have been raised:

- Impact to privacy for immediate neighbours (obscure glazing is not sufficient)
- Impact to daylight and sunlight to immediate neighbours
- Harmful impact to TPO which may lead to its loss
- Increased on-street parking and the associated highway safety implications
- Not in character with the area due to massing, height, harmful impact on spacious layout and loss of wooded views.
- Design: contrary to Hermitage Village Design Statement and large areas of glass on rear elevation
- Loss of front garden to parking area and impact to existing vegetation
- Insufficient usable amenity space
- Limited services in Hermitage to support new dwellings
- No provision of electrical vehicle charging points and swept path analysis
- Great Crested Newts sighted at neighbouring properties, more surveys required
- Inadequate bin storage
- Does not address the refusal reasons on application 17/03425/FULD for 2 dwellings on the same site
- Amendments: still do not address letters of objection, drainage concerns raised

## **5. PLANNING POLICY**

- 5.1 The statutory development plan includes the West Berkshire Core Strategy (2006-2026), Housing Site Allocations DPD (2006-2026) and the saved policies in the West Berkshire District Local Plan (1991-2006) (Saved Policies 2007).
- 5.2 West Berkshire Core Strategy 2006-2026 (WBCS):  
Policies- ADPP1: Spatial Strategy, ADPP5: North Wessex Downs Area of Outstanding Natural Beauty, CS1: Delivering New Homes and Retaining the Housing Stock, CS13: Transport, CS14: Design Principles, CS16: Flooding, CS17: Biodiversity and Geodiversity, CS18: Green Infrastructure, CS19: Historic Environment and Landscape Character
- 5.3 Housing Site Allocations Development Plan Document (HSA DPD):  
Policies- P1: Residential Parking for New Development
- 5.4 West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP):  
Policies- OVS.6: Noise Pollution, TRANS.1: Meeting the Transport Needs of New Development
- 5.5 Material considerations:
  - National Planning Policy Framework (NPPF)
  - Planning Practice Guidance (PPG)
  - Quality Design SPD (2006)
  - A Village Design Statement for Hermitage (VDS) (2004)

## **6. APPRAISAL**

The main considerations in the determination of this application are:

- Principle of the development
- The impact on the character of the area
- The impact on neighbouring amenity
- The impact on highway safety
- The impact on the TPO
- Drainage
- Ecology

### **6.1 Principle of the development**

- 6.1.1 The application site is within the defined settlement boundary of Hermitage. Policy ADPP1 of the Core Strategy identifies Hermitage as a service village with some limited development potential. The policy considers that small scale development appropriate to the character of the village would be acceptable. This is echoed in Policy ADPP5 which states that in the AONB there will be opportunities for infill development and development on previously developed land with new housing focused on the rural service centres.
- 6.1.2 Policy CS1 of the Core Strategy states that new houses will be primarily developed on suitable, previously developed land within settlement boundaries. The site currently has one dwelling and therefore is considered to be previously developed land.

6.1.3 The principle of development is considered to be acceptable in accordance with Policies ADPP1, ADPP5 and CS1 of the Core Strategy. The development plan also includes general development management policies which seek to ensure that the impacts of any development are acceptable and the impacts of the scheme in this regard are considered below.

## 6.2 The impact on the character of the area

- 6.2.1 The NPPF outlines the importance of good design in the built environment. Policy CS14 seeks high quality design to ensure development respects the character and appearance of the area. Policy CS19 seeks the enhancement of the natural and built environment. It states that particular regard will be given to the sensitivity of the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.2.2 The application site is within the NWD AONB, the NPPF places great weight to conserving the landscape and scenic beauty in the AONB (Paragraph 172). Policy ADPP5 of the Core Strategy reiterates this by seeking to ensure that development conserves and enhances the local distinctiveness.
- 6.2.3 According to the Quality Design SPD the physical massing is a critical part of protecting the residential character. It is stated that the ‘physical bulk of the building should be considered in terms of footprint, length, width and height’.
- 6.2.4 Within the locality surrounding Clairewood dwellings are comfortably located in sizeable plots following an established building line set back from the highway. This creates a spacious layout reflecting the semi-rural character of Hermitage. The Hermitage VDS notes that in Hermitage there are outward views between the buildings to the woodland; this provides a visual link with wooded skyline of the surrounding AONB.
- 6.2.5 The previous planning application, 17/03425/FULD, for two detached dwellings on this site was refused as it failed to accord with the spacious character. By losing the spacious character this had a negative impact on the outward views to the woodland due to the cramming of two houses on the plot.
- 6.2.6 This proposal is for a semi-detached pair that are designed to appear as one large detached dwelling and has a footprint commensurate with neighbouring properties. The pair will be sited over the existing footprint of the bungalow maintaining the established building line. This design and position assists in conserving the spacious character of the area and addresses the reason for refusal on the previous application.
- 6.2.7 A number of letters of objection raise concern that both the height and width of the proposed houses are out of character with the area. It is acknowledged that the pair of dwellings are higher than the neighbouring dwellings and that within the immediate vicinity there are no other semi-detached dwellings. Amendments have been sought to alter the roof form to a hipped roof and it is considered this helps to reduce the physical bulk of the dwellings. Furthermore, these changes help to conserve the outward views to the AONB wooded skyline associated with Hermitage.

- 6.2.8 The design of the proposal is considered to be acceptable as it is noted that the architectural detailing on the front elevation reflects that of surrounding dwellings. In the locality there is no predominant design and therefore the proposal is not considered to be incongruous. The proposed materials in principle are considered appropriate, however further detail is required to ensure the materials are acceptable. A condition is required for a schedule of materials to be submitted for the Local Planning Authority to review. It is considered that the design choice for larger windows at the rear will not have a harmful impact on the character of the area and will also assist in the protection of the TPO by allowing more natural light into the property which would reduce the need to carry out works to the tree.
- 6.2.9 To create the parking area to the front of the proposed dwellings the mature grass frontage will be lost. This will have an impact on the semi-rural character of the area, however, this can be mitigated by a landscaping scheme. A condition will be applied for details of hard and soft landscaping to ensure the landscaping will soften the impact of the loss of the grass area.
- 6.2.10 Overall the amended design and impact on the character of the area is considered on balance to be in accordance with the aforementioned policies.

### **6.3 The impact on neighbouring amenity**

- 6.3.1 Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. The NPPF also seeks to protect the amenity of neighbouring land users.
- 6.3.2 The proposed dwellings will be positioned over the footprint of the existing bungalow. Whilst the proposal will be higher than the existing bungalow, and the neighbouring dwellings, it is considered that the proposal will not demonstrably harm the amenity of the neighbouring dwellings due to the hipped roof design. The highest point of the dwelling due to the roof design is set approximately 7 metres from the communal boundaries shared with Oakville and Freewood House, this mitigates the impact on daylight and sunlight received and the overbearing impact. In addition to the design it is considered that the position of the development and the neighbouring dwellings, centrally within their plots, also creates separation which mitigates the impact on neighbouring amenity.
- 6.3.3 Letters of objection consider that the upper floor windows on the side elevations will have a negative impact on privacy for the neighbouring properties. It is recommended that a condition is applied for the upper floor windows in the side elevations to be obscure glazed and non-opening below 1.7 metres. This is considered to be sufficient to alleviate the impact on privacy. In addition permitted development rights for windows above ground floor are removed on the side elevations to protect the privacy for the immediate neighbours. Boundary treatments are considered to reduce any overlooking from ground floor windows. It is acknowledged that objections also raised concerns with the large areas of glazing at the rear, however, whilst there may be some overlooking it is not significantly greater than what would be expected for a residential area.
- 6.3.4 The previous application, 17/03425/FULD, was refused due to insufficient provision of quality garden amenity space. A 3 bedroom dwelling is expected to provide a minimum of 100 square metres of amenity space. This proposal demonstrates that

this garden space can be achieved. Whilst the Oak tree and woodland to the rear overshadow a large section of the garden for plot 1, reducing the usable amenity space, it is considered that on balance the amendments at the rear of the garden create sufficient quality amenity space that could accommodate garden features (i.e. washing line, sitting area) and therefore would not warrant a refusal. To ensure that the level of amenity space provided is retained it is recommended a condition is applied to restrict permitted development rights for extensions and outbuildings.

- 6.3.5 It is recommended a condition for hours of work is added to protect the neighbours in close proximity to the application site whilst construction takes place.
- 6.3.6 Overall it is considered that the proposal will not have a harmful impact on neighbouring amenity and therefore complies with policy CS14 of the Core Strategy and the guidance within the NPPF

#### **6.4 The impact on highway safety**

- 6.4.1 The NPPF states that decisions should take into account whether safe and suitable access to the site can be achieved for all users. Policies CS13 of the Core Strategy and TRANS.1 in the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the HSA DPD sets out residential car parking levels for the district.
- 6.4.2 The Highway Officer considered that the previous scheme (17/03425/FULD) could not provide on-site turning and 3 parking spaces for each of the dwellings and therefore this formed a reason for refusal.
- 6.4.3 Letters of objections have been received on this application raising concerns that the proposal would have an adverse impact on highway safety due to on-street parking as insufficient parking can be provided for a dwelling that has 5 bedrooms.
- 6.4.4 Policy P1 of the HSA DPD requires each dwelling to have 3 car parking spaces. Drawing 282 005 A received on 01.03.2019 demonstrates these parking spaces. The Highway Officer is satisfied on-site parking and turning can be accommodated within the application site. The proposal also provides cycle storage within the rear garden. These provisions reduce the need for on-street parking. It is recommended that conditions are added for both vehicular parking and cycle storage to be provided in accordance with the plans.
- 6.4.5 A new central access is proposed onto Hampstead Norreys Road (B4009), visibility splays measuring 2.4 metres x 43 metres are provided. The access will also have a bonded surface for a minimum of 5 metres from the highway edge. The Highway Officer considers the access to be acceptable. Conditions are recommended for the provision of the visibility splays, construction of the new access before the development is occupied and the existing vehicular access is stopped; these are considered necessary for the interests of road safety.
- 6.4.6 It is noted that an additional dwelling on the application site will increase the vehicular movements from this site. The Highway Officer considered that there would be a minimal increase of movements onto the B4009 and therefore does not have a significantly harmful impact to highway safety.

6.4.7 A letter of objection noted that the proposal does not fully comply with Policy P1 as an electric car charging point has not been provided. This can be overcome by way of a condition for details of electric charging points to be provided before the occupation of the dwellings.

## **6.5 The impact on the TPO**

6.5.1 Within the rear garden of Clairewood is an Oak tree protected by a TPO. This application proposes to lift the crown to a height of 6 metres and thin the crown by 15%.

6.5.2 The previous application (17/03425/FULD) was refused due to the significant future pressure to the tree caused by the proposed detached dwellings. The Tree Officer considers that there has been a number of positive changes since the previous application including:

- A full shade analysis has been undertaken to show the extent the impact of the mature oak and the woodland will have on the garden and building,
- Large windows to the rear to allow as much natural daylight into the property as possible
- Roof lights to maximise light into the building,
- Crown lifting the tree to 6 metres and carrying out a light thin of the canopy will reduce the impact of future requirements to carry out unnecessary pruning works, and should maintain the tree in the long term.

6.5.3 The Tree Officer also considers that it is a positive that the development footprint is further away from the Root Protection Area of the TPO than the existing bungalow. The amendments as part of this application which repositioned the proposal resulted in the development moving closer to the TPO, however the Tree Officer raised no objections. It is considered necessary for a condition to be added for permitted development rights for extensions and outbuildings to be restricted to reduce future pressures on the TPO.

6.5.4 The Tree Officer considered the retention of the low level hedge in the rear garden will soften the landscaping. It is recommended a landscaping condition is applied for further details of the new planting at the front and rear.

6.5.5 It is necessary for a condition to be added which ensures that the tree protection scheme is carried out in accordance with the details submitted for the duration of the development.

## **6.6 Drainage**

6.6.1 The site is not in a flood risk or critical drainage area. The Council's Land Drainage Team have not commented on the proposal. Policy CS16 of the Core Strategy requires all development to incorporate sustainable drainage methods. Given the proposal results in the loss of permeable area for surface water to drain it is considered necessary to apply a condition for the drainage measures to be submitted and approved by the planning authority. It is noted that some details have been submitted with this application and the hard surfacing area at the front of the proposed dwellings will be permeable, however it is considered further details are required.

- 6.6.2 Thames Water have no objections to the proposal; the consultation response provides information for the applicant. It is recommended that this information is added as an informative. Thames Water have not requested any conditions.

## **6.7 Ecology**

- 6.7.1 Policy CS17 of the Core Strategy requires all development to maximise opportunities to achieve net gains in biodiversity. A Daytime Bat and Nesting Bird Survey Report was submitted with the application. No evidence of bats or nesting birds was found. Consultees had no objections and considered there was no need to apply conditions with regards to bats.
- 6.7.2 Objections were received with regards to Great Crested Newts sighted within neighbouring properties. No water bodies are within the application site and therefore no further works are required.

## **7. RESPONSE TO LETTERS OF REPRESENTATION**

- 7.1 Letters of representation are noted and have been addressed in the report.
- 7.2 Concerns were raised that there are limited services in the village and therefore there would be pressure on these services. This proposal will result in the increase in one dwelling on this site, it is considered that this will not result in a significant pressure to services to warrant refusal.
- 7.3 Letters of objection considered that the bin storage would be inappropriate. The Council's Waste Team have been consulted and have no objections to the proposal.
- 7.4 It is noted letters of objection raised concerns that the applicants may wish to raise the ridge line of the proposal further, however the Council is obliged to determine the application before it, which as detailed above is considered acceptable on its merits.

## **8. CONCLUSION**

- 8.1 The proposal is for two houses that have been designed to appear as one large detached house, whilst there will be an impact to the character of the area it is considered on balance that this will not be significantly harmful to warrant refusal. It is considered by the use of conditions an acceptable proposal can be secured.
- 8.2 Having taken into account the relevant policy considerations and material considerations referred to above, it is considered that the development is acceptable and conditional approval is justifiable. The proposal accords with the NPPF, Policy ADDP1, ADPP5, CS1, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy (2006-2026) and Policy P1 of the Housing Site Allocations Development Plan Document (2006-2026).

## **9. FULL RECOMMENDATION**

To delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the following conditions.

### **1. Commencement of development**

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

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

### **2. Approved plans**

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

- (i) Drawing 213 001 (Existing Location Plan) received on 21.12.2018;
- (ii) Drawing 282 005A (Proposed Site Plans) received on 01.03.2019;
- (iii) Drawing 282 006A (Ground & First Floor Plans) received on 01.03.2019;
- (iv) Drawing 282 007A (Second Floor & Roof Plans) received on 01.03.2019;
- (v) Drawing 282 008A (East and West Elevations) received on 01.03.2019;
- (vi) Drawing 282 009A (North and South Elevations) received on 01.03.2019.

Associated documents:

- (i) Tree Survey (by Arborsphere) dated 19<sup>th</sup> July 2018 received on 07.12.2018;
- (ii) Design and Access Statement (Rev. A- 18.11.20) received on 07.12.2018.

Reason: For the avoidance of doubt and in the interest of proper planning.

### **3. Finished floor levels**

The finished floor levels in the approved dwellings shall match those shown in the approved plans.

Reason: In order to safeguard visual amenity in the North Wessex Downs AONB in accordance with the National Planning Policy Framework and Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **4. Upper floor side elevation windows**

The proposed first floor windows and roof light in the north and south elevations (side elevations) of the hereby approved dwellings shall be fitted with obscure glass and non-openable below 1.7 metres from the finished floor level. This condition shall apply irrespective of detail shown on the approved plans. The windows shall be permanently retained in that condition thereafter.

Reason: To prevent overlooking of Oakville and Freewood House in the interests of

amenity. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (2006).

## 5. **Tree protection (scheme submitted)**

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 numbered plan 282 005A Proposed Site Plans by Absolute Architecture received on 01.03.2019. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

## 6. **Schedule of materials**

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

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14, CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is necessary because insufficient detailed information accompanies the application; materials are required to be agreed before the construction phase begins and so it is necessary to approve these details before any development takes place.

## 7. **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, 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). A pre-commencement condition is necessary because insufficient detailed information accompanies the application; a construction method statement is required throughout the construction phase and therefore it is necessary to agree before development commences.

### **8. Visibility splays before development**

No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

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

### **9. Landscaping scheme (including hard surfacing)**

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.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is necessary because insufficient detailed information accompanies the application; landscaping 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.

### **10. Sustainable drainage measures**

No development shall take place until a scheme of surface water drainage has been submitted and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable drainage principles to deal with surface water within the application site. The scheme shall be implemented before the dwellings hereby

permitted are occupied in accordance with the approved details.

Reason: To ensure the surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS16 of the West Berkshire Core Strategy (2006-2026). A pre-commencement 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.

#### **11. Hours of work**

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

7:30am to 6:00pm Mondays to Fridays;  
8:30am to 1:00pm Saturdays;  
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

#### **12. Parking in accord with plans**

No dwelling shall be occupied until the vehicle parking has been surfaced, marked out and provided in accordance with the approved plans. The parking 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, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

#### **13. Access construction**

No dwelling shall be occupied until the access has been constructed in accordance with the approved drawings.

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

#### **14. Access closure with reinstatement**

The existing vehicular access at the site shall be stopped up and abandoned immediately after the new access hereby approved has been brought into use. The footway shall, at the same time as the stopping-up and abandonment, be reinstated to the satisfaction of the Local Planning Authority.

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

**15. Cycle parking**

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 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, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

**16. Electric vehicle charging points**

No dwelling shall be occupied until details of electric vehicle charging points have been submitted and approved in writing by the Local Planning Authority. The electric charging vehicle points shall be implemented and retained thereafter for the duration of the development

Reason: To facilitate more sustainable travel. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy P1 of the Housing Site Allocations Development Plan Document (2006-2026).

**17. Permitted development rights for side elevation windows**

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, no windows shall be inserted above ground floor level in the north and south elevations of the hereby approved dwellings without planning permission first having been granted in respect of a planning application made for this purpose.

Reason: To prevent overlooking of Oakville and Freewood House in the interests of amenity. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (2006).

**18. Permitted development rights for extensions and outbuildings**

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, no extensions, alterations or outbuildings which would otherwise be permitted development by Schedule 2, Part 1, Class A and E of that Order shall be carried out without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent future pressures to the Tree Protection Order tree and to

protect the private amenity space for the current and future residents of the approved dwellings. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy and Supplementary Planning Document Quality Design (June 2006).

## **INFORMATIVES**

### **1. Approval- Need for revision/ representations received**

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.

### **2. Access construction**

The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

### **3. Damage to footways, cycleways and verges**

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

### **4. Damage to the carriageway**

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

### **5. Thames Water: Waste water**

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwwriskmanagement@thameswater.co.uk](mailto:wwwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

### **6. Thames Water: Mains water**

Thames Water will aim to provide customers with a minimum pressure of 10m head

(approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

## 7. **CIL Informatiive**

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).