

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	17/02093/OUTMAJ Newbury Speen	24 <sup>th</sup> October 2017 <sup>1</sup>	Outline planning application for up to 14 dwellings and associated works - all matters reserved except access.  Land off Lambourn Road, Speen, Newbury, Berkshire, RG20 8AA  Sir Richard Sutton Ltd

<sup>1</sup> Extension of time agreed with applicant until 7<sup>th</sup> November 2019

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/02093/OUTMAJ>

**Recommendation Summary:** To delegate to the Head of Development and Planning to **GRANT OUTLINE PLANNING PERMISSION** subject to conditions and the completion of a s106 legal agreement;

**Or**, if the s106 legal agreement is not completed, to delegate to the Head of Development and Planning to **REFUSE OUTLINE PLANNING PERMISSION**.

**Ward Member(s):** Councillor Lynne Doherty

**Reason for Committee Determination:** To be considered in parallel with planning application reference 17/02092/OUTMAJ (for 104 dwellings) with which it forms a wider housing land allocation that is subject to more than 10 letters of objection.

**Committee Site Visit:** 31 October 2019

#### Contact Officer Details

**Name:** Jay Singh  
**Job Title:** Consultant Planner  
**Tel No:** 01635 519111  
**Email:** Jay.singh1@westberks.gov.uk

## 1. Introduction

- 1.1 **Proposal summary** - This application seeks outline planning permission for the erection of 14 dwellings with all matters reserved except access. Access is for consideration but matters relating to appearance, landscaping, layout and scale reserved for determination at a later stage.
- 1.2 The application site forms part of a wider parcel of land that is allocated for approximately 100 dwellings. The remainder of the parcel of the land is subject a separate hybrid planning application under 17/02092/OUTMAJ for outline permission for 93 dwellings, new public open space; extension to existing allotments and a detailed application of 11 new dwellings, new access to Bath Road and associated works. The applicant has requested both applications are determined in parallel to ensure a comprehensive and cohesive development approach to the overall housing site allocation.
- 1.3 **Site description** - The application site comprises semi improved and species poor grassland covering approx. 0.72 hectare in area. The site topography gently slopes away from Lambourn Road with an increase in height of approx. 1.94m above the road. The site is bordered by housing to the south-east, mature trees protected by TPO and a redundant railway line to the south, and a live oil pipe (outside of the application site) that broadly follows the railway line near the site. The A34 with its embankment is located to the west and the Lambourn Road is to the north. Further south is the land parcel that is subject to planning application 17/02092/OUTMAJ as described above.
- 1.4 Beyond Lambourn road lies the Grade II Listed Registered Historic Park and Garden associated with Donnington Grove. The Grade I Listed Donnington Castle (also a scheduled Ancient Monument) is situated on higher land approx. 1km to the north. To the west, beyond the A34 and to the north is wider countryside designated as AONB. To the south/south-west approximately 200m away is a conservation area which contains several Grade II listed buildings.
- 1.5 The site has an existing field gate access from Lambourn Road adjacent to which is an existing Public Right of Way (PROW) Speen 7/1 that runs along the western portion of the site and then connects to the wider PROW network including Speen 37/1 (Lambourn Way) and Speen 7/2. The site is also within Flood Zone 1 (lowest risk of flooding) according to Environment Agency flood mapping.
- 1.6 **Proposal details** – The proposal is for the erection of 14 dwellings with all matters reserved except access. Affordable housing would be provided at 40% of the total number of units.
- 1.7 The access details comprise a new vehicular access onto Lambourn Road to the east of the A34 overbridge. The access is proposed as a priority controlled access junction with 2.4 x 43.0 metre visibility splays commensurate with the roads 30 mph speed limit. The proposed access would be provided with a 1.8 metre wide footway on either side of the access to connect to the existing footway along Lambourn Road. New traffic calming signage would be installed to the west of the proposed access at the start of the 30mph zone.
- 1.8 The existing public right of way travelling through the site will be upgraded to facilitate pedestrian and cycle connections to the existing PROW network beyond to the south and to be incorporated into the wider master planned layout proposed under planning application 17/02092/OUTMAJ.
- 1.9 The indicative plans and documents, which include development parameters, building heights and access, show the potential form of the scheme to include open space/SUDS

to the Lambourn Road frontage, 14 dwellings configured in a perimeter block layout served from a principal access road located along the western half of the site. The external form of the dwellings would draw on the local vernacular with up to 2 storey building heights and landscaping buffers with new trees/soft landscaping and retained hedgerows to the boundaries.

- 1.10 A full suite of supporting technical reports can be found on the council's website.

## 2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
17/02092/OUTMAJ	Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	Pending consideration

## 3. Procedural Matters

- 3.1 The application has been screened in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, which concluded that the proposed development is not "EIA development" and therefore an Environmental Statement is not required.
- 3.2 The application has been publicised in accordance with the legal requirements of the Town and Country Planning (Development Management Procedure) Order 2015, and the Council's Statement of Community Involvement. This has involved the display of site notices, notification letters sent to neighbours, and a notice being displayed in the Newbury Chronicle.
- 3.3 The proposed development would create new residential floor space that would be liable to CIL payments, which are administered in parallel to the application process. However, as the application is made in outline, the CIL liability will be determined at the reserved matters stage when the final floor space is confirmed.

## 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.

<b>Speen Parish Council</b>	No comments
<b>Newbury Town Council</b>	No objection, on condition that: 1) The arrangements to protect and record archaeology on the site are acceptable to the Archaeology Officer; 2) Suitable traffic control is constructed at the Bath Road* entrance to the site, taking account of the curvature and slope of the road at that point and the speed and volume of traffic.
<b>Shaw Cum Donnington Parish Council</b>	No objection
<b>WBC Highways:</b>	No objection subject to conditions and planning obligations.
<b>WBC Waste Management</b>	No objection subject to conditions
<b>WBC Drainage</b>	No objection subject to conditions
<b>WBC PROW</b>	No objection subject to conditions
<b>WBC Education</b>	No objection
<b>WBC Ecology</b>	No objection subject to conditions
<b>WBC Housing</b>	No objections subject to planning obligation to secure affordable housing. Detailed requirements provided.
<b>WBC Landscape</b>	No objection subject to conditions
<b>WBC Archaeology</b>	No objection
<b>WBC Planning Policy</b>	No comments
<b>WBC Transport Policy</b>	No objection subject to conditions
<b>WBC Environmental Health</b>	No objection subject to conditions
<b>Highways England</b>	No objection
<b>Environment Agency</b>	No objection subject to conditions
<b>Historic England</b>	No comments
<b>Ramblers Association</b>	No comments
<b>CLH Pipeline</b>	Proposal may affect CLP Pipeline and associated 6m wide

<b>System</b>	easement strip. Developer should contact CLP operator for advice.
<b>Natural England</b>	No objection subject to conditions
<b>Thames Water</b>	No objection
<b>Royal Berkshire Fire and Rescue Service</b>	No objection

### ***Public representations***

4.2 Representations have been received from 6 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:

- Unsafe access arrangements and excessive traffic generation that would have an adverse impact on highway safety within the local highways infrastructure
- Adverse impact on the character and appearance of the area with the supporting LVIA not adequately assessing the impact of the proposal
- Adverse on neighbouring residential amenity from increased noise and disturbance, loss of privacy, outlook, air pollution from the development itself and from the associated construction period.
- Proposal would result in the creation of an unsatisfactory living environment for future occupiers including from unacceptable noise and air pollution due to the proximity to the A34, as such further assessments are required to confirm the relevant mitigation.
- Poor and unsafe pedestrian linkages to the site resulting in future occupiers being dependent on unsustainable car borne travel.
- Lack of public transport with infrequent bus services which are often full.
- Damage to the highways from excessive vehicle movements generated by the proposal.
- Inadequate car parking provision to meet the needs of the development.
- Adverse ecological impact/effect on biodiversity within the site.
- Adverse impact on the rural landscape.
- The application site forms an important buffer between the A4/A34/slip road and residential housing which was indicated to be preserved as a buffer when the road link to A34 was built here.
- The proposal would lead to the loss of valuable open space.
- Increased anti-social behaviour and crime.
- Lack of social infrastructure/public services to meet the needs of future occupiers of the development including capacity within local GP surgeries and schools.
- Adverse archaeological impact on a site that was one of the historical sites for the Battle of Newbury.
- Adverse impact on trees
- Harm to the conservation area
- Harm to the setting of Donnington Castle (scheduled Monument and Listed Building) and Donnington Grove (registered park).
- Inadequate water supplies on site for the purposes of fire-fighting which needs to be addressed.

- No information or mitigation measures to avoid impact on the CLH pipeline have been taken into account by the proposal.
- Lack of supporting assessments/information to demonstrate the proposal would not have an adverse ecological impact
- Proposal would have an adverse social impact on the community
- Lack of public consultation by the applicant and the council on the proposals
- Newbury Town Council and WBC should re-consider the application once it is supported by adequate supporting information.
- Adverse landscape and visual impact.

## 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, ADDP2, ADDP5, CS1, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies GS1, HSA2, C1, 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)
- North Wessex Downs AONB Management Plan 2014-19
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Speen Village Design Statement (2002)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development;
- Highways matters;
- Character and appearance;
- Functional design;
- Public open space and green infrastructure;
- Housing mix;
- Affordable housing;
- Heritage assets;
- Residential amenity;
- Flood risk and sustainable drainage;
- Social infrastructure;
- Water supply and waste water;

- Employment and the economy;
- Sustainable construction;
- Biodiversity;
- Trees and woodland;
- Planning obligations.

### ***Principle of development***

- 6.2 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory development plan provides an up-to-date framework for determining applications for housing development in West Berkshire and so attracts substantial weight in the decision making process. The housing supply policies which are relevant to this application are: Policies ADPP1, ADDP2 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policies GS1, HSA2 and C1 of the Housing Site Allocations DPD 2006-2026 (HSA DPD). Policies ADPP1 and ADPP2 comprise the spatial strategy for the district. New homes will be located in accordance with the settlement hierarchy (ADPP1) and area delivery plan policies (ADPP2).
- 6.3 According to Core Strategy Policy ADPP1, the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings. Significant intensification of residential (and other uses) will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to access them by public transport, cycling and walking are limited. Newbury is included on the first tier of the settlement hierarchy. It is thereby the focus for development within the district. Policy ADPP2 indicates Newbury will accommodate new housing development contributing to its role and function as the largest urban area in West Berkshire. The policy goes on to say, other development will come forward through the implementation of existing commitments together with infill development and the allocation of smaller extensions to the urban area in the Site Allocations and Delivery DPD.
- 6.4 According to Policy CS1, new homes will be located in accordance with the settlement hierarchy outlined in the Spatial Strategy and Area Delivery Plan Policies. New homes will be primarily development on (amongst others) land allocated for residential development in subsequent development plan documents.
- 6.5 According to Policy HSA DPD Policy C1, there is a presumption in favour of development and redevelopment of land within the settlement boundary of Newbury amongst other settlements. The settlement boundary includes the majority of the application site, but excludes a broadly L shaped area of 0.28ha to the western and northern boundary of the site to Lambourn Road which includes the proposed access and indicative location for SUDS and open space infrastructure.
- 6.6 As indicated above, consistent with the above strategic housing policies, the application site, measuring 0.72ha forms part a wider land parcel with a developable area of 4.8ha that has been allocated for approximately 100 dwellings under Policy HSA2 of Housing Site Allocations DPD (2006-2026) subject to meeting the environmental parameters of the policy.
- 6.7 The remainder of the wider land parcel is under consideration for housing development as part of planning application reference 17/02092/OUTMAJ). According to the policy, the site has a developable area of 4.8 hectares, and would provide approximately 100 dwellings. The site has been allocated on the basis that it is consistent with the spatial strategy for the district, including Core Strategy Policies ADPP1 and ADPP2.

- 6.8 The proposal is for 14 dwellings which would accord with the overall allocation housing application of the site. The other environmental criteria of the policy are considered further below.
- 6.9 It is recognised that part of the application site lies outside of the settlement boundary for Newbury in conflict with Core Strategy Policy CS1. However, as Policy HSA2 of the Housing Site Allocation DPD allocates the application site in its entirety for housing with associated infrastructure, and is the more up to date document, more weight is attributed to policy HSA2 in balancing the conflict between different policies of the development plan in these particular circumstances.
- 6.10 Policy GS1 of the HSA DPD indicates, all housing sites will be developed in accordance with the West Berkshire development plan and adopted SPDs and SPGs. Each allocated site will be master-planned and delivered as a whole to achieve a comprehensive development that ensures timely and coordinated provision of infrastructure, services, open space and facilities. This application has come forward with an accompanying planning application (17/02092/OUTMAJ) to ensure this comprehensive approach to development is achieved. Policies GS1 and HSA2 provide criteria with which the proposal must comply; these issues are examined further below. In this regard, whilst the proposal have come forward in conjunction with another planning application, the supporting information demonstrates a master plan led approach to the development of the site in accordance with the overall objectives of Policy GS1.
- 6.11 For these reasons, the proposed development is considered acceptable in principle subject to the detailed material considerations set out below.

### **Highways Matters**

- 6.12 According to Core Strategy Policy CS13, development that generates a transport impact will be required to (amongst others): reduce the need to travel; improve and promote opportunities for healthy and safe travel; and demonstrate good access to key services and facilities.
- 6.13 Policy HSA2 allocates the site (as part of the wider land parcel under consideration by planning application reference 17/02092/FULD) for approximately 100 dwellings, and therefore the traffic impacts of the proposed development on the local highway network, and the location terms of its accessibility by sustainable modes of transport, have already been judged to be acceptable through the plan-making process.
- 6.14 Policy HSA2 indicates vehicular access should be explored from Lambourn and Bath Road. This proposal includes a vehicular access from Lambourn in accordance with the policy. The access is proposed as a priority controlled access junction with 2.4 x 43.0 metre visibility splays with a 1.8 metre wide footway on either side of the access to connect to the existing footway along Lambourn Road. New traffic calming signage would be installed to the west of the proposed access at the start of the 30mph zone.
- 6.15 The existing public right of way 'Speen 7/1' travelling through the site will be upgraded to facilitate pedestrian and cycle connections to the existing PROW network beyond to the south and to be incorporated into the wider master planned layout proposed under planning application 17/02092/OUTMAJ.
- 6.16 The proposed access arrangements has been carefully considered by the Council's Highway Team who consider subject to financial contributions to enable the upgrading of the PROW Speen 7/1 to an adoptable standard and towards improving community bus services and the imposition of planning conditions to secure physical bus infrastructure on surrounding roads (including new road markings, raised kerbs, tactile paving, amongst others), a construction management plan, electric car charging points,

parking and turning areas, cycle storage, visibility splays, new traffic calming signage on Lambourn Road, amongst other details, the proposal is considered acceptable in terms of highways impact.

- 6.17 In terms of refuse storage and parking provision, whilst the proposal is in outline form, the illustrative layout information demonstrates the site would have sufficient capacity to meet the refuse storage, off-road cycle and car parking provision requirements of development.
- 6.18 For the above reasons, taking into account any cumulative impacts, the proposal would not have an adverse impact on highway safety and the free flow of traffic within the local highways infrastructure, and would provide satisfactory off cycle and car provision to meet the needs of future occupiers in accordance with the provisions of Policy CS13, HSA2 and the National Planning Policy Framework.

### **Character and Appearance (including impact on the setting of AONB)**

- 6.19 According to Core Strategy Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Development proposals will be expected to (amongst others) make efficient use of land whilst respecting density, character, landscape and biodiversity of the surrounding area.
- 6.20 Policy ADDP5 seeks to ensure development proposal conserve to conserve the scenic beauty and distinctive character of the AONB. The NPPF gives the highest status of protection for the landscape and scenic beauty of AONBs, and states their conservation should be given great weight in planning decisions. The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.
- 6.21 Policy HSA2 indicates that the wider housing land allocation covering a developable area of 4.8HA (this application covers 0.72ha) will be developed in accordance with the Landscape Capacity Assessment (2015) which will ensure development conserves and enhances the landscape edge to Speen and that the existing character of Speen and west Newbury is maintained. The scheme would need to meet meet the following criteria, amongst others:
- Limitation of built form to below the higher ground as shown in the site plan to avoid introducing prominent development on the skyline;
  - Retention of the allotments in situ, with consideration of additional provision;
  - A tree planted landscape buffer to the A34, slip road and A4 to maintain the rural character of the western approach into Newbury;
  - Tree belts to be provided to the rear gardens of the adjacent houses linking into the tree line along the former railway line;
  - The rural character of the existing Public Rights of Way across the site will be protected.
- 6.22 The policy is supported by a development parameters plan that indicates the developable area, landscape buffers, access points and PROWs.
- 6.23 According to Part 1 of the Quality Design SPD, new development should begin with an understanding of the area's existing character and context and its design should evolve from West Berkshire's rich landscape and built heritage. Development should seek to complement and enhance existing areas, using architectural distinctiveness (through

construction materials and techniques) and high quality urban design, to reinforce local identity and to create a sense of place.

- 6.24 The Speen Village Design echoes the above design considerations. It describes the character of Speen and highlights features of the village that are valued by locals. The statement offers guidelines on future development in the village to ensure the preservation of the village character and contribution towards the improvement of design in the area.
- 6.25 The North Wessex Downs AONB includes the landscape to the north beyond Lambourn Road and the A34. The application site itself is located outside of this designated landscapes. However, due to the immediately proximity the impact on their setting is an important material consideration. In this regard, any views of the built development would be seen in the context of existing residential form where any impact would not be significant. The supporting development parameters plan and indicative layout further demonstrate that subject to relevant mitigation measures such as new landscaping, retention of tree cover to the boundaries, the proposal would conserve the setting of the AONB and landscape character.
- 6.26 Whilst the proposal is in outline form, based on the indicative details, the proposal would accord with detailed criteria set out in policy HSA2 in that it would be comply with the Landscape Capacity Assessment (2015), would avoid built form on higher ground, would not affect the allotments in situ, help maintain a tree planted landscape buffer to the A34/slip road and provide opportunities for additional tree belts to be provided to the rear gardens of the adjacent houses linking into the tree line along the former railway line.
- 6.27 In terms of the impact on the character and appearance of the surrounding built form, modern residential housing adjoins the site to the south-east. The proposed development would form a small new residential estate on the north-western edge of the existing settlement. Whilst the indicative plans show a development would be slightly denser than existing housing within relatively larger plots along Lambourn Road, having regard to the illustrative information accompanying this application it is considered that the proposal would harmonise with the surroundings.
- 6.28 The proposal would have an adverse impact on views for users of the PROW going through the site and local network associated with the change of the site from an undeveloped grassland to housing development with associated vehicular access. However, it is recognised that the PROW would also be upgraded to facilitate improved pedestrian and cycle access which would be balanced against this harm. Some harmful visual change would also be experienced from the occupiers of nearby properties and the users of the Lambourn Road.
- 6.29 Due to the enclosure of the site by topography, landform and vegetation, the visual effects are confined to receptors within or immediately adjoining the site. In other longer distance views such as visitor's views from Donnington Castle, there would be some harmful change due to the elevation of the viewpoint. The harmful impact would however reduce in the longer term to acceptable level taking into account the development of intervening vegetation and planting within and around the development.
- 6.30 Overall, it is considered that there is sufficient opportunity for a detailed design to be formulated within the proposed parameters set out in HSA Policy 2. It is also considered that the proposed development is capable of respecting the character and appearance of the area and would conserve the AONB subject to detailed design in accordance with the aforementioned policies.

### **Functional Design**

6.31 According to Core Strategy Policy CS14, good design relates not only to the appearance of a development, but the way in which it functions. According to paragraph 127 of the NPPF, planning decisions should ensure that developments (amongst others):

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.32 Part 1 of the Quality Design SPD provides key urban design principles to ensure that a development functions well in line with the development plan and consistent with the NPPF. Part 2 provides urban design principles specific to residential development.

6.33 Notwithstanding this is an outline application with detailed design considerations for determination at the later stage, the proposal would achieve a density of around 20 dwellings per hectare with the indicative layout ensuring the need to make efficient use of land but at the same time respecting the settlement edge location and the surrounding pattern of development.

6.34 In terms of appearance, the surrounding built form has a variety of architectural design and form, of varying quality. In this context, a modern high quality residential development would harmonise with the surroundings subject to detailed consideration at the reserved matters stage. In respect of landscaping, the supporting masterplan demonstrates ample areas would be provided in terms of open space, landscape buffers, green infrastructure and soft planting to ensure the proposal is acceptable in respect of these issues at the reserved matters stage. In relation to scale, a building heights parameters plan is provided to ensure development is restricted to 9m (two-storey) the supporting information suggests this would respond to the surrounding built form and particular characteristics of the site.

6.35 Overall, the application site has sufficient capacity to could accommodate a high quality development that would harmonise with the surroundings.

### **Public Open Space and Green Infrastructure**

6.36 According to Core Strategy Policy CS18, new developments will make provision for high quality and multifunctional open spaces of an appropriate size and will also provide links to the existing green infrastructure network. Public open space is not a specific requirement of Policy HSA2; however, Policy GS1 makes clear that all allocated housing sites will be delivered in accordance with the development plan and adopted SPDs.

6.37 Policy RL.1 of the West Berkshire District Local Plan provides a policy requirement for public open space. Based on the proposed number of dwellings and the typical housing mix, the proposal would generate requirement of up to 0.16 hectares of public open space. According to Part 1 of the Quality Design SPD, designers and developers should create a positive relationship between local open spaces and new development. Open space has the potential to perform a number of functions at various scales, including formal parks and gardens, green corridors, amenity green space, provision for children and teenagers and civic spaces. All open space has the potential to benefit wildlife and

biodiversity. Small areas of open space provide an important local amenity and for opportunities for recreation and play. In addition to its recreation role, open space can act as focal points within the development and as green 'lungs' providing a break in the urban fabric. Some buildings within a development should front on to the spaces to provide security and surveillance. Boundary treatments along development edges will require careful consideration and will need to reflect the prominence of the edge, activities within the spaces and the design approach of the particular character area.

6.38 Whilst the layout of the proposed development is reserved for consideration at a later stage where the precise specification and configuration of public open space would be agreed, the indicative layout shows 0.16 hectares open space would be provided within the around the site. The level of provision is considered acceptable and in accordance with the provisions of Policy RL.1. It is also recognised that application reference 17/02092/OUTMAJ, which forms part of the overall housing land allocation, proposes approx. 2.6 hectares of open space which future residents would have access to.

6.39 The proposal would also provide new tree planting to the boundaries of the site which provide further green infrastructure and opportunities of biodiversity within the site.

6.40 The proposal would ensure the provision of satisfactory open space on this development as well additional green infrastructure and landscape buffers, with the finer details being resolved at the reserved matters stage. It would be necessary to secure the provision, transfer and management arrangements by way of planning obligations at the outline application stage.

#### 6.41 **Housing Type and Mix**

6.42 Core Strategy Policy CS4 states that residential development will be expected to contribute to the delivery of an appropriate mix of dwelling types and sizes to meet the housing needs of all sectors of the community, including those with specialist requirements. The mix on an individual site should have regard to:

- The character of the surrounding area.
- The accessibility of the location and availability of existing and proposed local services, facilities and infrastructure.
- The evidence of housing need and demand from Housing Market Assessments and other relevant evidence sources.

6.43 Development proposals will be expected to demonstrate how these matters have been addressed within the proposed dwelling mix.

6.44 The surrounding area is characterised by family houses, predominantly detached and semi-detached in the immediate vicinity along Lambourn Road. The location is considered to be relatively accessible and to benefit from the availability of existing local services, facilities and infrastructure within a short travel distance. The illustrative layout shows a mix of detached and semi-detached houses that make efficient use of the site.

6.45 Evidence of housing need is contained within the 2016 Berkshire Strategic Housing Market Assessment (SHMA). This indicates a need for all types of dwelling sizes including 2 and 3-bed houses. It is considered that the proposed mix of family housing would have sufficient regard to the SHMA, although the precise mix would be subject to consideration at the reserved matters stage.

#### **Affordable Housing**

6.46 The NPPF supports the delivery of affordable housing that meets a recognised housing need in the District. The Council's policy for affordable housing provision is set out in

Core Strategy Policy CS6. It enables the authority to seek affordable housing either on site or as a financial contribution in lieu of on-site provision on sites of 5 units or more. The contribution levels for affordable housing are as follows (this contribution is rounded up or down to the nearest whole unit) 15 or more units or 0.5 ha or more 30% affordable housing on brownfield sites or 40% on greenfield land.

- 6.47 The Planning Obligations Supplementary Planning Document (SPD) was formally adopted by the Council on the 11th December 2014. This provides guidance to landowners, developers and West Berkshire residents about the use of developer contributions after the implementation of the Community Infrastructure Levy (CIL). It sets out the Council's policy to securing affordable housing contributions and it states that affordable housing should be provided on site unless there are exceptional circumstances, or where alternatives, such as replacement provision on a separate site would better meet the Council's strategic objectives
- 6.48 The application site comprises greenfield land in excess of 0.5ha and the scheme should make affordable housing provision at 40% of the total number of units having regard to the requirements of policy CS6 which equates to a total of 6 affordable housing units. Furthermore, a tenure split of 70:30, social rented to intermediate affordable housing is stipulated by Policy CS6 in light of evidence on local need. The proposal would provide 6 affordable units (4 social rented and 2 intermediate housing) as such it would accord with the requirements of the Core Strategy Policy CS6.
- 6.49 Whilst layout is not for consideration at this time, the indicative supporting plans demonstrate that affordable housing could be pepper potted across the development site to ensure it is integrated properly with the development as a whole.
- 6.50 For these reasons, a policy-compliant level of affordable housing is proposed in accordance with the requirements of policy CS6 and the Planning Obligations SPD subject to imposition of conditions to ensure an appropriate layout is secured at the reserved matters stage and the completion of an acceptable s106 legal agreement.
- 6.51 Historic Environment**
- 6.52 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a "General duty as respects listed buildings in exercise of planning functions." Subsection (1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
- 6.53 Similarly Section 72 subsection (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a comparable requirement relating to Conservation areas and provides "In the exercise, with respect to any buildings or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."
- 6.54 Policy CS.19 of the Core Strategy seeks the conservation and, where appropriate, enhancement of heritage assets and their settings including Listed Buildings, Scheduled monuments, Conservation Areas, Historic Parks and Gardens, Registered Battlefields (Newbury 1), amongst others. Paragraphs 184 - 192 of the NPPF seek to protect heritage assets. Paragraph 196 indicates where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 6.55 Policy HSA2 says development would protect and enhance the special architectural and historic interest of the Speen Conservation Area. It goes on to say, development

proposals within the site shall be informed by an archaeological assessment to assess the historic environment potential of the site.

- 6.56 As indicated above, beyond Lambourn road lies the Grade II Listed Registered Historic Park and Garden associated with Donnington Grove. The proposal would introduce a small residential estate development into the setting of the park but taking into account the intervening Lambourn Road, new proposed soft landscaping and restrictions on the height and density of development within the site, the setting of the park would be preserved.
- 6.57 In respect of other heritage assets including the Grade I Listed Donnington Castle (also a scheduled Ancient Monument) which is located 1km away to the north and a conservation area which contains several Grade II listed buildings located 200m to the south/south-west taking into account the intervening separation distances, the settings of these heritage assets would be preserved
- 6.58 It is recognised that the site is located within the area of the Second Battle of Newbury. Whilst this is not a Registered Battlefield, nor currently a locally listed heritage asset, there is still potential for archaeological evidence. The applicant has therefore provided an archaeological evaluation, geophysical survey and desk based heritage assessment in support of application.
- 6.59 The Council's Archaeological Officer has reviewed the application using the approach set down in the NPPF including submitted investigations and has checked the proposed development against the information the Council currently holds regarding the heritage assets and historic land uses in this area. This evidence suggests that there would be no major impact on any features of archaeological significance on the application site. The Archaeological Officer is therefore satisfied that no further archaeological assessment or programme of investigation and recording is necessary for the proposed development.
- 6.60 For these reasons, the proposal complies with Core Strategy Policy CS19, HSA Policy 2 and the National Planning Policy Framework in terms of conserving the historic environment.

### **Residential Amenity**

- 6.61 According to paragraph 127 of the NPPF, planning decisions should ensure that developments create places with a high standard of amenity for existing and future occupiers. According to Core Strategy Policy CS14, new development must make a positive contribution to the quality of life in West Berkshire. As such, the impacts on neighbouring living conditions in terms of any loss of light, loss of privacy, loss of outlook, any overbearing impacts, or any significant noise and disturbance, are material considerations. The Council's adopted Quality Design SPD and House Extensions SPG provide guidance on such matters that may be applicable to all development proposals
- 6.62 Policy HSA2 of the Housing Site Allocations DPD indicates the development proposals within the site shall be informed by noise and air quality surveys which will advise on appropriate mitigation measures given the proximity of the site to the A34. In this regard, satisfactory noise and air surveys have been provided in support of the application.
- 6.63 The supporting layout plans, whilst only indicative at this stage, demonstrate future occupiers would have good access to appropriate levels of internal and external amenity space. The finer details would be agreed at the reserved matters stage.
- 6.64 The illustrative layout plans also demonstrate the proposed dwellings would maintain adequate separation distances from existing housing ensuring no material impact on

neighbouring residential amenity by way of loss of light, outlook or privacy, or result in any significant overbearing impact.

- 6.65 It is noted there would be increase in traffic movements along the section of Lambourn Road where the proposed vehicular access would be situated. However, the overall increase in the level of traffic movements would not be so significant such that it would materially harm neighbouring residential amenity in terms of noise and disturbance.
- 6.66 The proposal is supported by noise surveys which recognise that future residents could be affected by excessive noise from the nearby A34. However, it is considered any significant impact can be mitigated e.g. through combination of internal layout, double glazing and fencing with the finer details secured via planning condition.
- 6.67 In terms of air quality, the supporting surveys indicate future residents would not be exposed to high levels of pollution from traffic such that it requires mitigation. However existing residents close to the site would need to be protected from construction generated dust which can be mitigated through the implementation of a construction environmental management plan (CEMP) secured via planning condition. The CEMP could also control other details such as hours of operation, deliveries, etc to further help protect neighbouring residential amenity from adverse impacts associated with the construction process.
- 6.68 In respect of land contamination, it is noted that there are a number of potential contamination linkages. However, there is a low risk to human health and controlled waters across the site except in the vicinity of the historic railway and from any redundant oil pipes near to the site. Potential risks can be managed through remediation where required through the use of planning conditions.
- 6.69 The Councils Environmental Health Team have reviewed raised no objections to the proposal subject to the imposition of planning conditions to secure details of noise mitigation to the dwellings, a construction management plan, restrictions on hours of work and remediation of any contaminated land. This approach is also supported by the Environment Agency.
- 6.70 For these reasons, the proposal would have an acceptable impact on neighbouring residential amenity and would result in the creation of satisfactory living environment for future occupiers.

### **Flood risk and Sustainable Drainage**

- 6.71 According to Core Strategy Policy CS16, the sequential approach in accordance with the NPPF will be strictly applied across the District. Development within areas of flood risk from any source of flooding, including Critical Drainage Areas and areas with a history of groundwater or surface water flooding, will only be accepted if it is demonstrated that it is appropriate at that location, and that there are no suitable and available alternative sites at a lower flood risk. Core Strategy Policy CS16 also requires that all developments incorporate sustainable drainage techniques. The Planning Practice Guidance supports this position for major developments
- 6.72 The site is located in Flood Zone 1 (lowest risk of flooding) according to Environment Agency Flood Mapping and where the existing flood risk posed to the proposed development from all flooding sources is assessed to range from negligible to low.
- 6.73 The proposal indicates that surface water generated by the proposed development would discharge into the ground via a SUDS infiltration basin. The combination of permeable paving and infiltration basins would ensure that the increase in surface water generated by the proposal can be sustainably managed without resulting in an increase

in flood risk. The finer details of the drainage strategy will be undertaken at the detailed design stage.

- 6.74 The LFFA have carefully considered the proposal and raised no objections subject to planning conditions securing details of the finer drainage strategy. The EA has confirmed that it raises no objections to the proposed development subject to relevant advice notes (which relate to other non-flooding matters dealt with elsewhere in this report).
- 6.75 For these reasons, the proposal would not have an adverse impact on flooding within the site or locality in accordance with the provisions of Core Strategy Policy CS16 and the NPPF.

### **Social Infrastructure**

- 6.76 According to Core Strategy Policy CS5, the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery, whilst protecting local amenities and environmental quality.
- 6.77 Consultation requests have been sent to Thames Water, Education and Royal Berkshire Fire and Rescue Service (RBFRS) in respect of infrastructure requirements.
- 6.78 Given the number of houses proposed, any increases in local school capacity would be incremental and so mitigation may be funded through CIL. Only extensions to schools made necessary by a specific development will fall within the scope of S106.
- 6.79 No response has been received from the NHS Care Commissioning Group. However, given the number of dwellings proposed, it is considered that the development would have a strategically incremental impact on local healthcare facilities. According to the Planning Obligations SPD, only extensions and/or new doctor surgeries required directly as a result of a development will fall within the scope of S106, whereas, increasing capacity at local surgeries falls within the scope of CIL.

### **Water Supply and Wastewater**

- 6.80 Adequate water and wastewater infrastructure is needed to support sustainable development. Thames Water are the statutory undertaker for water supply and wastewater in the area, and have therefore been consulted on this application and confirm that they have no objections in terms of water network infrastructure capacity and sewerage capacity subject to relevant informative notes.
- 6.81 Royal Berkshire Fire and Rescue Service have advised that the site does not currently have sufficient emergency water supplies, and seeks a requirement for private fire hydrants and emergency water supplies if a public main is not installed as part of the development. This matter that can be mitigated through the imposition of planning condition securing details of emergency water supplies.
- 6.82 According to Policy GS1 of the HSA DPD, which applies to all allocated housing sites, an integrated water supply and drainage strategy will be provided in advance of development to ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site. Development will be occupied in line with this strategy. All sites that are not connected to the mains sewerage system will ensure there are no deleterious effects to Special Areas of Conservation (SACs) and river and wetland Sites of Special Scientific Interest (SSSIs). It is considered that the Thames Water requirements can be stipulated in this a planning conditions requiring the prior approval of an integrated water supply and drainage strategy.

## **Employment and the Economy**

- 6.83 Notwithstanding the application site is allocated for housing such that the principle of residential development is accepted through the plan making process, the construction of new homes would provide an economic benefit, in terms of increased spend within the local economy from the proposed additional population, and in terms of short term employment opportunities for contractors, sub-contractors, and any other construction service engaged by the works.
- 6.84 For these reasons, the proposal would not conflict with the overall aims and objectives of the National Planning Policy Framework (2019).

## **Sustainable construction**

- 6.85 According to Core Strategy Policy CS15, new residential development will meet a minimum standard of Code for Sustainable Homes Level 6. However, the Written Ministerial Statement of 25<sup>th</sup> March 2015 withdraws the Code for Sustainable Homes. According to the Planning Practice Guidance, local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans. There is no current policy with the statutory development plan that is consistent with this guidance.
- 6.86 Core Strategy Policy CS15 also requires major development to achieve minimum reductions in carbon dioxide emissions from the use of renewable energy or low/zero carbon energy generation on site or in the locality. For residential development the policy requirement is zero carbon. Following the withdrawal of the Code for Sustainable Homes, the baseline for this assessment no longer exists for the residential element of the development, and as such compliance is not possible for practical reasons.

## **Biodiversity**

- 6.87 According to Core Strategy Policy CS17, biodiversity assets across West Berkshire will be conserved and enhanced. The development of this site would not directly or indirectly impact upon any international, European, nationally or locally protected sites of ecological interest. However, Policy HSA2 requires the scheme to be supported by an extended phase 1 habitat survey, together with further detailed surveys arising from that as necessary. Appropriate avoidance and mitigation measures will need to be implemented to ensure any protected species are not adversely affected.
- 6.88 The application is supported ecological surveys (including updates in April 2019) that have been carefully considered by the Councils Ecology team who raise no objection subject to conditions controlling external lighting, provision of bat boxes, reptile protection measures amongst other mitigation measures. Furthermore, Natural England raise no objection to the application subject to conditions to mitigate any impact from SUDS, sewerage infrastructure, construction activities on biodiversity, water quality and the River Lambourn SSSI/SAC which is located approx. 380metres away to the north-east.
- 6.89 According to the NPPF, planning decision should contribute to and enhance the natural and local environment by (amongst others) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Similarly, Policy CS17 states that in order to conserve and enhance the environmental capacity of the district, all new development should maximise opportunities to achieve net gains in biodiversity. Whether or not this specific scheme can achieve net gains in biodiversity will depend on the detailed design.

It is therefore appropriate to defer full consideration of this matter until reserved matters stage. This can be secured by condition.

- 6.90 Subject to planning conditions and an s106 obligation to mitigate the impact of the development, and to secure appropriate enhancements, it is considered that, overall, the proposed development is capable of complying with Policy CS17 in terms of conserving and enhancing local biodiversity.

### **Trees and Woodland**

- 6.91 The application is supported by an Arboricultural report which includes a tree survey, tree constraints and tree protection plan, which have been undertaken in accordance with BS5837:2012. This information relates to the indicative layout. The report indicates 5 grade C trees would be removed to facilitate the proposed development. All remaining trees would be retained and protected during construction and the proposal is considered compatible with their existing and future growth.
- 6.92 The Council's Tree Officer has assessed the tree report and does not raise any objections to its conclusions. The removal of trees and existing planting is considered acceptable to facilitate the proposed development. The supporting tree protection plan demonstrates this can be achieved with the finer details to be agreed at the reserved matters stage when the final layout is agreed. Further tree protection measures such as can also be secured via planning condition.
- 6.93 The supporting indicative masterplan demonstrates areas for new tree planting within and which would off-set at loss of trees and result in a net gain in tree planting within the site overall as part of the reserved matters relating to landscaping.
- 6.94 For these reasons, it is considered that retained trees would be adequately safeguarded from any potential adverse effects and a net gain in trees planting would be achieved within the site to off-set any removed trees in accordance with the provisions of policy CS18 and the NPPF.

### **S106 Heads of Terms**

- 6.95 This report has identified a number of planning obligations that will be necessary to make the development acceptable in planning terms. It is considered that these obligations are also directly related to the development, and fairly and reasonably related in scale and kind to the development. Accordingly, the following s106 Heads of Terms comply with the statutory CIL tests and the NPPF.

<b>Issue</b>	<b>Details</b>
Affordable Housing	Obligations to secure: <ul style="list-style-type: none"> <li>• Total provision of 8 affordable housing units on-site;</li> <li>• Comprising 4 social rented units and 2 units of an intermediate form of affordable housing; and</li> </ul>
Public Open Space, Landscape Buffers/Green Infrastructure and SUDS/Drainage	Obligations to secure: <ul style="list-style-type: none"> <li>• The provision of public open space, landscape buffers/green infrastructure and SUDS/drainage measures in accordance with details agreed at reserved matters stage and pursuant to conditions.</li> <li>• The long term governance and maintenance of the public open space, landscape buffers/green infrastructure and SUDS/drainage measures (e.g. a management company or transferred to the Council).</li> </ul>

	<ul style="list-style-type: none"> <li>In the event that the public open space, landscape buffers/green infrastructure and/or SUDS/drainage measures are transferred to the Council, the provision of a commuted sum for maintenance (calculated in accordance with the Planning Obligations SPD).</li> </ul>
Highways	<ul style="list-style-type: none"> <li>£9,240 per annum for 5 years towards to Community bus service (Total £46,200);</li> <li>£100,000 towards upgrading the Public Right of Way Speen 7/1 to adoptable standard for use by pedestrians and cyclists.</li> </ul>

## 7. Planning Balance and Conclusion

- 7.1 Having taken account of all the relevant planning policy considerations and other material considerations set out above, it is considered that the proposed development complies with the development plan when considered as a whole and is therefore recommended for approval.

## 8. Full Recommendation

- 8.1 PROVIDED THAT a Section 106 Agreement has been completed by 7 March 2020 (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 Western 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**

1.	<p><b>Reserved Matters Submission</b></p> <p>No development hereby permitted shall take place until details of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) of development have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>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).</p>
2.	<p><b>3 years Submission Limit For Approval of Reserved Matters</b></p> <p>Application for approval of all the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.</p> <p>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).</p>
3.	<p><b>Time Limit</b></p>

	<p>The development hereby permitted shall commence before the expiration of three 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, whichever is the later.</p> <p>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).</p>
4.	<p><b>Total Number of Units</b></p> <p>The number of dwellings hereby permitted shall not exceed 14 in total.</p> <p>Reason: For the avoidance of doubt and to ensure the satisfactory development of the site.</p>
5.	<p><b>Approved plans</b></p> <p>The development hereby permitted shall be carried out in accordance with the approved plans listed below:</p> <ul style="list-style-type: none"> <li>• Site location plan - SUTT150715 SLP LR-01</li> <li>• Lambourn Road access – 0733 SK 007 rev A</li> </ul> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
6,	<p><b>Approved Development Parameters</b></p> <p>The reserved matters submitted pursuant to condition 1 shall be in accordance with the following Development Parameter Plans:</p> <ul style="list-style-type: none"> <li>• Land use plan – 1361 P1 01 rev A</li> <li>• Building heights – 1361 P1 02 rev B</li> <li>• Access parameters – 1361 P1 03</li> <li>• Hybrid parameters – 1361 P1 04</li> </ul> <p>Reason: The parameters shown on this drawing are necessary to ensure the development achieves an acceptable standard of design, which complies with the National Planning Policy Framework, Policies ADPP1, ADPP2, ADDP5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
7.	<p><b>Housing Mix and Tenure Plan</b></p> <p>Prior to the above foundation level works commencing, a schedule of the housing units (housing mix) and a Tenure Plan shall have first been submitted to and approved in writing by the Local Planning Authority. The Tenure Plan shall show the tenure of the eventual dwelling on each plot social/affordable rent and shared ownership. Thereafter the development shall not be carried out except in accordance with the approved details.</p> <p>Reason: Because insufficient information has been submitted to ascertain the tenure of development. This information is required at this stage because it may affect considerations of the site layout and because it has site wide implications that need to be determined at the outset of detailed design (e.g. affordable housing distribution) in accordance with the provisions of the National Planning Policy Framework, Policies</p>

	CS4, CS6 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy HSA2 of the Housing Site Allocations DPD 2006-2026, the West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).
8	<p><b>Levels</b></p> <p>No development on any dwelling hereby permitted shall take place until details of the finished floor levels of that dwelling in relation to existing and proposed ground levels of adjoining dwellings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: Insufficient information on levels has been provided as part of the application. This information is required to ensure satisfactory relationships with neighbouring properties in order to safeguard residential amenity, to ensure the levels/heights respect the character and appearance of the area including the AONB, and the setting of the heritage assets. This information is needed at this stage because of the site-wide implications of levels of the layout of the development in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, the West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
9.	<p><b>Visibility Splays Before Development</b></p> <p>No development hereby permitted (other than works to implement the visibility splays hereby described) shall take place until visibility splays of 2.4 metres by 43.0 metres have been provided at the approved access into the site from Lambourn Road. The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres above the carriageway level.</p> <p>Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
10.	<p><b>Lambourn Road Access</b></p> <p>No dwelling hereby permitted shall be occupied until the Lambourn Road access has been constructed in accordance with approved drawing reference 0733 SK 007 rev A.</p> <p>Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
11.	<p><b>Off - Site Highway Works</b></p> <p>No dwelling hereby permitted shall be occupied until a Section 278 Agreement has been signed and provided to procure the following works:</p> <p>As a first operation:</p> <ul style="list-style-type: none"> <li>• Vehicular and footway access onto Lambourn Road with 30mph signs and gateway feature.</li> </ul> <p>Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>

12.	<p><b>CONS1 - Construction method statement</b></p> <p>No development hereby permitted shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority.</p> <p>The development shall be carried out in accordance with the approved Construction Method Statement. The Construction Method Statement shall provide for:</p> <ul style="list-style-type: none"> <li>(a) Construction site accesses</li> <li>(b) The parking of vehicles of site operatives and visitors</li> <li>(c) Loading and unloading of plant and materials</li> <li>(d) Storage of plant and materials used in constructing the development</li> <li>(e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing</li> <li>(f) Wheel washing facilities</li> <li>(g) Measures to control the emission of dust and dirt during construction</li> <li>(h) A scheme for recycling/disposing of waste resulting from demolition and construction works</li> <li>(i) Agreed routes and timing restrictions for construction vehicles, deliveries and staff</li> <li>(j) provide for mitigation measures in accordance with BS:5228, Code of practice for noise and vibration control on construction and open sites;</li> <li>(k) Temporary access arrangements to the site, and any temporary hard-standing;</li> <li>(l) Phasing/projected timetable of construction works;</li> <li>(m) Control of surface water run off during construction;</li> <li>(n) Proposed method of any piling for foundations/other ground works;</li> <li>(o) Details of types of piling rigs and earth moving machinery to be used;</li> <li>(p) Details of temporary external lighting/flood lighting;</li> </ul> <p>provide for a Waste Minimisation Statement setting out a scheme for recycling/disposing of waste resulting from construction works;</p> <p>The development shall be carried out in accordance with the approved plan.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. The approval of this information is required at this stage because insufficient information has been submitted with the application. A pre-condition is required because insufficient information accompanies the outline application and the CMS must be in place before construction works commence. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS13 and CS14 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).</p>
13.	<p><b>Hours of Construction Works</b></p> <p>No demolition or construction works shall take place outside the following hours:</p> <p>0730 hours to 1800 hours Mondays to Fridays;  0830 hours to 1300 hours Saturdays; and  No work shall be carried out at any time on Sundays or Bank Holidays</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework (2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies</p>

	OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
14.	<p><b>Layout and Design Standards</b></p> <p>Notwithstanding the information provided within the application documentation, 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 and the applicant shall enter into a S278/S38 Agreement for the adoption of the sites road and footpaths where required by the Highways Authority.</p> <p>Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed in accordance with the National Planning Policy Framework (2019), 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).</p>
15.	<p><b>Parking and Turning Areas</b></p> <p>No dwelling hereby permitted shall be occupied until the associated vehicle parking and/or turning space has been surfaced, marked out and provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The parking and/or turning space shall thereafter be provided in accordance with the approved details and kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>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 (2019), 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).</p>
16.	<p><b>Electric Charging Points</b></p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of electric vehicle charging points shall have been submitted to and approved in writing by the Local Planning Authority. The dwellings hereby permitted shall not be occupied until the electric vehicle charging points have been provided in accordance with the approved drawings. The charging points shall thereafter be retained and kept available for use by electric vehicles.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
17.	<p><b>Cycle Storage</b></p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of the cycle parking and storage space shall have been submitted to and approved in writing by the Local Planning Authority. Each dwelling shall be not be occupied until the cycle parking and storage space has been provided for that dwelling in accordance with the approved details and retained for this purpose at all times.</p> <p>Reason: To ensure that there is adequate and safe cycle storage space within the site.</p>

	<p>This condition is imposed in accordance with the National Planning Policy Framework (2019), 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).</p>
18.	<p><b>Travel Plan</b></p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented from the point at which any dwelling hereby permitted is first occupied. From the date of implementation, the approved travel plan shall be reviewed and updated within the first 6 months. After that, the Travel Plan shall be annually reviewed and updated and all reasonable practicable steps taken to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.</p> <p>Reason: To ensure the development reduces reliance on private motor vehicles and provides an appropriate level of vehicle parking. This condition is imposed in accordance with the National Planning Policy Framework (2019), 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).</p>
19.	<p><b>Spoil</b></p> <p>No development hereby permitted shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <ul style="list-style-type: none"> <li>• Show where any spoil to remain on the site will be deposited;</li> <li>• Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);</li> <li>• Include measures to remove all spoil from the site (that is not to be deposited);</li> <li>• Include timescales for the depositing/removal of spoil.</li> </ul> <p>All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.</p> <p>Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. A pre-condition is required because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and the Speen Village Design Statement (2002).</p>
20.	<p><b>Sustainable Drainage</b></p> <p>No development hereby permitted shall take place until details of sustainable drainage measures to manage surface water within the site has been submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England). These details shall:</p> <ol style="list-style-type: none"> <li>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;</li> <li>b) Include and be informed by a ground investigation survey which establishes</li> </ol>

	<p>the soil characteristics, infiltration rate and groundwater levels;</p> <ul style="list-style-type: none"> <li>f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;</li> <li>g) 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;</li> <li>i) Include flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes;</li> <li>j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;</li> <li>k) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.</li> <li>l) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;</li> <li>m) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;</li> <li>n) 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;</li> <li>v) 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;</li> <li>w) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development.</li> </ul> <p>The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwelling(s) hereby permitted are occupied/in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
21.	<p><b>Integrated water supply and drainage strategy</b></p> <p>No development hereby permitted shall take place until an integrated water supply and drainage strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved strategy. The strategy shall provide details of any on and/or off site drainage works, and impact studies on the existing water supply infrastructure to determine the magnitude of any new additional capacity required in the system and a suitable connection point. The development shall be carried out in accordance with the approved integrated water supply and drainage strategy. No discharge of foul or</p>

	<p>surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>Reason: To ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site. A pre-condition is required because this policy-requirement is not addressed within the current application, and will depend on the final layout of the development. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 and CS16 of the West Berkshire Core Strategy (2006-2026), and Policy GS1 of the Housing Site Allocations DPD 2006-2026. A pre-condition is necessary to make the development acceptable, as this information is not included within the application submission.</p>
22.	<p><b>Refuse Storage</b></p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of storage for refuse and recycling materials for the dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The approved dwellings shall not be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall thereafter be retained for this purpose.</p> <p>Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>
23.	<p><b>Protection from External Noise</b></p> <p>Prior to above foundation level development taking place on the dwellings hereby permitted, details of a scheme of works to protect the future occupiers of the approved dwellings from externally generated noise shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, each individual dwelling shall not be occupied until the approved mitigation scheme relevant to that individual dwelling has been fully implemented in accordance with the approved details.</p> <p>Reason: In order to protect the amenities of future occupiers of the development in accordance with The National Planning Policy Framework (2019), Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
24.	<p><b>Contaminated Land</b></p> <p>Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until sub-conditions A to C below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until sub-condition D has been complied with in relation to that contamination.</p> <p><b>A. Site characterisation</b></p> <p>An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in</p>

writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination
- (ii) an assessment of the potential risks to:
  - human health
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - adjoining land
  - groundwaters and surface waters
  - ecological systems
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

#### **B. Submission of remediation scheme**

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### **C. Implementation of approved remediation scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development (other than that required to carry out remediation). The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing by the local planning authority.

#### **D. Reporting of unexpected contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of sub-condition A above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of subcondition B above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with subcondition C above.

#### **E. Long term monitoring and maintenance**

In the event contamination is found at the site, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed

	<p>remediation over a period to be agreed with the local planning authority, and the provision of reports on the same must be prepared, both of which must be submitted and approved in writing by the local planning authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the local planning authority.</p> <p>Reason: To ensure the creation of a safe living environment for future occupiers, to avoid the risk of pollution and to ensure that any unexpected contamination encountered during the developments is suitable assessed and dealt with, such that it does not pose a unacceptable risk to ground or surface water in accordance with the National Planning Policy Framework (2019), Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007. A pre-condition is necessary because insufficient detailed information accompanies the application to ensure the proposal would not have an adverse impact on contamination within the site and so it is necessary to approve these details before any development takes place</p>
25.	<p><b>Travel information packs</b></p> <p>No dwelling hereby permitted shall be first occupied until a scheme for the provision of travel information packs for new residents has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To provide a scheme that seeks to deliver sustainable transport objectives, such as encouraging the use of local public transport and other non-car modes of transport. The provision of travel information packs to new residents is a scheme that is proportionate to the size of the development. This condition is applied in accordance with the National Planning Policy Framework (2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and P1 of the Housing Site Allocations DPD (2006-2026).</p>
26	<p><b>Broadband</b></p> <p>Prior to above foundation level works commencing details of a Superfast Broadband Strategy Statement shall have been submitted and approved in writing by the Local Planning Authority. Such a statement shall set out how superfast broadband is to be provided to the development, including a schedule for connection. Thereafter no part of the development hereby permitted shall be occupied until superfast broadband infrastructure has been provided in accordance with the approved details.</p> <p>Reason: To ensure that the site is provided with high speed communications infrastructure in the interests of the amenity of the occupants of the site in accordance with the requirements of the National Planning Policy Framework (2019), Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
27	<p><b>Emergency Water Supplies</b></p> <p>No dwelling hereby permitted shall be first occupied until either:</p> <p>Private fire hydrant(s), or other suitable emergency water supplies, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (in consultation with Royal Berkshire Fire and Rescue Service); or Royal Berkshire Fire and Rescue Service confirm that such provision is not required (for example, because the main water supply for the</p>

	<p>development is sufficient) and confirmation of the same has been given in writing by the Local Planning Authority pursuant to this condition.</p> <p>Reason: At present there are no available public mains in this area to provide suitable water supply in order to effectively fight a fire. Suitable private fire hydrant(s), or other suitable emergency water supplies, are therefore required to meeting Royal Berkshire Fire and Rescue Service requirements, in the interests of public safety. This condition is applied in accordance with the requirements of the National Planning Policy Framework (2019), Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
28.	<p><b>Boundary Treatment</b></p> <p>Prior to the first occupation of any dwellings hereby permitted, details (indicating the position, design, materials and type) of all boundary treatment shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before any dwelling hereby permitted is first occupied. The approved boundary treatments shall thereafter be retained as such.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with the NPPF and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026)</p>
29.	<p><b>Tree Protection – Construction Precautions</b></p> <p>No development or other operations hereby permitted shall commence on site until measures providing for the protection of the root zones of trees to be retained from the proposed access, hard surfacing, drainage and services have been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
30.	<p><b>Arboricultural Programme of Works</b></p> <p>No development or other operations hereby permitted shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>

30	<p><b>Arboricultural Method Statement</b></p> <p>No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for the details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
31	<p><b>Arboricultural Supervision Condition</b></p> <p>No development hereby permitted 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. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework (2019), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
32.	<p><b>Construction Environmental Management Plan (CEMP)</b></p> <p>No development hereby permitted shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following;</p> <ul style="list-style-type: none"> <li>(a) a risk assessment of potentially damaging construction activities</li> <li>(b) Identification of biodiversity protection zones</li> <li>(c) Practical measures to avoid and reduce impacts during construction with special consideration on the protection of SSSI/SACs within the locality.</li> <li>(d) The location and timing of sensitive works to avoid harm to biodiversity features</li> <li>(e) The times during construction when specialist ecologists need to be present on site to oversee works</li> <li>(f) Responsible persons and lines of communication</li> <li>(g) The role and responsibilities of the ecological clerk of works or similarly competent person</li> <li>(i) Any temporary lighting that will be used during construction</li> <li>(k) measures to ensure no altered hydrogeology will occur within the site or locality during construction</li> <li>(l) External lighting</li> <li>(m) The implementation of these measures prior to the commencement of</li> </ul>

	<p>development.</p> <p>The development shall not be constructed otherwise than in accordance with the approved CEMP.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework (2019), and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
33.	<p><b>CLP Oil Pipeline</b></p> <p>Prior to any development hereby permitted commencing on land within 6m of existing CLP (Oil) Pipeline located beyond the southern boundary of the site, the broad location of which being indicated in the consultation response with attached plan dated 7 August 2017 from CLP Pipeline System Ltd, details of such works shall have been submitted to and approved in writing by the local planning authority (in consultation with CLP Pipeline System Ltd). The development shall thereafter be carried out strictly in accordance with the approved details.</p> <p>Reason: In the interests of public safety. This condition is applied in accordance with the requirements of the National Planning Policy Framework (2019), Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
34.	<p><b>Public Rights of Way</b></p> <p>Notwithstanding information provided with the supporting application documentation, prior to any works commencing on, or affecting, the Public Right of Way (PROW) 'Speen 7/1', details of such works shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: In the interest of highway safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists using the local PROW network. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
35.	<p><b>External Lighting</b></p> <p>Prior to above foundation level works commencing, details of a lighting strategy for the approved dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The strategy shall:</p> <ul style="list-style-type: none"> <li>• Identify those areas on the site that are particularly sensitive for bats;</li> <li>• Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory;</li> <li>• Include and isolux diagram of the proposed lighting;</li> <li>• Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers;</li> <li>• Details of lighting positioning to avoid excessive light pollution to boundary trees, hedgerows or vegetation;</li> <li>• Light levels to below 1lux;</li> </ul>

	<ul style="list-style-type: none"> <li>• Details of light hoods or equivalent features to reduce light spillage;</li> <li>• Provide details of timed/motion sensor security lighting;</li> </ul> <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy and no additional external/street lighting shall be erected on the site.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework (2019), and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
36.	<p><b>Biodiversity enhancements</b></p> <p>The development shall not be first occupied until details of a biodiversity enhancement plan have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The enhancements plan shall follow the principles set out within the supporting ecological report prepared by PV Ecology and shall include (but not be limited to) the installation of a minimum of 4 additional bat roosting boxes such as Schwegler 2FN Bat Box or Schwegler 1FF Bat Box within Hedgerow 4 Appendix Q Phase 2 Ecological Report by PV Ecology as updated in April 2019 (including Appendix A and B). Thereafter, the biodiversity enhancement measures shall be maintained in their approved condition for the lifetime of the development.</p> <p>Reason: To achieve net gains in biodiversity, and to mitigate the impact on bat species. A pre-condition is required because insufficient details accompany the application. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
37.	<p><b>Restrictions during bird breeding season</b></p> <p>No demolition, or site/vegetation clearance shall take place during the bird breeding season (March to August inclusive) unless carried out under the supervision of an experienced ecologist, who will check the habitat to be affected for the presence/absence of any birds' nests. If any active nests are found then works with the potential to impact on the nest must temporarily stop, and an appropriate buffer zone shall be established, until the young birds have fledged and the nest is no longer in use.</p> <p>Reason: To prevent harm to nesting birds from demolition and vegetation clearance. This condition is applied in accordance with the statutory provisions relating to nesting birds, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
38.	<p><b>Habitat Management Plan</b></p> <p>No development hereby permitted shall take place until a Habitat Management Plan for the site for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The Plan shall ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure. No dwelling shall be first occupied until the approved plan has been implemented, and thereafter adhered to for the lifetime of the plan.</p> <p>Reason: To ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure post-development, in</p>

	<p>accordance with the recommendations of the submitted ecological report. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework (2019) and Policy CS17 of the West Berkshire Core Strategy 2006-2026</p>
39.	<p><b>Public Open Space</b></p> <p>Prior to above foundation level works commencing, details of on-site Public Open Space have been submitted to and approved by the Local Planning Authority. The approved Public Open Space shall be provided prior to the occupation of the 10th dwelling and shall be retained permanently thereafter.</p> <p>Reason: In order to provide adequate on site public open space to comply with Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and in terms of the strategic objective to enhance green infrastructure in line with Core Strategy Policy CS18. The National Planning Policy Framework also supports the provision of such green infrastructure and community facilities.</p>
40.	<p><b>Reptile Mitigation Strategy</b></p> <p>The development hereby permitted shall be carried out in accordance with the Reptile Mitigation Strategy set out with in Ecological Report by PV Ecology 2016 as updated in April 2019 (including Appendix A and B) with specific reference, amongst other elements, to a) the erection of reptile fencing prior to and during construction as per the yellow areas as shown in Appendix S and in accordance with the design shown in Appendix T, and b) the creation of two hibernacula with the purple area shown in Appendix S and to the standard as shown in Appendix U.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats, and in order to avoid contravention of the Wildlife and Countryside Act 1981. This condition is applied in accordance with the National Planning Policy Framework (2019), and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>

### ***Heads of Terms for Section 106 Agreement***

1.	<p><b>Affordable housing</b></p> <p>Obligations to secure:</p> <ul style="list-style-type: none"> <li>• 8 affordable housing units on-site comprising 4 social rented units and 2 units of an intermediate form of affordable housing.</li> </ul>
2.	<p><b>Public Open Space, Landscape Buffers/Green Infrastructure and SUDS/Drainage</b></p> <p>Obligations to secure:</p> <ul style="list-style-type: none"> <li>• The provision of public open space, landscape buffers/green infrastructure and SUDS/drainage measures in accordance with details agreed at reserved matters stage and pursuant to conditions.</li> <li>• The long term governance and maintenance of the public open space, landscape buffers/green infrastructure and SUDS/drainage measures (e.g. a management company or transferred to the Council).</li> <li>• In the event that the public open space, landscape buffers/green infrastructure and/or SUDS/drainage measures are transferred to the Council, the provision of a commuted sum for maintenance (calculated in accordance with the Planning</li> </ul>

	Obligations SPD).
3.	<p><b>Highways</b></p> <p>Obligations to secure:</p> <ul style="list-style-type: none"> <li>• £9,240* per annum for 5 years towards to Community bus service (Total £46,200);</li> <li>• £100,000* towards upgrading the Public Right of Way Speen 7/1 to adoptable standard for use by pedestrians and cyclists.</li> </ul> <p>(*unless paid first as part of planning application reference 17/02092/FULD by the same applicant on the adjacent development site).</p>

### ***Refusal Reasons***

1.	<p><b>Lack of S106</b></p> <p>The application fails to provide a Section 106 Planning Obligation to deliver necessary infrastructure and mitigation measures, including:</p> <ul style="list-style-type: none"> <li>(a) Affordable housing, without which the proposal would be contrary to the NPPF, Policy CS6 of the West Berkshire Core Strategy 2006-2026, and the Planning Obligations SPD.</li> <li>(b) Public open space and sustainable drainage measures (provision and governance), without which the proposal would be contrary to the NPPF, Policies CS16 and 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 Planning Obligations SPD.</li> <li>(c) Highways mitigation measures, without which the proposal would be contrary to the NPPF and Policy CS13 and the Planning Obligations SPD.</li> </ul>

### ***Informative Notes***

1.	<p><b>Working Proactively with the Applicant</b></p> <p>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. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.</p>
2.	<p><b>CLP Pipe Line</b></p> <p>The applicants is advised to contact CLH Pipeline System who advise that their client's apparatus, the CLH Pipeline System – Energy Act 2013 (CLH PS), may be affected by the proposal. In order to verify the accurate location of the pipeline in conjunction with the development proposals to arrange a site visit, please contact:</p>

Central Services email: [anne.swallow@clhps.uk](mailto:anne.swallow@clhps.uk)  
Ashdon Road Tel: 01799 564101  
Saffron Walden  
Essex, CB10 2NF

When contacting Central Services, please quote the File Ref ATC/WB/WB/0950/172161.

You should note that the interests of the CLH Pipeline System are conserved by means of the Energy Act 2013, in particular Part IV of the Act, and other legislation such as the Pipeline Safety Regulations 1996. It is, however, the Energy Act 2013 that prohibits any development and most intrusive activities within the Easement Strip without specific consent from CLH Pipeline System. CLH Pipeline System Easement Strips are 6 metres wide and can incorporate other associated CLH Pipeline System facilities.

Central Services will be able to provide guidance on the required procedures for entering into a Works Consent and provide confirmation on permitted development and intrusive activities. The whole process of obtaining Works Consent can take between four and six weeks depending on circumstances at the time of application.

To reiterate, you should not undertake any work or activity without first contacting the CLH Pipeline System Operator for advice and, if required, Works Consent. For your additional information please visit:

<http://www.linerearchbeforeudig.co.uk/index.php/useful-info>, which set out the standard requirements for working/crossing the CLH Pipeline System – Energy Act 2013.

You should also be aware that landowners and third parties have a duty of care not to carry out any works that have the potential to damage CLH Pipeline System apparatus. This duty of care applies even if the works themselves are situated more than 3 metres from the pipeline. Examples of such works are mineral extraction, mining, explosives, piling and windfarms.

Please note that implementation of any unapproved work that affects a CLH Pipeline System Easement Strip may result in serious consequences in terms of health and safety, expense and other attendant liabilities. In such cases it is the perpetrator of the act, together with any other promoting organisation, that shall be held fully accountable for any resulting damage.

Should you require any further assistance please contact Central Services using the details provided above.

DC