

Item No.	Application No. and Parish	8 Week Date	Proposal, Location, Applicant
(4)	19/00108/FULD Newbury Town Council	15 th March 2019 ¹	Demolition of outbuilding and construction of two semi-detached dwellings with highway improvements Land North of 4 and South of 8 Edgecombe Lane, Newbury Gary Marshall and Derek Howe
¹ Extension of time agreed with applicant until 14 th June 2019			

The application can be viewed on the Council's website at the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/00108/FULD>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to conditions

Ward Members: Councillor Jeff Beck
Councillor Jeff Cant

Reason for Committee Determination: The application is being recommended for conditional approval and 10+ objections have been received.

Committee Site Visit: 6th June 2019

Contact Officer Details

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1. INTRODUCTION

- 1.1 This application is for the construction of one pair of semi-detached properties following the demolition of an existing garage. The pair will be positioned over land that is used as private amenity space owned by the applicant. An outbuilding is presently positioned at the front of this plot.
- 1.2 The application also seeks to improve the access from Kiln Road to Edgecombe Lane by extending the dropped kerb on Kiln Road, laying a 6 metre bonded surface at the entrance of Edgecombe Lane and re-locating a signpost at the entrance subject to the agreement of the Highways Authority.
- 1.3 The proposed dwellings will be two storey, 3 bed dwellings. Each dwelling will have 2 gable ends on the front elevation to reflect the design of the neighbouring short terrace. Amendments have been received during the course of the application which reduce the size of the windows on the north and south elevations of the proposed dwellings.
- 1.4 The application site is located on a private street, Edgecombe Lane, which is accessed via Kiln Road. The site is within the established settlement boundary of Newbury and whilst the lane is a low density lane the surrounding area is predominately a high density residential area.

2. RELEVANT PLANNING HISTORY

- 2.1 16/00439/FULD: Demolition of outbuilding and construction of two semi-detached dwellings. Cannot be determined. 27.05.2016.
- 2.2 135275: Erection of one detached bungalow with retention of existing garage. Refused. 10.08.1989. (Appeal Dismissed)
- 2.3 132573: Erection of two linked detached dwellings. Refused. 14.09.1988.

3. PROCEDURAL MATTERS

- 3.1 Environmental Impact Assessment (EIA): The development falls within the description of development in column 1 of Schedule 2 (11d) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, however the development is not located within an environmentally sensitive area, and is below the given thresholds as defined by the regulations. As such, EIA screening is not required.
- 3.2 Publicity: Site notice displayed on 6th February 2019 on a street sign at the access to Edgecombe Lane, expired on 27th 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. CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission.

- 3.4 Ownership: During the course of the application a number of letters challenging the ownership of the land within the red line have been received. Following a meeting with the Council's Solicitor it is considered there is no definitive evidence to demonstrate the ownership certificates submitted with this application are incorrect and that the application is invalid. Irrespective of any such conclusions on the validity of the application, it should be noted that the granting of any planning permission would not affect proprietary rights and a developer cannot do any work on someone else's land without their consent. This would remain a civil matter between the affected parties and the Council would not be party. An informative is recommended to be applied to this effect if this application is granted planning permission.

4. CONSULTATION

4.1 Statutory and Non-Statutory Consultations

Town Council: No objection. Fire Service should be consulted on access.

Highways: Full comments provided under heading 6.4 of this report.

Recommendation: The proposed access amendments as shown on drawing number 127 014 D dated 08.01.2019 are acceptable (and are an improvement since the previous application at this site 16/00439). The highway recommendation is therefore for conditional approval.

Waste Management: Edgecombe Lane is a private road that is not suitable for waste collection vehicles. I understand that there are no plans to offer the improved road to the local authority for adoption. As such the current arrangement where residents bring their bins and recycling containers to the public highway at Kiln Road on collection days must continue.

The addition of two further properties may cause an issue with space, however no problems have to date been reported in this location.

Potential residents should be aware of the arrangement as the distance from the property to the public highway may cause a problem for elderly or disabled residents who may struggle to place their bins on the highway for collection, this can be mitigated by ensuring there is flat level access with a path free of gravel or grass as wheeled bins are difficult to manoeuvre over these surfaces.

Environmental Health:

Identified Environmental Health issues relevant to Planning are the noise and dust from demolition and construction.

The proposed development site is located within close proximity to residential area, thus noise and dust during demolition and construction activities is likely to affect the neighbouring residents.

Should the planning application be granted, the following conditions should be included: hours of work and minimise the effect of dust. An informative for construction and demolition noise is recommended.

Royal Berkshire Fire and Rescue Service:

No comments received at time of writing the report.

Land Drainage Engineer:

No comments received at time of writing the report.

Ecological Officer:

No comments received at time of writing the report.

Thames Water:

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.

Thames Water advise that with regards to water network and water treatment infrastructure capacity, there are no objections.

Informatives are requested if planning permission is granted.

Natural England:

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the River Lambourn Special Area of Conservation and has no objection. To meet the requirements of the Habitat Regulations,

we advise you to record your decision that a likely significant effect can be ruled out.

Based on the plans submitted, Natural England considers the proposed development will not damage or destroy the interest features in the River Lambourn SSSI for which the site has been notified and has no objections.

Archaeological Officer: The evidence suggests that this proposal will have no major impact on any features of archaeological significance.

4.2 Public representations

Original consultation: Total: 14 Support: 0 Object: 14

The following material planning considerations have been raised:

- The impact on highway safety including achieving the visibility splays, increased parking on Kiln Road, manoeuvring in the lane, safety during construction and emergency vehicle access.
- Achieving the recommended parking and the deficit in Edgecombe Lane.
- Planning applications in 1980s for similar proposals refused due to impact on highway safety.
- Waste collection will be made worse and will have an adverse impact on visibility splays.
- Unacceptable impact on privacy for dwellings on Cromwell Road, Kiln Road, dwellings opposite the application site. Concerns raised over proposed large side elevation windows.
- Loss of light for the surrounding properties.
- Loss of amenity space for 2, 3 and 4 Edgecombe Lane.
- Overdevelopment in the area.
- Plans not representative of the area surrounding the application site.
- Drainage: soakaways insufficient, increase in surface water flooding.
- Development out of character with dwellings in Edgecombe Lane and does not conform to the building line.

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, ADPP2: Newbury, 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- C1: Location of New Housing in the Countryside, P1: Residential Parking for New Development
- 5.4 West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP):
Policies- OVS.5: Environmental Nuisance and Pollution Control, 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)
 - Newbury Town Design Statement (2018)

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
- Drainage
- Other matters (waste and ecology)

6.1 Principle of the development

- 6.1.1 The application site is within the defined settlement boundary of Newbury. Policy ADPP1 of the Core Strategy identifies Newbury as an Urban Area where the focus for the majority of the development is. This is echoed in Policy ADPP2 which advises that Newbury will be the main focus for housing growth with 'significant development potential on previously developed land, particularly in the town centre and periphery'.
- 6.1.2 Policy CS1 of the Core Strategy states that new houses will be primarily developed on suitable previously developed land, and other suitable land, within settlement boundaries. The site currently has an outbuilding on area of private amenity space and therefore is considered to be at least in part previously developed land. According to Policy C1 of the HSA DPD, there is a presumption in favour of development and redevelopment within the settlement boundary of Newbury.
- 6.1.3 The principle of development is considered to be acceptable in accordance with Policies ADPP1, ADPP2 and CS1 of the Core Strategy, and Policy C1 of the HSA DPD. 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 Edgecombe Lane is a private street formed of nine dwellings. There is a mixture of detached and short terrace red brick properties. Dwellings to the south of the application site are smaller in size located in small plots. To the north of the application site dwellings are larger positioned in more sizeable plots. The lane does not have a strong building line due to the position of the groups of dwellings in the lane and in their respective plots. The application site is currently used as garden space and a small outbuilding is positioned adjacent to the lane.
- 6.2.3 The proposed two storey semi-detached pair are considered to be commensurate to the scale, mass and bulk of the surrounding dwellings in the lane. It is also considered that the size of the plots will be in character with the area.
- 6.2.4 The position of the proposed dwellings and the design, as a semi-detached pair, is considered to maintain the existing spacing in Edgecombe Lane. By maintaining the spacing it retains the low density appearance of the lane and therefore will not appear as over development.
- 6.2.5 The design of the semi-detached pair will reflect the architectural detailing of the surrounding dwellings for example the gable ends on the front and rear elevations. The materials chosen will also best match the neighbouring properties. Whilst, the principle of the materials are considered acceptable to guarantee the materials are in-keeping with Edgecombe Lane a condition for a schedule of materials is considered necessary. The design and materials assist in ensuring the proposal will not be incongruous to the lane.
- 6.2.6 Some details of landscaping are shown on the plans; the landscaping is similar to that of other domestic properties. A condition for details for both hard and soft landscaping is recommended to secure an acceptable landscaping scheme that will be in character with the area.
- 6.2.7 Overall the impact on the character of the area is considered to be acceptable and 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 centrally within their proposed plots. The dwellings be positioned approximately 4.7 metres from the boundary shared with 4 Edgecombe Lane and 2.7 metres from the boundary shared with 8 Edgecombe Lane. Furthermore, the neighbouring dwellings are positioned away from the communal boundaries creating a separation of approximately 12 metres between the proposal and the dwelling at 4 Edgecombe Lane and 7.5 metres between the proposal and the dwelling at 8 Edgecombe Lane. This separation distance mitigates the impact on neighbouring amenity for both 4 and 8 Edgecombe Lane.

- 6.3.3 During the course of the application the size of the north and south elevation first floor windows were reduced and will be fixed with obscure glass at lower level. It is considered that these amendments will help to protect privacy for both 4 and 8 Edgecombe Lane. It is recommended that permitted development rights are removed for the insertion of additional first floor elevations in the north and south elevations to protect privacy for the two adjoining dwellings.
- 6.3.4 Letters of objection raised concerns with regards to the impact on privacy for the dwellings on Cromwell Road, to the rear of the application site. The Quality Design SPD advises that a distance of approximately 21 metres is sufficient to maintain privacy for houses backing onto each other. It is acknowledged the guidance advises that those with longer gardens are expected to have higher levels of privacy. However, between the rear elevation of the proposed semi-detached pair and the rear elevations of dwellings on Cromwell Road there is a distance which exceeds double the recommended 21 metres. It is considered that due to this distance, privacy is maintained for dwellings on Cromwell Road.
- 6.3.5 Objection letters also considered the development would increase overlooking and create a loss of light for the dwellings opposite to the proposed development. 5, 6 and 7 Edgecombe Lane these are over 20 metres from the proposed development; this distance is considered sufficient to mitigate the concerns raised above.
- 6.3.6 The proposed dwellings will be provided with gardens that comply with the recommended guidelines for private amenity space in the Quality Design SPD. However, the proposal will result in the loss of the garden space for 2 and 3 Edgecombe Lane and a significant reduction in the amenity space for 4 Edgecombe Lane. This amenity space falls under the control of the application, although it is existing residents that would be affected by the loss of gardens. The net effect is therefore two new dwellings with good gardens, two existing dwellings losing their gardens, and one further existing garden being reduced. As a whole the proposal is therefore substandard in terms of its overall provision of private outdoor amenity space. Due to the central location of the site in Newbury residents can access public outdoor space, for example approximately 0.3 miles from the site there is a playing field. This provides some mitigation in this respect. The insufficient garden spaces is a shortcoming of the proposal that must be balanced against the benefits of the proposal. The benefits in this instance are two additional dwellings in a sustainable location. It is not out of character with such urban areas for dwellings to be provided with small or even no gardens. On balance it is considered that the benefits of the proposal outweigh the below standard provision of amenity space.
- 6.3.7 The Environmental Health Officer identified that dust and noise during construction is likely to have impact on neighbouring residents due to the close proximity of the neighbouring properties. The Environmental Health Officer considered that these issues could be overcome by way of condition. It is recommended that conditions are applied which limits the hours of work during construction and requires the applicant to submit and for the Local Planning Authority to agree a scheme of works to minimise the effects of dust.
- 6.3.8 Overall it is considered that whilst there will be a loss of private amenity space for the neighbouring dwellings, the impact on residential amenity will not be sufficiently

detrimental to warrant refusal. The proposal complies with Policy CS14 of the Core Strategy and the guidance within the NPPF

6.4 The impact on highway safety

6.4.1 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 A number of letters of objection have been received with regards to the impact on highway safety for Edgecombe Lane this includes the lack of turning space, the vehicular access and parking.

6.4.3 The Highway Officer's consultation response on the 28th January 2019 is as follows:

a. *"Drawing number 127 014 D dated 08.01.2019 details the amendments proposed at the access.*

b. *The access/drop kerb is proposed to be widened, with a bonded surfacing provided into the driveway. The re-surfacing will ensure the full driveway width depicted on the plans is achieved. Therefore, although the parking space outside number 1 is narrower than 2.4 metres (width of a standard parking space), even with a slight protrusion into the access drive, the remaining width is acceptable.*

c. *The existing signpost to the east of the access is annotated that it will be relocated to a location to be agreed. This is required. A highway access licence would be required for the access works and the Council's Traffic Management Team have stated the following with regards to the road sign:*

"I have no objections providing visibility to the sign is not compromised, that the sign is no lower than 2100mm above the footway and the concrete foundation is a minimum of 600mm³ they will need to do utility searches prior to works commencing."

d. *Pedestrian visibility splays are proposed (2.4 metres x 2.4 metres), as well as standard vehicular visibility splays of 2.4 metres x 43 metres shown to the nearside carriageway edge. Both of these should be conditioned.*

e. *The proposed amendments to the access are acceptable as shown on the above drawing number. Whilst West Berkshire Council generally prefers accesses that serve more than 5 dwellings to be constructed to adoptable standards, and therefore adopted by the highway authority, each access and development is considered on an individual basis. This access already serves 9 dwellings. It is difficult to see that two further dwellings will have a material impact on this, subject to amendments to the access as requested.*

f. *The fire service should be consulted regarding access for fire appliances.*

g. *Car Parking and Cycle storage: Three driveway parking spaces are proposed for 4A, with two driveway spaces for 4B. In this location each 3-bed dwelling should be provided with 2.5 car parking spaces. A total of 5 car parking spaces are*

therefore acceptable. Two driveway parking spaces are proposed for number 4 Edgcombe Lane, with one for number 3. The temporary parking and turning is acceptable as shown on drawing number 127 005 G, with delivery vehicle manoeuvres shown on 127 013 D. Please can both of these drawing numbers be referred to in the conditions regarding parking and turning and deliveries during the construction period. Sheds are proposed for cycle storage which is acceptable, although it may be tight getting a bicycle past the parked cars.

h. The proposed access amendments as shown on drawing number 127 014 D dated 08.01.2019 are acceptable (and are an improvement since the previous application at this site 16/00439). The highway recommendation is therefore for conditional approval.”

6.4.4 Due to the number of objections additional comments were sought from the Highway Officer. A response from the Highway Officer on the 12.03.2019 is as follows:

- a. “The access width is such that two vehicles are able to pass at the access. One vehicle can therefore be entering whilst another is waiting to exit. A width of 5.6 metres is shown on the Proposed Site Plan – Entrance. Page 79 in Manual for Streets details widths and what they can accommodate.*
- b. The access where it joins the highway is acceptable. There is some narrowing after which it widens again. The widths are therefore acceptable.*
- c. In terms of visibility splays, the same Proposed Site Plan – Entrance demonstrates that the full 2.4 metres x 43 metres can be achieved to the nearside carriageway edge in both directions. It is acknowledged that vehicle parking does take place on the carriageway/footway in this location and vehicles may need to edge out slowly.*
- d. Paragraph 7.8.5 in Manual for Streets states: Parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice.*
- e. I have checked with the Council’s Traffic and Road Safety team and there are no recorded accidents in the vicinity of this access.*
- f. In view of this it is difficult to substantiate an objection on the grounds of two additional dwellings utilising the access.*
- g. The level of car parking proposed for the two new dwellings complies with West Berkshire Council’s current car parking standards. I would be unable to request a greater provision is made. Any existing shortfalls in parking in the vicinity are not for this application to address.*
- h. In terms of vehicle manoeuvring for other residents, unless they have a right of access over the land that it proposed to be utilised for the new dwellings then there is no legal requirement to retain this as such.*
- i. Whilst I do appreciate the concerns that have been raised, the Highway Authority would be unable to substantiate an objection to this application.”*

- 6.4.5 The Highway Officer has recommended conditions for the visibility splays for the access to be provided before development commences, visibility splays provided for private drives, parking/turning is provided in accordance with the plans, temporary parking and turning to be provided in accordance with the plans, the access to be constructed before the dwellings are occupied and cycle parking to be provided in accordance with the approved drawings. These conditions are considered necessary in the interests of highway safety.
- 6.4.6 To ensure the proposal fully complies with Policy P1 in the HSA DPD a condition is recommended for details of electric vehicular charging points are submitted to and approved by the Local Planning Authority before the dwellings are occupied.
- 6.4.7 Following the consultation response from the Highways Authority it is considered that the proposal is acceptable in terms of highway safety.

6.5 Drainage

- 6.5.1 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 that 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.
- 6.5.2 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.

6.6 Other Matters

Waste collection

- 6.6.1 This is another area of concern raised in letters of objection. Presently dwellings on Edgecombe Lane use a small area of land at the access of Edgecombe Lane for bin collection. The development will result in the loss of this area of storage.
- 6.6.2 The Council's Waste Officer commented that the addition of two further properties may cause an issue with space, however no problems have been reported in this area. Further clarification was sought with regards to the loss of the existing area of storage. The Waste Officer considered that they could not object because the proposal would only add a further two dwellings.
- 6.6.3 The Waste Officer has suggested that the applicants should make any potential residents of the proposed dwellings aware that the bins will need to be moved to be collected at the edge of the highway.

Ecology

- 6.6.4 Natural England raised no objections to the proposal in terms of impact on ecology. The Council notes the comments by Natural England that likely significant effects to the River Lambourn Special Area of Conservation can be ruled out.

7. RESPONSE TO LETTERS OF REPRESENTATION

- 7.1 Letters of representation are noted and have been addressed in the report.
- 7.2 It is noted letters of objections raised concerns that the plans were not representative of the area. The OS Map used does not show the extent of the development in Edgecombe Lane, however, it is considered the plans are sufficient to determine the application. Nonetheless, planning officers always undertake site visits to ensure that proposed developments are properly understood in context.

8. CONCLUSION

- 8.1 Whilst there have been a number of objections to this application, it is considered the proposal for two houses is acceptable and can be secured by the use of conditions.
- 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, ADPP2, CS1, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy (2006-2026) and Policy C1, 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 127 001D (Existing Location Plan) received on 15.01.2019;

- (ii) Drawing 127 002A (Site Sections) received on 15.01.2019;
- (iii) Drawing 127 005G (Proposed Site Plan) received on 15.01.2019;
- (iv) Drawing 127 006E (Proposed Floor Plans) received on 11.03.2019;
- (v) Drawing 127 007A (Proposed Roof Plan) received on 15.01.2019;
- (vi) Drawing 127 008B (Proposed Elevations) received on 11.03.2019;
- (vii) Drawing 127 013D (Proposed Block Plan- Contractor Turning) received on 15.01.2019;
- (viii) Drawing 127 014D (Propose Site Plan- Entrance) received on 15.01.2019.

Associated documents:

- (i) Design and Access Statement (Rev.B 07.01.2019) received on 21.01.2019.

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

3. Upper floor side elevation windows

The proposed first floor windows in the north and south elevations (side elevations) of the hereby approved dwellings shall be fitted with obscure glass and non-openable 1 metre above the window cil. The windows shall be permanently retained in that condition thereafter.

Reason: To prevent overlooking of 4 Edgecombe Lane and 8 Edgecombe Lane 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).

4. Temporary parking and turning

The hereby permitted development shall not be carried out except in accordance with the temporary parking and turning provided on Drawings 127 005G and 127 013D received on 15.01.2019, unless otherwise agreed in writing with the Local Planning Authority.

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 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

5. 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), Supplementary Planning Document Quality Design (June 2006) and Newbury Town Design Statement (July 2018). 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.

6. A scheme to minimise the effects of dust

No development shall commence until the applicant submits to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of dust from the development. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.

Reason: In the interests of the amenities of neighbouring occupiers. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.5 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 scheme to minimise the effects of dust is required throughout the construction phase and therefore it is necessary to agree before development commences.

7. 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).

8. 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.

9. 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.

10. Hours of work

No demolition or construction works shall take place outside the following hours unless otherwise agreed by the Local Planning Authority in writing:

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, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.5 and OVS.6 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

11. 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).

12. Access construction

No dwelling shall be occupied until the improvements to the access have been provided and constructed in accordance with the approved drawing number 127 014 D dated 08.01.2019.

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).

13. Visibility splays for private drives

No dwelling shall be occupied until visibility splays of 2.4 metres by 2.4 metres have been provided at the junction of the driveway/access and the adjacent footway. Dimensions shall be measured along the edge of the driveway/access and the back of the footway from their point of intersection. The visibility splays shall, thereafter, be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.

Reason: To enable pedestrians to see emerging vehicles and to be seen by its driver. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

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

15. 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).

16. Permitted development rights for side elevation windows

Notwithstanding the provisions of Article 3 of the Town and Country Planning

(General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and C of that Order shall be constructed at first floor level or above on the north and south elevations of the hereby permitted dwellings, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent overlooking of adjacent properties, in the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD (2006) and House Extensions SPG (July 2004).

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. Incidental works affecting the highway

Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519169, before any development is commenced.

6. **Construction/demolition noise**

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.

7. **Thames Water: Waste water**

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

8. **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.

9. **CIL informative**

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.

10. **Ownership**

You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate, or in any other way carry out any works in connection with this development, or to obtain any support from adjoining property. This permission granted by the Council in no way authorises you to take such action without first obtaining this consent.