

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	18/02485/OUTMAJ Burghfield Parish Council	17 December 2018 ¹	Outline application for residential development of up to 100 dwellings with new cycle pedestrian access onto Coltsfoot Way and two vehicular accesses onto Clayhill Road. Matters to be considered: Access. Land North Of Dauntless Road and South Of Pondhouse Farm, Clayhill Road, Burghfield Common, Reading, Berkshire Englefield Estate Trust Corporation Ltd
¹ Extension of time agreed with applicant until 30 October 2019			

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/02485/OUTMAJ>

Recommendation Summary: Delegated to the Head of Development and Planning to grant outline planning permission subject to the completion of a section 106 agreement.

Ward Member(s): Councillors Bridgman, Longton and Mayes

Reason for Committee Determination: More than 10 objections received.

Committee Site Visit: 11th September 2019

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1. Introduction

- 1.1 This application seeks outline planning permission for a residential development of up to 100 dwellings with new cycle pedestrian access onto Coltsfoot Way and two vehicular accesses onto Clayhill Road. Details of access are to be considered at the outline stage, but all other matters (appearance, landscaping, layout and scale) are to be considered at a later stage under reserved matters applications.
- 1.2 The application site measures 4.24ha in extent and is green field, lying to the north east of the settlement of Burghfield Common, and south of Clayhill Road. It lies adjacent Clayhill Copse and Pondhouse Copse. Immediately to the west of the site lies existing housing. It lies within the identified settlement boundary of the village, as was revised by the adopted HSA DPD in 2017. The application site forms the allocation for 100 dwellings as set out in Policy HSA15 of the HSA DPD.
- 1.3 The application is in outline with access to be agreed at this stage. This means detailed matters of layout, scale, appearance and landscaping would be examined at future reserved matters stage, should this application be approved. Notwithstanding this, the applicant has submitted indicative layouts which exhibit the point that 100 dwellings can be satisfactorily accommodated on site, with the required public open space, buffer strips, car parking and road/footpath access points. The gross density would accordingly be 38 dwellings per hectare (dph).
- 1.4 The applicant has agreed to accept a s106 planning obligation which will secure 40% of the homes as affordable, which equate to 40 units. In addition a commuted sum of circa £22,000 towards the public open space is to be provided, and a sum of £4000 is to be provided towards the new off-site footpath link into Coltsfoot Close for its construction.
- 1.5 Two vehicle accesses are to be provided onto Clayhill Road. It is also proposed to provide a new footpath/cycleway link to Coltsfoot Close in the south west corner of the site: for clarity this is NOT to be a vehicular access.

2. Planning History

- 2.1 The application site is allocated for housing under Policy HSA15 of the Housing Site Allocations DPD 2006-2026, and has therefore been subject to consideration at a plan-making level. There is no relevant history of planning applications.

3. Procedural Matters

- 3.1 The application has been considered under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. If a proposed project is listed in the first column in Schedule 2 of the 2017 Regulations and exceeds the relevant thresholds or criteria set out in the second column (sometimes referred to as 'exclusion thresholds and criteria') the proposal needs to be screened by the local planning authority to determine whether significant effects on the environment are likely and hence whether an Environmental Impact Assessment is required. Projects listed in Schedule 2 which are located in, or partly in, a sensitive area also need to be screened, even if they are below the thresholds or do not meet the criteria.
- 3.2 In this instance, the proposed development is listed in the first column of Schedule 2 (10b – urban development projects). However, the proposal does not meet the relevant criteria being for under 150 dwellings and a total area of development of less than 5 hectares. As such, the Council is not required to issue a screening opinion.

- 3.3 On 6th September 2019 a letter was received from the Ministry of Housing, Communities and Local Government in response to a third party request for a screening direction. This letter declined to issue a screening direction for the same reasons.
- 3.4 It should be noted that the absence of a requirement to provide an Environment Statement relates solely to the EIA Regulations; it does not otherwise fetter the Council's consideration of the environmental impacts of the development.
- 3.5 The application has been publicised in accordance with the Town and Country Planning (Development Management Procedure) Order 2015 by way of site notices. The deadline for representations expired on 22nd October 2018 (original submission) and 17th July 2019 (amended plans). The application was also publicised in the Reading Chronicle on 4th October 2018.
- 3.6 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations new dwellings are liable for CIL. The amount of CIL liability would be determined at reserved matters stage.

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Burghfield Parish Council:	Objection. Move primary vehicle access north along Clayhill Road to provide better view and keep it clear of traffic calming. Amended plans –no views received.
Sulhampstead Parish Council:	No objections.
Ministry of Housing, Communities and Local Government	Determined that the Council should determine the application, rather than being called in by the Secretary of State.
WBC Highways:	Conditional permission is recommended on the amended plans.
Archaeology:	Recommends conditional permission be granted.
Education:	The impact of the new occupants on the local area can be satisfactorily accommodated/mitigated by the application of CIL.
Office of Nuclear Regulation:	Do not advise against the development in relation to off-site emergency procedures related to the two AWE sites.
Environmental Health:	The issues to be resolved are during construction and future occupation, relating to noise, air quality and dust suppression. These are all capable of acceptable mitigation via planning conditions, which are duly recommended.

Ecology:	Recommends conditional permission to the application, notwithstanding the new designation of additional ancient woodland adjacent to the application site.
Open Space:	Accepts the central village green concept. In addition a children's play area will need to be provided and wish to see a link between the site and the Council owned land to the west of the site. Obtain a commuted sum via a s106 obligation.
Waste Management:	No objections but note that future adoption of the roads must take into account waste collection. Conditions recommended.
Environment Agency:	Do not wish to be consulted –standard standing advice applies.
Housing:	Notes that the applicant is content to enter into a s106 obligation to secure the 40% affordable housing required, with 70% required for social rent and 30% for shared equity. Minimum house space standards need to be applied. No objections on this basis.
Emergency Planning:	No objections.
Thames Water:	No objections on the basis that surface water drainage will not flow into the TW system. No objections regarding waste water infrastructure. Water supply network—condition recommended.
Lead Local Flood Authority:	Sought clarification that drainage connections off site can be achieved. Now been clarified –conditional permission recommended.
MOD Defence Infrastructure Organisation:	No safeguarding objections.
Trees:	Recognises the surrounding constraints of the ancient woodland and the trees subject to a TPO. The development however respects these. Conditional permission is recommended.
Natural England:	No comments to make. Standing advice should be referred to in regard to ancient woodland. Furthermore no objections to the amended plans. Subsequent amended/updated advice: ancient woodland adjacent the site has been amended in terms of boundaries which will/may have implications for the application as proposed. Council should take this into account in arriving at any planning decision.

Public representations

- 4.2 Representations have been received from 30 contributors, all of which object to the proposal.

4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Concern regarding new pedestrian and cycle access via Coltsfoot Close (as proposed in the amended plans).
- Concern regarding impact on local schools and infrastructure.
- Concerns about rise in local traffic flows and local road safety.
- Concerns about impact on ecology and trees –in particular ancient woodland.
- Noise during construction impact.
- Are the new houses needed?
- Loss of a greenfield site.
- Visual impact.
- Coltsfoot Close is a cul-de-sac, not a throughway.
- Alternative location for footway promoted.
- Density of scheme too high / fewer dwellings should be sought.
- Reduce the buffer between the villages of Burghfield Common and the village to the east.
- Disagree with the Council allocation in the Local Plan for additional housing at this location.

4.4 It appears that many objections are mistakenly based on the premise that the amended plans sought a new vehicle access via Coltsfoot Close. This is not the case. The proposal is for pedestrian and cycle access only.

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP6, CS1, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies GS1, HSA15, C1 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6, RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Burghfield Village Design Statement (2011)

6. Appraisal

6.1 The main issues for consideration include:

- The principle of development
- Access and highways impacts

- Landscape and visual impacts
- Ecological impacts
- Other matters
- Planning balance

Principle of development

- 6.2 According to Core Strategy Policy CS1, new homes will be located in accordance with the settlement hierarchy outlined in the Spatial Strategy (Policies ADPP1-ADPP6), and primarily developed on land allocated for residential development in development plan documents (including the HSA DPD). The application site is located within the settlement boundary of Burghfield Common, which is defined as a Rural Service Centre by Policy ADPP1. Policy ADPP6 states (in bullet point 2 of the Housing section) for the East Kennet Valley, in which the application site lies, that the two rural service centres of Mortimer and Burghfield Common will be the focus for new housing in the area, largely as small extensions to the existing settlements.
- 6.3 Policy C1 of the HSA DPD provides a presumption in favour of development within the settlement boundary of Burghfield Common with respect to new housing. Policy HSA15 is the allocation policy for the site which gives a number of parameters.
- 6.4 Policy GS1 of the HSA DPD is an overarching general site policy which applies to all of the housing site allocations. It provides that each site must be masterplanned, and it is clear that the applicants and their professional agents have produced an indicative scheme which provides some confidence that an attractive development can be achieved at a later stage. It also expects that external cycling and pedestrian routes should be achieved, linking the site to other facilities and services elsewhere. In addition, the development should be accompanied by a landscape and visual impact assessment, along with the assurance that no adverse impacts upon ecology and local habitats is ensured.
- 6.5 It is considered that the proposal complies with the relevant parameters. In accordance with the policy requirements the applicant has submitted a contaminated land assessment, an archaeological study, a noise and air quality assessment, a transport impact statement, and flood risk assessment. Following due consideration of this supporting documentation, no fundamental or technical objections to this outline application have been identified.
- 6.6 Overall, it is considered that the development of the site is in accordance with the above housing supply policies in principle.
- 6.7 Core Strategy Policy CS4 relates to housing type and mix, wherein areas outside of town centres, densities should normally be between 30-50 dph as with this proposal which proposes 38 dph. Whilst it is not a matter which the Committee may determine at this stage, the Authority will seek to ensure at the reserved matters stage appropriate mixes and types of housing so as to accord with not only local needs but also the surrounding character of the area.
- 6.8 Core Strategy Policy CS6 provides that for applications in excess of 15 dwellings, on greenfield sites, a minimum of 40% of the units shall be affordable dwellings. The proposals comply with this figure.

Access and highway impacts

- 6.9 As mentioned above the application is made in outline with details of access to be considered at this stage. To be clear, this not only involves vehicular access, but also

pedestrian and cycle access. However, the precise layout of parking for individual dwellings would fall to be considered at reserved matters stage. In the submitted Transport Assessment it is noted that the projected increased traffic flows during the AM and PM weekday peaks onto Clayhill Road would be 47 trips. This is not expected to harm local road safety, and the net impact on the local road network will not be severe as is the test set out in the NPPF for applications to be rejected.

- 6.10 The original plans showed only one vehicular access onto Clayhill Road, with an alternative emergency access to the north-east. The Council's highways officer requested an additional vehicular access to ensure the free flow of vehicles, even during peak periods. There were some concerns from both the applicant's agent and the Parish Council, that this would not be safe given the visibility available to the east due to the drop in levels, towards Burghfield Village. An independent road safety audit was specifically commissioned by the applicant and this concluded that no road safety issues would arise. Accordingly this was amended to meet the highways officer's request. The highways officer is now recommending conditional permission on the scheme.
- 6.11 There has been considerable debate and negotiation with the officers and the applicant's agent about the creation of a new footpath and cycleway link between the application site and Coltsfoot Close to the south west. The original application simply set out an aspiration for this to be achieved at a later date, but since the application is now for matters of access to be agreed, this is the appropriate time to do so. This is important in the view of the officer; not only does policy HSA15 specifically set out this requirement, but also for the future occupants of 100 dwellings a link to the village centre will certainly be beneficial in both sustainability and permeability terms as encouraged in the NPPF. The Council owns the land immediately to the west to the highway, so no ransom strip situation can prevail. The applicants have agreed to fund the construction of the footway/cycleway by the sum of £4000 which will be secured under the s106 obligation. The red line of the application site has also been amended so that the creation of the footway can be conditioned. The potential impact on the woodland is examined below in relation to the ecological impacts.

Landscape and visual impacts

- 6.12 The application site comprises an area of open pasture on a small plateau leading down to Burghfield Village to the north east. It has no national or statutory designation such as an AONB. The site lies within the Thames Basin Heaths National Character Area [NCA129]. The local landscape setting is described as Woodland and Heathland Mosaic, specifically surrounding Burghfield parish. The applicant's landscape visual impact appraisal has concluded the following about the site and proposal. The landscape is described as being "intimate" with strong visual connections to the north east, but is visually contained by the woodlands to the north and south, and by the existing housing to the west. The principal local landscape features are a shallow valley basin, rural woods, and distant farmsteads. The principal receptors are described as being local occupants of housing nearby, users of the local public right of way network, and drivers and other users along Clayhill Road. Officers agree with this assessment.
- 6.13 The proposed development would change the character and appearance of the site significantly with the introduction of a housing development. This level of impact has been deemed acceptable (in balance with the benefits of the development in this location) through the allocation of the land as a housing site.
- 6.14 The site will be well screened visually from three directions/vistas but will remain open to views from the north east: the present boundary on site is very weak, on this perimeter. Accordingly it is considered that in any future reserved matters application it is imperative that a strong landscaped buffer be provided on the north east boundary in order to filter views of the housing the housing in the future and to soften the future

visual gateway into the village along Clayhill Road from the east. Similarly a strong buffer should be laid out adjacent the Clayhill Road boundary, where visibility splays allow. It will be necessary to minimise any landscape and visual such impacts at the reserved matters stage when the detailed design is prepared, including landscaping.

- 6.15 Core Strategy Policy CS19 sets out the local policies on landscape conservation. Criterion (b) of this policy seeks to ensure that new development is appropriate in terms of location, scale and design in the context of any existing settlement form, pattern, and character. It is clear that this application, if approved, will simply extend the built form of the settlement to the north east, with some degree of harm to the local area. This visual harm is outweighed however by the need for additional housing to be provided in the District in sustainable locations such as this. Importantly, however, the scale and character of development is capable of respecting adjoining existing development. In this context, it is considered that policy CS19 is satisfied.

Ecological impacts

- 6.16 A significant proportion of Pondhouse Copse adjacent to the site is ancient woodland (woodland that has existed since 1600AD), which attracts a high level of protection under paragraph 175(c) of the NPPF. A number of the additional objections received in response to the amended plans (22 in total following the original 7 objections) identified specific concerns about the intention of the Council to approve the application with the new footpath/cycleway link noted above. This would pass through a small section of woodland from Pondhouse Copse, and which during the course of the application has now been identified as additional ancient woodland. The supporting arboricultural information identifies this area as comprising predominantly category B trees.
- 6.17 Officers consider that the minimal loss of this section of woodland is outweighed by the substantial future public benefit of allowing easy access between the two sites, which is specifically encouraged in the NPPF. Paragraph 91(a) in particular promotes social interaction, for example through street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods. Paragraph 91(c) continues by seeking to enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs, to access local shops allotments and layouts that encourage walking and cycling (paraphrased). It is also a well-established principle of good design that developments are well connected to their surroundings and provide a “permeable” pedestrian and cycle layout that encourages sustainable modes of transport. Such principles of good design attract significant weight.
- 6.18 It is recognised in the community consultation document provided by the applicant that in order to address concerns from some local residents the proposed footpath link was originally removed from the plans. This has of course since been amended at the request of officers, as it is a policy requirement and important design aspect of the proposal in considering the needs of future residents. It is not considered that the new link would have a material adverse effect on existing local amenity for existing residents.
- 6.19 Natural England (NE) are a statutory consultee for ecological matters on planning applications. They were consulted initially about the proximity of the ancient woodland to the site in the plan-making process when the site was being considered for allocation. No objections were raised then subject to the minimum buffer zones being approved (15m from the woodland boundary) in any new scheme, which is a requirement policy HSA15. During the course of this application, NE raised no specific comments on either the original plans or the amended plans, simply noting that standing advice on the continuing protection of adjacent ancient woodland needs to be taken into account.
- 6.20 However, following additional survey information sent to NE about the ecological value and status of Pondhouse Copse, they have very recently informed the Council that it is

their future intention to extend the designation of the ancient woodland of Pondhouse Copse. This extension now includes the proposed pedestrian/cycle link.

- 6.21 Paragraph 174 of the NPPF notes that when determining planning applications, development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 6.22 It is noted that, even with the amended boundary of the ancient woodland depicted by NE, a 15m buffer will still remain between the boundary and the development itself. The submitted plan on the agenda shows this clearly. Parts of the buffer include retained (non-ancient) woodland on the periphery of Pondhouse Copse. It is also acknowledged that although the proposed SUDs features are to be located in this buffer strip, this can be accommodated outside the root protection areas of the trees. Accordingly, officers consider that the amended boundary has few implications for additional biodiversity impact on the ancient woodland. In addition, the minimal loss of the woodland identified for the new link is justified in the light of the clear future community benefit arising from this new connection. The case officer has examined the potential site location of the new cycle way/footway and is satisfied in consultation with the Council's tree officer that the link can be provided with minimal impact. Conditions will be applied to ensure that the nature of the surface of the link will be suitable to protect the roots of any adjacent trees, this avoiding material harm to the ancient woodland.
- 6.23 The application is accompanied by the necessary ecological assessments which does not identify any other significant ecological constraints, subject to orthodox mitigation and enhancement measures.

Other matters

- 6.24 A number of other matters have been considered during the consideration of this application, including those raised by interested parties.
- 6.25 One of the concerns relates to the whole principle and scale of the allocation. The scale and location of the development has already been accepted in principle by the Council through the allocation of the site under the HSA DPD. This followed the plan-making process, including public consultation with all the relevant stakeholders. The compliance with the resultant allocation attracts substantial weight in favour of granting planning permission.
- 6.26 Other concerns relate to increased traffic generation but this scale of development was considered through the plan-making process, and no technical highways objections have been identified.
- 6.27 Many of the representations raise concerns about the impact on local infrastructure, facilities and schools. The open market element of the development (60 dwellings) would be CIL liable, which will be a considerable sum towards infrastructure improvements. Together with other CIL receipts this will assist in the mitigation of the impact of the new occupants on such facilities. In addition the Education service has confirmed that no additional funding is required through a s106 obligation.
- 6.28 Further concerns relate to the reduction in the "gap" between the Burghfield Common settlement and Burghfield Village. This will of course result from the scheme, but again the principle of this on this particular site has been accepted through the HSA DPD.
- 6.29 Finally objectors wish to see fewer dwellings being permitted on the site. The proposed density circa 38 dph is well within acceptable acknowledged criteria set out in the NPPF and local policies to make efficient use of land, but also respects the local character of

the area. To permit fewer dwellings would be making less efficient use of a greenfield site, a highly valuable resource for obvious reasons.

7. Planning Balance and Conclusion

- 7.1 All planning authorities are required to determine planning applications in accordance with the development plan, unless material considerations indicate otherwise. In addition, the NPPF seeks to significantly boost the supply of homes through a plan-led approach. The provision of 100 dwellings, 40 of which would be affordable is a significant public benefit in the balance. This site has been allocated for this scale of development, following comprehensive assessment against reasonable alternatives at a district level and within the East Kennet Valley. The outline proposal complies with the housing supply policies and this attracts substantial weight in favour of granting planning permission.
- 7.2 The loss of the current greenfield site is an adverse effect of the development, but this has already been considered through the plan-making process. The proposed parameters of the development under this application do not raise significant concerns that would outweigh the policy presumption in favour of development.
- 7.3 There would be some environmental disadvantages, including temporary disruption to local amenity during the construction phase, and an increase in local traffic flows. However, the ecological impacts can be mitigated, and overall net gains in biodiversity are capable of being achieved. There would be some economic benefits, common with any housing site, which also are a public benefit.
- 7.4 Overall it is considered that the public benefits of the proposed housing in this location attract substantial weight in the planning balance, and that the residual adverse impacts would not outweigh the benefits. As such, it is concluded that planning permission should be granted.

8. Full Recommendation

- 8.1 PROVIDED THAT a Section 106 Agreement has been completed within three months from the date of the committee resolution (or such longer period that may be authorised by the Head of Development and Planning, in consultation with the Chairman or Vice Chairman of the Eastern Area Planning Committee), to delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 8.2 OR, if a Section 106 Agreement is not completed, to REFUSE PLANNING PERMISSION for the reasons listed below.

Conditions

- Reserved matters**
Details of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Approval of reserved matters**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. **Reserved matters time limit**

The development to which this permission relates shall be begun before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the approved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. **Approved plans**

The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 6027B/01C, 12A, 03C, and 02C; drawing numbers 60555664.001 Rev A, and 002 Rev A (all received on the 24th June 2019); and drawing number 6027/B14 (received on the 5th September 2019).

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

5. **Layout and design standards**

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. The road and footpath design shall be to a standard that is adoptable as public highway. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of providing adoptable infrastructure, road safety and flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD (2006-2026), and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. **Details of accesses**

No development shall take place until details of the two accesses into the site from Clayhill Road have been submitted to and approved in writing by the Local Planning Authority. This shall include pedestrian routes with crossing points over Clayhill Road consisting of dropped kerbs and tactile paving. No dwelling served by the relevant access shall be first occupied until that access has been provided in accordance with the approved details.

Reason: In the interest of road safety to ensure safe and suitable access for all to the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because safe and suitable access must be provided early to avoid adverse impacts on highways safety.

7. **Footpath/cycle link to Coltsfoot Close**

No development shall take place until details of a 2.5 metre wide footway / cycleway to be constructed to the south-west from the application site into Coltsfoot Close have been submitted to and approved in writing by the Local Planning Authority. No more than 10 dwellings shall be first occupied until the footway/cycleway has been

provided in accordance with the approved details and any statutory undertaker's equipment or street furniture located in the position of the 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 applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and HSA15 of the Housing Site Allocations DPD (2006-2026). A pre-commencement condition is required because this access must be provided early to provide suitable pedestrian and cycle access to the site.

8. **Archaeology**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because any development may have an impact on archaeological interests.

9. **Sustainable drainage**

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, particularly the WBC SuDS Supplementary Planning Document December 2018;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- 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 flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes;
- f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- h) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- i) 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;
- j) Attenuation storage measures must have a 300mm freeboard above maximum design water level. Surface conveyance features must have a

- 150mm freeboard above maximum design water level; and
- k) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development.

No dwelling shall be first occupied until the sustainable drainage measures shall be provided in accordance with the approved details. Thereafter the sustainable drainage measures shall be maintained and managed in accordance with the approved details.

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), the Sustainable Drainage Systems SPD (2018), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because sustainable drainage measures are likely to require implementation early in the construction process.

10. **Construction Environmental Management Plan**

No development shall commence until a Construction Environmental Management Plan has been submitted to the Local Planning Authority. The development shall be carried out in accordance with the approved details. As a minimum the plan shall provide for:

- a) Phasing of construction
- b) Temporary construction site access including visibility splays
- c) The parking of vehicles of site operatives and visitors
- d) Loading and unloading of plant and materials
- e) Storage of plant and materials used in constructing the development
- f) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- g) Wheel washing facilities
- h) Temporary construction lighting
- i) Types of any piling rigs and earth moving machinery
- j) Measures to control the emission of dust and dirt during construction
- k) A scheme for recycling/disposing of waste resulting from demolition and construction works
- l) Lorry routing
- m) Delivery times to avoid conflicts with the opening and closing times of local schools

Reason: To ensure the proper management of the environmental effects of the development during the construction phase. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13, CS14, CS17 and CS18 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CEMP is required to be adhered to during construction.

11. **Tree protection**

No development (including site clearance and any other preparatory works) shall take place until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days' notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and

retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority. Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and the protection of trees during the construction phase. In addition it is necessary to protect the adjacent ancient woodland in Pondhouse Copse. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the trees require protection throughout the construction process.

12. Root protection areas

No development (including site clearance and any other preparatory works) shall take place until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall not be carried out except in accordance with the approved details.

Reason: To ensure the enhancement of the development by the retention of existing trees and the protection of trees during the construction phase. In addition it is necessary to protect the adjacent ancient woodland in Pondhouse Copse. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the trees require protection throughout the construction process.

13. Arboricultural method statement

No development (including site clearance and any other preparatory works) shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority which shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall not be carried out except in accordance with the approved details.

Reason: To ensure the enhancement of the development by the retention of existing trees and the protection of trees during the construction phase. In addition it is necessary to protect the adjacent ancient woodland in Pondhouse Copse. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the trees require protection throughout the construction process.

14. Arboricultural watching brief

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. Thereafter the development shall not be carried out except in accordance with the approved details.

Reason: To ensure the enhancement of the development by the retention of existing trees and the protection of trees during the construction phase. In addition it is

necessary to protect the adjacent ancient woodland in Pondhouse Copse. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the trees require protection throughout the construction process.

15. Piling

No piling shall take place unless a piling method statement has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. The method statement shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works. No piling shall take place except in accordance with the approved details.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy (2006-2026).

16. Visibility splays

No development shall take place until details of vehicular visibility splays onto Clayhill Road have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the visibility splays have been provided in accordance with the approved details. 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. A pre-condition is required because changes are required to the proposed access details, and therefore the associated visibility splays will also need prior approval. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because safe access must be provided early in the construction process.

17. Phased occupation and water supply

No dwelling shall be occupied until confirmation has been provided that either:

- a) all water network upgrades required to accommodate the additional flows from the development have been completed; or
- b) 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 no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy (2006-2026).

18. Hours of work (construction/demolition)

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;

No work shall be carried out at any time on Sundays or Bank Holidays.

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

Ecology conditions will be provided on the update report

Heads of Terms for Section 106 Agreement

1. **Affordable housing**
 - 40% on-site affordable housing
 - 70:30 tenure split between social rented and intermediate
2. **Public open space**
 - Provision and transfer of public open space
 - Commuted sum of £22,000 towards the future maintenance of public open space.
3. **Pedestrian/cycle link**
 - Contribution of £4000 towards the construction of a new off-site footpath link into Coltsfoot Close.

Refusal Reasons

1. **Planning obligation**

The application fails to provide a Section 106 planning obligation to deliver necessary infrastructure and mitigation measures, including:

 - a) 40% on-site affordable housing (70:30 tenure split between social rented and intermediate), without which the proposal would be contrary to the National Planning Policy Framework, Policy CS6 of the West Berkshire Core Strategy 2006-2026, and the Council's adopted Planning Obligations SPD.
 - b) Provision, transfer and commuted sum for the maintenance of public open space within the development, without which the development would be contrary to the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy 2006-2026, Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Council's adopted Planning Obligations SPD.
 - c) A contribution of £4000 towards the provision of a new pedestrian/cycle access from the site to Coltsfoot Close, without which the development would be contrary to the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA15 of the Housing Site Allocations DPD 2006-2026, and the Councils adopted Quality Design SPD and Planning Obligations SPD.